



Minutes
Architectural Review Board
April 8, 2019
Council Chambers, City Hall
Fredericksburg, Virginia

Members Present

Jonathan Gerlach, Chair
Sabina Weitzman, Vice Chair
Kerri S. Barile
Karen Irvin
Susan Pates
James Whitman

Members Absent

Carthon Davis, III

Staff

Kate Schwartz
Cathy Eckles
Allison Martin

Mr. Gerlach called the Architectural Review Board meeting to order at 7:02 p.m.

OPENING REMARKS

Mr. Gerlach determined that a quorum was present, and asked if public notice requirements had been met. Ms. Schwartz noted that they had but that COA 2019-17, 607-719 Sophia Street, was pulled from the agenda and postponed to the May 13 ARB meeting.

APPROVAL OF AGENDA

Ms. Weitzman motioned to approve the agenda as written. Dr. Barile seconded. The motion carried 6-0.

APPROVAL OF MINUTES

Mr. Gerlach asked if there were any changes or additions to the minutes of the regular meeting dated March 11, 2019. Ms. Weitzman motioned to approve the minutes as written. Ms. Irvin seconded. The motion carried 6-0.

Mr. Gerlach asked if there were any changes or additions to the minutes of the supplementary meeting dated March 25, 2019. Dr. Barile motioned to approve the minutes as written. Ms. Pates seconded. The motion carried 6-0.

DISCLOSURE OF EX PARTE COMMUNICATIONS

Mr. Gerlach asked if any Board member had engaged in any *ex parte* communication on any item before the Board. No Board members had any *ex parte* communication to report.

DISCLOSURE OF CONFLICTS OF INTEREST

Mr. Gerlach asked if any Board member had a conflict of interest for any item before the Board. Mr. Gerlach noted that he had a conflict with COA 2019-13, 1309 Caroline Street, and would not participate in the discussion or vote. There were no further conflicts of interest reported.

CONTINUED ITEMS

- i. **COA 2019-10** – 1216 Caroline Street – Frans and Karen Vossenber request approval after the fact to construct a rear egress staircase from the second floor.

The applicant, Frans Vossenber, 609 Hawke Street, was present and spoke regarding the history of the project wherein the first floor is an occupied business and the second floor is an unoccupied residence. He said the building was inspected after the 2015 renovations but the Certificate of Occupancy was denied due to some safety concerns with the stairs in the rear. The applicant agreed with recommendations of the ARB staff and is happy to comply. There were no public comments.

Mr. Gerlach spoke to the fact that the ARB does not often deal with violations but said they must be taken seriously. He thanked the applicant for his willingness to work with the Board.

Ms. Weitzman motioned to approve the alterations with the conditions as recommended by staff. Dr. Barile seconded. Motioned carried 6-0.

PUBLIC HEARING

A. New Business

Accessory Structures

- i. **COA 2019-13** – 1309 Caroline Street – Constance Durham requests to install a wrought iron handrail at the front entry steps for this single-family residence.

Mr. Gerlach recused himself and Ms. Weitzman acted as chair. The applicant, Constance Durham, was present and spoke regarding the challenge of navigating the entry without a railing, especially after surgery. She said the railing was intended to look like examples in the neighborhood. There was no public comment.

Dr. Barile motioned to approve the installation of the wrought iron handrail as submitted. Mr. Whitman seconded. The motion carried 5-0-1, with Mr. Gerlach abstaining.

- ii. **COA 2019-14** – 802-804 Princess Anne Street – Joseph Peter Drennan requests to make alterations to this commercial building, including replacing the iron railings at the front steps with new steel railings and installing a wall-mounted clock, building-mounted signage, and a steel bike rack.

The applicant, Joseph Peter Drennan, was present. He said he was in agreement with the conditions recommended by staff and provided updated drawings for a smaller, 30-inch clock model.

Ed Sandtner, 132 Caroline Street, spoke on behalf of HFFI and their concerns regarding the iron railings. HFFI believes there is a historic aspect to the railings and does not agree with replacing them. Mr. Sandtner suggested retrofitting the existing railings in order to maintain the aesthetic.

Mr. Drennan said he believed the railings are an accident waiting to happen and that it would be very easy to slip and fall.

Ms. Weitzman and Dr. Barile suggested that each element of the application be addressed separately, beginning with the railings.

Ms. Weitzman said she was concerned about the railings and encouraged investigation of reusing at least the cast iron posts in making the railing safe. She also noted that Mr. Drennan would need to address the spalling on the stoop before any changes to the railings are made. Dr. Barile concurred with the concerns about removing the railings and said they appear to date from between 1890 and 1920. Ms. Irvin agreed.

Mr. Drennan stated that he is prepared to amend the proposal to keep the iron railings but strongly feels there should be pickets. He noted that his proposal includes repair and repainting of the concrete stoops. He said he understands that this railing is not required to be code-compliant, but doesn't think the building code provisions should be trivialized.

Mr. Gerlach questioned Dr. Barile as to whether she thinks vertical pickets should be added and she stated that would be incongruous with the style. She recommended adding a single horizontal element at the midpoint, which would be in line with the style. There was some discussion about identifying similar examples. Ms. Pates confirmed that work on the railings would not trigger a requirement for code compliance.

Ms. Weitzman made a motion to continue the Board's consideration of the railing replacement to the May meeting of the ARB to allow the applicant to evaluate the options for retrofitting the railings. Dr. Barile seconded. The motion carried 6-0.

Ms. Pates asked if the bike rack would interfere with the neighboring property. Mr. Drennan said it would not and that he had been working with the neighbor. Dr. Barile made a motion to approve all elements of the application with the exception of the railings in accordance with the staff recommendation. Ms. Irvin seconded. The motion carried 6-0.

iii. COA 2019-15 – 211 Princess Anne Street – Rachel and Eric Wieghaus request to install a six-foot tall wood privacy fence along the south side property line in the rear yard for this single-family residence.

The applicants, Rachel and Eric Wieghaus, were present. They said they were hoping to maximize their very small backyard area and that leaving a two-foot gap between the fences would only leave four feet between their fence and rear addition. They proposed to leave a gap of six inches between the fences and use gravel in between to ensure the area could be maintained.

There were no public comments.

There was some discussion about alternatives, including landscaping or sharing a fence with the neighbor, but the applicants explained that those were not options as their dog needed a taller fence and the neighbor was not open to replacing the fence. Board members also clarified the details of the fence. Additional discussion followed concerning maintenance of the area.

Mr. Whitman motioned to approve the application as presented by the applicants. Dr. Barile seconded. The motion carried 4-2, with Ms. Pates and Ms. Weitzman against.

Exterior Alterations

iv. COA 2019-05 – 201 Princess Anne Street - William Tucker requests to modify the certificate of appropriateness for construction of an addition by adding a projecting one-story section to the rear wall to shelter the basement entry.

The property owner, Dikchya Perry, was present to represent the application.

There were no public comments.

Ms. Weitzman asked the applicant to confirm if the door would be made of steel or fiberglass and noted that either would be fine as long as it had a painted finish. Mrs. Perry confirmed that it would be painted. Ms. Weitzman said the proposed design fit well with the addition, protected the entry, and had minimal proportions.

Dr. Barile asked why brick was chosen as the wall material. She said she was concerned that it could be interpreted as a connected historic outbuilding and might convey a false sense of history. She recommended using the same type of siding that was approved for the addition. Mrs. Perry said she was willing to use an alternative material and requested the option of a modern brick or fiber cement to match the addition. Ms. Weitzman and Dr. Barile noted that brick laid in stretcher bond would clearly distinguish it as modern.

Ms. Weitzman made a motion to approve the proposed basement entry as submitted with the recommendation that the doors have a painted finish and that the walls are either clad in siding to match the siding of the addition or a stretcher bond brick veneer to clearly differentiate it as a modern addition. Dr. Barile seconded and made the friendly recommendation that these be conditions of approval. Ms. Weitzman accepted. Ms. Schwartz restated the motion as approval on condition that the doors have a painted finish and that the walls either be clad in siding to match the addition or a stretcher bond brick veneer. The motion carried 6-0.

- v. **COA 2019-16** – 706 Caroline Street – The City of Fredericksburg Public Facilities Division requests to replace the iron gate at the alley passageway for the Visitor Center with a new painted aluminum gate.

Ray Regan, Public Facilities Division Manager for the City of Fredericksburg, was present to represent the application. He spoke regarding the condition of the alley gate, its weight, and that it could not be latched for overnight security in its current condition. He noted that they would be reusing the existing hinges.

There were no public comments.

Ms. Irvin asked for the height of the proposed gate. Mr. Regan stated that it would match the existing gate. Ms. Irvin also noted that attaching an aluminum gate to iron hinges could lead to corrosion, and they will need to put something between these two materials. Mr. Regan thanked Ms. Irvin for bringing that to his attention and said they would address it.

Ms. Weitzman asked about alternatives to replacing the gate, such as hanging from the opposite wall or using a post in the ground. Mr. Regan said these were not an option due to the condition of the other wall and the narrowness of the passageway. Ms. Pates recommended recycling the gate elsewhere and Mr. Regan said they would.

Dr. Barile motioned to approve the project as submitted. Ms. Weitzman seconded. The motion carried 6-0.

GENERAL PUBLIC COMMENT

There was no general public comment.

OTHER BUSINESS

A. UDOTA 2019-02 – Amending the Old and Historic Fredericksburg overlay district standards and Architectural Review Board procedures.

Ms. Schwartz presented an overview of the proposed text amendments to the UDO and requested that the Board recommend approval to the Planning Commission and the City Council. Mr. Gerlach noted that the Board had received some written public comments.

Mr. Gerlach said these represent very positive changes. He believes there is more work to be done, but that this is a good start.

Ms. Pates said she is not in favor of the changes and doesn't believe the longer time period for the validity of COAs is necessary. She asked for an overview of the types of applications that would be administratively reviewed. Ms. Schwartz stated that the previously reviewed list entails signs, fences, and minor architectural elements. She noted that the distributed draft was not the correct one, and it should read:

(a) The addition or deletion of awnings, canopies, storm doors, gutters, downspouts, chimney caps, and other similar minor modifications or elements.

(b) The addition, alteration, or removal of any sign or fence where such item is the sole subject of the application, or where all other improvements comprising the application are subject to administrative review.

(c) Alterations or repairs made to a building or structure for the purpose of temporary emergency stabilization.

(d) Reconstruction, alteration, repair, or other improvements to a building or structure made pursuant to an order of correction issued by the Building Code Official, upon that official's determination that the building or structure is an "unsafe structure," as that term is defined in the Virginia Uniform Statewide Building Code.

Ms. Pates stated she is still opposed to these changes and further questioned the procedures for administrative review and the type of public notice. Ms. Schwartz reviewed the provisions.

Mr. Gerlach raised a concern about the exemption of alterations visible from alleys from the ARB's purview. Ms. Schwartz noted that this was not a change from the current ordinance and recommended that the Historic Preservation Working Group might discuss this further.

Ms. Weitzman spoke in support of the changes, but noted that comments from HFFI regarding the appeals language might be considered. Mr. Gerlach noted that this was standard appeals language that was time-tested in the courts of Virginia. He noted that the City Attorney would not be in support of a change.

Dr. Barile and Mr. Gerlach confirmed that members of the Board or the public would have the ability to remove administratively reviewed items from a consent agenda for further review. The Board engaged in some additional discussion of the length of validity of COAs and the conditions of extension of the approval.

Ms. Irvin made a motion to recommend approval of the text amendments as presented to the Planning Commission and City Council. Mr. Whitman seconded. The motion carried 5-1, with Ms. Pates against.

STAFF UPDATE

- A. Transmittal of Planning Commission Notice – April 10, 2019
- B. Update on tax abatement for derelict buildings

Ms. Schwartz updated the Board as to discussion that was raised at the March 25, 2019 work session. She reported that there is ongoing discussion with the Property Maintenance Official, the Building Code Official, and the City Attorney’s office to learn more about that provision and how it could work for the City. It will be brought back to the next meeting of the Historic Preservation Working Group.

COMMITTEE REPORT

None.

CHAIRMAN’S REPORT

None.

ADJOURNMENT

Dr. Barile motioned to adjourn and Ms. Irvin seconded. The meeting adjourned at 8:37 p.m.



Jonathan Gerlach, ARB Chair