

COMMISSION OF ARCHITECTURAL REVIEW
July 26, 2012

Members Present

Fred Meder
Sarah Latham
Jeffrey Carson
Robin Crews
Susan Stilwell
Sarah Latham

Members Absent

Richard Morris
Cynthia Castle

Staff

Renee Blair
Christy Taylor
Clarke Whitfield

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

I. ITEMS FOR PUBLIC HEARING

Item 1. Certificate of Appropriateness PLCAR20120000227, to construct an 11' rear addition with wood siding and aluminum casement windows, painted to match the house at 120 Holbrook Avenue.

Open the Public Hearing.

Present on behalf of the request was Eugene Stewart.

Mr. Carson asked do you have any drawings?

Ms. Blair responded no, what you seen in the photographs in front of you, if you can look through the Trakas porch you can see where the addition is. That is all that is visible. There is that corner and I believe you can see that casement window.

Mrs. Stilwell asked so the project was commenced prior to getting a certificate?

Ms. Blair responded yes.

Mrs. Stilwell asked what is the shape of the windows?

Mr. Carson asked are they like the rest of the house?

Mrs. Stilwell responded no they are casement windows.

Ms. Blair responded no, these are aluminum casement.

Mrs. Stilwell asked are they square?

Mr. Stewart responded they are square.

Mr. Carson stated tell us about your project.

Mr. Stewart stated the project is the result of the fact that my wife just received a diagnosis of MS; however she is in Washington DC being treated at this time. With the enthusiasm of a loving husband I proceeded with trying to make that place more convenient for her; and without thinking of all the things I should have thought of. I did remember very vividly how the previous addition was done by using a story pole and following it closely to make sure that all construction would be invisible from the street. With that in

mind I even went a little further to make certain that was the case; however I am told as the lady, Renee took pictures that I may have been a little closer than I thought I was. I have brought my pictures too and I just don't seem to find the error.

Mrs. Stilwell asked can you tell me again, what is the shape of the windows in the addition? Are they square or are they long rectangular windows?

Mr. Stewart responded I have long rectangular windows as one of the base. I did bring some pictures.

Mrs. Stilwell stated we would like to see what you have done. I am reluctant to walk on people's private property to look.

Mr. Stewart stated it would have been my pleasure to have you.

Mr. Stewart shared his photographs with the Commission giving a brief explanation of each.

There was discussion about the visibility of the construction.

Mr. Meder stated the Secretary of Interior Recommendations is that an addition looks dissimilar to the home not similar.

Mr. Carson stated it is not a law written in stone. It is preferred. My feeling about casement windows with this addition doesn't bother me.

Mrs. Stilwell stated they are sliding windows.

Mr. Carson stated they seem to be sliding.

Mr. Stewart stated those windows at the top slide.

Mrs. Stilwell asked so you actually built where the deck was or did you tear the deck off?

Mr. Stewart responded there are two additions involved; one was done five years ago.

Ms. Blair stated there used to be a deck on the rear. That was created into a living space about five years ago. Now he is going back further.

Mr. Carson asked what is this section of small paned windows?

Mr. Stewart responded that is the stairwell that goes up the steps.

Mrs. Stilwell asked the rear steps?

Mr. Stewart responded yes. That basically has no construction. It is just a facial change.

Mr. Meder asked natural lighting so you can see as you walk down the stairs?

Mr. Stewart responded well there is natural lighting there but there is also the switch light bulb for at night.

There was discussion about the history of the house and what has been done to it.

Mrs. Stilwell stated I do want to make sure that for the record it does state that this was the home of Harry Wooding. I think that it is very important that we recognize that.

Mr. Stewart stated we take great pride in that.

Close the Public Hearing.

Mrs. Latham made a motion to approve the request as submitted. Mrs. Stilwell seconded the motion noting that the house was formerly Harry Wooding's. The motion was approved by a 5-0 vote.

Item 2. Request for a Certificate of Appropriateness, PLCAR20120000228, to erect a temporary banner to advertise a fundraiser event at 975 Main Street.

Open the Public Hearing.

Present on behalf of the request was Ms. Jane Murray. Ms. Murray stated I am on the Board at the Museum and I have chaired *Museum Meets Margaretville* for four years. First, I want someone to explain to me how this part of the Code applies to our sign in the yard.

Ms. Murray read the Sign Ordinance section of the Code.

Ms. Murray stated we haven't asked for zoning, site plan, or subdivision plat.

Ms. Blair stated correct, but you should have asked for a permit in order to display the sign. That is part of the violation. There was no permit issued.

Ms. Murray stated but it does not say that here.

Ms. Blair stated it states *building permit*. A sign permit is part of the building permit.

Ms. Murray stated a building permit is for building something.

Ms. Blair stated it is a permit that is issued by the Building Department for the erection or the display of a sign.

Mrs. Stilwell stated we have this all the time with Epiphany School and others.

Ms. Murray stated we have put these signs up for four years. We have done it for other fundraisers. We have done it for our attic sale. No one has ever said anything and we did not know that there was anything. I still don't see that in this. I read it very carefully. As a matter of fact there is a great grammatical error in this as a former English teacher. At first I couldn't figure out what *signs fences* were and then I figured out it must be *signs, fences*.

Mrs. Stilwell stated I certainly do not have any problem with the signs advertising fundraisers or enrollment in school. I would move for approval.

Mr. Carson asked it is a usual request just an understanding, how long the temporary sign will be up?

Mrs. Stilwell responded it is thirty days.

Ms. Murray stated it will have been up less than thirty days when we have the event. I really still do not understand how that is related to a building permit. It is a sign in the yard.

Mr. Carson stated all signs are part of the building permit. It is just part of the language.

Ms. Blair stated all signs: any ground signs, wall signs, banners.

Ms. Murray asked even for a *for sale* sign in my yard?

Ms. Blair responded real estate signs are exempt.

Mr. Carson stated it also has to do with the size of the sign.

Ms. Blair stated correct. The maximum size for a sign is thirty-two square feet for a temporary banner.

Mr. Meder stated it is the overall Building Code that the City adopted that put you under this guise, if you will. We are just administering it under the Old Westend. The idea is to keep enough signage off the streets, so that it is not a circus. This is in response to that idea, if you will.

Mrs. Stilwell stated what happens is, people leave those signs up forever and ever. They have to get a permit so they know it can be up thirty days and it has to be removed.

Mr. Carson stated it is not unique to Danville. Every community has a similar Building Code requirement.

Ms. Murray asked is it a new requirement?

Mrs. Crews responded no, you have just been fortunate enough to not have been cited in the past.

Mr. Whitfield stated it has been in place since 2004.

Close the Public Hearing.

Mrs. Stilwell made a motion to approve the request. Mr. Carson seconded the motion. The motion was approved by a 4-0-1 vote (Mrs. Latham abstained due to a conflict of interest).

Mr. Meder asked does the City waive the fee since it is a non-profit?

Ms. Blair responded it is a City building, so there is no fee.

II. APPROVAL OF MINUTES

Mrs. Stilwell made a motion to approve the minutes from the June 28, 2012 meeting. Mr. Carson seconded the motion. The motion was approved by a unanimous vote.

III. OTHER BUSINESS

The possibility of approving temporary signs on a yearly basis was discussed by a consent agenda.

Mrs. Latham asked have you had a chance to look into the roof line situation with Mr. Norton's house that came up last meeting or the meeting before? I think the last meeting Mr. Norton was here. Several years ago he actually cut the entire overhang off of the roof of his house and as far as I am concerned completely destroyed the house architecturally. I do not know if he got rid of the decorative corbels or not; but you

can still see the imprint of the corbels there. He literally sliced off the roof line and that is such an egregious violation. Although it has been several years, I think many of us would agree that kind of violation needs to be addressed.

There was further discussion about when the violation occurred.

Ms. Blair stated I had a discussion with Mr. Reynolds after that meeting and showed him where the boxes are of the files for that property. We have a lot of information about that property. Last time I spoke to him about it, I showed him the information and he was going to read through it. Where he is at in that process, I do not know. I did make him aware of it and I showed him where the files were for that particular situation. I will check back with him. Feel free to give him a call.

Mr. Norton's Supreme Court case was discussed and the work that he has continued to do on the property.

Mrs. Latham stated I have one other thing and I will admit that I am being picky. When a landscape island is installed is there the expectation or requirement that the landscaping be maintained or isn't allowed to die and just sit there dead?

There was discussion about the landscape island that was installed at the YMCA property.

Ms. Blair stated it is intended for it to be maintained. It has been one hundred degrees for months now. Everything I have is dead as well.

There was further discussion about the maintenance of the YMCA property and the placement of brush onto neighboring property.

Mr. Whitfield stated it is not a zoning violation. It is a nuisance violation.

There was discussion about enforcing the maintenance of landscaping and debris.

Ms. Blair stated Mr. Carson and Mr. Meder have one more meeting. We have filled the two vacancies. We have Mr. Nicholas.

There was brief discussion about Mr. Nicholas' background.

Ms. Blair stated he and Robert Weir will be the other individual that we will have.

Mrs. Latham stated just be warned that Bob is also on the Board of the Danville Historical Society.

Mrs. Stilwell stated I had calls from several other people and encouraged them to go ahead and apply.

There was discussion about additional applications that were received.

Ms. Blair stated a violation notice was sent to the Stratford House. They were in the process of replacing additional windows in the front with aluminum windows. I believe they got two in, but now they have stopped work. That will likely come before you.

Mrs. Stilwell asked they are going to take those original windows out?

Ms. Blair responded that was their plan.

Mr. Carson asked is Frank Campbell still the Director?

Ms. Blair responded I spoke to the head of maintenance.

Mr. Meder stated they were taking those 16/16 wooden windows out and putting in replacement windows with the mullions inside.

Ms. Blair stated I was told that the other side of the Stratford happened sometime in the 90's. He is going to provide me with some documentation, so we can solve the mystery of when that was done.

There was discussion about the building addition.

Mrs. Latham stated this is in the very front of the building.

Mrs. Stilwell stated we do not want that to happen.

Ms. Blair stated just so you know, that is coming up and if you do see any work; they are on a stop work order right now. If you do see it, please let me know and I will give them a call.

Mrs. Latham asked do we know when the issues will come before Council on 1045 Main?

Mr. Whitfield responded I believe it is going to be August 21st.

Mrs. Latham asked will both issues come?

Mr. Whitfield responded yes both issues will be that same day.

Mr. Carson stated the Langhorne house by the way has reversed its' decision.

Ms. Blair asked their reverse to oppose?

Mr. Carson responded they are now opposed.

Mrs. Latham stated the difficulty we have and I don't know how this gets handled. When we went to the Planning Commission meeting about the opting out, the Commissioners spent 75% of the time asking about the windows, which the windows were not an issue. It is not the Planning Commissions purview. They just kept talking about the windows this and the windows that, primarily because Mr. Holbrook in his initial presentation talked about the windows and having been denied them.

Mrs. Stilwell stated because his cardiac patients couldn't jump out of them.

Mrs. Latham stated when it comes before City Council; these are two very distinct issues.

Mr. Whitfield stated very separate issues.

Mrs. Latham asked how do we manage to keep it on track with City Council, because Mr. Holbrook will make a presentation. I don't know if he comes up twice, if the one issue will be dealt with.

Mr. Whitfield responded one issue will be the zoning as part of the regular zoning and then he will come back up with regard to the appeal or vice versa. I am not sure how it will be.

Mrs. Stilwell stated it will be handled totally separately. We will make you Sargent at arms that night.

Mrs. Latham stated whoever was chairing; it was not the normal chair.

Mrs. Stilwell stated it was William Griffith.

Mrs. Latham stated he was not keeping it on point.

Mr. Whitfield stated Mayor Saunders usually does a very good job of keeping things on point.

Mrs. Latham stated these are two very distinct issues and then they all got mashed together.

Mrs. Stilwell stated but Planning Commission did vote 4-2 to not allow that property to opt out.

Mrs. Latham stated we want to make sure that the arguments for or against both issues are heard, but heard distinctly before Council.

Mr. Whitfield stated I think Mayor Saunders will have a good grip on that.

Mrs. Stilwell stated it will not be his first rodeo.

Mr. Meder stated we are of the opinion that we don't want him to opt out, but I am of the opinion personally between us.

Ms. Blair stated between us and the record.

Mr. Meder stated that we need to keep him in the district.

Mrs. Latham stated oh, absolutely.

Mr. Meder stated I think personally, the windows would be secondary. We need to keep the building and not have spot zoning.

Mrs. Stilwell stated he is just a temporary steward of that building.

Mrs. Latham stated keeping him in the District.

Mr. Meder stated the windows can always be corrected and it looks like now with these replacement windows, windows are going to be replaced every ten to fifteen years whether they need to or not.

Mr. Meder stated you wouldn't believe the windows Averett just took out. They were amazing.

Mrs. Latham stated I agree that the opting out is the primary.

Mr. Meder asked can we ask the Mayor to bring the zoning issue up before the windows?

Mr. Whitfield responded he doesn't control that and that will probably be the purview of the City Manager.

Mr. Meder asked can the City Manager do that, because that is the more important of the two? I guess if he loses on the first one, maybe he will fold on the second.

Ms. Blair stated I think it is unlikely.

Mrs. Latham stated opting out is more important.

Mr. Meder stated I will defer to you to speak if you want because five days from there I am out of there anyway.

Mrs. Latham stated well hopefully Sonya will also be able to make that meeting to speak on behalf of Preservation Virginia; but I read her letter into the record at the Planning Commission and also spoke on behalf of the Historical Society.

Mr. Meder stated it is certainly the opinion of Preservation Virginia and the National Trust to keep the original windows. I am of that opinion too, but I think the bigger battle is the zoning issue. I don't think, I know the bigger battle is the zoning issue.

Mr. Whitfield stated I just hope he doesn't FOIA these records.

Mrs. Crews stated he doesn't have to since they are posted online and believe me he does already know.

Mr. Meder stated it is what it is.

Ms. Sonya Ingram presented a Survey of Virginia Architectural Review Boards final report, reading Chapter 5: Recommendations.

There was discussion about the Design Guidelines and implementing additional training for members of the Commission of Architectural Review, citizens, contractors, and realtors.

There was discussion about having a list of acceptable materials and products available for people to reference when making home repairs.

There was discussion about reviewing and updating the Design Guidelines.

There was further discussion about training options.

Ms. Ingram stated I don't know if you guys know, but we are having a meeting. There is a session at our conference.

Mrs. Stilwell asked in Leesburg?

Ms. Ingram responded yes.

Mrs. Stilwell asked what is the date of that?

Ms. Ingram responded it is the 22nd.

Mrs. Latham stated it is the Sunday before the conference actually begins. It is the one that is specifically about Architectural Review Boards.

Mrs. Stilwell asked in Leesburg, the 22nd of September?

Ms. Blair responded on Sunday.

There was discussion about the conference and the reception.

With no further business, the meeting adjourned at 4:50 p.m.

APPROVED