

**Architectural Review Board
January 7, 2019
MINUTES**

MEMBERS PRESENT: Jerry Miller, Kevin Jayroe, Sally Gillespie, Lee Padgett, Dwayne Vernon, Debra Smalls, & Linda Abate'

MEMBERS ABSENT: None

OTHER MEMBERS PRESENT: Rick Martin, Angela Rambeau, Tracy Gibson, & Debra Grant

Introduction: Rick Martin introduced the new Director of Planning & Community Development, Ms. Angela Rambeau.

- I. **Call to Order**
- II. **Approval of Minutes for November 19 2018 (special called meeting);** Mr. Lee Padgett made a motion to approve with corrections, seconded by Mr. Jerry Miller; the motion carried 6 to 0 (*Mr. Kevin Jayroe was not present at that meeting*). **December 3 2018 meeting;** Ms. Linda Abate' made a motion to approve as submitted, seconded by Ms. Debra Smalls; the motion carried 5 to 0 (*Mr. Padgett and Ms. Gillespie were not present at that meeting*)
- III. **Public Input:** None
- IV. **New Business:**
 1. **Hollis & John Lumpkin are requesting the approval to install an aluminum fence with 2 arched gates in the backyard at 520 Prince Street. Rick Martin/City Staff** told the Board that the Lumpkins' are requesting to install 121' fence in the rear of their property. Ms. Lumpkin said they would like to install the fence to keep their dogs in their yard, it will be aluminum to give the wrought iron look. The fence has spikes that will go in the ground to keep the dogs from digging under the fence. The 4 ft. wide arch gate will be facing the road frontage and the 5 ft. wide arch gate will be in the rear yard. There is a large Magnolia tree that will remain, the fence will be on either side of the tree. Mr. Jayroe/Chairman read a letter from Mr. & Mrs. Robert Quinn/neighbors, stating that they were in support of the installation of the fence.
Public Input: None

Motion: Mr. Miller made a motion to approve the application as submitted, citing Design Standards for Residential Properties Chapter 4; Section 19.0; page 79 (Fences, Gates, & Walls), seconded by Ms. Abate'; the motion carried 7 to 0 by a roll call vote.
 2. **Flo Sunoo is requesting the approval of replacement windows at 419 Queen Street. Rick Martin/City Staff** stated that the request tonight was for window replacements, this property is non-contributing, and the owner has been before the Board previously for the replacement of the doors, the windows were not approved. The windows have been installed. **Mr. Chris LePera/Contractor** said when he came before the Board previously the windows were on the application and the windows were crossed out. He said he received a letter saying the doors were approved and that the windows were not approved. He went and got windows that were the same as the original windows, all windows were replaced except the large window in the front of the house. The original windows were wood windows and they were replaced with vinyl windows, 2 over 2 with the grids in between the

glass. **Ms. Gillespie** read the guidelines from page 69, 17.9 *“Replacement windows should not have snap-on, flush, or simulated divided muntins. Muntins sandwiched between layers of glass, snap-on, and surface-applied muntins are not appropriate and shall not be approved”*; 17.2 *“Replace a non-historic window with in-kind materials or similar design”*; 17.5 *“If replacement of original or historic windows is demonstrated to be necessary, the replacement windows should be in-kind”*; 17.3 *“Original windows should be preserved in their original location, size, and design and with their original materials and numbers of panes”*; 17.4 *“Windows should be repaired rather than replaced.....”* **Mr. LePera** said the windows could not be repaired, because the home was almost to the point of being condemned. **Mr. LePera** said his original application had the windows and then someone said the windows was scribbled out, and he did not know why. **Ms. Abate’** said she remember distinctly when the application was presented and remembered that the windows were taken off the application. She said the house is non-contributing and the replacement windows are very similar to what was there. **Mr. Kevin Jayroe** said the problem that the Board is having is because all the guidelines say “in-kind” for replacement. **Mr. LePera** said the windows are in-kind except for the muntins being inside the glass. **Mr. Jayroe** said he went onsite and saw that the contractor did leave the wood framing in the house. **Mr. Vernon** said it all comes down to the window replacement, and the guidelines say that the window replacement could be done if the windows are beyond repair; **Mr. LePera** says they were beyond repair, however there is no evidence to support that. The only other option would be to replace with alternative materials, if it could be proved that they were beyond repair. **Mr. LePera** said this house is being flipped by the owner and if there was any way that the windows could have been salvaged the owner would have done the repairs, however the repair cost would have been too much. The original windows were rotted out and could not be saved. **Ms. Gillespie** said the replacement windows that were chosen are not acceptable by the guidelines. **Mr. Padgett** said his concern was why the windows were taken off of the original application. **Mr. LePera** said the windows were scratched of his application, and he was the person presenting the original application. **Mr. Jayroe** said the original windows are gone and asked if the house could come under new construction, or if there was a way to make a decision, but the windows not be approved windows, since they are already existing. **Mr. Padgett** asked if the Board had previously did an application after the fact and the Board noted that the work was done without the Board’s approval. **Ms. Gillespie** said approving something that is not acceptable in the guidelines sets a precedence. **Mr. LePera** said he thought the Board was more concerned about the look of a project, and things that are visible from the road, and he has achieved the original look of the original windows. **Mr. Jayroe** asked when it was discovered that the windows had been marked off the application and then the contractor installed the windows, did that not signal something. **Mr. LePera** said he did not know that the windows were not approved until he received a letter, and he called the office and spoke to Debra and was told the windows were crossed out, and said the application needed to come before the Board. **Debra Grant/Board Secretary** told the Board that the office was contacted and told to take the windows off the application, because the contractor did not have all the information to present it. Furthermore at the May’s meeting the doors were the only thing presented, if the windows were to be a part of the application, something should have been said at that time. **Mr. LePera** said he is the only one that runs the business and he did not call to remove the windows. **Mr. LePera** said **Ms. Abate’** said she remembered the windows being removed at the meeting and he did not know why. **Ms. Abate’** agreed that the windows were removed at the meeting after discussion and she did not know why

either. **Mr. LePera** said it definitely was not done over the phone. **Ms. Abate'** agreed and said, no it was not done over the phone, it was done in the meeting. **Mr. Miller** suggested that this be referred to the next meeting, until someone could listen to the tape of the May 7, 2018 meeting. **Mr. LePera** said the problem with that is the house is trying to be sold and the owners have already waited a month to get on this meeting's agenda. The owners live in California and he is doing this without them. **Mr. Jayroe** asked if the windows were discussed at the May's meeting. **Mr. LePera** said yes they were discussed and he was asked if there would be any changes and he replied, "No there would be exactly the same". **Mr. Jayroe** said that is when they would have been taken off the application if they were to be kept the same. **Mr. LePera** said he presented pictures of the proposed windows with colors and handrails. **Ms. Smalls** asked when an approval is given, does the motion state what the approval is for? **Mr. Miller** said the motion could have been "as presented or submitted", however he was not on the Board at that time. **Mr. Jayroe** asked if it would be possible that the Board have time to listen to the tape and call a special meeting, verses waiting another month for the decision. **Mr. LePera** said he didn't have a problem having the Board listen to the tape, but it is going to say the same thing he just told the Board and he didn't know what difference it would make. **Mr. Jayroe** said the hard thing for the Board is that the replacement windows are not approved by the guidelines and would probably not be approved even under new construction. **Mr. LePera** said the windows are approved windows and are DP-50 rating, so it meets the building standards, and the house is not an historical home. **Mr. Jayroe** said the home is non-contributing, but it is a part of the district. **Mr. LePera** said he came before the Board in February 2018 and got his approval in May 2018. **Mr. Jayroe** said the Board does not know how to handle this issue with the windows. **Ms. Gillespie** asked Mr. LePera to give an account of what he did to the house on the exterior, she asked if the brick was replaced or repaired. **Mr. LePera** said no the brick was in good condition and did not need to be repaired. **Ms. Gillespie** said there is no way to look at this house as new construction because the exterior was in pretty good condition. **Mr. Jayroe** said the guidelines does not allow the windows, and asked Mr. Miller for some suggestions. **Mr. Padgett** asked if the Board could give an approval and state that the windows are not approved windows, so it would protect the Board from any legal recourse. **Mr. Miller** said it is unfortunate, but it is not anywhere in the guidelines that he can think of that would allow an approval. **Ms. Abate'** asked if the contractor could take the windows out and use them on another project. **Mr. LePera** said no the windows are too small to be used in another project. **Ms. Abate'** asked what the cost of the replacement windows were. **Mr. LePera** said the current windows were a little over \$4,000, and to replace those with wood windows would be more, but did not know how much more, he said he would look for the Low E windows that the Board is suggesting. He asked when do the Board stop looking at the look and going with better windows. **Rick Martin** said the windows have to be approved windows by the Board. **Mr. Miller** said they did not want to lose their historic designation. **Mr. Jayroe** read *"These Standards leave room for the further development and acceptance of alternative materials that meet the visual standards that are ultimately the most important aspect of rehabilitation and the retention of historic character"*, page 25 into the record. **Ms. Gillespie** said that section dealt with siding. **Mr. Vernon** asked if the manufacture that was used offer any other type of windows besides the grids between the glass. **Mr. LePera** said he has been using that manufacture for a while and he did not know, but would ask. **Mr. Vernon** asked if the sashes could be replaced with sashes with the grids on each side and with a divided bar; the Board might be more susceptible to give an approval. **Mr. Vernon** said the request can be withdrawn and some research could be done

for more information. **Rick Martin** asked if the applicant would be willing to withdraw his application. **Mr. LePera** said yes he will withdraw to gather more information, however the owners would lose the sale of the house, because it is under contract and just waiting for the C/O. Mr. Jayroe asked if a special meeting could be called for this application. Mr. Martin said that would up to the Board to call a special meeting. *(The application was withdrawn and no motion was made).*

3. **Mr. & Mrs. Padgett are requesting the approval to replace all windows at 422 Highmarket Street.** **Rick Martin/City Staff** told the Board that the owners would like to replace all windows with aluminum clad windows, the home is contributing to the district, with significant architectural features and Craftsman influence. The windows were being installed and a stop work was issued until the owners could come before this Board. **Ms. Dee Dee Padgett/owner** said their home has two different types of windows in it currently; 11 windows in the rear addition are vinyl and the other 14 wooden windows are original. The 14 original windows had vinyl stick pins on the inside of the windows and they were removed by Mr. Padgett while he was painting. The windows in the rear addition are vinyl, 6 over 6 windows. The other windows are 2 over 2. Ms. Padgett said she has lived here for 30 years and did not know her house was in the historic district because it did not have a historic plaque on it. They hired a contractor and bought the windows, which are 4 over 4 white pine, double hung, aluminum clad windows. **Tracy Gibson/City Staff** stated that she was asked to go to the address after a permit was issued to verify that the windows were in kind, she said one window had already been installed and she was shown the other windows and determined that they were not the same material. **Ms. Padgett** said they are before the Board to ask to be allowed to install the windows that have been purchased, because they are custom made and cannot be returned. She said there are other houses in the neighborhood that have the 4 over 4 windows, and the request is to help make the house look better. **Ms. Gillespie** asked if the owners were planning on changing the windows that are in the rear addition (6 over 6). **Ms. Padgett** said yes, all the windows if allowed would be changed to the 4 over 4 windows. **Mr. Ted Ulrichsen/Contractor** said Mr. Cal from Dawson Lumber came to the home and gave 2 options; 1 had the grids in the glass and the more expensive one is the one that she purchased. The rear addition was done by the owner's father and the original windows in the house had snap-on muntins put on to match the 6 over 6 vinyl windows in the rear. That's why the decision to go with the 4 over 4 was made. The permit was pulled because the owner thought the 4 over 4 were the original type windows. **Ms. Gillespie** said this home is contributing and it maybe the purest Craftsman style home in the city. It is common that the Craftsman style have the 1 over 1 windows, and window replacements should be done very carefully and the windows should be in keeping. **Ms. Gillespie** said she hopes the owners' respect the value of this style home gives to the district. **Ms. Padgett** said they do respect the value of the home and have invested a lot to preserve the integrity and have put a lot into renovations and upkeep of the home, her husband has reinforced the porch columns because the roof was failing. The request is not to change the style of the house, but to improve the house, and the windows were bought by ignorance. Nothing was done to pull the wool over anyone's eyes but to improve the home because they would to live in the home for the remainder of their life. The windows are Jeldwen, aluminum-clad wood frame, double hung, and double glazed windows, with a lifetime warrantee. **Mr. Ulrichsen** said there was no intent to be deceitful, that's why a permit was pulled. **Ms. Gillespie** asked what the condition of the windows were. **Ms. Padgett** said the windows are not operable, a lot of the panes are broken, they were painted over a thousand times, some of the ropes are broken, and the wood are

rotten. Some storm windows are installed and are in a very bad condition. **Ms. Gillespie** said all the window seminars that the Board has attended say that Marvin windows are widely acceptable, because some of the new companies don't have windows that hold their seal. The single pane windows are the better windows. She also said that windows can be rehabbed. **Mr. Ulrichsen** said yes they can but it is much more expensive. **Ms. Padgett** said she does not have the money to invest in more windows and the only other alternative is to leave the existing windows in. **Ms. Gillespie** said she pulled up in the driveway of the home and did not get out, and saw the condition of the storm windows but did not see any obvious problems with the windows. **Mr. Ulrichsen** said the conditions of the windows could not be seen from the driveway. He asked if they could save or restore the front windows and compromise on the other windows. **Mr. Ulrichsen** said he called Dawson's and asked if they would consider exchanging the windows and was told no. **Mr. Vernon** asked if the new windows (4 over 4) can be put in the rear addition and the other windows can be repaired. **Mr. Ulrichsen** said he feels he can repair at least 4 windows. **Mr. Vernon** said the original windows can be repaired, storm windows are not required to be installed, but if they want storm windows they might consider going with a different type, like the type Baker Glass sales. **Mr. Jayroe** asked how many different size windows are in the original part of the house. **Mr. Ulrichsen** said there are many different sizes and at 3 of them cannot be repaired. **Mr. Ulrichsen** said the front and right side of the home is visible from the street, the left and the rear cannot be seen from the road. **Ms. Gillespie** asked if the owner would be open to replacing the windows on the rear addition and take an inventory of the other windows with pictures and see how many could be repaired or moved, and saving the front window, and come back to the board with a report. **Mr. Jayroe** asked if any windows were taken out of the house when the rear addition was built. **Ms. Padgett** said she does not know of any old windows. **Mr. Vernon** also suggested pricing the replacing of the glass to the sash.

Public Input: None

Motion: Ms. Gillespie made a motion stating that the application be accepted with the following conditions:

- 1. The windows in the rear of the house that are not original be replaced with the new 4 over 4 windows**
- 2. The windows in the other part of the house be inspected and documented to determine the condition**
- 3. The applicant come back before the Board with a proposal showing photo evidence on the condition and the possibility of saving them, and encouraging the owner to preserve as many windows as possible.**
- 4. The kitchen windows are approved unless the owners want to replace them with windows to match the originals.**

Citing Design Standards for Residential Properties Chapter 3; Section 17.0 (Windows & Shutters), seconded by Mr. Vernon; the motion carried 7 to 0 by a roll call vote.

V. Board Discussion

- 1. Mr. Ed Kimbrough came before the Board to ask for direction on the replacement of a door leading to the Parish Hall at the Catholic Church; the current door is solid wood and it poses safety issues. The new door will have wood with glass so they can view who is**

entering, the wood will be stained. Mr. Kimbrough will go back to the board with this information.

2. Ms. Abate' asked what the responsibility of the City and the ARB to let home owners know the guidelines. She feels that realtor's need to inform home owners that they are in the Historic District and make them aware of the guidelines. Ms. Gillespie said something should be sent out with the tax notices welcoming the new home owners to the city and telling them about the district they are living in.
3. Mr. Kevin Jayroe informed the Board that an application was submitted for the construction of a brick pedestal for a mailbox, and asked for some input. Ms. Gillespie said if it is a permanent structure and over 6 inches above grade level, it will need to be brought before the Board.

Submitted By,

*Debra Grant
Board Secretary*