

HISTORIC DISTRICT COMMISSION  
MINUTES  
April 11, 2012

MEMBERS PRESENT: Mr. Don Duffy  
Mr. Steven Firestone  
Ms. Mary Ellen George, Chair  
Ms. Barbara Highfill  
Mr. Brad Norvell  
Ms. Karen Rush  
Mr. Curtis Watkins

MEMBERS ABSENT: Mr. Roger Dahnert  
Mr. Tom Egan  
Ms. Debra Glennon, 2<sup>nd</sup> Vice Chair  
Mr. Dominick Ristaino, Vice Chair  
One Vacancy

OTHERS PRESENT: Mr. John Rogers, Administrator  
Historic District Commission  
Ms. Wanda Birmingham, Secretary to the  
Historic District Commission  
Mr. Mujeeb Shah Khan, Senior Assistant City  
Attorney  
Mr. Thomas Powers, Assistant City Attorney

With a quorum present Chairman George called the regular April meeting of the Historic District Commission to order at 3:07 pm. She began the meeting with a welcome to all in attendance and by swearing in those present (and

continued to do so throughout the meeting as others arrived). Due to the quasi-judicial nature of the Commission, Staff and others who may speak are sworn in at every meeting. (Commissioners are sworn in by the City Clerk for the length of the appointment at the beginning of each term.) Ms. George asked that everyone in attendance please sing and when addressing the Commission to please state name and address for the record. Ms. George explained the meeting process. The review of each application consists of two parts. The first is the presentation portion. Staff presents the application then Commissioners and those speaking on behalf of the application will discuss the project. Next members of audience will be asked if anyone present wishes to speak either FOR or AGAINST the application. Again there will be an opportunity for comments and questions from the Commission and the applicant. The second part is the discussion and deliberation portion of the meeting. At this point, discussion of the application is limited to the Commission members and Staff only. Unless the Commission votes to re-open the meeting to ask additional questions or for clarification of some issue, the applicant and audience members do not participate in this portion of the discussion. Once discussion is complete, a MOTION will be made to APPROVE, DENY, or DEFER and a vote will be taken. A simple majority vote of those Commissioners present is required for a decision. Ms. George asked that all cell phones and any other electronic devices be turned off completely or set to silent operation. She also asked that any Commissioner announce, for the record, their arrival and/or departure when this takes place during the meeting.

Index of Addresses:	1000 Mt. Vernon Avenue	Dilworth
	801 East Kingston Avenue	Dilworth
	1923 Dilworth Road East	Dilworth
	816 East Worthington Avenue	Dilworth
	922 East Park Avenue	Dilworth
	1501 Southwood Avenue	Wilmore
	828 Walnut Avenue	Wesley Heights
	400 East Boulevard	Dilworth

Application: 1000 Mt. Vernon Avenue – Addition.

This house is located at the corner of Mt. Vernon and Lexington Avenue. The proposal is to join the existing brick house and garage with a two story glass element connector. It will be slightly lower than the existing roofs. From the side street one will see a standing seam metal roof over French doors with the new addition above. A small addition to the back of the garage will form a courtyard of house/addition/rear garage addition. A chimney and outdoor fireplace will be part of the new outdoor living space.

FOR/AGAINST: No one accepted Ms. George's invitation to speak either FOR or AGAINST the application.

Applicant Comments: A large tree near the new connector will be unharmed during construction.

MOTION: Based on compliance with ***Policy & Design Guidelines – Additions***, Mr. Watkins made a MOTION to APPROVE the addition with proper tree protection and authentic board and batten where siding is indicated. Mr. Norvell seconded.

VOTE: 6/1 AYES: DUFFY, FIRESTONE, GEORGE, NORVELL, RUSH, WATKINS

NAYS: HIGHFILL

DECISION: CONNECTOR ADDITION APPROVED.

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Application: 801 East Kingston Avenue – Addition.

An application was recently reviewed for a large two story addition. The application was deferred for additional elevations. The addition plans were

modified to be 'neither taller nor wider than the house'. With all four elevations, it was approved by staff. Now remaining is a chimney on the propose addition that does breach the existing side line. It will be a brick faced cantilevered chimney.

FOR/AGAINST: No one accepted Ms. George's invitation to speak either FOR or AGAINST the application.

MOTION: Based on compliance with ***Policy & Design Guidelines – Additions***, Mr. Firestone made a MOTION to APPROVE the chimney. Ms. Rush seconded.

VOTE: 7/0            AYES: DUFFY, FIRESTONE, GEORGE, HIGHFILL, NORVELL, RUSH, WATKINS

NAYS: NONE

DECISION: CHIMNEY APPROVED – BRICK FACED, CANTILEVERED.

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Application: 1923 Dilworth Road East - Fence and Retaining Wall.

This house is located at the corner of Dilworth Road East and Ideal Way. The lot is somewhat triangular in shape. A proposed rear yard fence along the property line is the side property line for the first address on Ideal Way. The design of the fence offers a combination of framed panels, open balusters, butt joined construction, and steps down as the grade changes from the high point on Dilworth Road East to lower on Ideal Way. The new fence will tie onto the house at the corner of the side porch and run parallel to Dilworth Road East and connect to a fence line that will then run parallel to Ideal Way. Because of the grade change a retaining wall will be necessary in the back corner farthest away from the street. The wall will be straight faced stone that interlocks. The fence will enclose the back yard and be notched in at the driveway with the thought of

adding a garage and studio sometime in the future. A planting strip outside the fence will be created along Ideal Way.

FOR/AGAINST: Mr. Ken Davies, Attorney for Adjacent Property Owners Mr. and Mrs. DeLoma, spoke of several concerns. He asked that the HDC postpone hearing this application due to the Adjacent Property Notification which did not mention 'garage or studio'. This is a substantial modification and there was no opportunity to study. This is not a revision but a new application which did not meet the deadline. He wants the opportunity to build a better opposition.

Attorney Mujeeb Shah-Khan answered that all that is required by State Statute regarding Adjacent Property Notification is that reasonable effort is made to notify – there is no other requirement regarding the subject.

Mr. Rogers added that the application at hand provides for the possibility of a future garage. Staff directed the property owners to add this to their plans as an explanation.

Mr. Davies withdrew his request asking the HDC to defer. He asked that the Commission only consider the fence and retaining wall. He questioned the owners about fence design as it relates to ***Policy & Design Guidelines***.

Adjacent Property Owner Mrs. Paula DeLoma shared concerns:

- (1) As she understands it, a run of 100' of fencing will be directly beside her, presenting an "unbroken expanse" in violation of HDC policy.
- (2) It is horrifying that a 6' fence will come by her kitchen and dining room windows.
- (3) She will be in shadow. The fence will be overpowering.
- (4) The proposed fence will be a direct and dramatic impact on neighbors and the neighborhood.

(5) Relative to appropriateness, the proposed fence will be a violation of deed restrictions.

(6) This will change the look of the street in a negative way.

Adjacent Property Owner Ms. Diane Crutchfield said this is very uncomfortable but felt the need to comment. The owners have made concessions since the first fence plan. The fence encloses too large an area.

Applicant Comments: Owner Carl Jacobs pointed out that HDC policy would allow much more fencing than they are proposing.

MOTION: Based on the compliance with ***Policy & Design Guidelines – Fences***, Mr. Watkins made a MOTION to APPROVE this fence which runs parallel to Dilworth Road East. The retaining wall will be concrete or brick. Ms. Rush seconded.

VOTE: 6/1            AYES: DUFFY, FIRESTONE, GEORGE, NORVELL, RUSH, WATKINS

NAYS: HIGHFILL

DECISION: FENCE AND WALL APPROVED.

Mr. Duffy declared a conflict of interest and removed himself from the Commission for the next application.

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Application:            816 East Worthington Avenue – New garage Construction.

This address is located between park Road and Lennox Avenue. A 1 ½ story garage is proposed with rear alley access. It is a one car garage with a front to back gable and interior stairs. Side facing shed dormers provide upstairs

headroom. A carriage style garage door will provide the car access. The pattern of shingle siding, brackets, and triple sets of windows match the existing house.

FOR/AGAINST: Mr. Rogers shared a note from neighbor Brad Stafford asking the Commission to pay careful attention to the 50/50 permeable vs. impermeable requirement for rear yard coverage.

MOTION: Based on compliance with ***Policy & Design Guidelines – Garages***, Mr. Watkins made a MOTION to APPROVE the plans as presented. Ms. Rush seconded.

VOTE: 6/1            AYES: FIRESTONE, GEORGE, HIGHFILL, NORVELL, RUSH,  
WATKINS

NAYS: NONE

DECISION: GARAGE APPROVED.

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Application:            922 East Park Avenue – New Construction.

This is a blank lot which was once the side yard of a house facing Dilworth Road West. The yard was divided into two lots. The lot on the corner has already been developed and this remaining lot, facing Latta Park is between the new house and the existing houses along East Park Avenue. The proposed drive curves to miss large trees. The house plan is a 1 and ½ story brick with a cross gable roof and projecting gabled dormers. The second story is lapped wood siding above the brick first floor. A full front porch wraps to one side.

Applicant Comments:    Architect Luke Ullman said a tree in decline will have to be taken out but street trees and other site trees will be protected. He pointed

out that he has seen the ½ brick, ½ siding treatment and would really like to use it.

FOR/AGAINST: Adjacent Property Owner Diane Bounds had setback questions.

Adjacent Property Owner Ed Shoe liked the height transition from the corner house to the existing house. He said the change of material from brick to siding is consistent with others houses in the neighborhood.

Adjacent Property Owner Margaret Clifford said she likes the 1 and ½ story design of the front elevation but feel it looks high from the dormers up. The side elevations are not as pretty as the front and need some fenestration balance.

MOTION: Mr. Duffy made a MOTION to DEFER the application with final plans back to the Commission to show: (1) scale of twin gables addressed – raise, enlarge, etc., (2) details added – gutters and trim, (3) enhanced fenestration of right elevation, (4) roofline flashing, (5) consistency of window pattern, (6) left elevation re studied for possible fenestration change, (7) siding study and resolution, (8) all materials. Mr. Firestone seconded.

VOTE: 7/0 AYES: DUFFY, FIRESTONE, GEORGE, HIGHFILL, NORVELL, RUSH, WATKINS

NAYS: NONE

DECISION: NEW CONSTRUCTION DEFERRED.

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Application: 1501 Southwood Avenue – Demolition, New Construction.

This small brick c. 1940 house sits high on a hill at the very edge of Wesley Heights. The appearance of the exterior does not give away the bad condition of the interior. The condition renders it unsalvageable. A substantial deteriorated retaining wall along the side street is going to be rebuilt by CDOT. The house has no footings, the walls are not attached to anything, there is rot damage, etc.

Applicant Comments: Architect Angie Lauer explained that the driveway will be moved onto the existing property. Two trees will have to be taken out. Chicken wire holds up the walls.

FOR/AGAINST: No one accepted Ms. George's invitation to speak either FOR or AGAINST the application.

MOTION: Due to its documented unsalvageable condition, Mr. Firestone made a MOTION to recognize the house as Non Contributing to the Wilmore Local Historic District. Ms. Highfill seconded.

VOTE: 7/0 AYES: DUFFY, FIRESTONE, GEORGE, HIGHFILL, NORVELL, RUSH, WATKINS

NAYS: NONE

DECISION: HOUSE RECOGNIZED AS NON CONTRIBUTING.

MOTION: BASED ON THE HOUSE RECOGNIZED AS NON CONTRIBUTING, MR. WATKINS MADE A MOTION TO APROVE DEMOLITION. MR. NORVELL SECONDED.

VOTE: 7/0 AYES: DUFFY, FIRESTONE, GEORGE, HIGHFILL, NORVELL, RUSH, WATKINS

NAYS: NONE

DECISION: HOUSE MAY BE DEMOLISHED AT ANY TIME.

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Application: 1501 Southwood Avenue – New Construction.

A 20x35 foot two story brick house is proposed in generally the same footprint location as the demolished house.

Applicant Comments: No one accepted Ms. George's invitation to speak FOR or AGAINST the application.

MOTION: Based on compliance with ***Policy & Design Guidelines – New Construction***, Ms. Rush made a MOTION have staff review and potentially approve new plans which show the upper back porch with a parapet wall and pipe rail. Mr. Curtis seconded.

VOTE: 7/0            AYES: DUFFY, FIRESTONE, GEORGE, HIGHFILL, NORVELL, RUSH, WATKINS

NAYS: NONE

DECISION: STAFF MAY APPROVE REVISED PLANS.

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Application: 828 Walnut Avenue – Addition.

A pair of dormers is proposed for this 1 and ½ story house in Wesley Heights. Windows will line up those below. Siding will match existing. Shingles in the dormer over the front porch will be removed and replaced with lapped wood. Details (including corner boards and trim) will match existing.

FOR/AGAINST: No one accepted Ms. George's invitation to speak either FOR or AGAINST the application.

MOTION: Based on compliance with ***Policy & Design Guidelines – Additions***, Mr. Watkins made a MOTION to APPROVE the changes and additions. Ms. Rush seconded.

VOTE: 7/0            AYES: DUFFY, FIRESTONE, GEORGE, HIGHFILL, NORVELL, RUSH, WATKINS

NAYS: NONE

DECISION: ADDITIONS AND CHANGES APPROVED.

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Application:            400 East Boulevard – Window Changes.

This building at East Boulevard and Euclid was long known as the Raycom Building. A change in fenestration is needed by new owners. A set of windows faces East Boulevard with a brick wall above. The plan is to cut windows in above the existing windows. Dark green glass in the greenhouse/atrium will be replaced with something more transparent. Landscaping will be tamed down.

Applicant Comments:    Architect John Fryday said water has seeped into all the back glass. They must do repair work and want to take the opportunity to get rid of the black glass. They are looking at pale colors and make a determination after a test installation. Six new windows will be added.

FOR/AGAINST:        No one accepted Ms. George’s invitation to speak either FOR or AGAINST the application.

MOTION: Based on compliance with ***Policy & Design Guidelines – Additions***, Mr. Duffy made a MOTION to APPROVE the changes and the glazing of their choice and the relandscaping. Ms. Rush seconded.

VOTE: 7/0  
WATKINS

AYES: DUFFY, FIRESTONE, GEORGE, HIGHFILL, NORVELL, RUSH,

NAYS: NONE

DECISION: FENESTRATION CHANGES APPROVED. LANDSCAPE CHANGES APPROVED

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- Mr. Rogers reported that the Special Meeting was held to review the renovation plans for the house on Euclid Avenue. The plans were approved with very minor changes and/or corrections to the plans.

March Minutes were approved unanimously with the usual direction to report any changes or corrections to Mrs. Birmingham.

The Special Meeting March Minutes were approved unanimously with the usual direction to report any changes or corrections to Mrs. Birmingham.

The meeting adjourned at 7:15 with a meeting length of four hours and eight minutes.

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Wanda Birmingham, Secretary to the Historic District Commission