

**BOARD OF ARCHITECTURAL REVIEW
MINUTES**

The Board of Architectural Review held its regularly scheduled meeting on Thursday, February 20, 2014, at 4:00 p.m. in Council Chambers, Rouss City Hall, 15 North Cameron Street, Winchester, Virginia.

POINTS OF ORDER:

PRESENT: Chairman Rockwood, Mr. Walker, Mr. Serafin, Ms. Jackson

ABSENT: Mr. Bandyke

STAFF: Will Moore, Catherine Clayton

VISITORS: Bill Wiley, John Willingham, Dale Massey, Lanita Byrne, Michael Bryan, Jake Carpenter, Chris Oldham

APPROVAL OF MINUTES:

Chairman Rockwood called for additions or corrections to the minutes of February 6, 2014. Hearing none, he called for a motion. Ms. Jackson moved to approve the minutes as submitted. Mr. Serafin seconded the motion. Voice vote was taken and the motion passed 3-0-1 (Mr. Walker abstained).

CONSENT AGENDA:

None.

PUBLIC HEARINGS:

None.

NEW BUSINESS:

BAR-14-65 Request of Dale Massey for a Certificate of Appropriateness to extend an existing covered deck at 125 East Piccadilly Street.

Mr. Massey explained his proposed project stating that he is requesting to extend the outside deck to create a larger covered area. He added that what he is proposing is to raise the existing patio area to be in line with the other covered deck that was approved and constructed last year. He stated that he will not be adding any new seating and that the new deck area will match the existing deck in design and color.

Chairman Rockwood called for questions or comments from the Board.

Mr. Serafin asked if the existing porch was approved and if this new project will mimic that and all associated details to which Mr. Massey said yes. Mr. Massey said that they will use all of the same materials and colors to match the existing deck.

Chairman Rockwood called for a motion.

Mr. Serafin moved to grant a Certificate of Appropriateness to BAR-14-65 as submitted. Ms. Jackson seconded the motion. Voice vote was taken and the motion passed 4-0.

BAR-14-73 Request of Franco & Marcello Stocco of Violino Rist. Italiano, for a Certificate of Appropriateness for an outdoor café design, including fencing and furniture, at 181 North Loudoun Street.

Mr. Moore advised the Board that the applicant is unable to attend and that she requested to have the case tabled until the March 6, 2014, meeting.

Hearing no other discussion, Chairman Rockwood called for a motion.

Mr. Serafin moved to table BAR-14-73 until the March 6, 2014, meeting. Mr. Walker seconded the motion. Voice vote was taken and the motion passed 4-0.

BAR-14-74 Request of Bryan Rentals, LLC, for a Certificate of Appropriateness to install a fence at 21-31 East Boscawen Street.

Mr. Bryan explained the request to the Board advising that this fencing will afford security to the tenant and that access will be with a keyless touch pad with a key override. He added that he is available for any questions.

Chairman Rockwood called for questions or discussion from the Board.

Ms. Jackson asked if it would be solid metal to which Mr. Bryan stated that it is an open metal gate. Mr. Walker asked if the applicant is proposing this gate on both ends of the opening to which Mr. Bryan said yes. Mr. Walker then asked if this would create another security issue by maybe trapping someone in. Mr. Bryan said no because they will be able to get out from the inside using a door knob. Chairman Rockwood asked, if it is accessible using a door knob from the inside, what is to keep someone from reaching in and opening the gate. Mr. Bryan stated that it will be installed so that no one will be able to reach in. Chairman Rockwood asked if there is a fire hazard with this to which Mr. Bryan advised that the fire department will have a security code that they can use to access. Chairman Rockwood then asked what type of material will be used. Mr. Bryan said that the gate will be made of steel, ½-inch square pickets, painted black.

Hearing no other discussion, Chairman Rockwood called for a motion.

Mr. Walker moved to grant a Certificate of Appropriateness to BAR-14-74 as submitted. Ms. Jackson seconded the motion. Voice vote was taken and the motion passed 4-0.

BAR-14-76 Request of Southern States/Winchester Coop, Inc., for a Certificate of Appropriateness to construct a semi-temporary hoop house and lean-to canopy at 447 Amherst Street.

Mr. Oldham explained the scope of the project stating that the lean-to canopy will be used as additional display space for the nursery as well as a canopy cover for the garden center shoppers. He added that the semi-temporary hoop house is a structure that they will sell to their agricultural customers and that it would be set up as a physical display behind the store on the other side of Town Run for a short period of time. He said that they would also keep some items in the structure since they are limited on storage space. He concluded by stating that he is available for any questions.

A discussion entailed the size of the hoop house with it being 24' x 36' x 13.2'. Explanation was given that semi-temporary means that there are no footers and it is basically attached to concrete pillars so that it can be put up or taken down quickly. It is not a permanent structure, rather it is like a tent structure to be used as a sale structure. Mr. Carpenter said that the tarp would probably require maintenance in about three (3) to five (5) years; adding that they would re-evaluate the structure then. Also, the lean-to canopy would be a shed roof and it would mimic the height of the existing structure. Mr. Oldham said that it would be open on three (3) sides and attached to the building.

Hearing no other discussion, Chairman Rockwood called for a motion.

Mr. Serafin moved to grant a Certificate of Appropriateness to BAR-14-76 as submitted. Ms. Jackson seconded the motion. Voice vote was taken and the motion passed 4-0.

BAR-14-78 Request of Lanita R. Byrne for a Certificate of Appropriateness for patio fencing and to install planters at 165 North Loudoun Street.

Ms. Byrne explained the scope of her project stating that the height of the fence exceeds the allowable height under the OTDB guidelines. She said that since the fence can no longer be secured to the ground, she would like to secure the fencing with the flower planters which would be constructed of wood and painted black. Each of the planters would have a false bottom and have gravel in them to give the weight and stability needed to hold the fence.

Mr. Walker asked if the current fence is a black metal fence to which Ms. Byrne said yes. Mr. Serafin then asked if the owners are required to have a fence in order to have outdoor seating. Mr. Moore said generally yes, but there are a few exceptions, primarily in the Secondary District. He added that if the owner wanted to have any kind of expanse, then they are required to have fencing. Mr. Serafin asked if the feet on the fence are going to be removed or if they are going to stay to which Ms. Byrne said that they will stay. Mr. Walker asked if the panels are going to be bead board infill or what are they made of. Ms. Byrne said that she is not sure because she has not seen the materials.

Mr. Walker then asked how much does the fence exceed the height requirement as it stands right now to which Ms. Byrne said that they are at 57 inches right now. He then asked what the height requirement is and Ms. Byrne said that it is 48 inches.

Chairman Rockwood then referenced that the patio seating area at this location extends 17 feet and the allowable is only 15 feet so this fencing will have to come back by 2 feet. Mr. Moore said that this is something that we can deal with separately and that he would encourage the Board to make it clear that the 17' horizontal dimension is not a part of the approval.

Ms. Jackson asked as to the height, how different this fence is from others on the mall. Mr. Moore said that the quick approval guide is a minimum of 36 inches with a maximum of 48 inches. He added that this is the preferred height of the Old Town Development Board and the height of this fence appears that it could be as high as 62 inches. Ms. Jackson then asked how many other existing businesses with eating areas fall in to this category with it being above the OTDB Guidelines. Mr. Moore stated that this is the only application that he is aware of for existing enclosures where the height exceeds what is otherwise permitted, but there are a few other applications that the Board may see regarding the type of material.

Mr. Serafin said that it does not meet the criteria even though it is a nice fence, but that he does not believe that there can be chopping done to the bottom. Chairman Rockwood said that there is some chopping that will have to be done for the two foot interval. Mr. Moore said that the maximum of the 15 feet is a hard and fast requirement in the Ordinance. He added that this cannot be approved or changed administratively or through the Board because they have no purview over that Ordinance standard. Ms. Byrne said that this same fence has been approved for three (3) years now and she asked why it was approved initially. She said that she does not understand why it is a problem now. Chairman Rockwood said that although he is sympathetic to her, he also said that if someone came to the Board now with a fence of this height, it would be denied. Mr. Serafin asked if the planters are going to be on the inside or the outside. He also said that they could be on the outside at the 15 feet line. Ms. Byrne said they are going to be on the inside of the fence. Mr. Moore said that such a design could be considered but that the outside of the planter box could not be outside of the maximum 15 feet line. Ms. Byrne said if they are required to take off the two (2) feet, then the planter boxes are going to have to be redesigned. Ms. Jackson suggested that the Board needs a drawing to show the new design with the two (2) feet removed. Ms. Byrne asked the Board if they are going to require her to take away the extra two (2) feet to which Chairman Rockwood advised her that this is not in the discretion of the Board.

Ms. Byrne then asked the Board if they could give her a decision on the height of the fence. Chairman Rockwood asked the Board if they have any thoughts on that matter. Mr. Serafin said that generally it does not stick out too much but that it does block the view. Chairman Rockwood said that they would likely stick to the height requirement on new fencing but that he understands the applicant's point. Mr. Walker said that he does not feel that it would be a precedent for 62 inch tall fencing. The Board agreed by consensus that the height of the existing enclosure could be approved if it is otherwise modified to meet the 15' requirement.

Hearing no further discussion, Chairman Rockwood called for a motion.

Mr. Serafin moved to table BAR-14-78 until the March 6, 2014, meeting. Applicant is to bring updated plans including the redesigned planters and the reduction in the fenced area by the two (2) feet overage. Ms. Jackson seconded the motion. Voice vote was taken and the motion passed 4-0.

OLD BUSINESS:

BAR-13-595 Request of Bill Wiley of Harman Construction, Inc., for a Certificate of Appropriateness for new construction and a request to demolish an existing structure less than 75 years old at the properties located at 10 East Leicester Street and 412 South Loudoun Street. (Continuation)

Mr. Wiley advised the Board that they have received the revised plans as requested earlier showing the porch components, exterior lighting, roofing material, trim, and garage door style. Mr. Wiley asked the Board to move forward with an Architectural Shingle.

Mr. Serafin asked if the shingles are fiberglass to which Mr. Wiley stated that they are an architectural asphalt shingle. Mr. Wiley then stated that the black and white photos that were given to the Board show what roofing materials are being used in the neighborhood around this site.

Mr. Wiley then stated that the lighting to be used is represented in the documents given to the Board and that the wall-pack lighting is the same that has been approved at an Amherst Street project. He concluded by stating that they have completed the required items and that he is available if anyone has any questions.

Mr. Walker stated that he likes the stepping and change of scale of Units 4, 5, and 6. Discussion then commenced as to the location and style of the wall-pack lighting, including discussion that the lights that have been chosen are more of a commercial-look rather than a residential-look. Mr. Wiley said that their goal is to satisfy the casting of the light and then he asked the Board if they had lighting that would work better. Mr. Serafin said that this is security lighting and it does not really fit in with the residential scale.

Mr. Wiley added that he would like to get some closure so that they can move forward with this project. Chairman Rockwood stated that he is satisfied that the applicant has responded to all items, especially the stepping of Units 4, 5 and 6, but some particulars still need to be discussed.

Mr. Serafin said that the front porches still need details to be called out, like the size, design, and spacing of the pickets, the top and bottom rails, skirting, and generally all materials and proportions. He stated that those are things that the Board requires to be called out for all applications.

Chairman Rockwood stated that the Board has the design and the footprint and that with the few exceptions that have been noted, which can be clarified, these things should not hold up or

change the way in which the buildings will be built. Chairman Rockwood then advised that if Mr. Wiley is eager to get started on site work and foundations, there is no reason that the Board should hold him up on those things. Mr. Wiley advised that the spacing of the pickets will be to code, but he can get the specifications on shape, size, etc. as requested.

Chairman Rockwood then asked about the roof. Mr. Wiley advised that they will be architectural asphalt shingles and cited examples on Leicester Street. Mr. Serafin stated that he recalls from the last meeting that when they spoke about approving the use of Hardie Plank for the siding that it might be something that they were thinking of giving in on and that the roofing material would be something that would be discussed in the future. He added that he thinks it would help the look of them a lot in fitting in with the Historic District if they had metal roofs. Chairman Rockwood said that what the Board has before them is one thing and that they cannot go out and tell everyone to replace their roofs with metal or undo some ill-thought repairs. He added that if they use those as precedent, then the Board has a one-way ratchet downward. Chairman Rockwood then stated that they have a memorandum from the Department of Historic Resources that talks about the use of other new materials and their appropriateness as substitutes for historic materials in the Historic District. He added that his own personal thought is that the Board has gone a little too far, albeit, incrementally over the years, and have gotten off track with what is appropriate. He then stated that he would like to see a metal roof or at least something that is in keeping with the buildings that are still in their original state. Mr. Serafin then commented that he is concerned that asphalt shingles would set a precedent for any new buildings in the Historic District.

Mr. Willingham said that he understands and appreciates the Board's position, but they want a project that they can be proud of and unfortunately there are a lot of problems in the Historic District. He said they are trying to come up with something that is historically consistent from an architectural perspective and that will lend itself to a low maintenance expense. He also added that he consulted with Lawton Saunders, who does a lot of building and construction in the Historic District, who advised that all of the Habitat-built houses on Baker Street used architectural asphalt shingles. He then said that there is one that the Pifer Company built on South Kent and a few that Mr. Saunders had built on West Cecil Street that had asphalt shingles. Mr. Willingham said that they are trying to be consistent and make this a good project for the long term.

Ms. Jackson then asked what the life of the shingles is to which Mr. Wiley said that they are 30-year shingles. Mr. Serafin said that there are asphalt shingles that are better than others, but that the look of the metal roof is better. Mr. Walker said that the architectural shingle is a step up, but the issue of scale is in play here where a metal roof would be better scaled to the community than the asphalt shingles. He added that it would be helpful if they could see a sample of the shingle that the applicant intends to use.

Mr. Wiley said that he appreciates the Board's view but that he understands the market and what people want and they want low maintenance. He added that it has to be a give and take and that they have given with changing the foundation, the stepping of the units, and the other requested changes and that now he is asking for some consideration from the Board.

Ms. Sandra Bosley of Preservation of Historic Winchester asked if she could read to the Board the guidelines for construction in the Historic District, to which Chairman Rockwood stated yes. She read “When designing new houses, respect the character of roof types and pitches in the immediate area around the new construction” and added that the applicant has done that. She continued to read “For new construction in the historic district, use traditional roofing materials such as slate or metal. This design relates better to the visual image of historic shingle patterns than thin asphalt types.”

Mr. Moore confirmed that these are statements contained in the guidelines and added that, preceding these statements, it states that “Common roof materials in the historic district include slate, metal, and composition shingles.” He also stated that the guidelines were written prior to the more widespread use of what are commonly referred to as architectural shingles that have a higher profile than the thin asphalt shingles referred to in the guidelines. As such, there is some subjectivity to how the guidelines might apply.

Mr. Willingham then asked the Board if there is a possibility to compromise. He said that perhaps the duplex on Loudoun Street could have a metal roof and the other six units on Leicester Street could have shingles. He said that this would be consistent with the neighborhood as the existing houses along Loudoun have mostly metal roofs and the houses on Leicester mostly have shingles. He stated that he would be willing to compromise and do this.

Chairman Rockwood asked about possibly reversing that proposal, with the duplex having the asphalt shingles and the other six units having metal roofs. He stated that the roof is a prominent feature in this design. Because of the height of the structures, the roofs are what will be visible from the surrounding streets, making the issue so important.

Mr. Willingham said that he just would like to be able to move forward with the project because time is of the essence.

Chairman Rockwood said that the footprint is okay and the façade is okay. He added that the only issues that they have discussed are the roof materials, the lighting fixtures to provide external illumination, and the porch details. He said that he could support moving Mr. Willingham and Mr. Wiley forward to approve the plan leaving just these three remaining issues open. He called for further discussion from the Board. Hearing none, he called for a motion.

Mr. Serafin moved to grant a Certificate of Appropriateness to BAR-13-595 as submitted with the following exceptions:

1. The roof material is not approved at this time.
2. Exterior lighting is not approved at this time.
3. Front and rear porch details are to be further defined. Configuration is acceptable.

Mr. Walker seconded the motion. Voice vote was taken and the motion passed 4-0.

OTHER DISCUSSION:

None.

ADJOURN:

With no further business before the Board, the meeting adjourned at 5:31 p.m.