

BOARD OF ARCHITECTURAL REVIEW MINUTES

The Board of Architectural Review held its regularly scheduled meeting on March 20, 2008 at 15 N. Cameron Street, at 4:00 p.m. in Council Chambers, Rouss City Hall

PRESENT: P. Farris, C. Shore, T. Rockwood, T. Bandyke, L. Saunders, L. Belkin, M. Lore

ABSENT: None

VISITORS: Thomas Chasler, Hunter Hurt, Howard Kittel (PHW), Patti Paxton, David Bowman, Tom McCabe, Frank Wright (PHW), Sandra Bosley (PHW), Stephanie Mangino (Winchester Star)

MINUTES:

CONSENT AGENDA

BAR-08-18 Request of Beverly Dennis to mount two signs to the church at 26 W Boscawen St.

This was moved from the consent agenda to New Business; however no one was present to address the Board.

Mr. Saunders suggested it be set aside for now due to the amount of cases on the agenda.

BAR-08-20 Request of David McLaughlin to put up a projecting sign at 618 S. Loudoun St.

Mr. Belkin, seconded by Mr. Farris motioned to grant a Certificate of Appropriateness for the projecting sign.

Motion carried 7-0-0.

NEW BUSINESS

BAR-08-16 Request of Thomas Chasler, Attorney, to demolish a two-story building, at 212 N Kent St. ****PUBLIC HEARING****

Mr. Diem gave a presentation providing proof that the residence was older than 75 years, including details on a recent survey done by the Department of Historical Resources. The last tax assessment done in 1986 describes the dwelling as being two-story and at least 50 years old. The survey states that the structure was shown on Sanborn Fire Insurance Maps in 1903. The same survey lists the house as in poor condition but as a contributing structure none the less.

Mr. Diem provided pictures showing the siding under the asphalt siding, being a German lap siding, also the stone foundation and cornice brackets. Similar architecture in the district has been dated back to the late 1800's.

Mr. Diem explained that there have been code enforcement efforts following a fire that happened some time ago. There was minimal if any damage to the outside of the structure but minor damage to the interior. The property has been boarded up and No Trespassing signs posted on the building. There are some code violations regarding exterior maintenance of the structure.

Mr. Saunders asked if there are references to jive with the 1936 date that Mr. Chasler has presented.

Mr. Diem stated that he hasn't found anything that would indicate that the building was built in 1936.

Mr. Belkin explained that the date probably came from subtracting 50 years from 1986 because the last tax assessment in 1986 stated it was at least 50 years old.

Chairman Saunders opened the public hearing.

Thomas Chasler, attorney representing the owners of 212 N. Kent St. pointed out that the print out provided by the Commissioner of Revenue listed the built date as 1936. He also showed that the Architectural Inventory shows the date as 1910. Mr. Chasler questioned whether or not a public hearing is necessary due to the uncertainty of the age of the property. His client is an LLC composed of a brother and sister that live outside of Florence, Italy. He stated that Italians have buildings that go back thousands of years so it's taken them 4-5 years to decide to tear down this property. They have come to this point due to the Zoning Administrators complaints on the property; they've shown it as a blighted. Mr. Chasler explained that it's not economically feasible to rehabilitate this property. It's been appraised at \$75,000 to \$80,000. The appraiser used the Marshall Swift guidelines to estimate the cost to repair the interior of the property to be \$85,000. He also stated that once all the repairs are complete the property would be worth \$150,000. That is assuming that there aren't any other problems that haven't been addressed. Mr. Chasler explained that the insurance money wasn't used to fix the home after the fire because they only paid the amount that the house was worth not how much it would take to repair it. Mr. Chasler stated that the board would also have to consider historical and architectural value of this structure. The cities inventory of 1976 showed 5 different ways that a property could be rated, this one was rated average. Mr. Chasler felt that this meant that there was nothing unique about this property at that time. He also stated the Board would have to consider the effect of the values in the area. He felt that this property has a negative effect on the neighborhood; it has been listed as blighted. He asked that after the review of the ordinance that the Board rule that it doesn't make economic sense to restore this property.

Mr. Belkin asked if there was any insurance money to fix up the property.

Mr. Chasler stated that there was but not nearly enough to fix up the property and wasn't worth investing the money in.

Mr. Bandyke asked how much money was given in the settlement.

Mr. Chasler stated that he didn't know, that was 5 years ago but he was told they were under-insured.

Mr. Bandyke asked why the delay in fixing the property.

Mr. Chasler stated that the owners couldn't decide what they wanted to do. It was with the city's motivation that they came to this decision.

Mr. Bandyke asked about putting the property on the market and selling it.

Mr. Chasler stated that it's already on the market. He gave a letter to the Zoning Administrator stating the values.

Howard Kittel, member of the Board of the Preservation of Historic Winchester, gave a brief synopsis of his 21 years experience in historic preservation. He stated he is opposed to granting a COA for demolition. He explained his presentation would be addressing the age of the building and the condition of the building. He felt that the Sanborn Maps are strong indicators of the age of this property. He stated that he has helped create local historic districts in several cities and to do national register nominations, and just looking at the building he put the date between 1890 and 1910. He stated building style in Winchester tended to be behind the curve of the east coast. He stated that placing the property in the 1930's would be like someone saying he is 21 years old, it wouldn't be realistic. He addressed current conditions stating that he toured the building two weeks ago but over the last ten years he's had the opportunity to view the building on frequent bases because the building is on his running route. Over that period of time the building hasn't been occupied and there hasn't been any maintenance done to the building other than the windows being boarded up more recently. He explained that part of the restoration cost is maintenance that hasn't been done in ten years. He felt that it makes no sense to reward someone with letting them demolish a building in the historic district that has not been maintained. He stated that the inside does need restoration work but it's not beyond repair. He stated that he has seen other properties in the historic district in worse shape repaired and put back into viable economic use. He also stated that the fire has caused superficial damage to the inside but is no greater than what would be required in the rest of the structure. He concluded by saying that a COA should not be granted.

Frank Wright, president of the Preservation of Historic Winchester, stated that he also toured the property and brought photographs and provided a copy of the Sanborn Maps that was previously discussed. He stated that the PHW has an interest in the property not just because it's old but because they are neighbors. They purchased the property immediately next door and then sold it attaching protective covenants on it. He provided pictures of that property and other neighboring properties to the Board as evidence of what can be done with appropriate maintenance. He stated that he appreciated that the owners are Italian and out of the country but what he could not appreciate is them letting the property deteriorate to the point it has and then claim the cost of restoration would be too much. He felt that the building can be restored. He asked that the Board require the owner to restore the property.

Chairman Saunders closed the public hearing.

Mr. Saunders felt that the building is over 75 years and was no different from previous demolition requests.

Mr. Belkin felt that the property needs to be addressed with the same respect as any property within the historic district. He stated that the guidelines list a number of questions that have to be asked but there is no where in the guidelines does it state that the Board answer yes to all those questions but yes to one of them. If one of those is yes then the building is a contributing property. He felt that if the building was rated as average and is not worthy of preservation, you are in fact saying that 50 % of the buildings do not deserve to be preserved. He also felt that if the survey stated that this is a contributing structure that the Board should give there thumbs up in saying that the building is worth preserving. He stated that the applicant has made the case for the Board to deny the COA because if in fact the building can be renovated for under \$200,000 then it compares favorably to the affordable housing that the Rose Foundation was attempting to build new on Kent St. It's going to cost at least that to put up a new house anyway.

Mr. Belkin stated that there is a Virginia statute that allows property owners to demolition a property if he offers it for sale for a certain period according to the conditions. He asked Mr. Diem if he is right in saying that after receiving notification that the property is for sale can it be demolished after one year if not sold.

Mr. Diem explained that it could be less depending on the listed sale price of the property. There is a sliding scale identified in the Code of VA identifying the length of time a property must remain on the market.

Mr. Belkin stated that it also says that any group can challenge the asking price within 15 days, however that has already past. He asked if anyone has presented 25 signatures to the City.

Mr. Diem stated that the City hasn't received a challenge.

Mr. Belkin stated that the time frame is so limited that it requires the zoning dept to let everyone know immediately because it would force the seller to get an appraiser and then have the city appoint an appraiser and then a final appraiser to state that the asking price is in fact reasonable. This would prevent the seller from presenting a price that is ridiculously high just to pass that time period. He asked the Board why they shouldn't look at their guidelines in a very strict way and say "no, we will not grant a COA for this" because it's possible that within the year a buyer will come along with a little different attitude.

Mr. Rockwood stated that he agreed with Mr. Belkin and added that the numbers seem reasonable. He felt that to start tearing down the structure before someone has the chance to renovate it does violence to the historic district.

Mr. Farris added that there have been buildings that have been worse than this one that have been restored and hopes the same for it. He stated that while touring the structure he didn't perceive it to have been destroyed by fire.

Mr. Farris had a point-of-order question in regard to how to make a decision on whether or not a structure is totaled since a financial concern is supposed to be taken into review. He asked where the Board is supposed to pull this appraisal from. He pointed out that in this case Mr. Chasler has been kind enough to supply an appraisal. He asked if they are supposed to accept the applicant's appraisal of the property or if the Board is supposed to have one generated. He asked if city tax records are sufficient.

Mr. Farris stated that if this structure isn't worth saving then a high percentage of the historic district would be in the same category. He also pointed out that there is no site plan for what would be built in its place if it was demolished. He felt that the end result was very important because even if a COA is approved based on a concept the Board accepted there is nothing stating that the applicant has to go ahead with that concept.

Mr. Lore stated that the Board has to observe the Secretary of Interior Standards including taking into consideration economic and technical feasibility. He didn't feel that it was the responsibility of the Board to test various assessments or arguments and try to evaluate them. He agrees that the fire wasn't the raging inferno that gutted the building as the letter from Mr. Chasler leads you to believe. He added that there is existing old wallpaper and various aspects of the interior architecture that are undisturbed, along with the siding that's in good shape that has been protected by the asphalt siding. He stated that he hasn't heard a good argument stating that it should be demolished given what has been said.

Mrs. Shore asked what constitutes being on the market, how people know it's available.

Mr. Chasler stated that it's required that a letter showing the date and asking price be given to the Zoning Administrator with a contact person listed.

Mr. Bandyke agrees that the outside of the building shows no sign of fire damage. He felt that most of the damage is owner neglect. He stated he is not in favor of tearing it down.

Mr. Saunders stated that in the past there have been houses that have been modified and changed so much that he really didn't feel that they were saving any part of history but that isn't the case here. He felt the sale route would be the way to go.

Mr. Bandyke asked Chairman Saunders if the Board could approve a demolition without knowing what will take its place.

Mr. Saunders stated that either the house is historically significant or it isn't. He felt that the end result shouldn't be their concern.

Mr. Lore stated that even if there is a demolition that most of the Board members would like to know what is being planned for replacement. However he didn't feel that point had been reached.

Mr. Saunders asked if the property isn't sold in 6 months, if this item would come back to the Board for review.

Mr. Diem explained that by right after the six months has passed the owner is free to demolish the building without the Boards permission.

Mr. Belkin, seconded by Mr. Farris motioned to deny a Certificate of Appropriateness for BAR-08-16 based on Sections 14-6-2.4, 14-6-2.5, 14-6-2.6 of the Zoning Ordinance and items 7, 8, 9, and 12 of the Winchester Historic District Guidelines, Moving and Demolition under Additional Criteria for Evaluating Demolition Proposals Not in the Ordinance.

Motioned carried 7-0-0.

BAR-08-17 Request of Boford Properties to remove and replace the existing structure at 122-124 E. Cecil St using the same footprint.

David Bowman stated that city inspectors came by and placed a stop work order on the project and was told he would have to come in front of the Board; however he didn't think that the Board was interested in anything that couldn't be seen from the public right-of-way.

Mr. Saunders agreed stating that if it can't be seen from the street then a COA is not needed.

It was agreed by all members that BAR 08-17 be dismissed.

BAR-08-19 Request of Cardoctors, LLC to replace the face of the freestanding sign at 338 Amherst St.

Patti Paxton, applicant, was available for questions.

Mr. Lore stated that the guidelines require that freestanding signs be no higher than 15' but the gas stations signs are much higher than that. He asked Mr. Diem if there were special requirements in the Ordinance for gas station signs.

Mr. Diem stated that the provisions differ from the guidelines.

Mr. Lore clarified his question by saying that the current sign doesn't meet the guidelines at all so he was wondering if there was something in the Ordinance that spoke directly to gas station signs.

Mr. Diem stated that there is no separate category of approval based on the type of use.

Mr. Rockwood asked if the proposal is just to replace the cover on the existing sign.

Mr. Diem stated it was and that in and of itself does not require a building permit but because it's in the historical district does require a COA.

Mr. Saunders stated that this is a like for like situation.

Mr. Belkin stated that the sign doesn't meet standards; it's an internally lit, plastic molded sign. He read from guidelines for routine maintenance. He felt that since this particular project is ending one use and starting another the current standards should apply.

Mr. Rockwood stated that he lives about 150 yards from this sign and would be delighted if the applicant would voluntarily do what Mr. Belkin suggested and do away with the illumination, however he felt this is a structure. The only change is the cover of the sign.

Mr. Saunders stated he would be hard-pressed to ask to have the sign tore down.

Mr. Belkin felt that if the sign is like for like there is no need for a COA, the Board doesn't have to look at it. He stated that if the applicant is requesting a COA the Board wouldn't be able to give it because it doesn't meet the guidelines.

Mr. Rockwood stated that this is like a structure. The applicant cannot be forced to tear it down because it doesn't meet the guidelines. He stated that there are two illuminated panels and asked what would be done with the lower one.

Ms. Paxton stated that they are planning to remove the top section and use the bottom section.

Mr. Bandyke asked if there was a need to illuminate the sign.

Ms. Paxton said that there wasn't.

Mr. Bandyke stated that it's going to be very difficult to illuminate from the bottom. He suggested a T bar type of light from the top of the sign.

Mr. Saunders stated that the applicant has the right to replace the face of the sign with what they are proposing, but if they change the sign they will need to come back in front of the Board.

Mr. Diem stated that there is a section on non-conforming signs in the ordinance. He explained that if they remove one of the sign panels they would be reducing the non-conformity by 50% at which time the Board could require it not be internally illuminated.

Mr. Belkin stated that rather than having the applicant come back he would like to approve what would be a better sign with the understanding that they have the option to stay with what they have now.

Mr. Belkin motioned to grant a COA for BAR-08-19 as submitted. By right the applicant can change the existing sign as submitted or the applicant can replace the existing sign with a solid externally illuminated sign using industrial style incandescent projecting lighting with the proposed text and color scheme as submitted.

Mr. Lore expressed concern with approving as-is with the like for like issue. He asked if it's like for like because it is an existing sign with a different label or because it's a similar function that would merit this non-conforming sign.

Mr. Belkin stated that like for like is not mentioned in the guidelines it just addresses maintenance. He felt that if it falls under that category then they don't need BAR approval.

Mr. Saunders stated that this is just like Shell changing out the face of the sign because the logo changed. He felt that as long as there are no structural changes it would be like for like.

(Mr. Farris left the meeting at 5:00pm)

Mr. Belkin stated that he is trying to get a better sign out of this.

Mr. Rockwood continued buy saying that this is an opportunity to get rid of something that's ugly and replace it with something that's more appropriate to the historical district.

Mr. Belkin asked that after the discussion that he would like to take his motion back and ask that someone make a new one taking all the additional discussion into consideration.

Mr. Saunders stated that there are too many things going on at one time.

Ms. Paxton stated that putting a new face on the existing sign is the easiest thing for them to do right now. She asked that maybe they could do that and then come back in maybe six months and do something completely different that's more in tune with the area.

Mr. Bandyke stated that the suggestion makes sense because the applicant would have time to see if the business was going to make it before spending the money.

Mr. Belkin, seconded by Mr. Lore to grant a Certificate of Appropriateness for BAR 08-19 as submitted.

Motion carried 6-0-1. (Mr. Farris absent)

BAR-08-21 Request of John Scarlett for approval of the change in trim color, beetle element above the entryway and window signage at 28 E. Piccadilly St.

No one was present to address the Board.

Mr. Belkin, seconded by Mr. Bandyke to table BAR 08-21 until someone can be present.

Motion carried 6-0-1 (Mr. Farris absent.)

BAR-08-22 Request of Lafayette Plaza LLC to present plans for 30 Condos with mercantile on the ground level and final colors for 119-129 N. Loudoun St.

Hunter Hurt, architect, presented a virtual rendering of what was once the Old Taylor Hotel. He stated this would be the final presentation for color and concept.

Mr. Hurt explained that he added a 2-story porch with wood railings. Crystal white paint will be used for the trim, trellis and railings and terra cotta for the roof. He decided to use wood windows in the front of the building which looks out onto the pedestrian mall but would like to use pre-painted metal clad in the back because some of the windows will be 20ft off the ground which could make maintenance an issue. He has chosen Cinnamon as the color of the jams of those windows. The plaza will be a natural brick with cast stone on top. He has chosen brick red for the paving because it will blend in and give it a nice sharp look. He asked that at this time he be issued a COA to begin work on the building.

Mr. Lore asked what the Board is being asked to approve.

Mr. Hurt stated that he has been in front of the Board many times and hasn't received any negative feedback. He asked that the Board approve the whole thing, color, concept, everything.

Mr. Saunders explained that Mr. Hurt has done everything that the Board has suggested. He stated that he has no problem with the windows past the Taylor Hotel.

Mr. Belkin asked what the pergola was made off.

Mr. Hurt stated that it would be natural wood painted crystal white.

Mr. Belkin asked if someone would be planting some grapes or something.

Mr. Hurt stated that if someone wants to maintain it they can but there are plenty of planters for landscaping including some in the back that can't be seen on the rendering.

Mr. Rockwood stated that the difference in material will not be obvious with the color scheme.

Mr. Belkin asked if the doors going into the shops from the pedestrian plaza has been worked out because on the rendering it just looks like big sheets of glass.

Mr. Hurt stated that there are two main doors and two doors going up to the condos. He explained that he will have to wait and see what type of shop will be going in there.

Mr. Belkin asked that when the final plan has been decided that Mr. Hurt bring it back to the Board.

Mr. Saunders stated that at some point in time a decision has to be made. He asked for a motion.

Mr. Lore motioned to grant a Certificate of Appropriateness for BAR-08-22 with respect to the overall concept of the rehabilitation of the Taylor Hotel, the color choices that have been provided, and the use of wooden windows in the original section of the structure and pre-painted aluminum clad in the remaining structure as presented.

Mr. Belkin asked if this is to actually grant a COA for everything.

Mr. Saunders stated that Mr. Hurt deserves to at least be granted a COA for the opening layout so he can move forward with the project. As far as the details with the doors and such, they can be reviewed at a later time once he knows what's going to be going in there.

Mr. Lore suggested an addition be made to the motion stating that the applicant would have to return with specific material and spacing on the first floor front façade. He stated that there is a need to get moving on the project and there is no way that everything can be covered at this point but it would be of mutual interest to continue a dialog as the project moves forward.

Mr. Shore stated she would like to second the motion.

Mr. Lore, seconded by Mrs. Shore to grant a Certificate of Appropriateness for BAR-08-22 with respect to the overall concept of the rehabilitation of the Taylor Hotel, the color choices that have been provided, and the use of wooden windows in the original section of the structure and pre-painted aluminum clad in the remaining structure as presented.

Note: Applicant will return with specifics regarding the first floor façade.

Motion carried 6-0-1 (Mr. Farris absent)

OLD BUSINESS

BAR-07-72 Request of Thomas Green to raise the roof of his garage at 703 S. Washington St.

Mr. Diem explained that at the time this request was tabled there was a limit to the height of accessory structures. Recently a text amendment has passed giving a clear definition of accessory structure and allowing building heights of up to 18 ft as long as it meets the guidelines. He added that previous cases were denied or applicants were forced to buy a prefab shed that comes in a box rather than building a nicer structure. The purpose of this text amendment in part was to increase the architectural integrity between the accessory and principle structure.

Mr. Belkin asked if the principle change is that the building can be higher with a steeper slope.

Mr. Diem stated that was correct, its 6ft higher than what was previously allowed.

Mr. Belkin asked if this application was already approved.

Mr. Diem stated that the material and concept were appropriate but there were some question as to whether or not a recommendation would be made to the Board of Zoning Appeals given the provision that would allow for the reduction of yard areas.

Mr. Saunders stated it was a chicken and the egg situation. Now that it meets the zoning requirements it's back for consideration.

Mr. Diem provided a graphic showing how the roof heights are determined. An example would be if a structure met the 25' yard setback, an accessory structure could be up to 35' in height.

Mr. Saunders asked if within the rules if this roof is within the 18'.

Mr. Diem stated it would depend on the rest of the measurements.

John, representing the applicant stated that the roof is going to be 16.6 ft high so they will be going for the max 6ft. The roofing material is slate and will be put back as slate. The dormer will have copper on it so it matches the house. Colby wooden windows will be used.

Mr. Bandyke asked if the Board is supposed to approve the appropriateness or the use of the structure.

Mr. Saunders stated that it's the appropriateness because the use is determined by zoning.

Mr. Diem stated that the definition of accessory structure prohibits residential use and occupancy.

Mr. Bandyke asked what the space above the garage would be used for.

Mr. Green stated it would be used for storage. He continued by saying that the issue would be resolved during the building permit process. He expressed frustration with the fact that the last time he came before the Board the concept was approved and the only issue was left was zoning. He didn't understand why he has to go back over the concept again.

Mr. Belkin stated that outside the addition, there are shutters and a door that's replacing one of the windows. He asked if operating shutters would be used.

Mr. Green stated that they would.

Mr. Lore stated he wasn't here for the discussion in August but he felt that it follows the guidelines.

(Mr. Lore left the meeting.)

Mr. Saunders agreed that they approved the colors and concept last time.

Mr. Bandyke asked what the current ridge height is now.

John stated its 16.6 ft high is the existing height and will go up to 23.3 ft.

Mr. Saunders asked for a motion.

Mr. Tim McCabe asked if there would be an opportunity for public comment.

Mr. Diem stated that it's at the Board's discretion.

Mr. Saunders asked him to come up.

Tom McCabe, 700 S. Stewart St came forward opposing the addition of the garage. He stated that the rear of his property backs up to the applicant's property separated by an alley. He felt that a heightened structure on the property line would create a change to the aesthetics and openness that he and other neighbors currently have. It would shut out the light and change the view and be detrimental to property values. He stated that the neighborhood is made up of single family dwellings with single story detached garages. He felt this would be inviting a big change to the make-up of the neighborhood. He stated that it is a matter of record that it started out as an application for guest quarters.

Mr. Saunders stated that he understood the concern however the use is a zoning issue.

Mr. Belkin stated that without the dormer it would be a single story with a steeper roof. He felt that the proposed roof is more appropriate. He didn't think it would look like a two story building. He will have difficulty turning it down on for this reason.

(Mr. Saunders left the meeting.)

Mr. Green stated that he felt it's an attractive elevation to the building.

Mr. Belkin disagreed with that.

Mr. Bandyke stated that he lives in this neighborhood and agrees with Mr. McCabe. He felt that the garage is attractive the way it is. He added that single story is in keeping with the neighborhood.

John stated that there is a transition going on especially on the Washington St side of the neighborhood with bigger homes. Houses on Stewart St are smaller and would have smaller garages.

Mr. Belkin suggested eliminating the dormer on the alley side but he wouldn't say it wouldn't be appropriate. He felt the building would look less massive without it.

Mr. Belkin asked for a motion.

Mr. Rockwood motioned to grant a COA for BAR-07-72 as submitted.

Mr. Belkin asked if there were any comments on the motion.

With no second and only four members left, Mr. Belkin asked what concerns the remaining members were having.

Mr. Bandyke stated that the concept was not setting well with him. He had reservation because it's in his neighborhood.

Mr. Belkin asked if it is inappropriate based on the guidelines.

Mr. Bandyke stated that it's being changed from what it is. He doesn't feel that the original architect had that final project in mind for that property. It will be a much bigger structure. He stated that there aren't any two-story garages surrounding the property.

Mr. Green stated that it's appropriate to the historical district. He asked that the Board get back to that.

Mr. Bandyke stated that if the two-story garage was appropriate in the 1930's then they would have built it that way.

Mr. Belkin stated that both a low sloped hip roof and a steep sloped roof could be found in Winchester in that time period and is appropriate.

Mr. Green agreed with Mr. Belkin stating that the house is so large the current garage is incongruent.

Mr. Belkin stated he agreed with Mr. Bandyke's argument as well but he doesn't find it inappropriate so he would be willing to support it. He expressed he would like to see the alley side dormer removed. He suggested that there are options at this point because the Board has shrunk since the hearing began. He stated that the item could be tabled until the next meeting.

Mr. Green expressed his frustration with the idea that the concept has already been approved.

Mr. Belkin stated that he understood his frustration however he couldn't do anything about it. He asked Mrs. Shore what her feelings were.

Mrs. Shore stated that it was appropriate however she feels that it looks more like a small cottage than a garage.

Mr. Green stated that the issue is the appropriateness, that the size is a zoning issue.

Mrs. Shore stated that she still feels that it will affect others.

Mr. Rockwood stated that the modification meets the height limit and would be a lovely addition.

Mr. Belkin stated that he cannot second it and if Mr. Bandyke or Mrs. Shore aren't going to second it he can't force them to.

Mr. Bandyke read from the text amendment stating that the height should be approved as long as it doesn't adversely affect adjoining properties. He stated that he doesn't know what that means in regard to neighbors. He felt that this would be a change of use, now it's a carriage house.

Mr. Belkin apologized to the applicant for losing three members over the course of the meeting. He stated that it appears that there isn't going to be a motion that's going to pass. All he can do is suggested a motion to table and take this back up at the next meeting. He stated that he cannot force a motion.

Mr. Green stated that Mr. Saunders stated that this was appropriate before he left. He expressed his frustration with having to wait three hours to be heard and that he would have expected that the Board members would also have to wait.

Mr. Belkin stated that the Board is made up of volunteers.

Mr. Green stated that he took the proposal around to all his neighbors and only received positive feedback.

Mr. Belkin stated that there is a difference of opinion and to table is the only suggestion he can make. He added that this case will be moved up to the first case at the next meeting since the applicant had to wait so long.

Mr. Bandyke complimented the applicant on what has been done to the house.

Mr. Belkin suggested that the applicant modify the plans before the next meeting, removing the dormer.

Mr. Green stated that in two weeks he would expect to get the appropriateness for the project as submitted today.

Mrs. Shore, seconded by Mr. Bandyke motioned to table BAR-07-72 until the next meeting.

Motion carried 4-0-3. (Mr. Farris, Mr. Lore and Mr. Saunders absent)

ADDITIONAL COMMENTS

Mr. Diem congratulated Mrs. Shore and Mr. Farris on their re-appointments.

Meeting Adjourned 6:57p.m.