

COMMISSION OF ARCHITECTURAL REVIEW

December 12 2019

Members Present

Jeffrey Bond
Robert Weir
Robin Crews
Susan Stilwell
Michael Nicholas
Robert Stowe

Members Absent

Sean Davis

Staff

Ken Gillie
Lisa Jones
Stan Rush
Alan Spencer

ITEMS FOR PUBLIC HEARING

Request a Certificate of Appropriateness at 407 Chestnut St. to construct 12'x8' deck with front staircase using treated framing on right side of building. Decking and steps will be composite. Deck and staircase will provide ingress and egress through kitchen door

Mr. Nicholas opened the Public Hearing.

Mr. Lawrence Meder spoke on his behalf. Mr. Meder stated you have all seen me here three times before for the same deck. You have approved it three times and I have never built it. This time we actually started building it and I had one of the inspectors come down and look at my hole to make sure that I was putting the right footings in and they said that my certificate of appropriateness has expired. That was in October when it was like a hundred degrees and now it's freezing outside. I can't even pour the concrete and it will be another two months. Even if I get this, I can't build it and that is what happened last year when I got it. My question if you approve it and I'm told there is a time limit on these approvals. I would like to see maybe if this occurs the approval starts when you like break ground. Then you would have six months verses you get your approval today and you have six months to build it.

Mr. Nicholas stated the certificate expires six months from the date it was issued, that's not our rule that is City Council.

Mr. Meder stated there is a small change on this. I want to use composite on the decking material, same color as I would have on normal decks in the Old West End, but what I'm finding I have replaced four porches and three of them were in less than seven years. The materials that we have today are disintegrating. I'm also moving the staircase from the back to the front of the deck.

Mr. Nicholas closed the Public Hearing.

APPROVAL OF THE MINUTES

Mr. Weir made a motion to approve the June 27, 2019, minutes making one change on page 1. Mr. bond seconded the motion. The motion was approved by a unanimous vote.

Mr. Gillie stated the item was to be heard at the meeting September 26 but we didn't have a quorum The applicant stated she would not be available at the next meeting and I thought we were holding it till January but since they are here I made copies of the report that was presented at the September meeting and it would have been the same thing that I would have done for today's meeting except I would have added a paragraph that we didn't have a meeting in September. If they want to make their presentation I have no problem adding this to the agenda it was just miss communication on what meeting they wanted to be heard at.

Crews made a motion to add this to the agenda. Mr. Stowe second the motion. The motion was approved by a unanimous vote.

Request a Certificate of Appropriateness at 136 Chestnut St. to install a ductless "mini-split" heat pump system.

Mr. Robbie Frazier spoke on this request. Mr. Frazier owner of Comfort Cooling in Danville. The owner bought a mini-split and wanted a contractor to put it in and we put it in and did not realize at the time that we needed to go before the committee to get approval. When we went to get the permit that is how this came about. We are just looking to see what we can do to fix this.

Mr. Nicholas stated how can you make it conforming to the guidelines?

Mr. Frazier stated well in backing up a year prior to us putting this in, we did a job for the City and we did the same thing and it was not an issue. We didn't realize that we needed to have it where you couldn't visually see it from the street.

Mr. Nicholas stated the job with the City was that in the historic district?

Mr. Frazier stated same district and same street.

Mr. Nicholas stated was it visible from a public right away?

Mr. Frazier stated yes.

Mr. Nicholas stated same question how can you make it comply with the guide lines?

Mr. Frazier stated I don't know other than moving it or maybe something around it.

Ms. Peggy Feckner owner of the house stated maybe a small fence piece that goes up. There is a driveway next to it, and there is a truck that has been there for about five years, but if they want to move it out/ there is a danger of them knocking off or into the converter if it is down on the ground.

Mr. Frazier stated I also have pictures of other houses on the same street that is visual from the public right away.

Mr. Nicholas stated you are welcome to show them to the commissioners but unfortunately it's kind of a split process that we don't have any enforcement power and none of us are allowed to go around and say violation and violation. We can only decide things that are brought to us. If other houses have it and it's not proper then it was never brought to our attention. It's kind of like a tree falling in the woods.

Mr. Frazier stated I just didn't know that we needed to do this at the time that we did this. We just need to figure out the next step.

Ms. Feckner stated on the side what could be done is a narrow fencing up so you don't see it.

Mrs. Stilwell stated like a piece of lattice or something?

Ms. Feckner stated more like wood spouts that are this far apart about an inch in between. The items does need air circulation you can't block the air on it.

Mr. Nicholas stated how did this ever get before us staff?

Mr. Gillie stated they did it without the permit and they came back after the fact to ask for the permit. It was in a historic district and our system kicks out the address because it is in a historic district and we told them that we can't give you a permit till you get permission from the commission.

Mr. Nicholas stated staff has offered two recommendations. One is that relocated the system to a lower elevation is that feasible?

Mr. Frazier stated I would have to get with inspections department and ask them if I can do that.

Ms. Feckner stated it would be difficult because of the driveway. The house is unfortunately right on the line.

Mr. Nicholas stated and could it be put on the rear of the house?

Ms. Feckner stated it won't work that way and it is too far. The rooms that I am looking to cool are the two rooms that are on that side of the house. It won't reach and it's too far to operate.

Mr. Weir stated if the recommendation is to move it and shield it then why can't they shield it in place?

Mr. Nicholas stated there is no regulation that say's that they can't.

Mr. Weir stated knowing there is a limitation to a mini split and it will only go so far per unit we are reaching a point where you create a huge economic issue here, it seems like one of the things that we can do is find some way to shield it. Will lattice work or something of a compromise. The driveway is too narrow to put it down and it is going to get hit constantly which is an economic issue.

Mrs. Stilwell stated it's not going to be effective when it is way down on the ground.

Mr. Meder stated I've never seen it till today and I am over there every week. Whether it is a mini split or a trane system outside with the duct work going into the crawl space. You have to put these systems somewhere. Whether it's solar and solar is coming to the Old West End. You got to put them somewhere and so it's seen from the street from the right of way and honestly who cares. I should say that one this should get approved and they shouldn't have to move it or change it.

Mr. Nicholas closed the Public Hearing.

Mr. Nicholas stated who cares to put it bluntly.

Mr. Stowe made a motion that it does not meet the guidelines. Mr. Weir seconded the motion. The motion was approved by a 6-0 vote.

Mr. Weir made a motion that we approve this item that it does not have an adverse effect the district or neighborhood. Mrs. Stilwell seconded the motion. The motion was approved by a 6-0 vote.

OTHER BUSINESS

Mr. Gillie stated the National Park Services is requesting a second 106 Lee Street review for potential demolitions of the caretakers quarters in the Lee Street National Cemetery. It is not a City facility so the City has nothing to do with that, it is purely the feds. It is outside of your jurisdiction but since it is a 106 Review they want to put it to you for your comment. All the commission can do is make a comment to them whether it is justifiable or not justifiable and that is about it.

Mr. Nicholas stated why don't we make that agenda item and review and discuss that for the next meeting.

With no further business the meeting adjourned at 4:00 p.m.

Approved