



City of Greenville
Design Review Board – Neighborhood Design Panel
Minutes of the **April 1st, 2021** Regular Meeting
Webex Virtual Meeting
Meeting Notice Posted on Wednesday, March 17, 2021
Minutes prepared by Austin Rutherford

Members Present: Fred Guthier, Matt Tindall, Monica Baretta, Allison Tucker, Jermaine Johnson

Members Absent: None

Staff Present: Jay Graham, Planning and Development Director; Logan Wells, Assistant City Attorney; Matt Lonnerstater, Development Planner; Courtney Powell, Planning Administrator; Kris Kurjiaka, Senior Development Planner; Harold Evangelista, Development Planner; Ross Zelenske, Development Planner; Austin Rutherford, Development Planner; Edward Kinney, Senior Landscape Architect

Call to Order:

Chairman Fred Guthier called the virtual meeting to order at 3:00 PM. He welcomed those in attendance and explained the procedures for the meeting. He asked board to introduce themselves. The minutes of the March 2, 2021 Agenda Workshop and March 4th Regular Meeting were approved unanimously through a motion by Mr. Tindall and a second by Ms. Baretta. Mr. Tindall moved for the agenda for the March 4, 2021 meeting to be approved. Ms. Tucker seconded. The agenda was approved unanimously. All affidavits were received. No conflicts of interests were cited. It was noted that a request for deferral was received for all 3 new business items, APL 21-124, CA 21-158, and CA 21-159.

Old Business

A. None

New Business

A. APL 21-124

Application by **TIM KEARNS to APPEAL** the administrator's decision on CAS 21-75 to approve with conditions exterior modifications at 126 James Street (TM# 003000-01-00100).

Development Planner Austin Rutherford explained that a deferral of an appeal is not allowed per section 19-2.3.16(B)(4). Staff recommends denial of request for deferral. Assistant City Attorney Logan Wells echoed that the appeal must be voted on during this meeting.

Mr. Tindall moved to deny deferral of APL 21-124. Motion seconded by Ms. Tucker and approved 5-0.

Development Planner Matt Lonnerstater began by explaining that an appeal decision derives from whether or not the administrator followed the right process and/or whether or not the administrator interpreted and applied the correct guidelines and ordinance standards at the time that the decision was made. New information since the decision was made is not to be considered.

Mr. Lonnerstater began the staff report by explaining that the appellant has obtained multiple certificates of appropriateness for an attached garage, approval to whitewash the brick, and approval to repaint the windows of the existing house under approval of CA 20-386 and CA 20-598. He mentioned that the appellant replaced original wood windows that featured true divided lights with non-compliant vinyl windows without true divided lights, replaced the original front door with non-compliant front door, installed non-compliant metal fascia the covered up original wood fascia, constructed a porch addition off rear of the home, installed two new doors on the rear elevation, and installed black gutters. After the stop work order was issued the appellant submitted an after-the-fact CA for staff level review, CA 21-75. Within this, the applicant also requested to paint the floor of the front porch a dark color, like black. Under this application, staff approved the rear deck, the doors on the rear of the home, and the black gutters. Staff denied the vinyl windows based on design guideline HR 16A that states that a substitute material may be considered if it matches the original dimension, profile, and finish, but pure vinyl did not match dimension nor profile of original wood windows and the finish is not consistent with wood windows. Staff also denied the front door replacement based on HR 16A that states that when a window or door replacement is necessary it must match the original design as much as possible. The historic door had three upper divided large windows while the new door only featured one large stained-glass window. Staff also denied the metal black fascia board based on HR 6(A) that states that original material should be matched in composition, scale, and finish when replacing it on a primary surface, and HR 6(B) that states not to use synthetic material such as aluminum or vinyl siding, and HR 7(A) which states that materials or features should not be covered with synthetic materials. Staff also denied the black painted floor porch based on HR 9 that states that masonry construction should be preserved in its original condition. The appellant is appealing staff denial of the replacement windows, door, and painted floor porch, but has agreed to address the fascia board issue.

The appellant claims that the administrator erred, for he as a property owner did not change the position, number, size, nor arrangement of historic windows or doors in a building wall. The administrator applied HR 16A which states that a replacement may be considered if it matches the original. The windows and doors should be finished with trim elements used traditionally. Staff denied based on the fact that pure vinyl does not match dimensionality of wood windows. It is noted that suggesting vinyl clad wood or metal clad wood and has been consistently interpreted and applied in past and similar situations. The appellant claims that the house had some existing vinyl windows mixed in and believes that greater flexibility should be applied because of this; however, at the time of the decision the applicant had not provided any evidence to confirm this claim, and staff noted that

windows on the side could be clearly seen from road rights of way. Staff also noted replacement windows failed to feature proper true or simulated divided lights and the did not feature the diamond pattern on the small windows that the previous windows featured. Based on this, staff believes the administrator applied the correct decision. Staff recommends the DRB affirms the administrator's decision.

The appellant, Tim Kearns, 108 W Earle St, explained that he has found a door that is nearly identical to the original door, so he accepts staff's decision on the door. He also asked for clarification on the potential color for the porch, as he hopes to keep the black paint color. For the windows, Mr. Kearns mentioned that he spent \$30,000 putting in the existing windows and noted the presence of vinyl windows as an option in the ordinance noted in the packet that he sent staff. He also mentioned that the house had 4 vinyl windows at the time of purchasing the house. He expressed that if vinyl clad is allowed, he believes that vinyl should be allowed as well due to a lack of discrepancy between vinyl and vinyl clad. He also expressed that the vagueness of the guidelines led him to believe that vinyl should be a considered material.

Susanna Ross, 106 James Street, spoke against the vinyl windows and opposed allowance in defense of maintaining the historic quality of the neighborhood.

Lisa Parkinson, 123 James Street, spoke to the value of the historic nature of the street, and therefore stated that the vinyl windows and black porch were not fitting into the historic character of the neighborhood.

Mr. Tindall expressed confusion over the appellant's after-the-fact justification, as the applicant had previously submitted applications for other requests for 126 James Street. As such, Mr. Tindall said that he agreed with staff's decision and the feedback they provided.

Ms. Baretta echoed Mr. Tindall and further expressed that owners purchasing homes in historic districts have a responsibility to check on the guidelines before replacing things.

Mr. Tindall mentioned that vinyl windows differ from other windows in the fact that they do not simulate historic windows, nor do they have options for divided light. He also mentioned the importance of matching the size of the door to the historic door.

Ms. Baretta moved to affirm the administrator's decisions to deny the appellant based on the design guidelines HR 16(A), (D), and (E) for the door and the windows, HR 6(A) and (B) and 7(A) for the fascia and HR 9(C) for the porch. Motion seconded by Mr. Tindall and approved 5-0.

B. CA 21-158

Application by **TIM KEARNS** for a **CERTIFICATE OF APPROPRIATENESS** for exterior modifications and additions to an existing structure at 211 W. Earle Street. (TM# 00800-04-00600).

Mr. Rutherford noted that the applicant requested deferral and per section 19-2.2.4(B)(2) an abutting member of this property has requested a neighborhood meeting which is to be conducted by letters sent out by the applicant to owners within 500 feet of the property. It will be conducted before the item comes back to the board. Staff will communicate with the applicant to ensure that the meeting is orchestrated.

Mr. Tindall moved to defer CA 21-158. Motion seconded by Ms. Baretta and approved 5-0.

C. CA 21-159

Application by **TIM KEARNS for a CERTIFICATE OF APPROPRIATENESS** for exterior modifications and additions to an existing structure and after-the-fact demolition of a shed/garage at 215 W. Earle Street. (TM# 00800-04-00700).

Mr. Rutherford noted that even though it had not been requested, the neighborhood meeting will be held for this property as well since it is in such close proximity.

Mr. Tindall moved to defer CA 21-159. Motion seconded by Ms. Baretta and approved 5-0.

Other Business (Not a Public Hearing)

A. None

Advice and Comment (Not a Public Hearing)

A. None

Informal Review (Not a Public Hearing):

A. None

Adjourn:

Having no other business, Mr. Guthier adjourned the meeting at 3:47 p.m.