

COMMISSION OF ARCHITECTURAL REVIEW
March 22, 2012

Members Present

Fred Meder
Susan Stilwell
Jeffrey Carson
Robin Crews

Members Absent

Richard Morris
Cynthia Castle
Sarah Latham

Staff

Clarke Whitfield
Christy Taylor
Emily Scolpini

Chairman, Fred Meder called the meeting to order at 3:30 p.m.

Mr. Meder proposed to move Item 1 to the last item on the agenda. The motion was approved by a unanimous vote.

I. ITEMS FOR PUBLIC HEARING

Item 2. Request for a Certificate of Appropriateness, PLCAR20120000094, to replace existing rails and pickets on the front porch at 819 Pine Street.

Open the Public Hearing.

Present on behalf of the request was Ms. Zelma Bennett.

Mr. Meder stated you would like to replace the existing railing and I noticed that they were replaced.

Ms. Bennett stated they were without me really realizing that I had to go before someone to do it. We were just going to make the porch look better.

Mrs. Stilwell asked I am just curious, I am a real estate broker, did you work through a real estate agent?

Ms. Bennett responded what do you mean?

Mrs. Stilwell asked did a real estate agent represent you?

Ms. Bennett responded no.

Mrs. Stilwell stated ok, because they should know.

Ms. Bennett stated I have had the house a long time.

Mr. Meder asked for the record, how long have you owned this home?

Ms. Bennett responded oh, probably might have been the beginning of the 80's. I mean the end of the 80's. I am not exactly sure.

Mr. Meder stated I believe that the whole area has been in the Historic District since 1971, but we have been accused of not spreading the word before.

Mrs. Stilwell stated you have created a terrible maintenance problem with the way you did what I call a balustrade, the railing around the porch. You put that bottom support beam flat flush to the porch and what that is going to do is rot almost immediately. You see the way it used to look, there is probably 3 to 5

inches of space. The railing is above the porch, so any water or rain that comes down drops down on the porch floor, but it doesn't get trapped under the base of this balustrade.

Ms. Bennett stated oh, you are saying that we didn't leave any space.

Mrs. Stilwell stated that is a big bad mistake not only architecturally but maintenance wise.

Mr. Carson stated this will last probably 3 or 4 years and you are going to have to do it all over again.

Mrs. Stilwell stated if it lasts that long.

Mr. Meder stated we are tasked with trying to maintain the integrity of the homes, the outside of the home to what they looked like to the best that we can understand. What typically happens is a small change like this happens and it goes up the street and then they all change. Other things that happen is, when someone forecloses on their house, even though they fixed all of their brackets and their ornamentation, and saved extra tiles for the roof and then the bank takes the house. The people that they pay to clean it up steal all of that from the house. It all gets sold and it all gets lost. We are tasked with trying to stop that from happening. It is impossible, but we try. That is why you are here, just to clarify that a little bit.

Mr. Carson asked what was your purpose in replacing the railing to begin with? It seems in this photograph that it is in decent shape.

Ms. Bennett stated some of them were broken and on this side here whoever the lady had rented it to before, she had put a ramp there. She took them off of that side. Some of them were broken and looked really bad. We decided to redo the whole thing.

Mr. Carson stated the original railing is a different height from the railing that you put up. You have a photograph, if you notice the top of the railing is several maybe three or four inches below the top of that base to the column. Do you see that?

Ms. Bennett responded I don't know what that is.

There was discussion about the porch columns.

Mr. Meder asked the fact that they changed the railing, it would need a permit. Does that mean that they would need to change the railing of the stairs?

Miss Scolpini responded they were actually issued a permit to replace the railings on the porch. Was it included in your packet? If not, I have it. "Repair front porch and replace post in historical area," however the fact that it is cut off like that Walter will not approve it because it will not support the porch. That is an issue that Building Inspections is dealing with right now. She is going to have to replace that whole column anyway.

Mrs. Stilwell asked all four of them?

Miss Scolpini responded yes.

Mrs. Crews asked Ms. Bennett are you aware of that?

Ms. Bennett responded yes.

Mrs. Stilwell stated well actually there is six of them.

Mr. Carson stated the half columns at the wall don't look like they have been cut.

Ms. Bennett stated I don't think so. I don't think they did anything to those.

Mr. Meder asked can these be sent to a wood shop and put together correctly with glue and be sound?

Mr. Whitfield responded that is a question that I have no idea about.

Miss Scolpini responded what I have been told is that they have to replace the entire column and make it one piece.

The Commission members had conversation with Ms. Bennett about her contractor.

Mr. Meder stated there is a permit problem with this also. How does the hierarchy go at this point?

Ms. Bennett stated I have already got another permit for that. I got that before I got a letter from you.

Mr. Carson asked so you have a permit for the replacement of the whole column? What will you be replacing it with?

Ms. Bennett responded he said that Lowes had them that look exactly like that.

Mr. Meder stated that is good that there is something really close.

Mr. Whitfield stated it might be helpful for her contractor to come in.

Ms. Bennett stated I've tried to get him. I called him a couple of times. He didn't answer. He was at Lowes getting ready to buy them when I got the letter from you and I told him to just hold off.

Mr. Carson asked do you know how tall these are? Are they 8 feet?

Ms. Bennett responded I don't know.

Mr. Carson asked is it wood?

Ms. Bennett responded yes. He said that it couldn't be vinyl.

Miss Scolpini stated we discussed all of this with her contractor.

Mr. Carson stated I would like to hear what staff has to say about this since obviously you have been in discussion and what has transpired?

Miss Scolpini stated the contractor was told that he had to replace the columns with like columns, any of the ones that were cut, with solid columns like the ones that were there originally. The main issue that we have is with the pickets. They are mounted on the outside and they are thinner and taller than the ones that were originally there.

Mrs. Crews stated they are deck pickets.

Mrs. Stilwell stated I would move that we ask the applicant to replace the balustrade around the house with the exact same balustrade.

Mr. Whitfield stated I don't think you have to move to do that. At this point without any motion that is what she has to do.

Mrs. Stilwell asked so we have no action to take?

Mr. Whitfield responded I think your action would be either to approve her application for Certificate of Appropriateness or deny her application.

Mrs. Stilwell stated to keep the existing.

Close the Public Hearing.

Mr. Meder stated I think what is going to happen is the same thing with the pickets. The pickets are thinner than the original pickets. Also, the columns are going to be thinner than the original column. I don't feel comfortable putting undo financial burden on someone.

There was more discussion about the columns and pickets available to purchase.

Mr. Carson asked is this pressure treated wood?

Mr. Meder stated it could be stained.

Mr. Carson stated it needs to be stained and this is something that is vitally important to you. Stained instead of painted, paint is much thicker than staining. The stain will allow the wood not to rot. Painting it will lock in moisture and will rot.

Ms. Bennett stated the part that we did replace was treated wood and they said that we would have to wait a while to paint it. Can you paint it after you wait a while?

Mr. Carson responded stain it white or whatever the color is supposed to be.

Mr. Meder stated I have treated lumber that I stained since 1989 and I have only replaced very few boards.

Mr. Whitfield stated it might be helpful for her to understand, when people think of stain they think of this, but you can stain in many colors.

Mr. Carson stated you can have a color like the rest of the house.

Mr. Meder stated you can have red.

Mrs. Stilwell stated you can buy stain in many colors. The stain will protect the pressure treated wood and make it last like it was intended to last, whereas paint will be like putting something in a plastic bag and waiting for it to mold and rot.

Mr. Meder stated it is also a whole lot easier to apply. It is a dream compared to the paint.

Mrs. Stilwell stated you can stain all of the stuff before it is put up. You might have to come back and touch up, but a lot of it can be stained, laid out on a table or saw horses before you put it up. It is very

hard to do a balustrade because you are outside, you are inside, and you're going between them. It is tough.

Mr. Carson stated it is easier just to do it ahead of time.

Ms. Bennett asked so if it is stained you don't have to wait any length of time?

Mr. Carson responded it dries a lot faster.

There was further discussion about the difference in dimensions of what was originally there and what can be purchased and the type of house.

Mrs. Stilwell made a motion to deny the request as submitted, recommending that the balustrade and railings be replaced with materials for porch decking and be raised off of the porch floor with a cap railing on the top and stained in a color to match the house. Mr. Carson seconded the motion. The motion was approved by a 4-0 vote.

Mrs. Stilwell made a motion that the four (4) columns that have been cut be replaced with similar style, turned wood, premade, and stained to match the house. Mrs. Crews seconded the motion. The motion was approved by a 4-0 vote.

There was discussion about Item 1.

Item 3. Request for a Certificate of Appropriateness, PLCAR20120000095, to display a temporary banner at 115 Jefferson Avenue.

Open the Public Hearing.

No one was present on behalf of the request.

Mrs. Crews stated I did enter into the record the length of the temporary and I was responded with one month. My second question in follow-up was does the clock begin when they initially put it up or is it the date of our decision.

Miss Scolpini responded it is supposed to be when it is originally put up. I am not exactly sure when that is.

Mr. Whitfield stated certainly you can make it part of your motion that it be one month from the date of the Certificate of Appropriateness if you chose.

Mrs. Crews stated that would not be my choice.

Close the Public Hearing.

Mrs. Crews made a motion to approve the request to display a temporary banner at 115 Jefferson Avenue from the time the banner was originally erected. Mr. Carson seconded the motion. The motion was approved by a 4-0 vote.

Item 1. Request for a Certificate of Appropriateness, PLCAR20120000054 to repair and replace existing rails and pickets on porch and handicap ramp to match design of front porch at 1021 Main Street.

Open the Public Hearing.

Present on behalf of the request was Mr. Micah Robinson. Mr. Robinson stated I appreciate you calling me and reminding me of the meeting. I am not working in the front of the house. I have no plans of working in the front of the house at any time in the near future. I am not well prepared, but I do have a plan and I want to present it, so I can go on with the rest of my day. I did email a photo of what I want to do to Renee. I managed to squeeze a little bit of time to put in some railings that basically render what I want to do. It is very simple square spindles. Basically I am replacing what was there. I am basically going the route that will hopefully be the most likely to pass. The only difference is that I am going to carry that same style around the handicap ramp, which I do have every intentions of keeping that ramp. I want to keep it at least for right now. The railing is really the only thing in question. I want to carry that same style that I have on the left in the picture with the rounded section of the porch. I want to carry that same style around to the handicap ramp. If I can't do that I am open to suggestions.

Mr. Meder asked would you give me just a little more description on this railing? Are the pickets larger than the ones that were previously there?

Mr. Robinson responded they're basically the same size. What was there is a little bit smaller because they pre-bought the ones from Lowes that are a little bit smaller, pre-manufactured spindles. What I did was just rip a 2x4 in half and sand around the edges to make it rounded.

Mr. Meder asked treated?

Mr. Robinson responded no. It is old pine, which is less likely to rot than spruce obviously; but it is still like wood. I am very thorough when I paint. I used caulk around all of the edges to make sure there is no way the water can get in. I use duration paint, so the likelihood of it rotting anytime in the near decade or several decades is not likely. That is my plan. I am open to suggestions. I needed to come up with something even though I am not necessarily working on that right now, but I wanted to come up with something to present.

Mr. Meder asked the other question that I have is the space between the pickets. What size?

Mr. Robinson responded the space would be 3 ½ inches, the same as the other side. Honestly, I plan on replacing the other side too in the near future; but right now I am just going to be replacing what existed that I tore off. The section on the left is what I am replacing, which is very similar to the section on the right. At some point, the section on the right will probably be replaced as well.

Mrs. Crews asked do those have 3 ½ inch spaces in between those?

Mr. Robinson responded yes, it is 3 ½.

Mr. Carson asked will you be replacing the side railing, which is now paneled?

Mr. Meder stated it looks paneled, but I don't believe it is.

Mrs. Crews stated it is actually not panel. It is just the picture.

Mr. Robinson responded I am going to have to do something eventually. The issue that I am up against right now is more of a safety issue more than a cosmetic issue, especially on that side that you just mentioned. It is only up to my knees and I am a relatively short person. It would be very easy for someone to tumble over the railing. It is not up to Code.

Mr. Meder asked do you want a suggestion?

Mr. Robinson responded sure.

Mr. Meder stated I have got a similar situation and I added a 2'x6' cap and that gave me another inch and a half and the fact that I put a gabled end on top of the 2'x6'.

Mrs. Stilwell stated people don't sit on it.

Mr. Meder stated and the water runs off of it. For the circle, you had to jigsaw them out and take that grinder chainsaw wheel thing that these guys make all of these birds and stuff out of. I was able to do it and it came out really kind of cool.

There was discussion about the different ways to create the railing cap to add height.

Mr. Robinson stated at a later date I may actually try to get past something in addition to that on that one side, on the far right side where it drops off there, I may get a metal bar or a metal something in addition to that for insurance purposes. I don't know since it is more of a drop off there.

Mrs. Stilwell stated it is a steep drop off there.

Mr. Meder stated it is like 15 feet.

Mr. Carson stated with respect to the ramp, and you feel that you will probably be repainting it. There is nothing about it that is attractive.

Mr. Robinson stated it is already a paved entrance from the gas station parking lot. There is about a 4'x5' foot section that is neatly been beveled in there and that is not going anywhere anytime soon.

Mr. Carson asked are you expecting wheel chair?

Mr. Robinson responded I would like to potentially have the option to either house handicap people or just having the convenience of having a ramp.

Mr. Carson asked can the railing at least match the porch?

Mrs. Crews responded that is part of his proposal.

Mr. Meder stated going back to what I was talking about before, by putting that cap on top of the 2'x4' you would lower that handicap ramp picket by adding 3 inches of cap if you will, so that lowers the rail a little bit and makes it look a little more beefy. That is the thing with Victorians. Everything is so beefy and ornate and now everything is dimensional, so we lost a 1/2 inch and an inch on so many pieces of wood that it looks puny now on these homes.

Mr. Robinson stated I am willing to upscale the size of the spindles. I was just throwing it out there as my idea. The handicap railing will be shorter and wider. What was there was some thin spindles that I tore off. I am even willing to make the 4'x4's look more rounded if that would be more aesthetically pleasing.

Mrs. Crews stated I have a question. If one calls a handicap ramp, one assumes ADA compliant. Are shorter railings ADA compliant? I would say that they are not.

Mr. Whitfield responded that is going to have to be a question.

Mrs. Crews stated so it is not in the purview of this Committee.

Mr. Whitfield stated no matter what, he is going to have to do it within Code.

Miss Scolpini stated I believe it is 36 inches.

There was discussion about ways to make the handicap ramp ADA compliant and make it aesthetically pleasing by adding a metal bar to the railing.

Mrs. Stilwell asked if we approve this, he has how long, a year to get it done?

Mr. Whitfield responded yes.

Mrs. Stilwell stated so we can approve this and you have got a year, which I know you have got a lot of projects. We just need to deal with it or you're going to be shut down and will not get to do anything.

Mr. Robinson stated the exterior will be done well within a year.

Close the Public Hearing.

Mrs. Stilwell made a motion to approve the request to replace and repair the existing balustrade as proposed using the same material on the handicap ramp with the addition of a metal bar painted black for safety and to meet Code requirements for height. Mr. Carson seconded the motion. The motion was approved by a 3-1 vote (Mrs. Crews in opposition).

Mr. Carson stated I would like to know what the objection is from Mrs. Crews.

Mr. Meder stated I don't see any reason why we couldn't ask that.

Mrs. Crews stated I chose not to, but I will tell it this time. I think between 23 and 24 being what we talked about even with the additional board I think it is not going to pass ADA compliance. I understand that is a Zoning issue, but I think it will not be attractive.

Mr. Meder stated that is fair. I am sorry. We are not trying to put you on the spot. You could have denied it.

Mr. Carson stated the only reason I like to ask is because you may have thought of something that we hadn't.

There was general discussion among the Commission members about various situations related to ramps.

II. APPROVAL OF MINUTES

Mr. Carson stated on page 2, middle of the page, Ms. Blair is talking about having "15 contiguous parking spaces you are required to have at, not a." "You are required to have at least one traffic island." I think you need to delete "in."

Mr. Carson made a motion to approve the minutes from the February 23, 2012 meeting as corrected. The minutes were approved by a unanimous vote.

IV. OTHER BUSINESS

Miss Scolpini stated I am not aware of any.

Mrs. Stilwell stated I have one. I am going to continue to bring it up at every meeting. At the last meeting, I asked that we have an opportunity to meet with and it passed unanimously with the Planning Department to revisit the zoning of the 1000 block of Main Street that is zoned TO-C, Transitional Office Commercial. I am talking about where Gamewood used to be.

Mr. Whitfield asked from what you to be Fusion all the way down to the Exxon station looking down at Mt. Vernon? I guess it would be the whole block.

Mrs. Stilwell responded yes. The whole 1000 block is zoned TO-C and it is causing incredible problems. Most of those properties were built as houses and they were used as houses. Some of them were temporarily used as offices at a point when medical commercial was invading the neighborhood. That was all changed in 88 when we did not make that O & I all the way downtown. What it is causing is if somebody wants to buy one of those houses to reside in they have to rezone it and get a Special Use Permit, which takes 90 days. Three of those houses are in either short sales or foreclosures. You cannot get 90 days.

Mr. Meder asked what do we want to rezone to?

Mrs. Stilwell responded Old Town Residential.

Mr. Carson asked what about mixed use?

Mrs. Stilwell responded that is not an option in our Zoning Code. What is happening then is you can't buy because you have no insurance if you can reside in it. The other thing is that no bank, no mortgage company will make a loan on commercial property for residential use.

There was discussion about the problem this zoning is causing.

Mr. Whitfield stated we could ask Earl to come to the next meeting and put this on as a specific agenda item. I would just invite Earl to come discuss the zoning of the 1000 block of Main Street. We could put in as subsection A under Other Business or list it under other business.

Mr. Meder stated that would be great. He could speak to what we are doing with the Historic District anyway.

There was discussion about not having mixed use in the Zoning Code and about the uses that exist currently in the TO-C District.

Mr. Meder gave an update on the projects that he is currently working on.

Mr. Carson asked what is happening with the YMCA with the parking lot?

Miss Scolpini responded as far as I know it is being taken care of.

There was discussion about what is being done to the parking lot.

Mrs. Crews stated we have set precedence by calling Micah 2 times prior to the meeting. Are we going to make that precedence for anyone?

There was brief discussion about whether or not this should be considered as precedence and how it should be handled.

Mr. Whitfield stated I would suggest you end the precedence right now and if someone doesn't show up they don't show up and it is done.

Mrs. Crews asked use somebody as a precedence and then rescind it?

Mr. Whitfield stated I don't know that we have really set one.

Mrs. Crews stated we waited for him quite some time last meeting and he was the only item on the agenda.

Mr. Whitfield stated I understand, but I think if I were you all I would just not do it anymore for anybody period.

Mr. Carson stated I think you are absolutely right.

Mrs. Crews stated you already know my vote on it.

Mr. Whitfield stated if they don't show up and they are the only item on the agenda by 3:45 adjourn the meeting, you move to deny, or you try it in their absence.

There was discussion about what has been done in the past.

Mr. Carson stated there is one other thing and I don't know if you were on board when the Commission was told we were going to go to hell and that went on and on. I requested to staff that there be something in writing that says the applicants only have a right to speak for 3 or 5 minutes.

There was discussion about this particular meeting when this occurred.

With no further business, the meeting adjourned at 4:35 p.m.

APPROVED