

**COMMISSION OF ARCHITECTURAL REVIEW
MEETING OF MARCH 24, 2011**

Members Present

Fred Meder
Susan Stilwell
Jeffrey Carson
Seth Land

Members Absent

Richard Morris
Cynthia Castle
Robin Crews

Staff

Renee Blair
Clarke Whitfield
Emily Scolpini
Christy Taylor

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

I. ITEMS FOR PUBLIC HEARING

Item 1. Certificate of Appropriateness PLCAR20110000113, to replace concrete walkway with brick pavers at 596 Holbrook Avenue.

Open the Public Hearing.

Present on behalf of the request was Mr. Jeff Liverman. Mr. Liverman stated I am at 596 Holbrook Avenue. We have been there about eight (8) years. I had an issue, just to give you a little history on the front of this walkway, I had an issue with a really large magnolia tree that was not only tearing up my sidewalk, but really helping to crumble up some of the cracked foundation of my house. I had to take that out and was really waiting for the ground to sort of settle, so I would know that there was no more movement going on there. I am ready to repair this. I would like to do more than simply put in a concrete walkway. I think the pavers would be in keeping with the historic nature of the home and the neighborhood. Does everybody have pictures? The picture is just across the street from us is a herringbone pattern and it is literally across the street from my house. That is sort of the nature of what I want to do. I did a sketch up drawing of the front of my home including a rendering of the proposed sidewalk. It is going to be a little bit narrower, but I think that will actually make the front of the house look a little better. This sidewalk is eight (8) foot wide, I think. It does not look like a standard sidewalk. It looks like a street sidewalk.

Mr. Carson asked what are those steps leading up to the house?

Mr. Liverman responded those are granite.

Mr. Carson stated you certainly have a very impressive flight of steps.

Mr. Liverman stated I know very well because I slipped on them and broke two (2) vertebrae on those very steps just two (2) months ago, so I am kind of thinking about my front safety.

Mr. Carson asked what is the surface of the porch itself?

Mr. Liverman responded I tried to represent those in the sketch up. They are clay tile. They are embedded in concrete.

Mrs. Stilwell asked are they broken clay tile?

Mr. Liverman responded no, they are square. They are probably four (4) inch square. I think the color of the paver we are thinking about, which is generally represented by my drawing would reinforce the color of those tiles.

Mr. Carson asked have you gotten the staff report?

Mr. Liverman responded I have not.

Mr. Carson asked do you have one (1) available?

Ms. Blair responded no, he has one (1).

Mr. Liverman asked was it in the letter?

Ms. Blair responded yes, what I sent to you by email.

Mr. Carson asked would Staff like to reiterate its conclusions?

Ms. Blair read the staff report.

Ms. Blair stated we just made a recommendation of possibly keeping that extra width verses what you had just because of the architecture of the home. That boxy style and I am sure there is a name.

Mrs. Stilwell stated it is very Arts and Crafts.

Ms. Blair stated that was more suitable and that is certainly up to the Board. Staff likes it either way.

Mrs. Stilwell asked are you going to actually use concrete pavers or are they brick?

Mr. Liverman responded I want to use clay brick.

Mrs. Stilwell asked do you have a reason that you wanted to reduce the width or did you personally think it would look better?

Mr. Liverman responded I actually think when you go and look on site that walkway looks really wide when you compare it to other properties where the walkway starts out not eight (8) foot wide at the sidewalk but much reduced. I think most of them are that way. The reason that I have it flared here is really just to meet the stairs as it comes in. It could meet them square, but I prefer this design.

Mr. Carson stated well you would not have submitted it if you did not.

Mr. Liverman asked are there any reasons other than aesthetic for an eight (8) foot wide sidewalk at the street?

Mr. Carson responded there is logic to it. Your treads and risers of your granite steps, which are extremely impressive, are apparently eight (8) foot wide.

Mr. Liverman stated they are actually a little wider than that.

Mr. Carson stated where they are inside.

Mr. Liverman stated inside is probably eight (8) feet.

Mr. Carson stated having your walkway, which is currently matching that width remain eight (8) feet is the logic behind the whole thing. It really should reflect the steps. I understand where you are coming

from and this proposed width with the curve would look great on perhaps another style house. With this rather grand flight of granite steps, I would urge you to reconsider reducing the width of that walkway and to consider maintaining the eight (8) foot width, which is reflective of the width of the steps themselves. I like your idea of the brick pavers and the herringbone pattern. I would like to hear more from my colleagues.

Mrs. Stilwell stated financially it would be a savings to go to five (5) feet. I understand that, but I have to agree that because of the width of that porch and the width of those steps, it just seems to me that the eight (8) foot width would really look better. That is just my personal opinion.

Mr. Land stated I am not sure that it would look better. I cannot say that. I think it looks good how he has it drawn.

Mr. Carson stated we are also addressing the style of the house. One (1) of the problems with this very nice curve is that you have an Arts and Crafts house, which is noted in style for being very angular. You rarely ever see very much in the way of curves. The departure from the Arts and Crafts style and what really becomes an arbitrary width to the walk are the two (2) things I am objecting to.

Mr. Liverman stated we have even considered something that I have seen in Arts and Crafts houses where the walkway does not directly address the home where it is a circuitous route and I think trying to stay within the guidelines and not change things too much, which was part of our goal here. I think it feels a little more intimate.

Mr. Carson stated I would agree with you.

Mr. Liverman stated I do not think it is out of keeping with the style. I do not know how strongly you all feel about this whether this is a matter of real style value, and maybe I am not the right person to address that.

Mr. Carson stated you are going to have quite a bit of expense in cutting all of those brick to meet these curves rather than if they were a straight shot.

Mr. Liverman stated we will have to cut brick anyway whether it is straight or not.

Mr. Meder stated we have got to cut regardless. Anybody would have to cut the bricks in a herringbone pattern unless it is square and then you are only cutting every third (3rd) one in half.

Mr. Land asked do we know what the difference in cost would be?

Mr. Carson stated that should not be our consideration.

Mr. Meder responded not off of the top of my head.

Mr. Carson stated the cost and the economics is something that really should not be a consideration of this Board. We just cannot deal with something like that. We are not set up for it. You have to go on what is appropriate for the individual structure. Is there anything more to be said about this?

Close the Public Hearing.

Mr. Carson made a motion to approve the request as an eight (8) foot walkway in the proposed herringbone brick material and pattern. Mrs. Stilwell seconded the motion. The motion was approved by a 3-0-1 vote (Mr. Meder abstained).

III. APPROVAL OF MINUTES

Mrs. Stilwell stated I have a couple of corrections. On page 7, "Dr. Cannabin" should be spelled "Dr. Canavan." On page 9 the efforts of the Adhoc Committee, I want to add to that list of people who are involved Preservation Virginia. They were APVA, the Association of the Preservation of Virginia Antiquity, and now they are just Preservation Virginia.

Mr. Carson stated I have one (1) more correction. On page 9, four (4) paragraphs up from the bottom and it begins with Mrs. Stilwell. Change the numerical from seven billion (7,000,000,000) to seven million (7,000,000).

Mrs. Stilwell made a motion to approve the minutes from the January 27, 2011 meeting with the noted corrections. The minutes were approved by a unanimous vote.

IV. OTHER BUSINESS

Mr. Meder stated Preservation Taskforce.

Ms. Blair stated we have a name now, which you guys are all aware. We are no longer the Adhoc Committee. We are Preservation Taskforce. Our next meeting..

Mr. Carson stated the fourteenth (14th).

Ms. Blair asked is it the fourteenth (14th) or the seventh (7th)?

Mrs. Stilwell responded the seventh (7th) I was not going to be here.

Ms. Blair stated so I think it is the fourteenth (14th). I will send out a reminder a little closer. It is on my calendar. It is at two o'clock (2:00) I know. We will send out an agenda. We are looking at the top seven (7), top priority properties. Right now, we are on the agenda to send out a mass mailing to all members of the Old Westend. Just a reminder if you are part of the Old Westend, to let them know there is a presence of the task force and the agenda of the taskforce.

Mr. Carson asked will that include this letter?

Ms. Blair responded yes.

Mr. Carson stated there is one, of course there is a correction on the first (1st) line, it is the Commission of Architectural Review. Third (3rd) paragraph down, where it mentions demolition by neglect. I think this would be a good point to say "a cost charged to the property owner." There has got to be some teeth in this. Clarke can we do that?

Mr. Whitfield responded I have not seen the letter.

Mr. Meder asked are you familiar with what the Preservation Taskforce is trying to do?

Mr. Whitfield responded no.

Mr. Meder stated just a quick little one (1) sentence thing is we are just asking people with historic homes within the Overlay to maintain their buildings, so they are not torn down. We targeted the Overlay. I do not know how that happened, but it did. For example, Steve Holley has one (1) that is eminent. We will send him a letter saying please fix this, give it to somebody, or do something before it is torn down. This is the last set you are going to get. We are just a bunch of citizens saying "please, please, please."

Mrs. Stilwell stated there is no charge to the property owner. There is only cost charged to the property.

Ms. Blair stated there will be a lien against the property.

Mrs. Stilwell stated there is only a lien attached to the lot unfortunately.

Mr. Carson stated I wish there was something more we could say in that regard.

Mrs. Stilwell stated I have been pushing since 1988 for an ordinance that prohibits demolition by neglect, but the City of Danville has never been in favor of it. Whereby the City can go into a property that is being neglected, do some stabilization, the cost of that say it cost \$10,000 to tear it down, do \$10,000 worth of stabilization, mothball it, and then put the lien on the property and foreclose. You end up with a piece of property that is worth something instead of \$10,000 attached to a vacant lot. I do not know why, but it has been over twenty (20) years and nobody cares to do it. We just keep flushing money down the toilet.

Ms. Blair stated we have some new ordinances and things that are coming. There are some new ordinances that are being looked at, some State ordinances that we are looking at potentially doing a local adoption of that has not been followed through on prior. There is a huge push now on blight. I am sure you guys have seen that in the paper. Do not give up on us yet.

Mr. Carson asked can you make sure that Clarke gets a copy of this?

Ms. Blair responded I will.

Mr. Carson stated if it has been sent out, I am not quite sure

Mrs. Stilwell stated this letter is supposed to go out to the targeted properties that we have selected.

Mr. Carson stated I understand that there is a blanket letter to everyone.

Mrs. Stilwell stated no.

Ms. Blair stated that one (1) is actually the targeted properties. I have not seen a blanket yet.

Mr. Meder stated just to clue you in, we are going to send everybody a letter saying that we are in this little area now and we are going to look at it a little more closely. Then the seven (7) worst ones are going to get the heavy letter, which has got no teeth but it is the best we can do.

Mrs. Stilwell stated we are hoping the generic letter to every property owner in the Old Westend will elicit even more support. I like what they did in the one (1) neighborhood where they posted signs of the owners name and phone number of the neglected property, so everybody could call them.

Mr. Carson stated the person who is working on the generic letter is Sarah Latham. I could not open it.

Mrs. Stilwell stated it is very tricky.

Mr. Meder we have also been thinking about getting the paper to come up with a "Dump of the Week." It would be a photograph of the next house that is going to be torn down.

Mr. Carson stated the "Dump of the Week" would be Steven's.

Mrs. Stilwell stated we are thinking on the Sting page, which everybody looks at to see if anybody they know name's in there. We could have a photograph with the name and address of the property owner who has allowed property to reach such terrible, dire situations, and blight everybody.

Mr. Meder stated maybe we can do some research on the building and say this was built by so and so. Do something positive too, not totally negative.

Mr. Carson asked can we with this letter, since we cannot charge people directly. The letter has to say something with respect to a penalty against an owner.

Mr. Whitfield responded once the lien goes on.

Mr. Carson stated it should say that. It does not say that.

Mr. Whitfield stated there will be a lien against the property that takes the precedence against the tax lien.

Mrs. Stilwell stated but the house would be demolished. That lien is not attached until the property is demolished. We have just got a vacant lot, and then use tax payer's money to continue to cut the grass.

Mr. Carson stated that is absolutely true, but if they realize there is going to be a lien.

Mrs. Stilwell stated they do not care.

Mr. Land asked so the lien is not until they demolish it?

Mrs. Stilwell responded yes. I would say an average of ten thousand dollars (\$10,000) per property.

Mr. Land stated that does not do anything once it is demolished.

Mr. Carson stated the City confiscates that and the City owns the property.

Mr. Whitfield stated no.

Mrs. Stilwell stated no.

Ms. Blair stated it is still in private ownership.

Mrs. Stilwell stated that person still owns the property and if it can ever be developed that ten thousand dollar (\$10,000) lien has to be paid. So many, especially on Cabell and Monument, and a lot of these properties in the Tobacco Warehouse District the lots are not buildable. They are twenty-five (25) foot wide. Nobody could ever in the history of the world, unless they could mass a bunch of lots, ever rebuild anything. It is truly flushing money down the toilet.

Mr. Land asked could they rebuild it anyway? What kind of approval would they need to rebuild?

Mrs. Stilwell responded they would have to go to the Planning Commission.

Mr. Whitfield stated there is no way because if more than fifty percent (50%) of the structure is demolished either by man or by act of God then they cannot rebuild.

Mrs. Stilwell stated they are non-buildable lots.

Mr. Land asked let us say they could rebuild, would we as a Board allow a new structure?

Mrs. Stilwell responded we can. We just have to approve the architecture.

Mr. Meder stated infill yes.

Mr. Land asked has that happened before?

Mrs. Stilwell responded nobody has ever wanted to come back.

Mr. Meder stated there was one (1) in Greenville recently done.

Mrs. Stilwell stated but not in Danville.

Mr. Carson asked what is the zoning as far as the width of a lot is concerned for building a house?

Mrs. Stilwell responded in the Old Town Residential, it is fifty (50) foot. Is it not?

Ms. Blair stated yes.

Mr. Carson stated that is quite spacious.

Ms. Blair stated you have six (6) foot side setbacks on an existing lot.

Mr. Carson stated in a lot of towns and cities it is twenty (20) feet.

Mrs. Stilwell asked setbacks?

Mr. Carson responded no, the lot size.

Ms. Blair stated it is ten (10) on a new lot. If it is a newly created lot, it is ten (10) feet on each side. If it is an existing lot, it is six (6) feet on each side.

Mr. Meder asked what is the distance from the rear?

Ms. Blair responded twenty-five (25) in the rear and twenty (20) in the front.

Mr. Carson asked what about row houses?

Ms. Blair responded you can do a special use permit to do a townhouse and you are required to have separate lots.

Mrs. Stilwell stated we did change the zoning so that if you wanted to add on to your property you could be in line with the existing setback, which could be two (2) feet or three (3) feet as long as you were in line

with that; and then I know we did something when I had my garage, which was three (3) feet off the rear property line. If you go back into the footprint of what was there. I had a three (3) car shed and it was three (3) feet off of the rear property line. The Code would allow that.

Mr. Carson stated because precedence has been set.

Mrs. Stilwell stated those side setbacks are all about fire safety, but amazingly when you go down like Sutherlin Avenue you have a house, a house, and another house. This garage was here. The next person did not put their garage here. They put their garage there and the next person put their garage there. You had fire separation. I mean they just did it.

Mr. Carson asked is that six (6) feet from the property line?

Ms. Blair responded yes.

Mr. Carson stated it is clear that a lot of the houses in the Historic District are way closer than that.

Ms. Blair stated oh yes, that was just in 2004. That is the current Code, 2004. It was ten (10) feet in the 86 Code. I do not know what it was prior to that.

Mr. Meder stated six (6) sounds like a reasonable number.

Mrs. Stilwell stated it is for those fifty (50) foot lots.

Mr. Meder stated any closer is really hard. You cannot even put a ladder up. You have to have a scaffold jack just to do something. You cannot get a ladder in there unless you put it on the other guy's roof.

Mrs. Stilwell stated somebody said to me yesterday and I did not get around to calling you that the YMCA was not abiding by the parking lot agreement that they had made with CAR for some type of a landscaped area.

Mr. Meder stated they did not abide by that the first (1st) day they started construction.

Mrs. Stilwell stated they have to abide by it. It is the law.

Mr. Meder stated but they did not. They cut down the trees that they were supposed to save.

Mrs. Stilwell stated well that was before. Now with this new plan they need to abide by the law. They are not above the law.

Ms. Blair stated we were just there. I cannot cite anyone saying that they have not abided by the plan until it is completed and they have walked away from it. I mean as far as I know, they are going to do it tomorrow. Until they get further along in the project we are just going to keep watch as far as any landscaping on the property. We did meet with the Lathams, and they are looking at the two and a half (2 ½) foot strip buffer. Minimum requirement by Zoning Code is one (1) tree per forty (40) feet with understory planted. They would like to put up a privy hedge to have some kind of privacy from the parking lot to their property. I told them I would bring that to you guys since we had the meeting today to see if you have any issues with that, if you would like to see a height restriction on it, whatever the pleasure of the Board is.

Mrs. Stilwell asked are you saying privacy or privet?

Ms. Blair responded I think privet.

Mr. Meder stated the natural growth pattern on that is fourteen (14), fifteen (15) feet and about eight (8) foot wide. It is probably the wrong plant.

Ms. Blair stated I did warn them to look at something that would be narrow and to watch for the root system, because they have got to watch for their neighbor and the parking area. I would be selective on what I chose there.

Mr. Meder stated I think it is a really hearty plant and it sheers well, but it is going to require constant sheering. If you did an emerald green arborvitae, that is very pyramidal and you can just knock them out six (6) foot down the line, six (6) foot tall plants and maybe four (4) foot on centers. It would also be very green.

Mr. Carson stated they also grow wide.

Mr. Meder stated yes, they get about five (5) foot wide.

Mr. Carson stated those have to be trimmed every year anyway.

Mr. Meder stated no, not really. I can show you huge ones that are only about five (5) foot wide at the base.

Mrs. Stilwell stated I mean historically in the Old Westend there are privet hedges everywhere.

Mr. Carson stated I have no objection to the idea.

Mrs. Stilwell stated I do not have any objection to privet either.

Mr. Meder stated I am just saying from a horticulturist standpoint, that is a disaster. That is all.

Ms. Blair asked is there a height restriction you would prefer?

Mrs. Stilwell responded twenty (20) feet if I lived next to that parking lot.

Mr. Carson stated I think probably to maintain a hedge they do not want to go beyond eight (8) feet.

Mr. Meder stated I do not think it is our position to tell them what kind of plant material. I think we can let them use a hedge.

Ms. Blair stated they are just looking for recommendations.

Mr. Meder stated my recommendation would be emerald green arborvitae.

Mr. Carson stated in other words, an evergreen hedge to be trimmed no higher than eight (8) feet from the ground.

Mr. Meder stated or ten (10), I mean it is a natural growth pattern. It is not obtrusive.

Mr. Carson stated as I get older and as they are getting older, getting up on a ladder to trim a hedge.

Mr. Meder stated you would have to scaffold it. Another great plant would be an oak leaf holly. Their natural growth patterns are eight (8) to ten (10) feet, three (3) to four (4) feet wide. It is a really pretty holly. The leaf actually looks like an oak leaf.

Mrs. Stilwell asked do they have stickers on them?

Mr. Meder responded yes, and they sort of get a burnt orange color in the winter and then they go back to green. It is a real handsome shrub.

Mr. Carson asked are they perennials?

Mr. Meder responded no, they are holly. They get sort of reddish.

Mrs. Stilwell stated like a mahonia or a nandina.

Mr. Meder stated and it berries, and because it berries it provides habitats for birds.

Mrs. Stilwell stated I would recommend that the City continue to monitor and make sure that they have repeatedly violated what was approved by CAR. They do not get any more chances to break the law as far as I am concerned. They need to abide by what was planned and approved by the Commission. If we do not tote a line, why should we do it with anybody else?

Ms. Blair stated we are going to keep monitoring.

Mr. Carson stated the oak leaf holly.

Mrs. Stilwell stated you have some recommendations to give to them.

Mr. Carson stated in other words that will be fine.

Mr. Meder asked that is all we can do is vote on the idea, not the plant?

Ms. Blair responded right.

With no further business, the meeting adjourned at 4:07 p.m.

APPROVED