

**City of Charlottesville  
Board of Architectural Review  
August 19, 2008  
Minutes**

**Present: Not Present:**

Fred Wolf, Chair James Wall

Syd Knight, Vice Chair

Amy Gardner **Also Present:**

Brian Hogg Mary Joy Scala

William Adams

Michael Osteen

Eryn Brennan

Rebecca Schoenthal

Mr. Wolf convened the meeting at 5:06 p.m. He announced that item M had been deferred and would not be on the agenda for the evening.

**A. Matters from the public not on the agenda**

Ms. Colette Hall, of 101 Robertson Lane, thought that homeowners should be notified by the City if they own a home that is considered historic and has been so declared by the City or is in Architectural Design Control District.

Mr. Wolf agreed with Ms. Hall that it was important for people to be made aware in advance of taking on a new property.

**B. Consent Agenda**

1. Minutes -- June 17, 2008

At the request of Ms. Gardner, the minutes were moved to the end of the meeting.

**C. Certificate of Appropriateness Application**

**BAR 07-12-03**

**Charlottesville Downtown Pedestrian Mall**

**MMM Design Group, Applicant/ City of Charlottesville, Owner**

**Final decision on brick size, runnels, lights and light poles, granite and newspaper boxes**

Ms. Scala gave the staff report. The Board last took action on this item on 20 May when they approved the planters, benches, trash and recycling receptacles, bike racks, and lights and light poles with photometrics to come back. Brick was discussed informally on 17 June. In July, the City Council passed resolutions regarding the rehabilitation of the Mall. The applicant submitted a lighting photometric plan which was distributed to the Board members before the meeting. The applicant proposes something which is dark sky friendly. The design of the vehicular crossings,

including brick size remains an issue as the consultant says the larger brick size would break more easily under truck traffic. Staff's opinion is that the existing brick soldier courses should be retained to represent the original design. The Board still needs to consider: a tree preservation plan; tree grate design; photometric plan; newspaper box design; brick and granite color samples.

Mr. Tolbert explained that Council did decide to definitely go with the 4x12 brick in sand. He stated the original Halperin design had been for sand and not mortar. Mr. Tolbert also stated that Council would like to do the 4x8 bricks in the Mall crossings. He stated the City would agree to keep the soldier course as is as well as the runnels. Repairs to the runnels and soldier course could begin in one month.

Mr. Joseph Schinstock, of MMM Design Group, was present with Mr. John Mark Hilgers. Mr. Schinstock stated they had found three sources who would make the 4x12 bricks and, due to procurement requirements for Virginia, they were unable to provide color samples at this time. They recommended using 4x8x2-3/4 inch bricks in the vehicular crossings at Fourth Street and Second Street to provide adequate interlock in the bricks. They asked the BAR to consider reuse of the existing runnels; the applicant would clean and repoint the runnels. Mr. Schinstock also recommended that the soldier course adjacent to the buildings be cleaned and reused also as this would retain elements of the original design. The applicant could not provide samples of the granite at this time due to procurement requirements.

Mr. Hilgers was present to explain the photometrics which had been provided to the Board earlier. He noted they would be refurbishing the existing fixtures. He noted there was not enough light on the Mall.

Mr. Hogg wanted to know if they had researched the original Halperin design. Mr. Hilgers stated they had and that one of the original lights still existed on the Mall. He stated the poles were original but there would be a conflict because they would not pass the EPA wind requirements.

#### QUESTIONS FROM THE PUBLIC:

There were no questions from the public.

#### QUESTIONS FROM THE BOARD:

Mr. Knight sought clarification as to whether the spiders would be replaced. The applicant explained the vertical element of the spider light would be replaced but not the spider.

Mr. Hogg wanted to know how the transition would be made from the four inch pole to the three inch pole. Mr. Hilgers explained they would use a tapered escutcheon at the top to cover the sleeve.

Mr. Knight stated the coursing of the runnel bricks and the soldier course line up with the herring bone and expressed concern that the pattern would be lost. The applicant explained that one end of the brick would line up and the far end would line up with the far face of the mortar joint.

Mr. Knight wanted to know if the herringbone pattern in the crosswalk would be in the same orientation as the herringbone in the main field. The applicant stated that was their intent.

Mr. Adams wanted to know if the 4x12 and 4x8 pavers would be made by the same fabricator. The applicant stated one of the requirements would be that they be fabricated in the same place where the same raw materials are used.

#### COMMENTS FROM THE BOARD:

Mr. Wolf thought that, other than the brick and runnels, there were a number of things that would need to come back to the Board.

Mr. Knight stated it was acceptable in concept but he thought there would be a subtle distinction where the pattern shifted. He did not see an acceptable alternative, however.

Mr. Adams expressed reservations about how the truncated domes were worked into the pattern and about the number of different types of materials. He thought the crossings were an opportunity to do something different from the Halperin design.

Mr. Osteen thought the truncated domes destroy the shape that was there.

Mr. Hogg suggested leaving out the border and only having the centerpiece rather than trying to adapt the granite pattern to the domes.

**Mr. Knight, having considered the standards set forth within the City Code including the City Design Guidelines for Public Improvements, moved to find that the proposed changes, specifically the 4x12 bricks in the main field, the 4x8 bricks in the crosswalks, the mortar set, reconstructed runnels and soldier courses at the faces of the buildings on either side of the Mall, the light fixtures, the granite insets and the newspaper corrals and boxes satisfy the BAR's criteria and Guidelines and are compatible with this property and other properties in the district, and that the BAR approves the application as submitted with the following to come back to the BAR for approval: color samples on the brick and granite, the tree preservation plan, the grates, the solution for the light poles themselves, and additional design work on the two vehicular crossings with the suggestion that was made about the truncated dome ADA warnings be taken into account as well as the possibility of reorienting the 4x8 bricks. Mr. Wolf seconded the motion. Mr. Knight stated he would like to add to the motion the general approval of the BAR of the flip-flopped light level which was made by the applicant with the 70 watt lamps being placed in the quad spider configurations and the 100 watts in the singles. Mr. Wolf accepted the amendment. Mr. Wolf called a vote by acclamation. The motion carried unanimously.**

Ms. Schoenthal joined the meeting at 6:25 p.m.

#### **D. Certificate of Appropriateness Application**

**BAR 08-07-07**

**705 Park Street**

**Tax Map 52 Parcel 58**

**Theresa Elron, Applicant**

**Re-enclose side porch, paint the house, replace gravel walk w/ brick; replace rear door**

Ms. Scala gave the staff report. This had been before the Board at the July meeting at which time the applicant requested a deferral to provide additional details and information. Since then the application has been scaled back. Instead of replacing the wooden front steps with masonry, they will be repaired. A handrail will be added for the front entrance steps. At the Board's suggestion, the applicant wishes to enclose the north side porch with wood backed rails and styles consistent with the rear porch pattern on the lower half. The applicant wishes to replace the existing gravel walkway with brick in a herringbone pattern, replace the existing rear door with a glass door or a fixed panel glass door, and painting the exterior stucco walls off-white.

Ms. Elron stated she add nothing to add but would like to speak to the look of the rails and styles when it was appropriate.

**QUESTIONS FROM THE PUBLIC:**

Ms. Colette Hall, of 101 Robertson Lane, noted her main objection had been the front porch which the applicant had withdrawn. She was delighted to hear about the changes.

**QUESTIONS FROM THE BOARD:**

Mr. Adams wanted to know if the downspouts would be painted. Ms. Elron stated she would and asked for color suggestions.

Mr. Wolf wanted to know if she would paint them if they were copper. She stated she would not.

**COMMENTS FROM THE BOARD:**

Mr. Hogg expressed appreciation for how thoughtfully the applicant responded to their comments. He liked the revised porch enclosure.

Mr. Wolf stated he would support the application. He thought the revisions were sensitive to the Board's comments and to the house.

**Mr. Wolf, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed changes satisfy the BAR's criteria and are compatible with this property and others in the district, and that the BAR approves the application as submitted. Ms. Gardner seconded the motion. Mr. Wolf called the vote by acclamation. The motion carried unanimously.**

**E. Certificate of Appropriateness Application**

**BAR 08-08-05  
413 2nd Street NE  
Tax Map 33 Parcel 89  
Robert Klonoski, Owner/David Kariel, Architect  
Rear addition and front porch renovation**

Ms. Scala gave the staff report. This is an existing 1894 house. The applicant wants to refurbish the front porch and remove an existing attached rear porch. They want to replace that rear porch with a new addition on the back. Staff finds all proposed changes are in keeping with the guidelines and are appropriate on this building in this location. The applicant requests to replace all the wood double hung sashes with new white aluminum clad wood sashes by Lincoln Windows.

Mr. Kariel was present but had nothing to add to the staff report.

**QUESTIONS FROM THE PUBLIC:**

Ms. Colette Hall, of 101 Robertson Lane, wanted to know if the applicant planned on keeping the structure a single family dwelling or make it an apartment. Mr. Wolf stated he was not sure this was a BAR issue. Ms. Scala stated it was zoned single family.

**QUESTIONS FROM THE BOARD:**

Ms. Brennan wanted to know if the front door was being replaced. Mr. Kariel stated the existing door was painted and they would be taking the paint off.

Mr. Hogg wanted to know the reasoning behind the selection of the various decorative components. The applicant explained he was looking to have a more substantial focus than what exists.

**COMMENTS FROM THE BOARD:**

Mr. Wolf stated he felt comfortable with almost everything presented; his only reservation was the blue trim. Mr. Kariel explained the blue trim was eliminated with only the shutters to be blue. Mr. Wolf then stated his reservation was with the blue shutters.

Mr. Knight stated it seemed to meet the Guidelines so he found no objection.

**Ms. Gardner, having considered the standards set forth within the City Code including the City Design Guidelines for Demolition, moved to find that the proposed demolition of the rear enclosed porch and an opening for a new rear doorway as specified satisfies the BAR's criteria and Guidelines and are compatible with this property and other properties in this district, and that the BAR approves the demolition application as submitted. Mr. Knight seconded the motion. Mr. Wolf called a vote by acclamation. The motion carried unanimously.**

Ms. Gardner first urged the applicant to consider the shutters tonally with something in the color family of the roof.

**Ms. Gardner, having considered the standards set forth within the City Code including the City Design Guidelines for New Construction and Additions, and for Rehabilitation, moved to find that the proposed new rear addition and changes to the front porch satisfy the BAR's criteria and Guidelines and are compatible with this property and other properties in this district, and that the BAR approves the application as submitted. Mr. Knight seconded the motion and offered a friendly amendment that the trim around the windows is not to be blue any more and that the Board urges the applicant to reconsider the use of the blue on the shutter. Ms. Gardner accepted the friendly amendment. Mr. Wolf called the vote by acclamation. The motion carried unanimously.**

#### **F. Certificate of Appropriateness Application**

**BAR 08-08-08**

**110 E. Main Street**

**Tax Map 28 Parcel 23**

**Jefferson Theater Holdings, LLC and Joan Fenton and Albert Tabackman, Co-Owners**

**Replace fire escape with enclosed stair**

Ms. Scala gave the staff report. The application is to remove an existing metal fire escape and replace it with an enclosed fire stair on the east side of Jefferson Theater. The proposed fire stair will be constructed of painted concrete masonry units with painted metal roofs. The applicant proposes two operable metal windows. The resubmittal shows vertical windows with glass.

Mr. Gate Pratt was present on behalf of the applicant to answer questions.

#### **QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

#### **QUESTIONS FROM THE BOARD:**

Mr. Knight wanted to know why this was being done. Mr. Pratt explained the existing metal fire escape was 22 inches wide in some places so the proposal brings the fire escape up to code and provides more than one means of egress from the third floor balcony and improves the egress from the second floor balcony.

Mr. Knight wanted to know if there was any way to do an open metal fire escape and still meet code. Mr. Pratt explained the enclosure was not a code issue but there had been problems with vandalism and vagrancy so a safer structure was preferred.

#### **COMMENTS FROM THE BOARD:**

Mr. Hogg stated it seemed fine and did not impact anything significant on this or any adjacent building.

Mr. Knight noted for the record the importance of metal fire escapes on buildings in general. He understood the reasoning in this case and the fact that it was so far out of the public view led him to support the application. He felt many important ones had been lost over the past few years. He thought that for the future these elements should be retained on most of the buildings in the downtown area.

**Mr. Wolf, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed enclosed fire stair as submitted in the drawings dated August 15th, 2008, satisfies the BAR's criteria and is compatible with this property and others in the district, and that the BAR approves the application as submitted making note of Syd Knight's comments with reference to precedent and fire escapes. Mr. Knight seconded the motion. Mr. Wolf called the vote by acclamation. The motion carried unanimously.**

#### **G. Certificate of Appropriateness Application**

**BAR 08-08-01**

**201 E. Water Street**

**Tax Map 28 Parcel 31**

**Minor Family Hotels, Owner**

**Revised Water Street canopy design**

Ms. Scala gave the staff report. The architecture of the hotel changed in February. The redesigned canopy is lowered from 25 feet to 13 feet, making it opaque instead of transparent and adding internal fluorescent lighting which will be similar to the glass light boxes on top of the building. The previous design had two canopies on Water Street; the proposed design is lower to protect patrons from the weather. The lowered height and opacity are appropriate. Internal lighting is not appropriate in the historic district; staff recommends incandescent lighting with full cut off.

The architect for the project, who did not identify himself for the record, stated there was a lighting consultant who will design the light. The intent was fully lit panels which would illuminate the floor. He stated they would have the consultant work with Ms. Scala.

#### **QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

#### **QUESTIONS FROM THE BOARD:**

Mr. Adams wanted to know how many foot-candles of light this would emit. The architect did not know. He stated they would like a well lit area at night.

Ms. Gardner wanted to know what the previous lighting plan had been. The architect explained the previous design had been a small canopy over the entrance bordered with recess lighting.

Mr. Wolf sought clarification whether the web of the channel and were stiffeners or ornamental. The architect explained they were ornamental.

#### COMMENTS FROM THE BOARD:

Ms. Brennan thought the proposal looked odd and cut in half.

Ms. Schoenthal thought the lighting and brick coursing would need to come back to the Board.

Mr. Hogg thought the previous canopy was very beautiful, but a flight of fancy. He did not think this was a well thought out proposal. He stated he could not go past accepting it as an idea.

The architect stated they would be glad if the Board would approve it as a concept. If the Board would approve the overall shape of the canopy and its location, the applicant would be glad to work out the detail and come back to the Board or Staff.

Mr. Wolf was not sure about the use of ornamental stiffeners.

Mr. Adams thought the last proposal with the high canopy was a great moment in the project.

Mr. Hogg stated if the canopy was going to be used as a sign, it should be included as part of the revised submission.

Mr. Osteen agreed with Mr. Adams that this proposal was disappointing. He felt this was backing off some of the nice parts of the scheme. Mr. Osteen could not support this in general. He was disappointed they were not supporting the previous submission.

Ms. Gardner felt the rendering of the night version screamed Vegas. She stated she was uncomfortable with the light levels.

Mr. Hogg stated it would be easier to approve it if the Board had more information. He stated the materials did not inspire a lot of confidence.

Mr. Wolf stated he was sympathetic to the functional issues and was willing to look at a more detailed and more resolved set of details pertaining to how the lighting structure works.

**Ms. Schoenthal, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed Request for Canopy Modifications -- the Board would approve the lowering of the canopy to the more functional height with all details about design and lighting and where it meets the building to be reconsidered at a later date. Mr. Hogg seconded the motion. Mr. Wolf called for discussion. Mr. Knight did not think he could support it because when he looked at proposed changes, he thought it was usually beneficial to try to avoid comparing it to the**



**original. However, Mr. Knight thought the public space that was created on Water Street originally was so compelling he found it sacrificed now. Mr. Wolf called the vote by acclamation. The motion failed with a 4-4 vote; Ms. Schoenthal, Mr. Wolf, Mr. Hogg, and Ms. Brennan voted for the motion.**

**Mr. Hogg moved to defer the application until the September hearing. Mr. Knight seconded the motion. Mr. Wolf called the vote by acclamation. The motion carried unanimously.**

## **H. Certificate of Appropriateness Application**

**BAR 08-08-04**

**1417-1425 University Avenue**

**Tax Map 9 Parcel 76**

**CVS Realty Co./Calverton RBO, Applicant/ Anderson Realty Partnership, Owner**

**Replace storefront window, repaint front wall, new side entrance (replace window with door and canopy above**

Ms. Scala gave the staff report. The applicant wants to create a new side entrance by replacing an alley window with a door and adding a new canopy over it. They also want to modify the easternmost storefront window facing University Avenue by removing intermediate aluminum framing and replacing it with three glass lights with clear silicone butt joints in an existing aluminum frame. Exterior changes maintain the current design of this significant building. The proposed doorway is in keeping with a previous BAR action. Proposed minor improvements make good contributions to the district.

The applicant was not present.

### **QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

### **QUESTIONS FROM THE BOARD:**

Mr. Hogg wanted to know if the proposed location of the door was a Code requirement or by choice. Ms. Scala stated there was an existing door which the applicant was closing. The applicant was proposing tinting the door but would fill in the opening if that was what the Board wanted. Mr. Hogg stated he had a fundamental problem with the proposal for the door as it was presented.

**Mr. Adams, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed alterations on University Avenue satisfy the BAR's criteria and are compatible with this property and other properties in this district, and that the BAR approves that portion of the application as submitted and that the BAR moves to defer on the alley entrance and entry to the back**

**pharmacy area. Mr. Osteen seconded the motion. Mr. Wolf called the vote by acclamation. The motion carried unanimously.**

## **I. Certificate of Appropriateness Application**

**BAR 08-08-02**

**600 West Main Street**

**Tax Map 29 Parcel 6**

**Anish Adatia, Applicant**

**Front vending machines, ice box and propane gas storage**

Ms. Scala gave the staff report. This contributing structure was constructed in 1880 and used as a residence and business. A convenience store has opened in the space. The applicant seeks permission to allow three soda vending machines and one ice box in front of the building as well as locating a propane gas case on the east side of the building. The City does not permit vending machines on the City right of way; however, the proposed machines are located on the landowner's property. There are a few vending machines located in the historic district, but all have been in place for some time and are nonconforming. Approval of this request could set a precedent for future requests in historic districts. Consideration should be given to the quantity, design, and location. The soda machines give the appearance of large internally illuminated signs. It may be possible to locate the ice machine and the propane tanks in the east side yard but set back from the facade of the building so they are not so prominent.

Mr. Nana Akyeampong-Ghartey was present on behalf of the applicant. This vending machine is located on the property of the store and is not blocking any passageway. He stated if the lighting was the problem, they would be prepared to remove the lighting system from the machine.

### **QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

### **QUESTIONS FROM THE BOARD:**

Ms. Brennan sought clarification that this was approval of work already done. Ms. Scala confirmed they were there.

Mr. Knight wanted to know if it was possible to move the soda machines to either side of the building rather than in the front. Mr. Akyeampong-Ghartey explained there was no room on the west side and the east side was too narrow.

### **COMMENTS FROM THE BOARD:**

Mr. Wolf did not see he could support vending machines and the other paraphernalia in front of the facade on the street. He felt it looked like the front of the store was being barricaded with all these different machines which was antithetical to the purpose of the Guidelines.

Ms. Gardner stated the Guidelines spoke clearly to colors on vending structures should be in keeping with the character of the surrounding area and these did not. The Guidelines did not allow approval of bright primary colors.

Mr. Osteen wondered if a retro Coke machine would be acceptable since every Ma and Pa grocery store in America had a Coke machine out front.

Mr. Hogg felt there was a fundamental issue about the character of the storefront and the character of the streetscape.

Mr. Wolf sought the Board's opinions as to whether there were fewer components occupying both sides. Mr. Hogg felt something in the alley might be okay; however, he was uncomfortable recommending a solution that requires walking across the adjacent property owner's private property to gain access to the machine.

Mr. Hogg suggested saying no to this without searching for alternatives.

Ms. Brennan stated she could consider alternatives with one machine but would be hesitant about three machines.

Mr. Wolf stated he would be willing to look at an alternative that placed the machines someplace else.

Mr. Knight stated he would be willing to consider alternatives, but was not comfortable with verbally hashing this out at the time. He suggested taking a vote on the current application and then ask for a separate application to come back.

Ms. Gardner stated she could see moving a certain number of the items to the side of the building and having them corralled to shield them from view.

**Mr. Knight, having considered the standards set forth within the City Code including City Design Guidelines for Signs, Awnings, Vending and Cafes, moved to find that the proposed soda vending machines do not satisfy the BAR's criteria and are not compatible with this property and other properties in this district, and that the BAR denies the application as submitted. Ms. Brennan seconded the motion. The motion carried unanimously.**

Mr. Wolf called for a brief recess at 8:22 p.m.

Mr. Wolf reconvened the meeting at 8:44 p.m.

## **J. Certificate of Appropriateness Application**

**BAR 08-08-06**

**39 University Circle**

**Tax Map 6 Parcel 85**

**Virginia PCS Alliance, L.C. d/b/a nTelos, Applicant/ The Miramont Condominium Assoc.,**

## **Owner**

### **Install stealth chimney**

Ms. Scala gave the staff report. This is a contributing building in the Rugby Road-University Circle-Venable Neighborhood ADC District dating from 1916. The applicant seeks to install two stealth chimneys on the rooftop, each of which would house one wireless communications antenna, and to extend the length on one side of an existing chimney which is not in use to house another antenna. Any associated equipment would be located in the basement out of public view. The applicant provided a Certificate of Satisfaction from an engineer and an Environmental Site Assessment. The Environmental Site Assessment reports no adverse effects within the historic district as a result of the installations. This installation is not easily visible, but consideration could be given to the number of believable chimneys on one roof.

Ms. Debbie Balser, of nTelos, 1150 Shenandoah Village Drive, stated they did have antennas located on the Cavalier Inn which would eventually be torn down. They are looking for a replacement site.

#### **QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

#### **QUESTIONS FROM THE BOARD:**

Mr. Adams wanted to know if these would have any type of architectural alignment. Ms. Balser stated they tried to orient them on the rooftop in line with the existing chimneys and were placed based on the require azimuth.

#### **COMMENTS FROM THE BOARD:**

Mr. Hogg stated this seemed harmless. He did not think this would be perceptible.

Mr. Knight expressed concern that the blue foam would be seen. Ms. Balser stated she would make sure it could not be seen.

**Mr. Hogg, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that the proposed installation of two stealth chimneys and expansion of existing chimney for wireless antennae does satisfy the BAR's criteria and is compatible with this property and other properties in this district, and that the BAR approves the application as submitted. Mr. Osteen seconded the motion. There was no discussion. The motion carried unanimously.**

## **K. Certificate of Appropriateness Application**

**BAR 08-08-09**

**403 Altamont Street**

**Tax Map 33 Parcel 133**

**Bernie Martin, Owner**

**Replaced wood deck, railing, and windows without BAR approval**

Ms. Scala gave the staff report. The applicant is requesting permission to consider changes already made to the exterior of the circa 1950 building in the North Downtown ADC District. The applicant replaced the rotted wood deck and porch railing June, 2007, with a synthetic decking and vinyl railings. In June, 2008, the applicant replaced the windows with new double-glazed, energy efficient windows and repainted the wood trim white. In 2006, the property owner opposite at 400 Altamont Street wanted to replace porch windows with cellular solid PVC or aluminum clad wood and the BAR suggested he could have aluminum clad wood but would not approve the cellular solid PVC. The BAR generally requires wood windows or aluminum clad wood windows in rehabilitation projects.

Mr. Bernie Martin apologized to the Board. He stated he did not understand the process until they were substantially complete.

**QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

**QUESTIONS AND COMMENTS FROM THE BOARD:**

Mr. Knight stated this put the Board in a tough situation. This project clearly did not conform to the Guidelines. He stated if the applicant had come to the Board, they would not have approved as submitted and would have suggested changes to the materials. The Board would not approve this; however, the windows were in. Although the house was contributing, it was not an outstanding architectural piece. Mr. Knight could see leaving the windows, but the vinyl railing was much more visible and obviously a fake. He suggested replacement of the vinyl railing.

Ms. Gardner stated she could not in good conscience ask someone to rip out windows at this stage.

Mr. Wolf agreed with Mr. Knight that the structure did not have some of the architectural qualities that would elevate it to a contributing structure in the neighborhood. He also agreed that the railing should be replaced.

**Mr. Knight, having considered the standards set forth within the City Code including the City Design Guidelines for Rehabilitation, moved to find that although the proposed windows do not satisfy the BAR's criteria and are not compatible with this property, the BAR declines to require the applicant to remove them at this point in time; he further moved to find that the railing does not satisfy the BAR's criteria and is not compatible with the property and other properties in the district, and that the BAR denies that portion of the application with the stipulation that the replacement for the railing be submitted for Staff approval. Ms. Brennan seconded the motion. There was no discussion. The motion passed, 7-1; Mr. Hogg voted against.**

## **L. Certificate of Appropriateness Application**

**BAR 08-08-07**

**600 Preston Place**

**Tax Map 5 Parcel 109**

**Theta Chi Fraternity, Applicant/Theta Chi Xi Chapter Alumni Association c/o Bryan Rogers**

**Addition to existing wood deck**

Mr. Wolf disclosed that he was a Theta Chi but did not think it would affect his vote. Ms. Scala gave the staff report. The applicant is requesting approval to construct a 9x23 foot deck addition to the existing deck on the southeast side of the residence. The applicant will use the same material as the existing deck. The deck is partially screened by an existing privet hedge. The proposed construction would be similar to the existing wood deck with wood railings. Perhaps the privet hedge could be extended along Grady Avenue another 20 feet.

No one was present on behalf of the applicant.

### **QUESTIONS FROM THE PUBLIC:**

There were no questions from the public.

### **QUESTIONS AND COMMENTS FROM THE BOARD:**

Mr. Knight stated the original deck was not compatible with the house and this would add to the incompatibility. He felt due consideration should be given to this project.

Mr. Hogg stated the geometry of the proposal was wrong. He stated it was an inappropriate configuration and shape. The eccentric geometry had no relationship to the building.

Mr. Wolf agreed with Mr. Knight and suggested the applicant improve and upgrade that which was being modified.

**Ms. Gardner, having considered the standards set forth within the City Code including the City Design Guidelines for Site Design, New Construction, and Additions, moved to find that the proposed deck addition does not satisfy the BAR's criteria and is not compatible with the property and other properties in this district, and that the BAR does not approve the application. Mr. Knight seconded the motion. There was no discussion. The motion carried unanimously.**

## **M. Certificate of Appropriateness Application**

**BAR 08-08-03**

**110 10-1/2 Street NW**

**Tax Map 10 Parcel 47**

**CCBW, LLC, Owner**  
**Demolition of house**

Item M had been deferred prior to the meeting.

**N. Preliminary Discussion**

**BAR 08-06-03**  
**226 South Street**  
**Tax Map 28 Parcel 94**  
**Limehouse Architects, Applicant/Oliver Kuttner, Owner**  
**Proposals to alter house to accommodate driveway for rear development**

Ms. Scala gave the staff report. The Board had also had a preliminary discussion about this on June 17, concluding that the proposal was an excessive response to cheap parking for three spaces. The applicant has three alternative proposals to create an access way to the rear yard for parking purposes. This property begins a line of wonderful vernacular detached structures along South Street. The applicant has investigated alternate means of access to the rear yard. Shared access to rear parking with either of the adjacent property owners is not an option. There is not much room to move the building to the east.

Mr. Oliver Kuttner stated that before anything was designed for the back he wanted to know if he could get cars in there. He stated he wanted to be able to make the cars disappear.

Mr. Wolf wanted to know if there was any way to come straight from South Street. Mr. Kuttner explained that it would be a little bit steeper than normal. He stated he would be willing to explore that.

Mr. Knight stated he could not support anything that would take out most of the front yard and would destroy the streetscape.

Mr. Hogg said the S curve through the front yard and under the gable end was a nonstarter. Having a giant pole under the turn of the century house for a driveway was not an appropriate intervention. He did not think any of the three solutions was sympathetic to the house. He appreciated the desire to remove the cars but he was concerned about the house.

Ms. Brennan stated she could not support demolition of the house. Mr. Kuttner stated he did not plan to touch the house.

Mr. Gate Pratt noted that houses have grown organically over time. He stated they had looked at strategies that would let this house grow. This was the only house that was landlocked.

Mr. Hogg noted that the house was in the District and had these limitations when it was purchased. He stated constraints to the rear yard had not suddenly appeared.

Ms. Brennan stated she would be willing to consider an addition but not any of those proposed.

Mr. Knight agreed there was a way to take a road under a building and do it gracefully, but the way the driveway goes down to a garage door works with the architecture of the building. He stated that here it undermines the corner of the building.

Ms. Gardner thought nothing seemed quite comfortable because the additions as drawn did not work with the Guidelines.

Mr. Osteen suggested gearing the project to pedestrian and bicycle traffic.

Mr. Wolf stated it would be difficult to get enough support to do this as proposed.

## **H. Certificate of Appropriateness Application (Continued)**

### **BAR 08-08-04**

#### **1417-1425 University Avenue**

Mr. Lawrence Horton, of Jacobs Buildings of Baltimore, Maryland, was present on behalf of the applicant. Mr. Horton apologized to the Board for not having been present earlier in the meeting as he had been caught in traffic.

Mr. Wolf explained the Board was concerned with modifying the old seal sashed windows and changing the masonry openings. He noted the Board had wanted to know what was driving the new door placements as opposed to reutilizing the existing ones.

Mr. Horton explained the doors had been based on the plan layout and the logistics of the CVS space. The existing locations were not conducive to the use of the building for CVS. The new entrance was sensitive to the architecture of the building as a whole.

Ms. Schoenthal stated that cutting into the existing frame windows when there were two existing doors seemed frivolous and interrupted a building that was historically important.

Mr. Hogg stated there was no relationship between the proposed door and the window which was proposed for alteration. He stated neither the door design nor the canopy had any respect for the detail of the brick wall. He did not think the interior design could dictate the exterior alterations that were proposed.

Mr. Horton stated they could not use the existing door. He stated if they felt strongly about it, the applicant would have to review and look at options.

Mr. Knight stated the Board did feel strongly about it. He stated the applicant could not touch the side wall.

Mr. Horton asked if the applicant could have a continuance. Mr. Wolf stated the Board had deferred it earlier in the meeting. Mr. Horton stated they definitely took this seriously and could look at several options.



**Mr. Knight moved that, in light of the unusual circumstances of the applicant's late arrival and the new information that had been discussed, that the Board rescind its earlier deferral of the proposed changes to the alley side of the structure and accept the applicant's request for deferral on those same items. Mr. Hogg seconded the motion. There was no discussion. The motion carried unanimously.**

**B. Consent Agenda (Continued)**

Ms. Gardner noted that within Matters from the Public a comment which was attributed to Ms. Schoenthal should have been attributed to Ms. Gardner. A second incorrect attribution also occurred on page 5.

**Mr. Knight moved to approve the minutes as modified. Ms. Gardner seconded the motion. The motion carried unanimously.**

**O. Matters from the public not on the agenda**

There were no matters from the public.

**P. Other Business**

Ms. Schoenthal wanted to know if the training session had been set up. Ms. Scala stated it had not. Mr. Wolf thought they would have to do it on October 28th.

**Q. Adjournment**

**Mr. Wolf asked if there was a motion to adjourn. Mr. Hogg so moved. The Board members left the meeting at 10:09 p.m.**