

**COMMISSION OF ARCHITECTURAL REVIEW**  
**April 26, 2012**

**Members Present**

Fred Meder  
Cynthia Castle  
Jeffrey Carson  
Robin Crews  
Susan Stilwell  
Sarah Latham  
Richard Morris

**Members Absent**

**Staff**

Clarke Whitfield  
Christy Taylor  
Emily Scolpini

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

Mr. Meder read a conflict of interest statement pertaining to Item 1 in the Public Hearing.

Mr. Carson now presided over the meeting.

**I. ITEMS FOR PUBLIC HEARING**

*Item 1. Certificate of Appropriateness PLCAR20120000144 at 912 Green Street:*

- A. Enclose area under rear second story bathroom. Addition will be on a cinderblock foundation covered in wood siding with two (2) windows.*
- B. Repair and replace wood trim around three (3) existing windows and install a wooden panel feature below them.*
- C. Modification of existing wrought iron railings to accommodate a wider driveway and front step.*
- D. Replace wrought iron railings missing from front porch.*
- E. Replace front door with a solid wooden door with decorative panels and install new sidelights.*
- F. Construct a 10'x20' deck with stairs across the rear section of the dwelling.*
- G. Add 1'x6' wooden trim below the front porch slab.*

Open the Public Hearing.

Present on behalf of the request was Mr. Mitch Stewart. Mr. Stewart stated we've got a lot of things that we are going to be doing. I guess starting out with the 1<sup>st</sup> bullet, enclosing the area under the second story bathroom. As you will notice in the photograph, it has been one of the sore spots in our house for a while now. It is being covered by a utility pole. I don't know whose idea that was. The photograph that shows the back side of the house shows the utility pole. We are proposing to enclose that and have a concrete foundation similar to what is there now to support that enclosure. It will add support and take away that utility pole. The siding will be a replication of the siding that is under this particular overhang, which is a lap siding. There are about five different styles of siding on the house. That will match all that is on the back end. We are proposing to place a window about midway of that wall about the size of the one in the top right picture.

Mrs. Latham asked the 1<sup>st</sup> floor window on the back?

Mr. Stewart responded the 1<sup>st</sup> floor window in the back on the right. We have a recovered window that we are going to use.

Mr. Carson asked what is the projection on that overhang?

Mr. Stewart responded it is about 2'. Really that is the tool storage area.

Mr. Stewart gave a history report on the house.

Mr. Meder stated we have permission from Inspections to put up a shell, so he can finish the inside later.

Mrs. Stilwell asked are you going to install one window or two windows?

Mr. Stewart responded just one window.

Mrs. Latham stated the application says two windows.

Mr. Meder stated just change that to one.

Mr. Carson stated there seems to be an existing window on the lower wall.

Mr. Stewart stated that goes away. Everything that you see on that bottom section is gone.

There was discussion about the window style.

Mr. Carson asked should we be reviewing these on an item by item basis?

Mr. Whitfield responded it would be easier. You can do one motion to approve them all unless you pull one because you don't approve it.

Mr. Carson read the Item B for discussion.

Mr. Carson asked what side of the house would that be?

Mr. Stewart responded that would be on the very front. Apparently when I took off the siding, I realized that they had modified the front porch window and took out that bottom sash. All of the evidence indicates that there may have been a third window there, which is similar to the one across the street. What I propose to do is to put back the trim on either side, which is consistent with all of the other window trim that we have.

Mr. Carson asked are we talking about this window?

Mr. Stewart responded well it is actually three. You have the one on the front porch and these two. They have the same configuration. There is a gap at the bottom where you can put a new window above it. That is basically what is happening.

Mr. Morris asked will there be paneling?

Mr. Stewart responded I told Fred that I would be open to suggestions.

There was discussion about the different variations of materials and style that could be suggested.

Mr. Morris asked are these windows on the side the same height or is this front window different?

Mr. Stewart responded they're close. I replaced some of them because of some being broken. Apparently as they move back the windows lost about 2". On the driveway side the front windows are taller than the next set of windows. You can't tell that until you take them out and measure them for the glass. They lost 2" on this same style, but my assumption is that they probably lost some height. They are probably about 2" or 3" shorter than what is going to be on the front.

Mr. Morris stated I will tell you what I think this window on your front porch was a full height floor to ceiling window. This bottom sash would have actually opened up into the ceiling, so that you could walk right up to it.

Mr. Stewart stated that is my assumption. Obviously they reconfigured it. Something happened and I am not sure when that would have happened from the evidence I have seen. On the sides, that is where they put two kitchens. They put the sinks up against the windows, so they raised them.

Mr. Morris asked are you going to put the same size window or are you going to put in different sizes?

Mr. Stewart responded I am going to use the same size windows, so it will end up looking similar to what is on the front porch. The trim pieces are already on the top. The top window already has everything there. It is very little to do there, except put the panel at the bottom.

Mrs. Latham asked so it is the front porch window and these two that you are referring to?

Mr. Stewart responded yes, all of them are exactly alike.

Mr. Carson stated the front porch window is 2/2 and the side windows are 1/1. I think the front porch window is a handsomer window as far as the 2/2. What is the replacement window going to be?

Mr. Stewart responded I haven't thought about it matching the front.

Mr. Carson stated that is something you need to consider.

Mrs. Latham stated yes, since these two windows here one above and on the side are two different styles. I would suggest that you choose one style so that it is consistent even if it is 1/1 as opposed to the same as he has on the front. You want your side to be consistent.

Mr. Carson stated I think the 2/2 is probably a better fit style wise.

Mr. Stewart stated yes, because that would be the odd window. That is just one of the mistakes I made.

Mrs. Castle stated personally I am maybe with Rick. I object to it not going back to a full length window.

Mr. Carson asked would that be a hindrance for you?

Mr. Stewart responded I am not sure how much modification they did. I would have to look back at the configuration. There has been so much modification on it. It appears that there was a stoop there and not a porch. Once you get up around the top of the porch, you can see some modifications that they have made. I really would like to come to you today and ask to take off the porch, because the porch is causing a lot of problems. Since I am not, I haven't investigated that window enough. My theory is that it is similar to the one across the street.

Mr. Morris asked what is this under the windows?

Mr. Stewart responded that was just fill for the siding.

Mr. Morris stated but it doesn't match this other stuff.

Mr. Stewart stated no, I didn't realize it was like that until I took the siding off.

Mr. Meder stated it was old asbestos siding they took off.

Mr. Carson asked and your reasoning for not having the porch at all? I realize the current porch is a problem, but in that this is going to be a later potential submission; what would be your reasoning for not having the porch at all?

Mr. Stewart responded I guess it goes back to the debate of whether I am doing a true restoration, because if you get hung up on windows, you get hung up on the porch. So if we are going to go back, let's go all of the way back. If you recognize what evidence there is, you should take the porch off.

Mr. Meder made a reference to the modifications that were done to the porch on his house.

There was further discussion about the modifications made to the front porch and windows.

Mrs. Latham stated I would love to see the window returned all of the way to the ground personally, but given the amount of modifications that have been done; I don't think that is an ode to die on if you were to do what you have pictured here. That would certainly satisfy me especially since you don't know yet what is going to happen with the porch.

There was discussion about existing houses that have floor to ceiling windows and jib doors.

Mr. Morris stated I think the very simple solution is to make a paneling there like he is suggesting similar to this bay window on the opposite page and follow that same trim line.

Mrs. Latham asked this bay window is also not on your house?

Mrs. Stilwell responded no.

There was discussion about the pictures of examples provided by the applicant.

Mr. Carson stated if you do the floor length window, I don't think anybody here is objecting to that. I think some people would be very much in favor of it. Forcing you to change something that has probably been this configuration since probably a lot longer than most of us have been alive; and I would be hesitant to ask you do to do that unless it was something that you wanted to do.

Mr. Stewart stated we can address that here again if we come back with the porch issue. The porch issue is going to have to be addressed. Part of it is, but not this round.

Mrs. Latham asked is what I am hearing is that you would like to be able to go back with the panel and that you might consider at the time you determine what you would like to do with your porch, you might consider taking it back to a full length?

Mr. Stewart responded yes. If we are going to go, let's go where we can.

Mr. Carson read Item C.

Mr. Carson asked here again we are talking about this miserable porch, are we not?

Mr. Stewart stated here is a brief background on that miserable porch. The wrought iron, I was hoping to go back with what was originally there, like what is on Fred's porch; which would have been the double columns on concrete supports. I gave away the wrought iron that goes across the main section. Instead of putting it back up, I am back to the point of I know I need to have this up for insurance purposes and I need to have this rail. There is some wrought iron that is in the picture for that ramp. I've talked to Jared and they said that they could salvage that wrought iron. Fred and I have discussed the possibility because it is a little bit tight coming through there. We share that driveway. We have talked about just going over maybe a foot or two, maybe eliminating the ramp, widen it, and maybe pave and do some things. We have to do some modifications on the drive anyway because of some drainage issues. In the mean time we need to get that rail, because it is right where we need to go. I am killing two birds with one stone being conscious that I would like to salvage this wrought iron for one thing to save me some cost, but put it back on the front like it should be until we can address the porch issue later. It is two reasons for wanting to do that.

Mr. Carson asked specifically you want to remove the ramp?

Mr. Stewart responded I want to remove the rail right where it bends, because that will pretty much accommodate, replace the ramp coming down with a step right there at the side of the porch.

Mrs. Latham asked so you will remove the ramp all together?

Mr. Carson stated and replace it with a step.

Mr. Stewart responded yes.

Mrs. Latham asked and remove the rail all together?

Mrs. Stilwell stated and put it back on the porch. It will be a balustrade on the porch.

Mr. Meder stated the other thing Mitch didn't mention is the curbing at the property line was put in at some point. It is like a brownstone curb with the finials. It has got two cement blocks, it stops, there is two cement blocks and then the finials. The idea is that we remove the two cement blocks, move the finial to the curbing, and widen the driveway by about 30".

Mr. Stewart stated it is already naturally there because it is just the two blocks.

Mr. Meder stated in which case the railing would act like a can opener to our vehicles.

Mr. Carson stated but that is not part of this.

Mr. Meder stated yes it is. it is all part of the same flow here, the idea of taking this and making it a step instead of this awful ramp.

Mr. Carson asked what is the driveway now?

Mr. Stewart responded a combination of concrete up to that point and then it is gravel the rest of the way.

Mrs. Stilwell stated I don't have a problem with getting rid of that ramp or reusing the wrought iron. I would prefer a wooden balustrade, but it doesn't make sense to spend the money on a wooden balustrade if down the road you are going to take off the porch.

Mr. Carson read Item D.

Mr. Carson stated that is the same thing.

Mr. Stewart responded it falls under that.

Mr. Carson read Item E.

Mr. Carson stated I have a problem with that. I need to see something more. I know that you provided us with an example of a door.

Mr. Meder stated well, that is the door. It is an Italianate door. It has two round tops.

Mr. Stewart stated the shadow actually covers an arch.

Mr. Carson asked where is this door now?

Mr. Stewart responded on Holbrook. We are not taking their door. That is not the literal door.

Mrs. Latham stated I can't quite tell from this picture of what you have right now. Do you have a transom?

Mr. Stewart responded yes. Let's go back to my idea and dream. I have been spending about the last five or six years trying to find a door.

Mr. Carson asked is this your door?

Mr. Stewart responded that is my door. Originally there were two doors.

Mr. Carson stated I thought there was.

Mr. Stewart asked are you talking about the hinges? The hinges are there and I can't find them. I can't afford to have them reproduced. What is the house next to you Fred?

Mrs. Stilwell responded Gary Grant's.

Mr. Meder stated oh, 922 or 924.

Mr. Stewart stated I was hoping that they would let me take those, but they are going to try and restore that house. It has been my dream to replace them with doubles. We need to do something more than just a plain door.

Mr. Carson stated the door that you would like is very handsome. I have no problem with that door. I might have a problem with that other mess simply because of the door openings in respect to the existing transom, which is much wider. In other words, the door that you like, the transom and the sidelights are equal portions as far as width. You've got a very tall transom and you would be having these little skinny sidelights. It won't work.

Mr. Meder stated it came right off of my house.

Mr. Carson stated but it is wrong. I can't help it if you were wrong.

Mr. Meder stated no, I didn't do it. It came off of my house and this one is existing in town.

Mrs. Latham asked is the transom a solid sheet of glass?

Mr. Stewart responded yes.

Mrs. Latham asked it is not paned at all?

Mr. Stewart responded no, it is not divided at all.

Mrs. Latham stated that is what the problem is.

Mr. Carson stated you get this huge transom and little narrow sidelights.

There was discussion about the door transom and sidelights regarding height and width.

Mr. Carson stated I think this is one of those instances where I think we are going to need a drawing.

Mrs. Stilwell asked can we ask him to bring back the door at the next meeting?

Mr. Carson responded we could.

Mrs. Latham stated not the door itself, but a drawing to see how it is scaled. If the door is identical to this, I have no problem.

Mr. Carson stated we are talking about the transom and what it does proportionally to what you are trying to do.

Mr. Meder stated Mitch would not mind you going to his house and helping him work through the design. This is not relevant to your insurance issue, right?

Mr. Stewart responded no. I was going to say that of the issues on here, this can go and we can revisit. We have got bigger fish to fry as you can tell.

Mr. Carson stated I would like to see a drawing.

Mr. Stewart stated I would love to have double doors, so you can help me out with that. I would do the double doors and we can take that off of the list all together. It is up to the Committee. I can go either way. Can I withdraw that part of the proposal?

Mr. Carson responded yes.

Mr. Stewart stated withdraw that part then I will go and put out another APB to try and find the doors, which is to me what should be there. How does that sound?

Mr. Meder responded that is fine.

Mr. Carson stated that is fine and I will throw in a bone. You can come back with two drawings. One for the double doors and one for the door you have shown here, so that we can decide which one would look better. You can be more assured that the design perhaps with the sidelights will not be preferable.

Mr. Stewart stated that is not my preference. I want the double doors.

Mrs. Latham stated you can bring a drawing of the double doors. I think we all know that if you find the double doors they will be lovely and that would be everyone's preference. We can all agree on that. If you would bring a drawing of a single door with sidelights, so that we can look at proportions and all understanding that if you cannot find your double doors you are going to have to go with a single door with sidelights. That is going to look a whole lot better than what you have right now. We can approve a drawing.

Mr. Stewart stated and let the chips fall wherever they may.

Mrs. Latham stated exactly, so if you can't find it you don't have to come back over and over again.

Mrs. Latham stated meanwhile, that front door is being withdrawn from today's agenda.

Mr. Whitfield stated if he can come back next month you may want to have him table it. You might want to table that action, and then he can come back next month.

There was discussion with Mr. Stewart about how soon he would be able to return with a drawing.

Mr. Stewart withdrew Item E from his proposal.

Mr. Carson read the Item F.

Mr. Carson asked did you bring a drawing?

Mr. Meder responded no, we approved a railing at my Father-in-law's house and we are going to put the same railing up.

Mr. Carson stated you realize I can't remember that.

Mr. Meder stated I can show you a picture. I am looking for it right now. I don't really feel that it is seen.

Mr. Stewart stated the deck will not be seen.

Miss Scolpini stated there is an alley that runs behind the house.

Mrs. Latham asked it is a public alley then so technically it can be seen.

Mr. Meder stated no one is really going to see it, but I can show the railing that we approved.

Mr. Meder showed the Commission members a photo of the proposed deck.

There was discussion about the dimensions and the railing.

Mr. Carson read Item G.



Mr. Stewart stated it is just a decorative thing. Do you see the picture? It is really just nasty. It is kind of hidden but really on that one end I need to just cover that.

Mrs. Stilwell asked of this picture?

Mr. Stewart responded yes. That is the problem child. That concrete porch is a problem.

Mrs. Latham asked and this is on the side?

Mr. Stewart responded yes, it is just on that one end of the house.

Mrs. Stilwell asked towards Chestnut?

Mr. Stewart responded yes. I am just going to put a one by up there and paint it, so it looks a little more finished there.

Close the Public Hearing.

Mr. Whitfield stated I think what you would do is approve the application as submitted with the following change: that there would be addition with a cinderblock foundation covered with siding with one window.

Mrs. Stilwell stated that is 2/2 light.

Mr. Whitfield stated right and then allow the applicant to withdraw his request to replace the front door with a solid door with decorative panels and install new sidelights.

**Mrs. Latham made a motion to approve the request as submitted with the following changes: one window rather than two on Item A and on Item B on the wood trim on the existing three windows, that the wooden panel feature below them we are approving horizontal or vertical trim work, whichever you choose a single horizontal or double vertical and 2/2 windows up and down and the withdraw of the front door (Item E). Mrs. Stilwell seconded the motion. The motion was approved by a 5-1-1 vote (Mrs. Castle voted in opposition and Mr. Meder abstained).**

Mr. Meder now presided over the meeting.

## **II. APPROVAL OF MINUTES**

**Mrs. Stilwell made a motion to approve the minutes from the March 22, 2012 meeting. The minutes were approved a unanimous vote.**

## **IV. OTHER BUSINESS**

Miss Scolpini stated we have Mr. Reynolds, Director of Community Development to discuss the rezoning of the 1000 block of Main Street.

Mr. Meder gave an update on the DHR proposal on his restoration.

Mr. Reynolds stated at your last meeting as I understand it, the issue of the 1000 block of Main were raised in regards to some of the structures and their current uses and the possibility of rezoning; and as a result of that staff took a look at that block again virtually on a structure by structure basis. Do they have a photograph of that?

Miss Scolpini responded they don't. The only thing that was in there packet was the memo.

Mr. Reynolds stated but actually take a look at each of the structures in that area, I believe that would comprise the current zoning issue. I think the report said fifteen and of the fifteen, five are residentially orientated. Of those five, two are currently vacant. Is that correct? Two are currently used as single family dwellings. Three others have historically been used for commercial use, but could be converted back. Essentially what we really have is five structures that we want to take a more critical look at in terms of zoning.

Mr. Carson asked being familiar with some other Cities around the Country, most Cities seem to have zoning that allows mixed use. Does Danville have anything like that? A mixed use type of zoning, is that possible?

Mr. Whitfield responded the CB-C is mixed use with retail on the bottom floor.

Mrs. Stilwell stated TW-D is mixed use.

Mr. Carson stated for example, a house in Richmond had been used a single family residence is now used commercially. Why does anyone have to wait 90 days for that to go back to residential permit?

Mrs. Stilwell stated the problem that has occurred of these five houses is some of them have been used for business use, which case they have lost their grandfather as residential houses. They can come back and get a special use permit, which takes 90 days and cost \$350.00, but the problem has been that no mortgage broker, no bank will lend money to a homeowner to buy property that is zoned Transitional Office Commercial. You can't buy these properties.

Mrs. Latham stated in other words, the people would have to go out on a limb and pay \$350.00 to get the special use permit, have permission from the City to revert to residential before they can go and ask for a loan to purchase.

Mrs. Stilwell stated because all of these properties have been in foreclosure, no foreclosure company is going to give you that opportunity. You're not even able to make application to rezone it.

Mr. Morris stated you would have to buy it first.

Mrs. Stilwell asked but how would you buy it?

Mr. Morris responded you would have to pay cash.

Mr. Meder asked so is it my understanding that you are asking Mr. Reynolds to rezone these five?

Mrs. Stilwell responded it is just an issue that has been created by Transitional Office Commercial, which is a zoning category that had never been heard of in Danville before 2004. It has created a real blight in this block.

Mrs. Castle asked hasn't the Gamewood house closed?

Mrs. Crews responded that and the wedding cake house too.

Mrs. Stilwell stated deal after deal has fallen through. The wedding cake house was apparently sold to cash. I do not know how the Gamewood house, the Williamson house?

Mrs. Latham asked that one has closed?

Mrs. Castle responded the Gamewood house supposedly has sold.

Mrs. Stilwell stated I don't think it has closed and then there is the 1026 house, the stucco house.

Mrs. Latham stated the stucco house that Rod Tomilson owned.

Mrs. Stilwell stated that house, you cannot occupy.

Mrs. Latham stated I understand that somebody did purchase it.

Mrs. Stilwell stated they never closed.

Mrs. Latham stated they never closed because the Historical Society received a request for information on that.

Mrs. Stilwell stated we have 1031, 1033, 1012, 1020, and 1026.

Mrs. Latham stated the Purdues own one of those, and Micah just bought Hope Harbor. What does he plan to do with that?

Mr. Carson responded it is not going to be a single family house.

Mr. Whitfield stated it is probably going to continue to be congregate care.

Mrs. Latham stated so we have only one actual residence in that block, the Purdues. Is that correct?

Mrs. Stilwell responded the Dula-Penn house, Cindy Moore.

Mrs. Crews asked is Yeni mixed, the former restaurant?

Mr. Meder responded the upstairs is apartments.

Mrs. Stilwell stated it has lost its grandfather for a restaurant probably, because it has been closed for two years.

Mrs. Latham stated the other larger stucco house near the Urologic Clinic is up for sale or is in foreclosure.

Mrs. Stilwell stated all of those houses have been in foreclosure.

Mrs. Latham stated ok, that was some sort of group home.

Mrs. Stilwell stated but it was a single family and so does the building that Jack Cook owns. I don't know the number. It is on the same side as Hope Harbor. That has doctor's offices and apartments in it. That was built as a private residence too. The other private residences were all torn down prior to the local Ordinance and the medical buildings were built. It doesn't have to be solved today, but there is a serious

problem here. There are people that want to buy historic houses that were built as houses and can't get financing.

Mrs. Latham asked out of curiosity, the wedding cake house used to be a bed and breakfast. Gamewood house used to be a bed and breakfast. Is B & B allowed under this TO-C?

Miss Scolpini responded Bed and Breakfast is.

Mrs. Latham stated so people could purchase for that reason and they might be able to get a loan.

Mrs. Castle stated you cannot get a loan for a residence that is also used as a commercial property, whether it is bed and breakfast, you can't get it.

Mrs. Latham stated in other words, unless you buy for cash and have enough cash to fix up these houses they are going to fall to rack and ruin because of the TO-C.

Mrs. Stilwell stated that is why I raised this issue. You cannot get a loan in a TO-C zoning.

There was discussion about financing options.

Mrs. Latham stated what we have here is zoning that is forcing beautiful homes, especially two magnificent Victorians to be used commercially or to simply fall apart.

There was more discussion about the problem of obtaining a loan.

Mr. Carson asked so what are you suggesting?

Mrs. Stilwell responded I don't know. I think the TO-C zoning needs to be evaluated and needs to be a different category than TO-C. It doesn't work.

Mr. Whitfield stated I think what Earl was suggesting was that we understand the problem. Let staff take another look at it.

Mrs. Stilwell stated it is not a CAR issue, except that CAR is charged with protecting the Old West End Historic District. It is terrible to see a whole block being destroyed because you can't buy them. You can't finance them.

Mrs. Latham stated as I hear from Jeff, there is a kind of mixed use that would be different with commercial below and residential above as we have in the TW-D and Downtown, which is from what I am hearing within a block you have mixed use of commercial and residential individual structures.

Mrs. Stilwell asked can you not divide the block and from 1026 and 1033 back, you do have the gas station and you have the Wednesday club.

Mrs. Crews asked wouldn't that be spot zoning?

Mr. Whitfield responded not if you did the whole block. Let us take another run at it, because we may very well want to investigate something else that we don't currently have.

Mrs. Stilwell stated that is why I raised the issue and asked the Planning Department to take a look at this because it is a problem.

Mrs. Latham stated people have been to the Historical Society a number of times and expressed an interest in purchasing one or the other of these houses and it has never gone through. I was not aware of the reason, but now I realize in looking at the situation, that they couldn't get the financing for it.

With no further business, the meeting adjourned at 4:30 p.m.

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APPROVED