

**Work Session Agenda
Staunton City Council
Caucus Room
August 9, 2018
5:15 p.m.**

Invocation/Moment of Silence—Harrington

- | | | |
|------------------|-----------|--|
| 5:15 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:20 p.m. | 2. | Presentation on Youth Alcohol Drug Abuse Prevention Project |
| 5:35 p.m. | 3. | Closed Meeting for (a) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Pertaining to (i) the Possible Filing of an Amicus Curiae Brief; (ii) Specific Land Use and Zoning Matters; (iii) Federal Law Compliance and Legal Risk Management; and (iv) Potential Claims of the City; (b) Discussion or Consideration of the Possible Disposition of Publicly Held Real Property Interests; and (c) Discussion of Performance of One or More Council Appointees |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Council Chambers
August 9, 2018
7:30 p.m.**

Call to Order

Pledge of Allegiance

Mayor's Report

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of July 12, 2018

REGULAR MEETING

- A. Consideration of Final Plat for Frontier Downs—220 Frontier Drive**
- B. Appeal of Denial of Amendment to Certificate of Appropriateness—
509 North New Street**

Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 9, 2018	City Council
Item #	1	
Ordinance #		
Department:	City Council	
Council Vision:	Responsive, Efficient Government	
Subject:	Work Session and Regular Meeting Agendas	

Background: Consistent with Procedural Memorandum No. 3, attached are draft meeting agendas for City Council's consideration and for approval as Council prefers.

Suggested Motion: I move to approve the Work Session agenda and the Regular Meeting agenda [as presented] [with the following changes: as to the Work Session, the addition/deletion of _____; as to the Regular Session, the addition/deletion of _____].

City Manager: Stephen F. Owen

**Work Session Agenda
Staunton City Council
Caucus Room
August 9, 2018
5:15 p.m.**

Invocation/Moment of Silence—Harrington

- | | | |
|------------------|-----------|--|
| 5:15 p.m. | 1. | Consideration of Work Session and Regular Meeting Agendas |
| 5:20 p.m. | 2. | Presentation on Youth Alcohol Drug Abuse Prevention Project |
| 5:35 p.m. | 3. | Closed Meeting for (a) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Pertaining to (i) the Possible Filing of an Amicus Curiae Brief; (ii) Specific Land Use and Zoning Matters; (iii) Federal Law Compliance and Legal Risk Management; and (iv) Potential Claims of the City; (b) Discussion or Consideration of the Possible Disposition of Publicly Held Real Property Interests; and (c) Discussion of Performance of One or More Council Appointees |
| 7:15 p.m. | | Break |

**Regular Meeting Agenda
Staunton City Council
Council Chambers
August 9, 2018
7:30 p.m.**

Call to Order

Pledge of Allegiance

Mayor's Report

Additional Items by Members of Council

Approval of Minutes

Work Session and Regular Meeting of July 12, 2018

REGULAR MEETING

- A. Consideration of Final Plat for Frontier Downs—220 Frontier Drive**
- B. Appeal of Denial of Amendment to Certificate of Appropriateness—
509 North New Street**

Matters from the City Manager

Matters from the Public

Adjournment

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 9, 2018	Staff Members: Ginny Newman Nancy Tyree
Item #	2	
Ordinance #		
Department:	Central Shenandoah Valley Office on Youth	
Council Vision:	Education	
Subject:	Youth Alcohol Drug Abuse Prevention Project	

Background: Local high school students will attend Council's meeting to share their recent experiences as participants in the Youth Alcohol Drug Abuse Prevention Project, a peer-led program for high school students to address underage substance use at the high school. A summary of YADAPP is attached to this briefing.

City Manager's Recommendation: Not applicable.

Suggested Motion: Not applicable.

City Manager: Stephen F. Owen



Youth Alcohol Drug Abuse Prevention Project

The Youth Alcohol and Drug Abuse Prevention Project (YADAPP) is a peer-led program for high school students to address underage substance use at the high school level. Through YADAPP, a team of four student participants and a dedicated adult sponsor attend a week long summer conference to develop strategic prevention plans addressing underage drug and alcohol use. Throughout the conference, participants will meet and interact with their like-minded peers during classroom and breakout sessions, motivational speakers and free time.

After the conference, students implement their plans in their schools and communities utilizing leadership and prevention skills learned during conference sessions. The excitement of the conference inspires students and their adult counterparts to continue participating each year and provides a positive environment for students to build their leadership skills.

YADAPP focuses on peer leadership and provides participants with the leadership skills necessary for planning and implementing their strategic prevention plans. The peer leadership track allows students to continue to participate in YADAPP for up to four additional years through the YADAPP youth staff positions.

Through YADAPP participants will:

- Broaden their knowledge of substance use prevention and work as a team to create a high school substance use prevention plan for their school.
- Learn leadership skills needed to address common issues among youth.
- Network and build supportive relationships with others from across Virginia.

YADAPP is administered by the Education and Prevention Section of the Virginia Department of Alcoholic Beverage Control (ABC), which has been involved with the project since its inception in 1984.

This year the Greater Augusta Prevention Partners (GAPP) Coalition and the Central Shenandoah Valley Office on Youth (OOY) supported teams from three high schools: Robert E. Lee, Fort Defiance, and Riverheads, and also supported a team from the GAPP Youth Coalition.

Three adult sponsors attended with the youth. Nancy Tyree of the OOY, who works with the Students Against Destructive Decisions (SADD) Clubs in area high schools sponsored the Robert E. Lee group, since the club's school advisor, Cheryl Cizek, was unable to attend. All of the teams came home with a strong desire to implement their Strategies to Act Now (STAN) Plans in the schools. The team from Robert E. Lee wrote their STAN Plan with actions to propose, including implementation of a second spirit week during the week of prom. Spirit week is traditionally around Homecoming. The YADAPP participants feel that educating their peers and parents about the dangers of drugs and alcohol during prom is important. The YADAPP sponsor will support the Robert E. Lee SADD Club in their project. After leaving YADAPP, participants are encouraged to share their STAN Plan with the school principal, school board, parents and community leaders to gain their support. There will be a report submitted in July of 2019, to ABC regarding actions implemented in the STAN Plan initially developed at YADAPP. A successful STAN Plan will show a difference the students have made in their school and community and may win a grant for their club.

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 9, 2018	Doug Guynn City Attorney Steve Owen City Manager
Item #	3	
Ordinance #		
Department:	City Attorney City Manager	
Subject:	Closed Meeting for (a) Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Pertaining to (i) the Possible Filing of an Amicus Curiae Brief; (ii) Specific Land Use and Zoning Matters; (iii) Federal Law Compliance and Legal Risk Management; and (iv) Potential Claims of the City; (b) Discussion or Consideration of the Possible Disposition of Publicly Held Real Property Interests; and (c) Discussion of Performance of One or More Council Appointees	

Suggested Motion:

Before the closed meeting: I move to enter a closed meeting for (a) consultation with legal counsel for necessary legal-related advice and discussion pertaining to (i) the possible filing of an amicus curiae brief; (ii) specific land use and zoning matters; (iii) federal law compliance and legal risk management; and (iv) potential claims of the City, pursuant to Virginia Code § 2.2-3711(A)(8); (b) discussion or consideration of the possible disposition of publicly held real property interests, where discussion in an open meeting would adversely affect the bargaining position or negotiating strategy, pursuant to Virginia Code § 2.2-3711(A)(3); and (c) discussion of performance of one or more Council appointees, pursuant to Virginia Code § 2.2-3711(A)(1).

Second. Discussion. Vote – Clerk of Council to poll members of Council.

After the closed meeting: I move that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

Second. Discussion. Vote –Clerk of Council to poll members of Council.

City Council
WORK SESSION
July 12, 2018
5:45 p.m.

Council Members Present: Mayor Dull, Vice Mayor Kier, Council Members Curren, Oakes, Harrington, Holmes, and Mead.

The Mayor called the meeting to order at 5:45 p.m. and the invocation/moment of silence was given by Dr. Curren.

1. Consideration of Work Session and Regular Meeting Agendas

Consistent with Procedural Memorandum No. 3, the agendas were presented for Council consideration.

Dr. Harrington moved to approve the Work Session agenda and the Regular Meeting agenda as presented.

The motion was seconded by Mr. Holmes and carried unanimously as follows:

Mayor Dull	aye	Ms. Mead	aye
Mr. Holmes	aye	Dr. Curren	aye
Dr. Harrington	aye	Ms. Oakes	aye
Vice Mayor Kier	aye		

2. Presentation on City's Recycling Program

Tom Sliwoski, Director of Public Works, stated the City started curbside recycling in the early 1990's. When the curbside program began, only newspaper, plastics #1 (water and soda bottles) and plastics #2 (milk and laundry detergent containers), glass (separated by color), and aluminum and tin cans were collected. He noted a community recycling site opened shortly thereafter at Gypsy Hill Park, where residents of the City and Augusta County and City businesses could deposit newspaper and glass.

Mr. Sliwoski noted over the years, due to repeated citizen inquiries and requests to change the recycling program, the City began curbside collection of mixed paper (newspapers, magazines, books, white paper, cardboard, books, paperboard, etc.) and mixed plastics (#1 through #7) in 2012. The City also expanded the recycling center at the park, adding mixed paper, mixed plastic, bi-metal/aluminum cans, and cardboard to the list of accepted materials. There is very little demand for recycled glass. All of these factors have resulted in a struggling recycling market.

Mr. Sliwoski noted all materials collected in the City are taken to Sonoco Recycling in Fishersville. This location is an initial collection site where materials are processed and readied for shipment to various states. He stated global trade policies, leveling growth rates in foreign countries, economics, and new limits imposed by China have led to a steady decline in demand. Low oil prices have made it cheaper to produce new plastic containers resulting in manufacturers having less incentive to use reclaimed plastic. Circulation of print newspaper has plummeted as well. Mr. Sliwoski stated the glass market has also suffered, and there is very little demand for recycled

50 glass. He noted the City has incurred charges to Sonoco in the amount of \$32.50 per ton to collect
51 glass.

52
53 Due to the struggling recycling market, Sonoco has implemented a new rate structure. Currently
54 the City is not charged a rental fee or “pull” fee for any of the five collection points at the Gypsy
55 Hill Park. Beginning August 1, the five containers at the recycling center in the park will be subject
56 to a monthly rental fee of \$75 per container per month. Additionally, the City will also be assessed
57 a pull fee of \$100, each time a container is transported from the park to Sonoco’s facility in
58 Fishersville. On average, the City requires 13 pulls per month. Based on current usage, the new
59 rate structure for containers will result in additional, annual costs to the City of \$20,000.

60
61 Mr. Sliwoski stated on August 1, the City will also be subject to a revised rate structure imposed
62 by Sonoco for materials (as distinguished from charges for the use and transport of the containers).
63 At the present time, it is anticipated that the City will receive payment only for collected cardboard
64 and aluminum, and not for other collected materials. For other collected materials, the City will
65 incur charges to Sonoco (i) for mixed paper, in the amount of \$50.00 per ton, (ii) for commingled
66 plastic, in the amount of \$60.00 per ton, and (iii) for glass, in the amount of \$32.50 per ton. He
67 noted the only items the City makes a profit on are basically for OCC cardboard, aluminum and
68 metal cans.

69
70 During fiscal year 2017 (the most recent year for which figures are available), the City collected
71 approximately 184 tons of materials at the park and approximately 828 tons curbside for a total
72 tonnage of 1,012. Assuming the same tonnage in fiscal year 2019, and applying the new rate
73 structure for materials to this tonnage, it is anticipated that the City will incur charges to Sonoco
74 of \$8,000 per year for materials collected from the containers at the park and \$24,000 for materials
75 collected curbside, for total charges of \$32,000.

76
77 Considering the changes in the rate structures for both use and transport of the containers and the
78 materials, it is expected the City will incur charges to Sonoco for fiscal year 2019, in the amount
79 of \$52,000 (inclusive of charges for both the park facility and curbside collection). The park
80 facility will account for \$28,000 of that total (\$20,000 for use and transport of the containers and
81 \$8,000 for materials). All figures assume no further changes in the recycling market or increases
82 in tonnage collected. For fiscal year 2017 (again, the most recent year for which figures are
83 available), charges incurred to Sonoco totaled \$3,100.

84
85 Mr. Sliwoski stated recycling has really functioned as landfill avoidance and is not intended to be
86 a revenue generator. He noted this is a fairly significant burden now being placed on the program,
87 but management believes the costs can be absorbed through the spring of 2019. Staff will continue
88 to monitor the recycling program, reviewing alternatives that are more efficient and effective with
89 the goal of maintaining a strong program and reducing the costs to the City. Management intends
90 to readdress the program with Council during the fiscal year 2020 budget process to determine
91 whether any rate structure or program adjustments are necessary.

92
93 Dr. Curren questioned other possibilities of diverting materials from the landfill that are less
94 expensive than the current recycling program. Mr. Sliwoski explained the demand is low and
95 prices have plummeted. He noted other alternatives are being explored.

96

In response to an inquiry by Dr. Harrington, Mr. Sliwoski advised that the City is the only locality in the region currently offering curbside recycling. He noted the expenses involved with operating the program.

Mr. Holmes asked about the percentage of recyclable materials collected. Mr. Sliwoski replied he did not have an exact figure, but it was on the low side based on a rough estimate. He noted there is no custodial chain of record to track where the recycled materials are distributed.

Mayor Dull stated it would be of interest to compare the revenue from what is being recycled now versus the City's cost. She also commented on the projection of the effect on the landfill if the recycling program was ended. Mr. Sliwoski noted area businesses use the containers at the park as well as residents. He stated these were only preliminary figures being presented.

3. Discussion of Cancellation of July 26, 2018 City Council Meeting

Steve Owen, City Manager, stated there had been a request for Council to consider cancelling the second meeting scheduled for July 26, 2018. He noted department heads have indicated that they will have no matters requiring City Council action at that meeting. Mr. Owen stated if Council was interested in cancelling the meeting, which has been previously set by their resolution at the beginning of the year, state law requires adoption of a resolution to cancel the meeting.

This will be Item B on the regular agenda.

4. Discussion of SMART SCALE Grant for Sidewalk and Pedestrian Improvement Projects

Nickie Mills, City Engineer, stated City staff previously secured Virginia Department of Transportation (VDOT) SMART SCALE grants for the Staunton Crossing roadway extension and other projects proposed for Richmond Avenue, in the aggregate amount of approximately \$10,000,000.

Mr. Mills noted that staff is presently working on SMART SCALE grant funding applications for three proposed sidewalk projects along Edgewood Road and Augusta Street. These projects would provide pedestrian access and safety enhancements at key intersections and new sidewalks along one side of each street, consistent with the recently adopted Staunton Bicycle & Pedestrian Plan. The projects are expected to fit within existing rights-of-way. Preliminary cost estimates have been prepared for each project based on schematic design only.

The proposed projects include:

- Edgewood Road between Coalter Street and Augusta Street. The preliminary estimated cost is \$350,000.
- North Augusta Street, from the United States Post Office on Augusta Street northward to Terry Court Shopping Center. This segment will require some drainage improvements and is estimated to cost approximately \$800,000.

- North Augusta Street, from a location just north of Terry Court Shopping Center, running along North Augusta Street to Baldwin Drive, then across to Coalter Street and connecting to Meadowbrook Road. This segment is estimated to cost approximately \$500,000.

The total estimated project cost for the three projects is expected to be approximately \$1,650,000, subject to adjustment once detailed designs are completed.

If the City receives SMART SCALE funding, as requested, it will be required to pay approximately 0.5% in administrative costs for VDOT staff time to administer the projects. Based on the current total estimated project cost, the City's commitment would amount to less than \$10,000.

Mr. Owen stated these are projects that Council previously identified in the Capital Improvement Plan.

This will be Item C on the regular agenda.

5. **Closed Meeting for Consultation with Legal Counsel for Necessary Legal-Related Advice and Discussion Pertaining to (a) the Possible Filing of an Amicus Curiae Brief; (b) Specific Land Use and Zoning Matters; and (c) Federal Law Compliance and Legal Risk Management**

Ms. Oakes moved to enter a closed meeting for consultation with legal counsel for necessary legal-related advice and discussion pertaining to (a) the possible filing of an amicus curiae brief; (b) specific land use and zoning matters; and (c) federal law compliance and legal risk management, pursuant to Virginia Code § 2.2-3711(A)(8).

Seconded by Dr. Harrington, the motion as follows:

Dr. Curren	aye	Vice Mayor Kier	aye
Mr. Holmes	aye	Mayor Dull	aye
Dr. Harrington	aye	Ms. Oakes	aye
Ms. Mead	aye		

Ms. Oakes moved that Council reconvene in an open meeting and certify to the best of each member's knowledge that only lawfully exempted public business matters were discussed and that only public business matters as identified in the closed meeting motion were heard, discussed or considered in the meeting.

Seconded by Dr. Harrington, the motion as follows:

Mr. Holmes	aye	Mayor Dull	aye
Dr. Harrington	aye	Ms. Oakes	aye
Ms. Mead	aye	Dr. Curren	aye
Vice Mayor Kier	aye		

The work session adjourned at 7:10 p.m.

193
194
195
196

Suzanne F. Simmons
Clerk of Council

DRAFT

REGULAR MEETING OF STAUNTON CITY COUNCIL
Thursday, July 12, 2018
7:30 p.m.
Council Chambers

PRESENT: **Carolyn W. Dull, Mayor**
 Ophie A. Kier, Vice Mayor
 Andrea W. Oakes
 James L. Harrington
 R. Terry Holmes
 Erik D. Curren
 Brenda O. Mead

ALSO PRESENT: **Stephen F. Owen, City Manager**
 Douglas L. Guynn, City Attorney
 Suzanne F. Simmons, Clerk of Council

Mayor Dull called the meeting to order. The Pledge of Allegiance was recited in unison.

MAYOR'S REPORT

Mayor Dull stated the 4th of July parade and events held were successful. She noted the Heifitz concert series had kicked off and on July 24, at Bridge Christian Church, located in Fishersville, there would be a film screening and discussion concerning opioid addiction.

ADDITIONAL ITEMS BY MEMBERS OF COUNCIL

Vice Mayor Kier stated in honor of local African American veterans, the Staunton-Augusta County African American Research Society invites the public to attend a program on August 4, honoring those who served in WWI, WWII, and the Korean and Vietnam wars.

APPROVAL OF MINUTES

Ms. Oakes moved to approve the work session and regular meeting minutes of June 14, 2018.

The motion was seconded by Mr. Holmes and carried as follows:

Ms. Oakes	aye	Ms. Mead	abstain
Vice Mayor Kier	aye	Mr. Holmes	aye
Mayor Dull	aye	Dr. Curren	aye
Dr. Harrington	aye		

Ms. Oakes moved to approve the organizational meeting minutes of July 2, 2018.

The motion was seconded by Ms. Mead and carried unanimously as follows:

Vice Mayor Kier	aye	Mr. Holmes	aye
Mayor Dull	aye	Dr. Curren	aye
Dr. Harrington	aye	Ms. Oakes	aye

Ms. Mead aye

REGULAR MEETING

A. Recognition of Jeanne Colvin for Years of Service to the City of Staunton

Steve Owen, City Manager, recognized Jeanne Colvin for her 39 years of service to the City as Chief Financial Officer. He made note of numerous projects Ms. Colvin lead the City through. Council members thanked Ms. Colvin for her years of dedication to the City of Staunton.

B. Consideration of Cancellation of July 26, 2018 City Council Meeting

Mr. Owen stated there was no business scheduled for the July 26, 2018 Council meeting, and there had been a request made to consider cancelling the meeting. Department heads have indicated they will not have any matters requiring Council's action at the July 26 meeting. Mr. Owen noted state law requires the adoption of a resolution to cancel the meeting.

Mr. Holmes moved to adopt the proposed resolution cancelling City Council's July 26, 2018 meeting.

The motion was seconded by Dr. Harrington and carried unanimously as follows:

Mayor Dull	aye	Dr. Curren	aye
Dr. Harrington	aye	Ms. Oakes	aye
Ms. Mead	aye	Vice Mayor Kier	aye
Mr. Holmes	aye		

RESOLUTION CANCELLING THE JULY 26, 2018 CITY COUNCIL MEETING

WHEREAS, according to its July 1, 2018 resolution, Council established its regular meeting schedule for the period of July 2018 through June 2020;

WHEREAS, Section 6 of Chapter II of the Charter for the City of Staunton provides that Council shall meet at such times as may be prescribed by ordinance or resolution provided that it hold at least one regular meeting each month;

WHEREAS, Section 2.10.070 of the Staunton City Code provides that Council will hold regular meetings on the second and fourth Thursday of each month and at any other time to which it may be regularly adjourned or postponed; and

WHEREAS, Council had determined that it would serve the best interests of the City to cancel its July 26 meeting;

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Staunton, Virginia that its regularly scheduled July 26 meeting shall be and hereby is cancelled, with Council next reconvening at its regularly scheduled meeting on August 9, 2018, at 7:30 p.m., or at such time as

may be designated by published agenda for such meeting, to be held at City Hall, 116 West Beverley Street, Staunton, Virginia; and that the Clerk of Council is directed to post an attested copy of this resolution at such location in City Hall where official notices are posted and to take such further actions as deemed appropriate to give notice of this change.

Adopted this 12th day of July, 2018.

/s/ Carolyn W. Dull
Carolyn W. Dull, Mayor

ATTEST: /s/ Suzanne F. Simmons
Suzanne F. Simmons
Clerk of Council

C. Consideration of SMART SCALE Grant for Sidewalk and Pedestrian Improvement Projects

Mr. Owen stated City staff has been working with Virginia Department of Transportation (VDOT) on SMART SCALE grant funding applications for multiple sidewalk projects along Edgewood Road and Augusta Street. These projects have long been identified in the Capital Improvement Plan and are also consistent with the recently adopted Staunton Bicycle & Pedestrian Plan. The projects are expected to fit within existing rights-of-way. Preliminary cost estimates have been prepared for each project based on schematic design only.

The proposed projects include:

- Edgewood Road between Coalter Street and Augusta Street. The preliminary estimated cost is \$350,000.
- North Augusta Street, from the United States Post Office on Augusta Street northward to Terry Court Shopping Center. This segment will require some drainage improvements and is estimated to cost approximately \$800,000.
- North Augusta Street, from a location just north of Terry Court Shopping Center, running along North Augusta Street to Baldwin Drive, then across to Coalter Street and connecting to Meadowbrook Road. This segment is estimated to cost approximately \$500,000.

The total estimated project cost for the three projects is expected to be approximately \$1,650,000, subject to adjustment once detailed designs are completed.

If the City receives SMART SCALE funding, as requested, it will be required to pay approximately 0.5% in administrative costs for VDOT staff time to administer the projects. Based on the current total estimated project cost, the City's commitment would amount to less than \$10,000.

Mr. Owen stated there are approximately \$18,000,000 in improvements pending for Staunton Crossing and Richmond Avenue. He recommended that City Council adopt the proposed resolution.

Dr. Curren commended Nickie Mills, City Engineer, and the Engineering Division for seeking this source of outside funding.

Vice Mayor Kier moved that Council adopt a resolution authorizing staff to apply to the Virginia Department of Transportation for a grant from the SMART SCALE Grant Program, in the amount of \$1,650,000, for funding for sidewalk and pedestrian improvements on Edgewood Road and Augusta Street, and surrounding areas, as proposed.

The motion was seconded by Dr. Curren and carried unanimously as follows:

Dr. Harrington	aye	Ms. Oakes	aye
Ms. Mead	aye	Vice Mayor Kier	aye
Mr. Holmes	aye	Mayor Dull	aye
Dr. Curren	aye		

SMARTSCALE 2018 GRANT PROGRAM RESOLUTION

WHEREAS, the City of Staunton desires to submit an application for a grant of funds from the Virginia Department of Transportation (the "Department"), in the total amount of \$1,650,000, with a local administrative cost match of approximately 0.5%, from the SMART SCALE Grant Program to fund the cost of the City's Edgewood and Augusta Street Sidewalk and Pedestrian Improvement Projects as presented to City Council on July 12, 2018; and

WHEREAS, in accordance with the Commonwealth Transportation Board construction allocation procedures, it is necessary that a resolution be received from the City requesting that the Department establish a SMART SCALE grant project to be administered by the City.

NOW, THEREFORE, BE IT RESOLVED BY THE COUNCIL OF THE CITY OF STAUNTON, VIRGINIA, THAT:

1. The City requests the Commonwealth Transportation Board to establish a project for the Edgewood and Augusta Street Sidewalk and Pedestrian Improvement Projects as presented to City Council on July 12, 2018, with an allocation of funds of \$1,650,000.

2. The City commits to provide approximately 0.5% administrative cost support contribution for this project and any additional funds necessary to complete the project.

3. The City agrees to enter into a project administration agreement with the Department and provide the necessary oversight to ensure the project is developed in accordance with all state and federal requirements for design, right-of-way acquisition and construction of a federally funded transportation project.

4. The City will be responsible for maintenance and operating costs of any improvement/facility constructed with SMART SCALE funds unless other arrangements have been made with the Department.

5. If the City subsequently elects to cancel this project, the City agrees to reimburse the Department for the total amount of costs expended by the Department through the date the

Department is notified of such cancellation. The City also agrees to repay any funds previously reimbursed that are later deemed ineligible by the Federal Highway Administration.

6. The Council of the City of Staunton, Virginia grants authority to the City Manager to execute project agreements, and amendments to project agreements, for the above referenced Edgewood and Augusta Street Sidewalk and Pedestrian Improvement Projects.

Adopted this 12th of July, 2018.

/s/ Carolyn W. Dull

Carolyn W. Dull, Mayor

ATTEST: /s/ Suzanne F. Simmons
Suzanne F. Simmons
Clerk of Council

Matters from the City Manager

Mr. Owen stated he had nothing to report.

Matters from the Public

Baldwin Jennings, 332 Sharon Lane, stated he was there to voice his opinion regarding Council's decision to appeal the BZA's move to grant a variance at 1403 N. Augusta Street.

Susan Venable, 306 Ann Street, stated she present to compliment the City of Staunton and the Public Works refuse workers. She noted how efficient and respectful the workers are to residents' property and thanked them.

Adjournment

There being no further business to come before Council, the meeting adjourned at 7:56 p.m.

Suzanne F. Simmons
Clerk of Council

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 9, 2018	Staff Members: Rodney Rhodes Tim Hartless
Item #	A	
Ordinance #		
Department:	Community Development—Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Consideration of Final Plat of Frontier Downs	

Background: Tom Sensabaugh, Dana Sensabaugh and Mint Spring Construction, Inc. have submitted a final plat to subdivide land located on Frontier Drive adjacent to Coffman Funeral Home and presently addressed as 220 Frontier Drive. The proposed name of the subdivision is Frontier Downs. If approved, the plat would result in the division of the property into two lots. Lot 1 consists of 1.34 acres and includes an existing one-story building, while Lot 2 consists of 4.66 acres and is currently unimproved. The existing street and utilities would be publicly dedicated in conjunction with the subdivision, with maintenance subsequently the responsibility of the City.

In 2009, Tom Sensabaugh developed the existing one-story building at 220 Frontier Drive. As a commercial development on an existing six-acre lot, the project was approved administratively through the site plan review process. At that time, the now-existing street and utilities were private; however, they were built to City standards and inspected and approved by the City Engineer. These inspections were conducted in anticipation of the infrastructure being dedicated to the City in the future.

Review: The zoning of the affected area is B-2, General Business District. The anticipated uses of the development consist of a mix of retail as well as medical and other professional offices. The *Staunton Virginia Comprehensive Plan 2010 – 2030* designates this area as Commercial so the anticipated uses would comply with the *Comprehensive Plan*. The proposed layout meets the requirements of Title 17 “Subdivisions” and Title 18 “Zoning” of the Staunton City Code, and the lot configuration of the final plat is consistent with the layout shown on the preliminary plat. At its meeting on July 19, 2018, Planning Commission reviewed the preliminary plat and

approved it unanimously, on a 4-0 vote. At the same meeting, the Commission also reviewed the final plat and unanimously, also on a 4-0 vote, recommended its approval.

Attachment: Attachment No. 1—Final Plat for Frontier Downs

Suggested Motion: I move that City Council approve the final plat of Frontier Downs, as recommended by the Planning Commission.

City Manager: Stephen F. Owen

OWNER'S CONSENT AND DEDICATION

THE ABOVE AND FOREGOING SUBDIVISION OF FRONTIER DOWNS AS IT APPEARS ON THIS PLAT IS WITH THE FREE CONSENT AND IN ACCORDANCE WITH THE DESIRE OF THE UNDERSIGNED OWNERS, PROPRIETORS AND TRUSTEES, IF ANY. THE STREETS AND PUBLIC EASEMENTS SHOWN HEREON ARE HEREBY TENDERED FOR PUBLIC USE.

Thomas F. Sensabaugh
OWNER: THOMAS F. SENSABAUGH

Dana M. Sensabaugh
OWNER: DANA M. SENSABAUGH

Thomas F. Sensabaugh President
OWNER: THOMAS F. SENSABAUGH, PRESIDENT
MINT SPRING CONSTRUCTION, INC.

NOTARY ACKNOWLEDGMENT

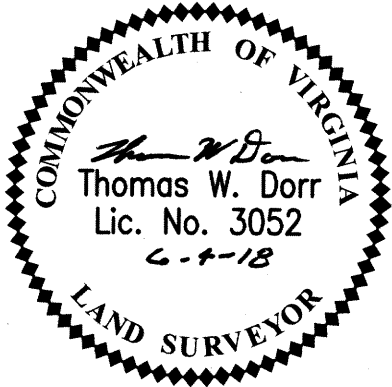
STATE/Commonwealth of Virginia
CITY/COUNTY OF Staunton

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
6 DAY OF June, 2018, BY: THOMAS F. SENSABAUGH
MY COMMISSION EXPIRES THE 30 DAY OF April, 2021
Maria Michelle Eye
NOTARY PUBLIC

MARIA MICHELLE EYE
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7581298

SURVEYORS CERTIFICATE

THIS IS TO CERTIFY THAT THE LAND EMBRACED IN THIS SUBDIVISION WAS CONVEYED TO THOMAS F. SENSABAUGH, DANA M. SENSABAUGH AND MINT SPRING CONSTRUCTION, INC. BY INSTRUMENT NO. 030001861 RECORDED IN THE CITY OF STAUNTON CLERK'S OFFICE.



NOTARY ACKNOWLEDGMENT

STATE/Commonwealth of Virginia
CITY/COUNTY OF Staunton

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
6 DAY OF June, 2018, BY: DANA M. SENSABAUGH
MY COMMISSION EXPIRES THE 30 DAY OF April, 2021
Maria Michelle Eye
NOTARY PUBLIC

MARIA MICHELLE EYE
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7581298

NOTARY ACKNOWLEDGMENT

STATE/Commonwealth of Virginia
CITY/COUNTY OF Staunton

THE FOREGOING INSTRUMENT WAS ACKNOWLEDGED BEFORE ME THIS
6 DAY OF June, 2018, BY: THOMAS F. SENSABAUGH, PRESIDENT,
MINT SPRING CONSTRUCTION, INC.
MY COMMISSION EXPIRES THE 30 DAY OF April, 2021
Maria Michelle Eye
NOTARY PUBLIC

MARIA MICHELLE EYE
NOTARY PUBLIC
Commonwealth of Virginia
Reg. #7581298

APPROVED

PLANNING COMMISSION

DATE

CITY COUNCIL

DATE

IF THIS PLAT IS NOT RECORDED WITHIN 6 MONTHS
THE SUBDIVISION AGENT APPROVAL IS VOID.

SUBDIVISION OF
FRONTIER DOWNS
STAUNTON, VA

SCALE 1" = 100' MARCH 20, 2018

REVISED: JUNE 4, 2018

EGS & ASSOCIATES, INC.
15 TERRY ST., STAUNTON, VA

P-18-03

CURVE	DELTA	RADIUS	ARC	TANGENT	CHORD BRG.	CHORD
C1	2°54'21"	1412.17'	71.62'	35.82'	S 34°20'50" W	71.61'
C2	0°29'57"	2844.79'	24.78'	12.39'	S 36°02'59" W	24.78'
C3	84°25'33"	30.00'	44.21'	27.21'	S 79°16'30" W	40.31'
C4	53°49'39"	25.00'	23.49'	12.69'	N 31°35'54" W	22.63'
C5	287°56'10"	60.00'	301.53'	43.64'	S 31°20'50" W	70.59'
C6	54°06'31"	25.00'	23.61'	12.77'	S 85°33'59" E	22.74'
C7	79°25'22"	30.00'	41.59'	24.92'	S 18°48'03" E	38.34'
C8	238°21'10"	60.00'	249.60'	107.46'	S 06°33'20" W	104.77'
C9	49°35'00"	60.00'	51.92'	27.71'	N 29°28'35" W	50.32'

LINE	BEARING	DISTANCE
L1	N 49°56'45" E	75.18'
L2	N 31°48'12" E	98.02'
L3	S 20°54'38" W	65.90'
L4	S 63°59'05" E	263.91'
L5	N 22°37'14" W	60.00'

MERIDIAN FROM PLAT SHOWING DIVISIONS
OF THE ROLLER FAMILY PARTNERSHIP PROPERTY
BY EGS & ASSOCIATES, INC. DATED 8-30-15

F.I.P. = FOUND IRON PIN
S.I.P. = SET IRON PIN

THE BOUNDARY SURVEY SHOWN HEREON IS BASED ON A
CURRENT FIELD SURVEY.

THIS SURVEY WAS PERFORMED WITHOUT A TITLE REPORT AND
MAY NOT INDICATE ALL ENCUMBRANCES UPON THE PROPERTY.

NO GRAVES OR PLACES OF BURIAL WERE NOTED DURING THIS
SURVEY.

ALL CORNERS ARE SET IRON PINS (S.I.P.) UNLESS OTHERWISE
DESIGNATED.

THE SURVEY PREMISES IS LOCATED IN ZONE X (OTHER AREAS,
DETERMINED TO BE OUTSIDE THE 0.2% ANNUAL CHANCE FLOOD
PLAIN) ACCORDING TO FIRM FOR THE COUNTY OF AUGUSTA,
VIRGINIA, COMMUNITY #510013 AND THE CITY OF STAUNTON,
VIRGINIA, COMMUNITY #510155, MAP NUMBER 51015C0343B,
EFFECTIVE DATE SEPTEMBER 28, 2007.

THE TOTAL AREA WITHIN THIS SUBDIVISION IS 6.627 ACRES
INCLUDING 0.616 ACRES OF RIGHT-OF-WAY DEDICATED FOR
PUBLIC USE.

PROPERTY IS ZONED B-2, GENERAL BUSINESS DISTRICT.

SUBDIVISION OF
FRONTIER DOWNS
STAUNTON, VA

SCALE 1" = 100' MARCH 20, 2018

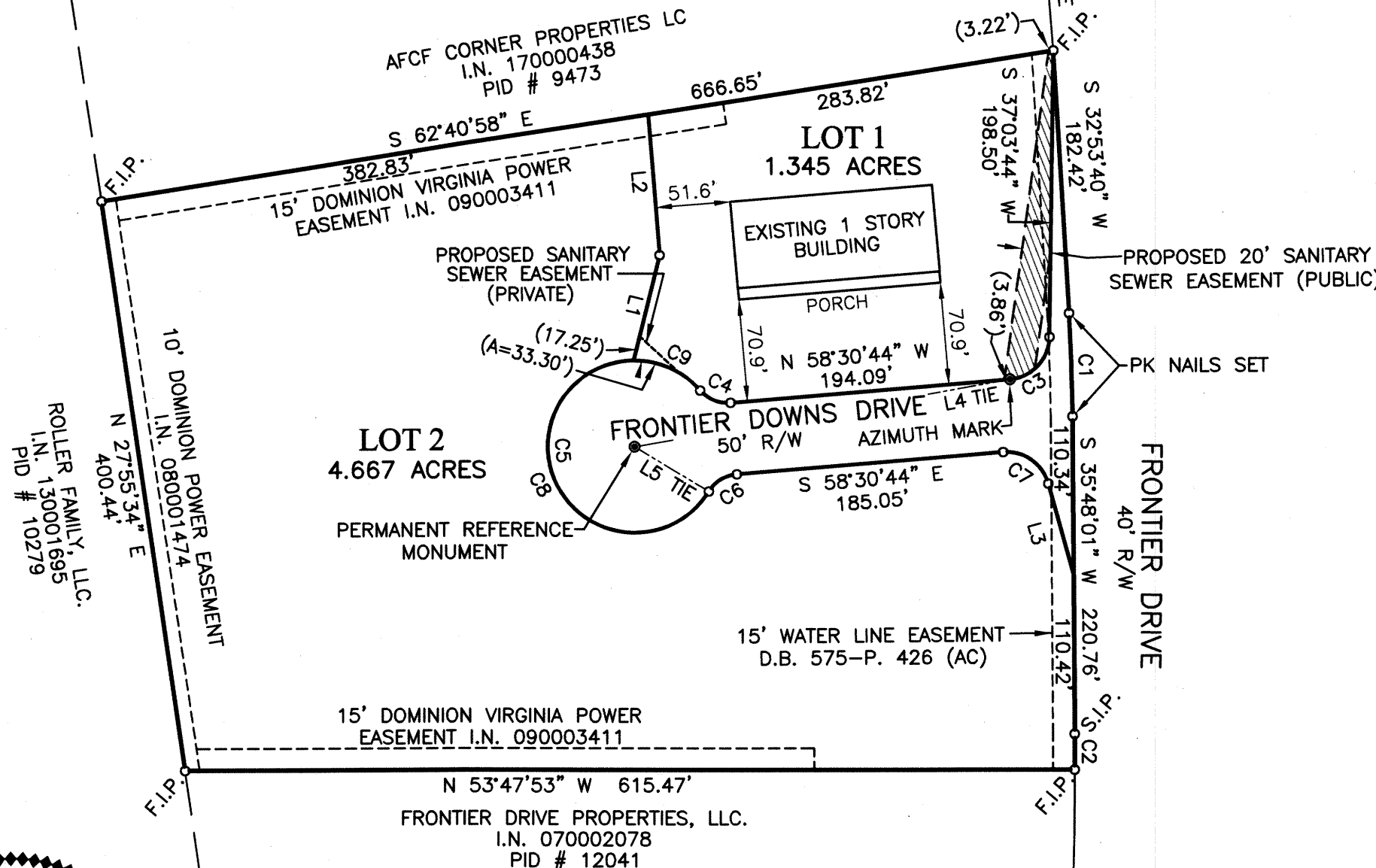
REVISED: JUNE 4, 2018

EGS & ASSOCIATES, INC.
15 TERRY ST., STAUNTON, VA



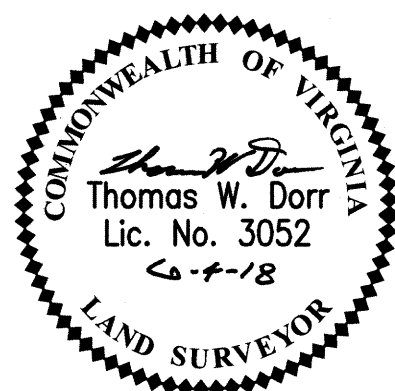
SHEET 2 OF 2

JOB # A31391117



LOT 2
4.667 ACRES

LOT 1
1.345 ACRES



OWNER/DEVELOPER:
THOMAS F. SENSABAUGH, DANA M. SENSABAUGH
& MINT SPRING CONSTRUCTION, INC.
I.N. 030001861
P.O. BOX 45
MINT SPRING, VA 24463

CITY COUNCIL



AGENDA BRIEFING

Staunton, VA

Meeting Date:	August 9, 2018	Staff Members: Rodney Rhodes Linda Nesselrodt Historic Staunton Foundation Representative: Frank Strassler
Item #	B	
Ordinance #		
Department:	Community Development—Planning and Zoning	
Council Vision:	Built Environment	
Subject:	Appeal of Historic Preservation Commission Denial of Amendment to Certificate of Appropriateness for 509 North New Street (Stuart Addition Historic District)—Remodel of Front Porch and Extension of Certificate of Appropriateness	

Introduction: This item is an appeal from a decision of the Staunton Historic Preservation Commission (Commission) to deny an amendment to an existing Certificate of Appropriateness (COA) and denial of an extension of the COA. Under Section 18.85.050(7)(m) of the City Code, an appeal may be taken to City Council to challenge a decision of the Commission. City Council may, in conformity with the provisions of Chapter 18.85, reverse or affirm the Commission's decision in whole or in part, essentially having all the same powers of the Commission. In this instance, Page Nelson appeals to City Council the Commission's June 26, 2018 action to refuse to grant an amendment to the existing Certificate of Appropriateness (COA) for a remodel to the front porch, which is already completed, that is not in compliance with the previously approved COA. Further, Mr. Nelson was not present for the meeting, warranting a denial of his request. (Exhibit A, Appeal Letter of Page Nelson dated July 15, 2018.) Attached to this briefing are exhibits that constitute the administrative record of proceedings before the Commission.

Background: Mr. Nelson owns a single-family structure, located at 509 North New Street, in the Stuart Addition Historic District, and built in 1877. On July 26, 2016, Mr. Nelson, with Mr. William Wright as authorized agent for the project, having completed the required application

(Exhibit B, Application for Certificate of Appropriateness dated July 3, 2016), was issued a COA by the Commission that included repairing the front porch of the residence with in-kind materials. (Exhibit C, Minutes of July 26, 2016 meeting of the Commission.) At the Commission's meeting on September 27, 2016, a further requirement was imposed that repairs to the porch, including the replacement of missing elements, were to be made with matching architecturally compatible components. (Exhibit D, Minutes of September 27, 2016 meeting of the Commission.)

Mr. Nelson applied for an amendment to his COA in November 2016, for replacement windows and construction of a garage, at which time, on a field trip to the site prior to the Commission meeting, it was discovered by staff that Mr. Nelson had not repaired the porch with in-kind materials. Mr. Nelson was notified on site that he would need to obtain approval for construction as it stood.

On February 28, 2017, Mr. Nelson appeared before the Commission to request approval of the front porch, as constructed. The Commission determined that Mr. Nelson did not repair the porch in-kind, as previously approved. Mr. Nelson's contractor boxed out the existing porch posts, raised the porch railing, added a base at the bottom, and changed the flooring to pressure treated deck board instead of tongue and groove deck board. Mr. Frank Strassler, an expert in historic preservation with the Historic Staunton Foundation (HSF), who as part of the established process analyzes and submits a written briefing and recommendation to the Commission (Exhibit E, Resume of Frank P. Strassler) noted at the meeting, as well as in his February 2017 recommendation, that the complete profile, size, and scale of the railings have changed. (Exhibit F, Historic Staunton Foundation Recommendation dated February 14, 2017.) The Commission denied Mr. Nelson's amendment request to approve the porch as constructed. Mr. Nelson did not appeal the decision of the Commission and therefore relinquished his right of appeal.

With (i) there being no visible work to correct the porch, (ii) the COA having expired after one year after its issuance, per Staunton City Code 18.85.050(7)(j), and (iii) Mr. Nelson having indicated to zoning staff in an in-person conversation, on July 13, 2017, that he was not going to change the porch, a notice of violation was issued to Mr. Nelson affording him 15 days to provide a corrective plan of action. (Exhibit G, Notice of Violation dated August 23, 2017.)

Mr. Nelson did not comply with the notice of violation, but requested, via electronic mail, an extension of his COA, which was reviewed by the Commission at its meeting on November 28, 2017. Mr. Nelson was not in Virginia and could not be present at the meeting, but the Commission, taking into account his circumstances, approved as extension of his COA for six months.

At the suggestion of zoning staff, since his COA was, again, approaching expiration, Mr. Nelson requested an additional extension in May of 2018. Mr. Nelson was present for the Commission's meeting on May 22, 2018, at which the Commission was scheduled to consider the further extension. At the same meeting, Mr. Nelson also discussed his plan for modifications to the porch. Since Mr. Nelson did not have an actual plan with details for the Commission to review for approval, with Mr. Nelson's concurrence, the Commission tabled the request until its meeting on June 26, 2018. (Exhibit H, Minutes of May 22, 2018 meeting of the Commission.) Following the May meeting, Mr. Nelson provided additional details to the Commission (Exhibit I, Request for variances and Certificate of Appropriateness, 509 N. New Street, received June 5, 2018), but he failed to appear at the June 22 meeting to discuss his proposal, after notification of the meeting via electronic mail. (Exhibit J, Electronic mail to Page Nelson dated June 22, 2018.) The Commission denied his request for the proposed

amendment to the COA concerning modifications of the porch and further extending the COA. (Exhibit K, Minutes of June 26, 2018 meeting of the Commission.)

Exhibit L is HSF's brief concerning the appeal of the Commission's denial, which contains a recommendation to Council:

HSF recommends denial of the Appeal of the decision reached by the Historic Preservation Commission. The Commission reviewed the existing conditions, then followed and stated the adopted guidelines in reaching their decision.

The work performed outside of the stated design for the approved COA (September 2016), is not in keeping with the adopted City of Staunton Historic Preservation Ordinance, the Staunton Residential Historic District Guidelines, or the Secretary of Interior Standards for Rehabilitation.

As documented, the project started with intact historic materials, details, and physical evidence allowing for rehabilitation and restoration of the railing, columns, porch floor and front trim. The subsequent treatment clearly changes the historic appearance. The vernacular characteristics of the front porch are lost.

The combination of added material at the bottom rail and on the porch posts changes the dimensions well out of scale and character from the historic appearance. Molding details are missing from the railing. Obscuring the porch floor with an enlarged porch band is again out of character from the construction of the historic porch.

HSF has provided an outline of potential design recommendations that may help to bring the porch into compliance with the guidelines. Because historic materials are now missing, and the project is beyond regular maintenance, any proposed changes will require review and approval by the Commission. (Exhibit M, HSF Review of Proposal from Applicant addressing front porch changes dated June 21, 2018.)

A timeline of actions has been attached for your reference as Exhibit N.

Administrative Record Exhibits:

- A. Appeal Letter of Page Nelson dated July 15, 2018
- B. Application for Certificate of Appropriateness dated July 3, 2016
- C. Minutes of July 26, 2016 meeting of the Commission
- D. Minutes of September 27, 2016 meeting of the Commission
- E. Resume of Frank P. Strassler
- F. Historic Staunton Foundation Recommendation dated February 14, 2017
- G. Notice of Violation dated August 23, 2017
- H. Minutes of May 22, 2018 meeting of the Commission
- I. Request for variances and Certificate of Appropriateness, 509 N. New Street, received June 5, 2018
- J. Electronic mail to Page Nelson dated June 22, 2018
- K. Minutes of June 26, 2018 meeting of the Commission
- L. Historic Staunton Foundation Brief for Appeal of the HPC Decision for 509 North New Street dated July 30 2018, for Staunton City Council

M. HSF Review of Proposal from Applicant addressing front porch changes dated June 21, 2018

N. 509 N. New Street Timeline

Issue: Whether to reverse or affirm in whole or in part the decision of the Staunton Historic Preservation Commission, denying the requested amendment concerning modifications of the porch and further extending the Certificate of Appropriateness for 509 North New Street.

After conducting the appeal, City Council may:

1. reverse the decision of the Commission and approve the amendment to the Certificate of Appropriateness as requested by the applicant, permitting the proposed modifications of the porch and further extending the Certificate of Appropriateness to permit the completion of such work;
2. affirm the decision of the Commission, denying the amendment to the Certificate of Appropriateness;
3. modify, in part, the decision of the Commission; or
4. remand the matter back to the Commission to consider any new information presented at the City Council meeting.

City Manager's Recommendation: Council wholly affirm the decision of the Staunton Historic Preservation Commission.

Suggested Motion: I move that Council wholly affirm the decision of the Staunton Historic Preservation Commission denying the requested amendment concerning modifications of the porch and further extending the Certificate of Appropriateness for 509 North New Street, for the reasons on which the Commission based its decision.

City Manager: Stephen F. Owen

July 15, 20018

Rodney S. Rhodes,
Senior Planner/Zoning Administrator
Division of Planning & Zoning
P.O. Box 58
Staunton, VA 24402

Dear Mr. Rhodes,

On June 26, 2018, the Historic Preservation Commission voted to deny my requested/suggested solution to the ongoing dispute regarding my project at my home, 509 N. New Street. Although I had submitted a detailed offer of changes to my front porch, these were not entertained due to my non-appearance and were denied.

My non-appearance was a result of my misunderstanding the schedule and, I now realize, was mainly my fault. Nonetheless, the problem is unresolved and I have only one remaining option, which is to appeal the decision to the City Council.

This is my request to invoke this option. If you would inform me of how I am to proceed I will be grateful.

For the record, my house has now passed all city inspections related to my construction permits. All work completed at my house is in accordance with Virginia's building codes. I have one outstanding permit which is for a garage structure previously approved by the HPC in 2016 and with construction permits approved a year ago. I am awaiting the availability of my carpenter to commence framing. I hope to have this final portion of the project completed and inspected by the end of August.

Thank you for your patience.

A handwritten signature in black ink, appearing to be 'Page Nelson', with a stylized flourish extending to the right.

Page Nelson
509 N. New Street
f.page.nelson@gmail.com
(510) 387-4562





IMPORTANT NOTE: The complete application must be filed with the City of Staunton's Office of Planning & Inspections no later than the first Tuesday of the month to be heard at that month's Historic Preservation Commission Meeting. Applications received after the first Tuesday of the month will be heard at the next month's meeting.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
City of Staunton, Virginia

Historic Preservation Commission
 116 W. Beverley Street
 Staunton, VA 24401
 Phone: (540) 332-3862 Fax: (540) 332-3807

Location of property	509 N. New St.	Historic District	14 STU
Business Name		Tax Map No:	8295
Application Fee \$50 Paid	☒ YES ☐ NO		

Applicant/Property/ Owner Name (PRINT)	Francis Page Nelson, Jr.	Representative Agent(s) Name	William Wright
Signature		Firm	
Mailing Address	427 Wayne Ave #5	Mailing address	8 Woodlee Rd.
City/State/Zip	Oakland, CA 94606	City/State/Zip	Staunton, VA 24401
Phone/Fax Number	(510) 268-9567	Phone/Fax Number	(540) 480-0226
Email	f.page.nelson@gmail.com	Email	wbwright@mac.com

(Check the appropriate boxes—CHECK ALL THAT APPLY)

☒	Exterior Change	☐	Addition	☐	Relocation
☒	Wall/Fence	☒	Deck/Porch Stairs	☒	Demolition
☒	Driveway/Parking Area	☐	New Structure/Building	☒	Grounds/Landscaping
☐	Signage	☐	Dumpster Screen	☐	Other
☒	Other Siding	☐	Other	☐	Other

The above named person(s)/firm has permission to represent me regarding this request for architectural review. I understand that I or my representative agent(s) must be present at the Historic Preservation Commission Meeting on the date listed above to present my proposal and that failure to attend may result in the denial of my proposal by the Commission due to insufficient information. No material change in the appearance of my property, that is viewable from any public street, shall be performed before receiving a Certificate of Appropriateness. I further understand that approval by the Historic Preservation Commission for any modifications to homes, buildings, landscaping, or grounds including fences, driveways, and parking areas shall expire 12 months from the date of approval.

F. Page Nelson, Jr.
 SIGNATURE

July 3, 2016
 DATE

PLEASE READ: Applicants are encouraged to submit complete applications with sufficient information to enable a clear understanding of the proposal by the Historic Preservation Commission members and staff. Incomplete applications that do not clearly communicate the proposed improvements or changes will be denied.

FULL DESCRIPTION OF PROPOSAL:

See attached addendum

REQUIRED INFORMATION TO BE SUBMITTED WITH APPLICATION:

(Each item submitted is to be INITIALED by the applicant. If you are not submitting any of the requested information, please indicate not applicable and explain in the space provided why it is not necessary for this project)

☒ Sketch, drawing and/or elevations showing the proposed changes or improvements

attached

☒ Site plan or plat of property *attached*

☒ Photographs showing property, work in question, and the area of the proposed project *attached*

☐ Other (please list)

☒ A list of materials that identifies the type and quality of materials to be used in the Proposed project *in attached description*

☒ Twelve sets of all information and materials for use by the Historic Preservation Commission members and staff in the review of this request (REQUIRED)
*****COA for signs only requires two sets of information. *****

(Applicants may refer to typical submissions kept at the Planning and Inspections Department of the City of Staunton on the third floor of City Hall located at 116 W. Beverley Street for illustrations of how to present the required information)

Addendum to an Application for a Certificate of Appropriateness for Renovation of #509 N. New Street, Staunton, VA 24401, June 2016

I am new to Staunton, so new that I am still resident in California, and being uncertain if I will be able to make the case to the Board for my property in person, I am undertaking to provide you with a brief description of my intentions regarding this property, afterwards known as "509." I am Francis Page Nelson, Jr. originally of Charlottesville, and I purchased the house referenced above for cash in January 2016 with the intention to rehab it and live in it permanently as soon as possible. I have been retired as a teacher since June 2014. I am requesting permission to make three changes to the visible portion of the property: the chimney, the front steps, and the retaining wall.

Time constraints (being away from home) and a need to see how bad the underlying condition of the house in fact was, led me to do a near-complete interior demolition in the week immediately after closing and before returning to CA. A late-added cinderblock and caved-in kitchen addition on the rear SE corner as well as a jerry built "bay window" on the rear north wall were in falling-down condition and had no potential utility in the renovated house. Both were irreparable, undesirable and were cleared away. The entire rear half of the house (which was built in three stages historically?) was found to have been built directly on the soil with predictable rot and damage.



Will Wright, the general contractor, has secured the necessary architectural drawings by Pat Katz and city permits to pour footings for the rear half of the house preparatory to pouring the insulated slab. Repair of the brick foundation in front is planned at the same time: immediately. In January when the interior was demolished the aluminum siding was also removed (without permission) to reveal the fairly stable condition of the original siding which we intend to restore. The original siding on the first storey (rear) has been, as of June 15, temporarily removed.

I realize (since meeting with Frank Strassler of HSF in January) that I erred in not observing the process laid out on the HSF website, and I do apologize. It was certainly not my intention to be disrespectful but rather to seek the original condition of the house. Although a member of HSF since last year, I was not familiar with any aspect of the process. The house was just a few years from tear-down condition and was/is an eyesore. It is fragile and is going to be an almost total rebuild. The restored house will hopefully look much better than the structure has for a century or more if ever.

Originally there were three bedrooms on the second floor in a layout that reflected the added-on nature of the structure (one had to pass through the smallest BR to enter the largest.) These will be re-arranged around a full bath (tub) where the center bedroom was (the original upstairs bath and a storage room will compose the third bedroom.) An additional full bathroom (shower) will be added on the ground floor.

In order to stabilize and rehabilitate the brick foundation, all the flooring inside the first floor has been taken up to permit access. The space under the floor there is perhaps 20 inches—thus there has never been any crawl space under the house as city records claim. As much as proves possible, the original pine plank flooring will be reused as “new” flooring. An insulated concrete slab will be inserted under the rear half of the structure adapted to a Radon mitigation system utilizing the chimney in the front half of the house. Radon abatement preparation will be handled by Radon Solutions of McGaheysville.

By April I had arranged a construction loan through City National Bank (Michelle Bartley) and had made arrangement with Blue Ridge Chimney for restoration of the chimney. This work cannot commence until we receive permission to restore the exposed top (Figure 2) with interior and exterior parging and installation of capping hardware.

Repair and Stabilization of the Existing Chimney

The chimney, constructed entirely inside the structure and protruding 3 feet from the roof, will be completely restored with a functioning fireplace and separate wood stove on the first floor. The brick inside is of low quality (and appears to be much older than that on the roof) and will be covered after stabilization. The exposed brickwork at the roof level needs some repair. We request permission to parge the existing brick with the final chimney element painted in the trim color (or the green currently present.)



Figure 2.

Front Steps Relocation

The distinctive front porch with detailed railing has been partially broken for years, but sufficient balusters have been retained to permit its faithful repair. The main problem of the front porch and of general access to the house, which had only one door, is the extremely dysfunctional front stairs built of ancient concrete and mislaid (settled) to the point that access to the porch and front door is difficult for anyone of any mobility (see figure 3.)

It is our wish to demolish this unsightly and dangerous concrete stair which can't be to code and shift the replacement stairs (in wood) with an increased tread depth and a gentler rise to the south end of the porch descending into the side yard before turning right to access the sidewalk through two or three new stairs (replacing the existing short concrete ones) reaching the edge of the property. Sturdy railings would also be added to the stairs reaching the porch.

Lest this proposal sound like a deviation from existing, historical configuration, there is the short set of stairs in the section of concrete retaining wall adjacent to the sidewalk at the property line (pink ribbon.) These stairs will be replaced with broader, deeper steps. The set of three stairs (wood) reaching the front porch (Figure 4) will continue from there conforming to the porch step proportions. The construction material of these sidewalk level stairs depends on the repair of the sidewalk retaining wall to be decided. The appearance should be felicitous and in keeping with the neighborhood (Fig. 5, 6, 7 & 8.)



Figure 3.

The condition of the retaining wall bordering the sidewalk is a serious issue. The current wall is of treated wood and is both unsightly and badly deteriorated. It's clearly not original. An appropriate and affordable replacement is a necessity. Access to the re-positioned porch steps from the sidewalk can be easily achieved when this replacement occurs. What building materials would be acceptable for this 42 foot long retaining wall?

There is no indication of what if any wall was in place with the original house (1877?). The only retaining structures along the sidewalk on this block (aside from the rotten treated wood at 509 & 511) are all traditional concrete block. As to the need to move the front stairs to the right side of the porch and removing the existing concrete stairs, (both sets), there doesn't seem to be any possible alternative. There are numerous precedents in the Stuart Addition of such side located steps both near the sidewalk and set back. Below is an artist's conception of what the new steps arrangement of #509 would look like. The next image is of the house next-door, #501.

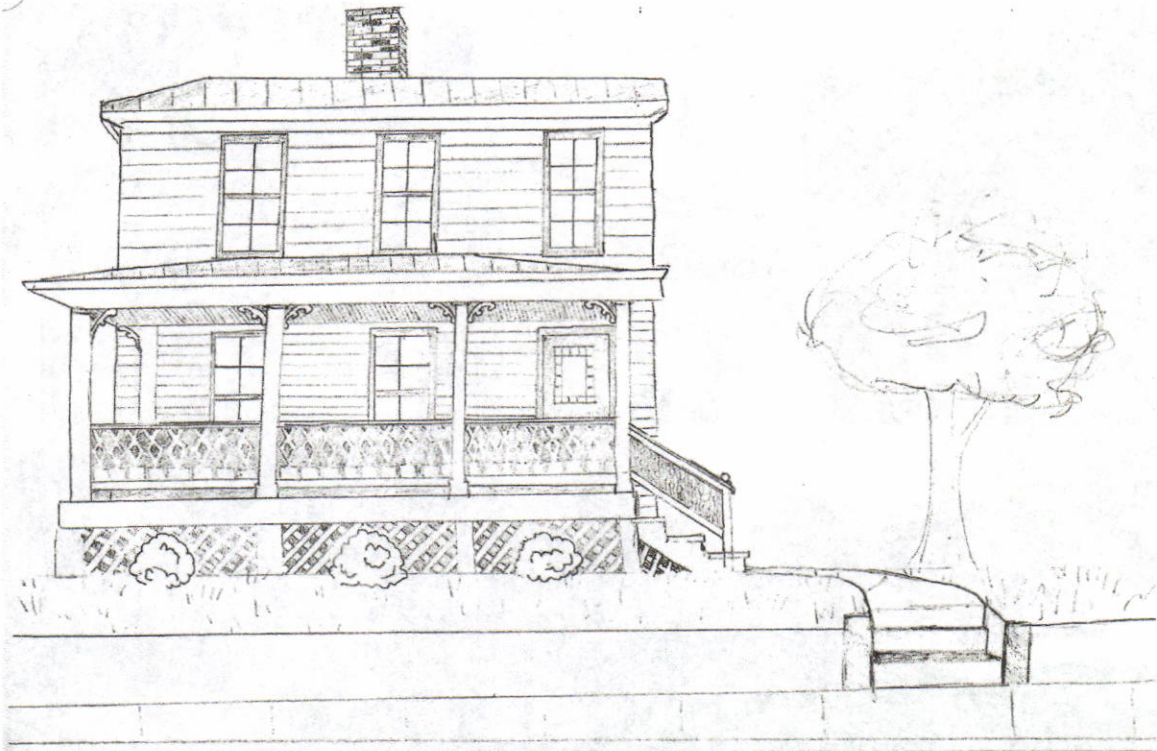


Figure 4



Figure 5





Figures 6, 7 & 8

(All photos by Brent Nelson, May 2016)

All of the houses with side-facing stairs pictured above are within the two block section visible in the last photo (immediately above.)

The space from which the existing concrete stairs at 509 are removed will be filled. The two box bushes will either be removed or cut back severely as part of the new landscaping once the issue of the retaining wall is decided and constructed.

The Sidewalk Retaining Wall

Although I am new to this process, I wonder if it wouldn't be possible for the committee to take a look at the entire block of N. New Street. None of the properties in the 500 Block is of other than traditional concrete block or timber. All are deteriorated. It is my hope that the example of the new wall at 509 might inspire some renovation of other walls.

The photo below shows the condition and height of the existing wooden wall in front of #509. The lot is 42 feet wide fronting the sidewalk. The existing retaining wall is roughly 28 inches tall. Would a poured reinforced concrete wall with a set of steps be acceptable? It's my intention to do extensive decorative planting in the existing front yard.



Figure 9.

Above is a view of the house at the time of original purchase, January 2016. The existing timber wall follows the grade of the sidewalk, and I would like the grade of my wall to be level. The height of the wall is less than 20" at the right and perhaps 40" at the left end.

The building materials available might include 1) poured concrete (like the partial existing wall) or 2) concrete block of the newer, far more attractive styles or 3) stone. Brick and timber are not candidates, in my view. It might equally be possible to remove the wall altogether and grade the embankment to the edge of the sidewalk? If permitted by code, this solution doesn't interest me as I believe the eventual planting between the wall and the front porch will be appealing and contribute to the house's visual impact. But I need a solution that is not cost prohibitive. I like the stone wall in front of The Points House (Figure 7), but I doubt I could afford one like it. I will inquire, however.

What I ask is, in addition to parging the chimney top, permission to remove the existing wall and non-code stairs, replace with the stairs described above from the east end of the porch, while replacing the existing timber wall with an historically appropriate wall of a permanent and affordable material.

Thank you for your consideration.

Page Nelson
427 Wayne Ave. Apt. 5
Oakland, CA 94606
(510) 268-9567
f.page.nelson@gmail.com

THE BOUNDARY SURVEY SHOWN HEREON IS BASED ON A CURRENT FIELD SURVEY.

THIS SURVEY WAS PERFORMED WITHOUT A TITLE REPORT AND MAY NOT INDICATE ALL ENCUMBRANCES UPON THE PROPERTY.

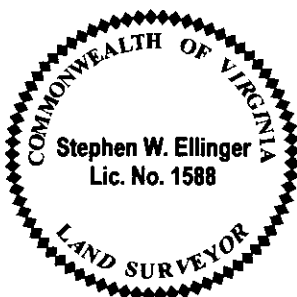
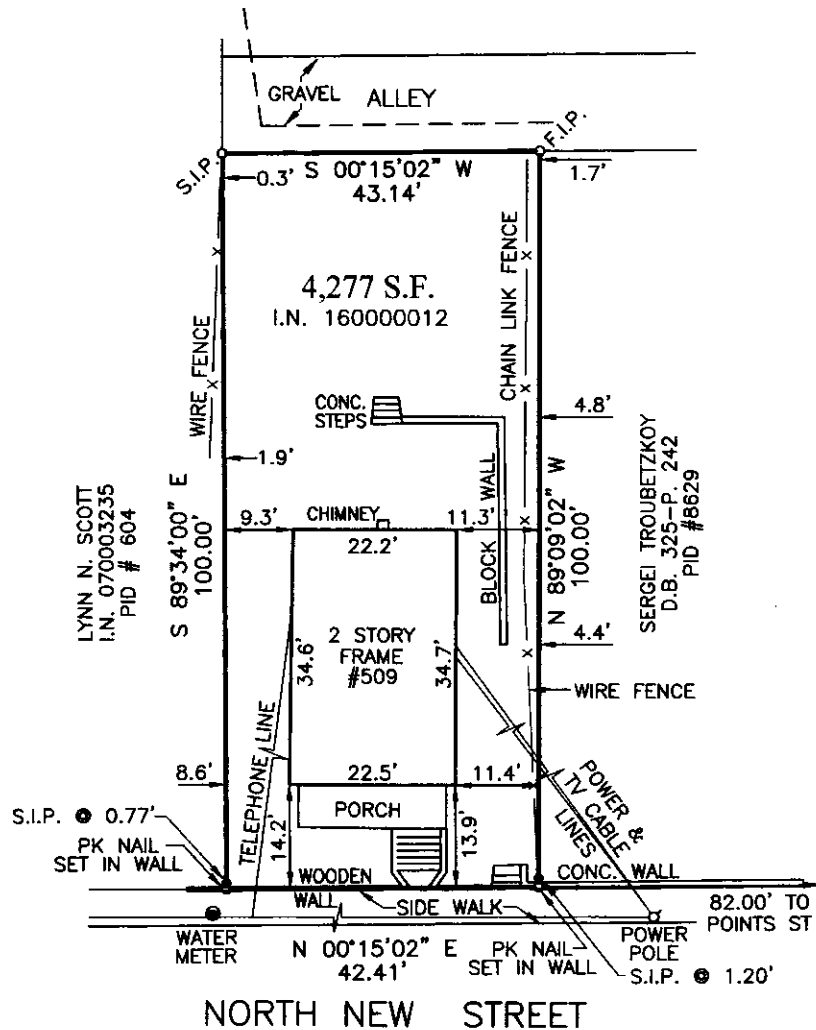
MERIDIAN FROM
D.B. 325-P. 244

RECORDED EASEMENTS ARE NOT SHOWN.

NO GRAVES OR PLACES OF BURIAL WERE NOTED DURING THIS SURVEY.

S.I.P. = SET IRON PIN

F.I.P. = FOUND IRON PIN



PLAT OF THE
PAGE NELSON PROPERTY

STAUNTON, VA

SCALE 1" = 20' JANUARY 13, 2016

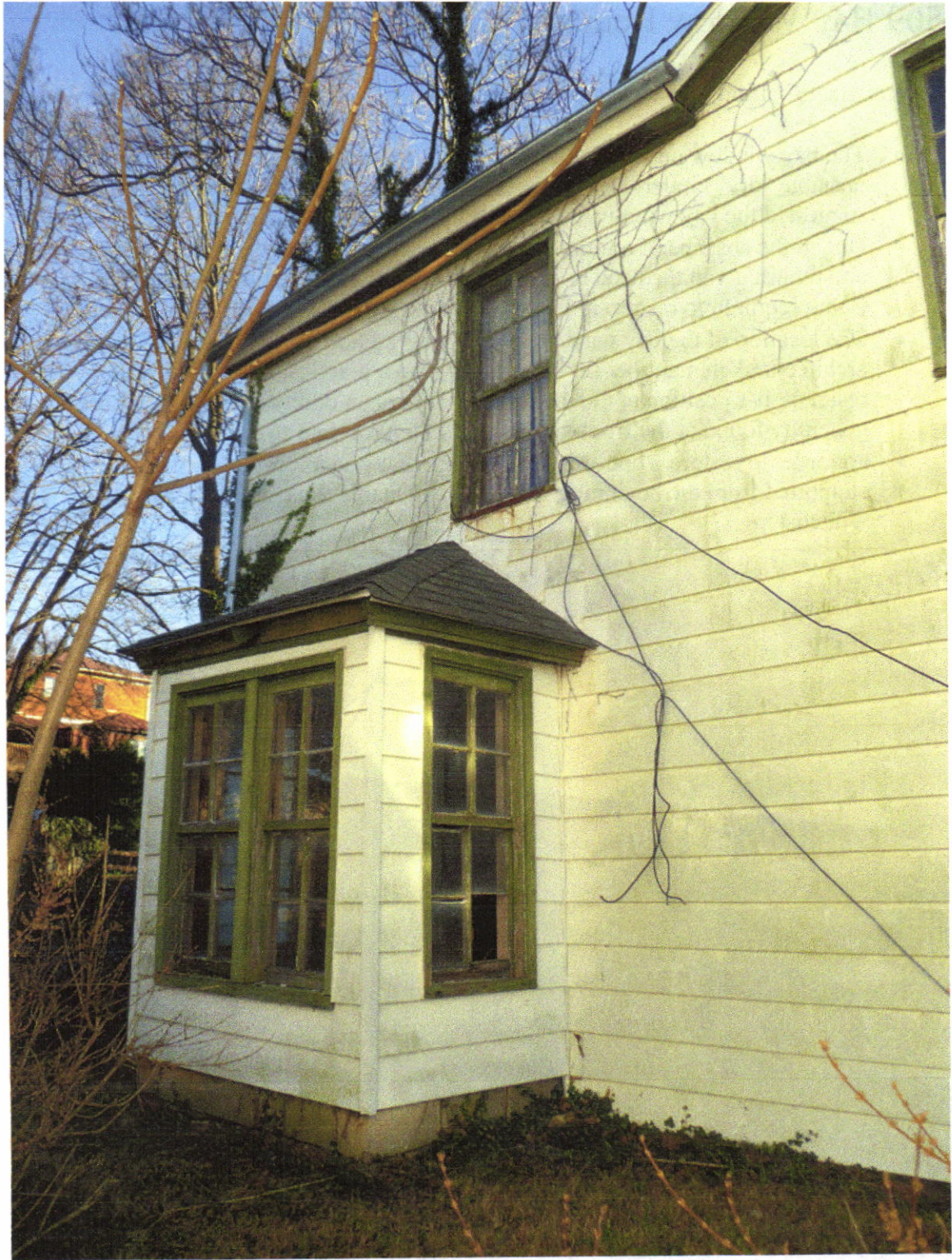
EGS & ASSOCIATES, INC.
15 TERRY ST., STAUNTON, VA

509 Bay Window Removal

Several “facts” offer themselves for consideration.

- The bay window on the rear north wall was not original to the building. It had a unstable “dry” cinderblock foundation (photo below) and a broken slate floor that suggested the bay window had been added as a grow station.
- Due to the absence of a foundation the structure would have had to be removed and rebuilt given the need to deal with a lack of a foundation under the main wall. Being required to restore it would constitute a huge expense for the owner.
- The location of the bay window indicates its ad hoc nature. It is not an architectural element per se, but a solution to a practical need of an earlier resident. It’s position at the rear of the house is an oddity (bay windows are generally found at the front, public area of appropriate structures.
- An order to restore a non-original element that was improperly constructed and supported from the beginning will be an untenable imposition for the owner. It will cost







Removal of Kitchen Lean-to and Rear Chimney



The kitchen lean-to, constructed of concrete block and added onto the third addition, was not original to the house. As the fourth and most recent addition, it probably dated to the middle 20th century when natural gas became the fuel of choice at 509 N. New St.

The brick chimney abutting the kitchen lean-to was installed to facilitate use of the kitchen range and gas heaters. It was unstable and though the contractor did not specifically recommend its removal, the owner was concerned about its obvious instability and lack of any further utility. The pouring of footers and construction of a concrete slab foundation under the rear of the house would have been dangerous, and difficult to impossible with the chimney in place, and its presence interfered with adaptation of the rear of the house.

The owner ordered the chimney pulled down on January 12, 2016 as part of the demolition. Examination of the brick determined that while the brick was in like-new condition, the mortar was little better than dried sand (see above photo.) The bricks could be cleaned without special tools or effort. Clearly the chimney structure had been even more dangerous than believed.

Construction of a Privacy Fence.

Owner seeks permission to construct a stepped board, double-sided privacy fence between #509 and #511 N. New Street. This may involve removal of one of more shrubs currently growing on or closely proximate to the property line. Owner of 509 paid for a survey of the property in January (see attached EGS plat) and so all boundaries are clearly marked.

The privacy fence will also extend along the east side of the property (the alley.) Owner would like to lay a gravel parking “pad” for one vehicle in the southeast corner of the property at the alley along the line with #501. There are two very large trees in this portion of the lot. The larger of the two is an ailanthus grown to climax size and offering a significant threat to the house undergoing renovation. Ailanthus (Tree of Heaven) is a Chinese import first introduced at Philadelphia in the 1790s. It also has a questionable reputation for structural stability and is otherwise unpleasant—a trash tree by most approximations. Owner expects to have this tree professionally removed within the first several years of his residence.

There are other trees along the property line with Mr. Trubetzkoy’s heavily over-grown garden at #501 which need removal or trimming. Owner is a friend of Mr. Troubetzkoy (who currently lives in Lynchburg) and expects to be able to come to agreement with him about this and other issues.

Owner is in contact with all three of his immediate neighbors.

There is a heavy chain link section of fence badly misplaced near the south side of the property (marked on the plat) which will be pulled out this year. Owner wants to install a (temporary) dark green (invisible) PVC-coated welded wire 5 foot fence along the entire south property line. In future, this may be replaced by an extension of the board privacy fence as finances permit.

Owner intends to utilize the restricted garden space (lot is 1/10 acre) to the maximum as a garden. To this end, a small garden shed (6 by 10?) will eventually be needed.

STAUNTON HISTORIC PRESERVATION COMMISSION**July 26, 2016****5:30 p.m.****Council Chambers**

PRESENT: **David Brown, Chair**
 Deneen Brannock, Vice Chair
 Michael Brown
 Nancy Gregory

ABSENT: **Abby Wightman**
 Sharon Angle, Director of Planning

ALSO PRESENT: **Frank Strassler, Historic Staunton Foundation**
 Timothy Hartless, City Planner
 Linda Nesselrodt, Zoning Technician
 Terry Holmes, Council Liaison
 Linda Little, Clerk of Council

The Chair opened the meeting at 5:30 p.m. and a moment of silence was observed.

APPROVAL OF MINUTES

Ms. Gregory moved to approve the minutes of the July 12, 2016, Special Called Meeting. The motion was seconded and carried 3 to 0, with Ms. Deneen Brannock abstaining due to her absence.

NEW BUSINESS

a. **CERTIFICATE OF APPROPRIATENESS**

Francis Page Nelson, Jr./Will Wright

509 North New Street

Remove Siding, Demolish Side Bay, Demolish Front Steps, Reorient Front Steps, Changing Railing, Parget Chimney, Retaining Wall, Fence

Mr. Will Wright explained that the applicant proposes to demolish the front concrete steps and reorient the access to the porch to the south end, alter the railing accordingly and install new wood steps with railing, construct a new retaining wall, and parget the brick chimney.

He noted that they originally requested to parget the chimney but have since changed their stance and would like to just refill the mortar joints. He further stated that the bay window was completely rotten and falling off and they are asking that they be able to replace the bay with a regular window. The chimney on the back of the house was falling and they needed to demolish it. They are requesting that it not be rebuilt.

Mr. Wright stated that there were many questions regarding the front steps and front porch. He indicated that the Commission may not have enough information to make a decision tonight. He

explained that the owner would like to get rid of the front steps and have the steps coming off the south side of the porch.

HSF Recommendation: HSF recommends the Certificate of Appropriateness be approved with design changes.

Frank Strassler stated he has communicated with the owner and is working through the details with him. He noted that the front steps have settled and they are not original to the house but expects that they are historic. There are no historic photographs to document what it looked like. He stated that when you look at the elements of the porch, architecturally he didn't think there would be a serious impact if a railing was put in the opening and a new set of steps moved to the end of the porch. He noted that there were still questions about what the walk would be made of. He also noted that he made some suggestions regarding the retaining wall but has not received any further details.

Mr. Strassler noted that the bay window does not show up on the Sanborn Fire Insurance maps. He noted that he has not considered the rear chimney because it cannot be seen from the street.

Mr. Michael Brown asked about the alley to the rear of the property and the parking pad. It was determined that it was not viewable from the street.

Mr. Strassler stated that the owner had sent him an email stated that he was not ready to do the fence at this time.

Ms. Brannock asked about the design and style of the window to replace the bay.

Mr. Wright indicated that it would match the existing windows.

Discussion ensued regarding what was being reviewed. It was determined that the removal of the bay and replacement with a window, the repointing of the existing chimney, the demolishing of the rear chimney, the restoring of the siding and the demolishing of the front steps was being considered at this time. The retaining wall and the fences were not being considered at this time.

Mr. Wright indicated that he would sign a waiver to table consideration of the retaining wall and fences.

Mr. Michael Brown moved that the Certificate of Appropriateness be approved for:

- The brick chimney will be pointed with an appropriate soft mortar and vented chimney cap installed to shed water.
- The aluminum siding has already been removed. The existing siding will be restored and repainted.
- Demolition of the existing concrete porch steps.
- Demolition of the rear chimney, which has already been completed.
- Demolition of the bay previously located on the north side of the rear house addition to be replaced with a new window to match in detail the existing one above it.
- The porch will be repaired and missing elements will be replaced with matching architecturally compatible components.

Ms. Brannock amended the motion to approve the removal of the bay window based on the fact that there is no historical evidence per Historic Staunton Foundation's research that the bay is historic.

Mr. Michael Brown agreed to the addition to his motion.

The motion was seconded and carried unanimously.

Ms. Brannock moved that review of the design for the new steps and railing on the south end of the porch, the new walkway to those steps, the retaining wall, and the fencings be tabled.

The motion was seconded and carried unanimously.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The Chairman adjourned the meeting at 5:51 p.m.

Linda L. Little, Clerk



Planning & Inspections
Department

City of Staunton
VIRGINIA

P.O. Box 58
Staunton, VA 24402-0058

TO: Historic Preservation Commission

FROM: Applicant

DATE: 7/26/16

SUBJECT: Agreement to Table Agenda Item

I Will Wright agree that action regarding my application for a

Certificate of Appropriateness dated July 3, 2014 regarding

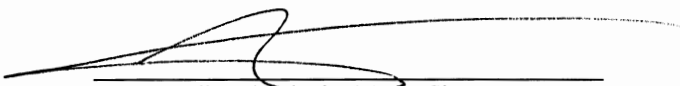
509 N. New St. be tabled until the next Historic Preservation

Commission meeting. I understand that by signing this agreement I am waiving my rights as set

Forth in the below listed code section:

City of Staunton Code
Section 18.85.050 (7-g)

Approval or Rejection of Application for Certificate of Appropriateness. The commission shall approve or reject an application for a certificate of appropriateness at the meeting when the item is heard as prescribed in subsection (3) of this section. Failure of the commission to act shall constitute approval, and the certificate of appropriateness shall be issued, unless the applicant agrees to an extension of time in writing. Evidence of approval shall be by a certificate of appropriateness issued by the commission. Notice of the issuance of approval or denial of a certificate of appropriateness shall be sent by the United States mail to the applicant and all other persons who have requested such notice in writing filed with the commission within 15 calendar days of the date of the decision


Applicant/Authorized Agent Signature


Witness Signature

WBWright@mac.com

STAUNTON HISTORIC PRESERVATION COMMISSION**September 27, 2016****5:30 p.m.****Council Chambers**

PRESENT: **David Brown, Chair**
 Michael Brown (arrived 5:37 p.m.)
 Abby Wightman
 Nancy Gregory

ABSENT: **Deneen Brannock, Vice Chair**
 Sharon Angle, Director of Planning

ALSO PRESENT: **Frank Strassler, Historic Staunton Foundation**
 Timothy Hartless, City Planner
 Linda Nesselrodt, Zoning Technician
 Terry Holmes, Council Liaison
 Linda Little, Clerk of Council

The Chair opened the meeting at 5:30 p.m. and a moment of silence was observed. The Chair then read the preamble of the Historic Preservation Commission.

APPROVAL OF MINUTES

Dr. Wightman moved to approve the minutes of the August 23, 2016 meeting. The motion was seconded and carried 2 to 0, with Ms. Gregory abstaining due to her absence at that meeting.

NEW BUSINESS

- a. CERTIFICATE OF APPROPRIATENESS**
 Katherine Kreuter
 316 E. Beverley Street
 Construct New Fence

The applicant has requested that this matter be tabled until the November meeting. (See Attch 1, Agreement to Table Agenda Item)

Ms. Gregory moved to table this matter until the November meeting. The motion was seconded and carried unanimously.

- b. CERTIFICATE OF APPROPRIATENESS**
 Crystal Inscoe
 513 Locust Street
 Replace Porch Posts, Rebuild Balustrade, Widen Front Entry Door

Ms. Inscoe introduced her husband Donald. Mr. Inscoe stated that they plan to replace the front columns and reuse the existing trim work, reinstall the balustrade, and replace the front door with an accessible 36" wide door matching the configuration and materials of the original door.

Mr. Michael Brown asked if they were planning to use the original posts.

Mr. Inscoe noted that they were not planning to reuse the original posts. He stated that they were box posts with some deterioration and they chose to use solid posts to add some extra support to the porch roof. He indicated that they were going to use the trim off the old posts.

HSF Recommendation: HSF recommends the Certificate of Appropriateness be approved with design clarifications.

- Capitols for the columns will be constructed matching those in the Architectural Inventory photos to trim the columns.
- Ensure the new wood columns dimensions match the dimensions of the historic wood box columns.
- Brick columns bases will be constructed with brick matching as close as possible the color, texture and dimensions of the existing foundation brick.
- Wood lattice will be installed between the brick bases as indicated in the inventory photo
- The columns and balustrade will be painted
- A new accessible 36" wood door matching the details of the original door will be installed.

Mr. Michael Brown moved that the Certificate of Appropriateness be approved based on the following:

- Capitols for the columns will be constructed matching those or actually using the ones from the original columns.
- Brick columns bases will be constructed with brick matching as close as possible the color, texture and dimensions of the existing foundation brick.
- Wood lattice will be installed between the brick bases as indicated in the inventory photo.
- Balustrade restored utilizing the original spindles or replacements that will match.
- The columns and balustrade will be painted
- A new accessible 36" wood door matching the details of the original door will be installed.

The motion was seconded and carried unanimously.

c. CERTIFICATE OF APPROPRIATENESS

Steve King

20 N. Jefferson Street

Replace Embossed Metal Shingle Roof with Standing Seam Metal Roof

Mr. King was present to represent this request. He indicated that he proposes to replace the embossed metal shingle roof with pre-finished, standing seam metal roofing with 1½" tall seems and 16" on center. The tower roof will not be replaced.

Mr. Michael Brown noted that Historic Staunton Foundation was recommending a traditional folded seamed roof.

Mr. King stated that his intention was a snap-lock style roof. He noted that he does not have current quotes for a mechanically, or manually, seamed roof.

HSF Recommendation: HSF recommends approval of the Certificate of Appropriateness with consideration of traditional local roofing details.

Mr. Frank Strassler noted that changing from stamped metal shingles to a standing seam metal roof will change the texture, but from working with roofers in the past, the stamped metal shingles cost more than a standing seam cooper roof. He noted that in the past the Commission has consistently required hand seamed or machine folded standing seam metal roofs with a seam no higher than one inch.

Mr. King asked the Commission to tell him that he cannot use a snap-lock style roof so he can get out of his current contract with his contractor, and, therefore, get quotes for a mechanically or manually seamed roof.

Mr. Michael Brown moved to approve the Certificate of Appropriateness with the stipulation that the new roof be a traditional folded standing seam roof with a 1" seam folded by hand or machine.

The motion was seconded and carried unanimously.

OLD BUSINESS

a. CERTIFICATE OF APPROPRIATENESS

Francis Page Nelson, Jr./Will Wright

509 N. New Street

Remove Siding, Demolish Front Steps, Reorient Front Steps, Change Railing, Parget Chimney, Retaining Wall, Fence

Mr. Nelson was present to represent this request. He indicated that some of these items have already been approved. He noted that the four items that were continued on are the design for the new steps and railing on the front porch, the retaining wall and the fence.

Mr. Nelson noted that the retaining wall would be constructed from poured concrete, parget and would be the same height as what is currently there. He further noted that the fence he proposes would be made of wood, painted or stained, on two sides of the property.

Mr. Nelson further stated that he would like to add a garage and would be making a formal application at a later date.

HSF Recommendation: HSF recommends the Certificate of Appropriateness be approved with design changes.

Mr. Michael Brown moved that the demolition of the existing concrete steps be approved due to the condition and situation of those, the reorientation of the porch entry steps to the south end of the porch be approved, repairs to the porch and missing elements be replaced with matching architecturally compatible components, matching the ones in the photos, installation of new, painted or stained, wood side steps with wood railing utilizing pickets centered under the rail and joined to the top of the bottom rail, matching the ones on the porch, the retaining wall in the front with parget finish, sidewalk and new fence with the lattice inserted at the top will be stained, lattice to be installed [around the base of the porch].

The motion was seconded and carried unanimously.

OTHER BUSINESS

There was no other business.

ADJOURNMENT

The Chairman adjourned the meeting at 6:08 p.m.

Linda L. Little, CMC
Clerk of Council

FRANK P. STRASSLER

16 North Washington Staunton, Virginia 24401
 (540) 294-3760 • fstrassler@gmail.com

Career Related Experience

Jan. 1999 – Present

40+hours per week

Executive Director

Historic Staunton Foundation

- Provide technical preservation assistance for community, provide historic tax credit program guidance and project advice, guide property improvement design, engage in preservation advocacy, develop and conduct education programs, public speaking engagements, conduct historical research
- Advisor to property owners of five National Register Historic Districts and other historic properties in Staunton, Virginia and surrounding geographic area
- Administration of HSF office, property management, staff, policies, develop and oversee budget, membership, and fund raising
- Presentation and scheduling of education programs with topics including identifying historic architecture, neighborhood revitalization, sustainability and energy efficiency, and low income housing utilizing historic homes
- Member of ongoing partnership management team for the R.R. Smith Center for History and Art, project guidance for rehabilitation 1890's hotel creating the Center for History and Art, liaison with city, state, and federal officials for managing TEA-21 grant, liaison with historic tax credit attorney for syndication of credits, worked directly with architects, professional project manager, and contractors
- Oversee maintenance and repair for buildings and systems for two historic properties, HVAC monitoring, diagnosis and problem solving for gallery and archival facilities
- Advisor to City of Staunton Historic Preservation Commission, monthly application review and guidance for all certificate of appropriateness applicants, application of the Secretary of Interior Standards and Guidelines for Rehabilitation, staff contact for Certified Local Government Program, work directly with City staff, commissions, and council on community preservation planning issues
- Liaison with Staunton Downtown Development Association, a Virginia Main Street organization

2008 Virginia Preservation Conference

Recurring Issues for Homeowners When Working with Local Architectural Review Boards

Team presentation with Camille Bowman, VADHR and Eric Nelson, Planner City of Fredericksburg, VA

2008 Assisted Rob Nieweg, Director of the National Trust for Historic Preservation's Southern Field Office, with presentations addressing architectural review, design guidelines, and property maintenance for the City of Martinsville, VA

2007 Virginia Preservation Conference

Moderator of education session addressing economics and gentrification issues associated with historic preservation. Team presentation including Mary Joy Scala, Preservation and Design Planner, City of Charlottesville, VA and Donovan Rypkema, PlaceEconomics

July 2006 NAPC National Commission Forum Baltimore, Maryland
 Completed CAMP training for Preservation Commissions

Frank P. Strassler

1988-May 1995

40+hours per week

Historic Farmsite Supervisor

Museum of American Frontier Culture, Commonwealth of Virginia

- Managed and developed historical programming for a 19th century Valley of Virginia farm complex as well as a 17th and 18th century German Rhineland farm complex
- Developed and guided interpretive team to present historic information and period demonstrations for the public
- Supervised up to eight employees including assignments for daily activities, short and long term projects, and training in specific skills
- Evaluated and rated job performance of employees according to the standards of the Commonwealth of Virginia
- Developed special event programming and workshops
- Recommended and managed basic site budget

1991-1995

Coordination and hands on involvement in dismantling transporting and reconstructing 17th and 19th century buildings

- Planned and implemented budgets, work schedules, and project completion schedules
- Developed vendor supply sources for specialized restoration materials
- Presented project history and progress to board members, fund raising committees, media, and general public
- Supervised and performed reconstruction of clay tile roofing, woodwork, and masonry for timber frame reconstruction
- Coordinated and supervised the dismantling of an 18th century log house for shipment to Northern Ireland

1992

Traveled to Germany, France, and Switzerland

- Worked with restoration architect to develop research contacts for MAFC
- Organized shipping of historic buildings and collection artifacts
- Documented architectural elements for reconstruction projects

Education

1995-1998

*Graduate Work toward M.S. Architecture, Preservation and Rehabilitation Technology
Thesis work "Woodlands Farm, Northampton County, Virginia: A Historic Structure
Report Case Study of a Restoration in Progress"
Virginia Polytechnic Institute & State University, Blacksburg, Virginia*

- Course Work: Architectural History, Research and Recording Historic Buildings, Computation and Representation, Wood Performance in Construction, Project Management, Design Issues - Historic Preservation Lecture Series, Principles and Practices of Restoration and Renovation, Urban Studies - Neighborhood Revitalization

Summer 1996 *Jefferson's Poplar Forest Restoration Field School, Forest, Virginia*

- Two week intensive study of architectural investigation and restoration philosophy
- Completed an additional two week internship working with restoration carpentry crew

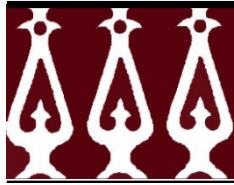
1984-1986

*B.S. in Historic Preservation, specialization in historic site administration
and museum studies, minor in art*

Southeast Missouri State University, Cape Girardeau, Missouri

1981-1983

Nebraska Wesleyan University, Lincoln, Nebraska



Historic Staunton Foundation

20 South New Street
Staunton Virginia, 24401
www.historicstaunton.org

STAUNTON HISTORIC PRESERVATION COMMISSION

February 14, 2017

HSF Recommendation

Certificate of Appropriateness

509 North New Street

Request for amending COA to

Remodel of Porch and Replacement of Windows

Stuart Addition Historic District

Existing Condition:

Constructed between 1857 and 1877, this is a 2 story 3 bay frame house with gable roof and central chimney. The main roof is covered with composite shingles. Windows are four over four light, double hung wood sash.

A single story porch extends across the façade. The porch includes a hip roof covered with standing seam metal., square columns with brackets, and balustrade with patterned sawn pickets. A set of concrete steps leads from the south side of the porch toward the sidewalk. The concrete is molded with bullnose steps and caps on sidewalls.

A concrete block foundation fills in under the porch.

The front yard is retained with 4x4 wood landscape timbers. A second set of concrete steps leading in to yard is located at the south end of the retaining wall.

The front porch has been remodeled from the appearance documented in the original COA review.

Proposed Work:

See the application for description and photos of the completed porch remodel and of the replacement windows on the side of the house. The applicant intends to replace windows on the side and rear of the house with modern insulated windows that replicate the appearance of the historic sash.

Window description from the previous COA review:

- “replacement windows will be custom manufactured from wood to the dimensions of the originals”.
- “a total of 13 wood-on-wood, four-over-four double-hung windows. These will fill the existing holes and be indistinguishable from the current windows except for their being functional.
- “windows will be insulated and thus will not require storm window protection. They will have screens.”

Discussion:

The Secretary of the Interior's Standards for Rehabilitation:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The Staunton Residential Historic District Guidelines state:

Entrances, Porches and Doors

Entrances and porches are often the primary focal points of a historic building and, because of their decoration and articulation, help define the style of the structure. Entrances are functional and ceremonial elements for all buildings. Porches have traditionally been a social gathering point as well as a transition area between the exterior and interior of the residence.

The important focal point of an entrance or porch is the door. Doors are often a character-defining feature of the architectural style of a building. Residences may have any of a variety of door types reflecting the variety of styles of residential buildings.

1. Inspect masonry, wood, and metal of porches and entrances for signs of rust, peeling paint, wood deterioration, open joints around frames, deteriorating putty, inadequate caulking, and improper drainage. Correct any of these conditions.
2. Repair damaged elements, matching the detail of the existing original fabric. Reuse hardware and locks that are original or important to the historical evolution of the building.
3. Replace an entire porch only if it is too deteriorated to repair or is completely missing. The new porch should match the original as closely as possible.
4. Do not strip entrances and porches of historic material and details. Give more importance to front or side porches than to utilitarian back porches.
5. Avoid substituting the original doors with stock doors that do not fit the openings properly.
6. Do not remove or radically change entrances and porches important in defining the building's overall historic character. Avoid adding "Colonial" decorative elements, such as broken pediments, columns, and pilasters; installing decorative iron supports; or adding a new entrance to the primary elevation.
7. Do not enclose porches on primary elevations and avoid enclosing porches on secondary elevations in a manner that radically changes the historic appearance.
8. Paint aluminum storm doors to match other doors or trim.
9. On residential buildings, provide any needed barrier-free access through removable or portable ramps when possible, rather than permanent ramps that may alter features of the historic building.

Secretary of Interior Guidelines for Rehabilitation:

http://www.nps.gov/history/hps/tps/standguide/rehab/rehab_entrances.htm

Entrances and porches

Identify, Retain and Preserve

Recommended

Identifying, retaining, and preserving entrances and porches--and their functional and decorative features--that are important in defining the overall historic character of the building such as doors, fanlights, sidelights, pilaster, entablatures, columns, balustrades, and stairs.

Not Recommended

Removing or radically changing entrances and porches which are important in defining the overall historic character of the building so that, as a result, the character is diminished.

Stripping entrances and porches of historic material such as wood, cast iron, terra cotta tile, and brick.

Removing an entrance or porch because the building has been re-oriented to accommodate a new use.

Cutting new entrances on a primary elevation. Altering utilitarian or service entrances so they appear to be formal entrances by adding panelled doors, fanlights, and sidelights.

Altering utilitarian or service entrances so they appear to be formal entrances by adding panelled doors, fanlights, and sidelights.

City of Staunton Residential Historic District Guidelines State:

<http://www.staunton.va.us/directory/departments-h-z/planning-inspections/images%20and%20files/1996-residential-historic-district-design-guidelines>

Windows:

Windows add light to the interior of a building, provide ventilation, and allow a visual link to the outside. They also play a major part in defining a building's particular style. Because of the wide variety of architectural styles and periods of construction within the districts, there is a corresponding variation of styles, types, and sizes of windows.

Windows are one of the major character-defining features on residential buildings and can be varied by different designs of sill, panes, sashes, lintels, decorative caps, and shutters. They may be placed at regular intervals or in asymmetrical patterns. Their size may highlight various bay divisions in the building. All of the windows may be the same in one house or there may be a variety of types which give emphasis to certain parts of the building.

See Staunton Residential Historic District Design Guidelines

1. Retain original windows if possible. Insure that all hardware is in good operating condition, that caulk and glazing putty are intact, and that water drains off the sills.
2. Repair original windows by patching, splicing, consolidating, or otherwise reinforcing the material. Wood that appears to be in bad condition because of peeling paint or separated joints often can be repaired.
3. Uncover and repair covered-up windows where they have been blocked in. If the window is no longer needed, the glass should be retained and the back side frosted, screened, or shuttered so that it appears from the outside to be in use.
4. Replace windows only when they are missing or beyond repair. Reconstruction should be based on physical evidence or old photographs. **Do not use inappropriate materials or finishes that radically change the sash, depth of reveal, muntin configuration, the reflective quality or color of the glazing, or the appearance of the frame. Use true divided lights to replace similar examples and do not use false muntins in the replacement.**
5. Do not change the number, location, size, or glazing pattern of windows by cutting new openings, blocking in windows, or installing replacement sashes that do not fit the window openings.
6. **Improve thermal efficiency with weather stripping, storm windows, caulking, interior shades, and if appropriate, blinds and awnings.**
 - A. **Install interior storm sashes with airtight gaskets, ventilating holes, and removable clips to allow proper maintenance and to avoid condensation.**
 - B. **Install exterior storm windows that do not damage or obscure the windows. Storm window divisions should match those of the original window. Aluminum storm sash should be painted or have a baked-on finish. Avoid replacing multi-paned sash with new thermal sash using false muntins.**
7. Use shutters only on windows that show evidence of their use in the past. They should be wood (rather than metal or vinyl) and should be mounted on hinges. Shutters should be sized to cover the window opening when closed. Avoid shutters on composite or bay windows

The Secretary of the Interior's Guidelines for Rehabilitation:

http://www.nps.gov/tps/standards/four-treatments/standguide/rehab/rehab_windows.htm

Windows

Identify, Retain and Preserve

RECOMMENDED

Identifying, retaining, and preserving windows--and their functional and decorative features--that are important in defining the overall historic character of the building. Such features can include frames, sash, muntins, glazing, sills, heads, hoodmolds, panelled or decorated jambs and moldings, and interior and exterior shutters and blinds.

Conducting an indepth survey of the condition of existing windows early in rehabilitation planning so that repair and upgrading methods and possible replacement options can be fully explored.

NOT RECOMMENDED

Removing or radically changing windows which are important in defining the historic character of the building so that, as a result, the character is diminished.

Changing the number, location, size or glazing pattern of windows, through cutting new openings, blocking-in windows, and installing replacement sash that do not fit the historic window opening.

Changing the historic appearance of windows through the use of inappropriate designs, materials, finishes, or colors which noticeably change the sash, depth of reveal, and muntin configuration; the reflectivity and color of the glazing; or the appearance of the frame.

Obscuring historic window trim with metal or other material.

Stripping windows of historic material such as wood, cast iron, and bronze.

Replacing windows solely because of peeling paint, broken glass, stuck sash, and high air infiltration. These conditions, in themselves, are no indication that windows are beyond repair.

Repair

RECOMMENDED

Repairing window frames and sash by patching, splicing, consolidating or otherwise reinforcing. Such repair may also include replacement in kind--or with compatible substitute material--of those parts that are either extensively deteriorated or are missing when there are surviving prototypes such as architraves, hoodmolds, sash, sills, and interior or exterior shutters and blinds.

NOT RECOMMENDED

Replacing an entire window when repair of materials and limited replacement of deteriorated or missing parts are appropriate.

Failing to reuse serviceable window hardware such as brass sash lifts and sash locks.

Using substitute material for the replacement part that does not convey the visual appearance of the surviving parts of the window or that is physically or chemically incompatible.

Replace

RECOMMENDED

Replacing in kind an entire window that is too deteriorated to repair using the same sash and pane configuration and other design details. If using the same kind of material is not technically or economically feasible when replacing windows deteriorated beyond repair, then a compatible substitute material may be considered.

NOT RECOMMENDED

Removing a character-defining window that is unrepairable and blocking it in; or replacing it with a new window that does not convey the same visual appearance.

Recommendation:

Windows:

Based upon clarified documentation and actual examples provided, HSF recommends the Certificate of Appropriateness for the replacement windows on the side and rear of the house be approved. The proposed windows are made of wood with a painted finish, double hung sash with true divided lights.

The historic windows from the viewable side of the house are missing.

The guidelines adopted by the City of Staunton state:

4. Replace windows only when they are missing or beyond repair. Reconstruction should be based on physical evidence or old photographs. Do not use inappropriate materials or finishes that radically change the sash, depth of reveal, muntin configuration, the reflective quality or color of the glazing, or the appearance of the frame. Use true divided lights to replace similar examples and do not use false muntins in the replacement.

Porch:

HSF must recommend that the COA for remodel of the front porch be denied. As documented in the previous reviews, the project started with historic materials, details, and physical evidence allowing for rehabilitation and restoration of the railing, columns, porch floor and front trim. The subsequent treatment clearly changes the historic appearance. The vernacular characteristics of the front porch are lost.

The combination of added material at the bottom rail and on the porch posts changes the dimensions well out of scale and character from the historic appearance. Obscuring the porch floor with an enlarged porch band is again out of character from the construction of the historic porch.

The guidelines adopted by the City of Staunton state:

1. Inspect masonry, wood, and metal of porches and entrances for signs of rust, peeling paint, wood deterioration, open joints around frames, deteriorating putty, inadequate caulking, and improper drainage. Correct any of these conditions.

2. Repair damaged elements, matching the detail of the existing original fabric. Reuse hardware and locks that are original or important to the historical evolution of the building.

4. Do not strip entrances and porches of historic material and details. Give more importance to front or side porches than to utilitarian back porches.

6. Do not remove or radically change entrances and porches important in defining the building's overall historic character. Avoid adding "Colonial" decorative elements, such as broken pediments, columns, and pilasters; installing decorative iron supports; or adding a new entrance to the primary elevation.

The Secretary of Interior Standards #1 to #6 note:

The Secretary of the Interior's Standards for Rehabilitation:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.

Sample Motion:

I move the Certificate of Appropriateness be approved for replacement of the missing windows on the side and rear of the house. The new windows as proposed meet the local guidelines by using the same material, function, dimensions, and finish. Since the historic windows are missing, they cannot be repaired.

I move that an amendment of the COA for remodeling the porch as proposed and completed be denied due to the work not meeting the City of Staunton guidelines or the Secretary of Interior Standards as referenced in the local zoning code.

The work completed does not meet these specific local guidelines:

- Repair damaged elements, matching the detail of the existing original fabric.
- Do not strip entrances and porches of historic material and details.
- Do not remove or radically change entrances and porches important in defining the building's overall historic character.

Overall the work completed does not meet the Secretary of Interior Standard:

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.



HSF File Photo 2016

LOCATION/OWNERSHIP		LEGAL DESCRIPTION	
Name of Structure _____		Account No. <u>125460-00</u>	
Street Address <u>509 North New Street</u>		Assessor's Map No. <u>342</u>	
Present Owner(s) <u>Page Nelson</u>		Block & Lot <u>S-2</u>	
Mailing Address <u>427 Wayne Ave Apt 5</u> <u>Oakland, CA 94606</u>		Present Zoning <u>B-2</u>	
Present Use <u>Residence</u>		Accessible to Public <u>No</u>	
		Additional Surveys _____	

ORIGINAL USE	PHYSICAL DESCRIPTION
Original Use <u>Residence</u>	No. of Bays <u>3</u> No. of Stories <u>2</u>
Date of Construction <u>1857-1877</u>	Roof Type <u>Gable</u>
Source of Date <u>Estimate from maps</u>	Porch Type <u>1 story across front</u>
Date of Major Known Remodeling _____	Building Materials: Clapboards ☒ Brick ☐ Stone ☐
Source of Date _____	Stucco ☐ Shingles ☐ Board & Batten ☐
Architect or Builder <u>Unknown</u>	Other: _____

Notable Architectural Features: <u>sawn millwork on porch</u>	Date <u>4/76</u> Surveyed By <u>WTF</u>
Significant Interior Details: <u>Unknown</u>	Photograph Roll No. <u>3665</u> Neg. No. <u>1</u>
Significant Outbuildings or Landscape Features: <u>None</u>	

Architectural Style ☐ or

Characteristics ☒ :

Greek Revival ☐

Gothic Revival ☐

Stick Style ☐

Italianate ☐

Queen Anne ☐

Chateausque ☐

Romanesque Revival ☐

Shingle Style ☐

Colonial Revival ☐

Beaux Arts ☐

Vernacular ☒

Other _____



EVALUATION																																																								
Building Condition: Excellent ☐ (3) Good ☐ (2) Fair ☒ (1) Deteriorated ☐ (0)			Alteration of Original Design: None or Minor ☐ (3) Moderate ☒ (2) Considerable ☐ (1)			Importance to Neighborhood: Great ☐ (3) Moderate ☒ (2) Minor ☐ (1)																																																		
Incidence in Area: Rare ☐ (2) Frequent ☒ (1)			Architectural Value: Outstanding ☐ (6) Notable ☐ (4) Worthy of Mention ☒ (2)			Associative Value: National ☐ (3) Regional ☐ (2) Local ☐ (1) Unknown ☒ (0)																																																		
TOTAL PRESERVATION VALUE: 8 Category: A ☐ (15-20) B ☐ (11-14) C ☒ (6-10) D ☐ (0-5)																																																								
OLD MAP REFERENCES: <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 20%;">YEAR</th> <th style="width: 20%;">PAGE</th> <th style="width: 60%;">USE</th> </tr> </thead> <tbody> <tr><td>1857</td><td></td><td></td></tr> <tr><td>1870</td><td></td><td>Unclear</td></tr> <tr><td>1877</td><td></td><td>Structure appears</td></tr> <tr><td>1884</td><td></td><td>"</td></tr> <tr><td>1886</td><td></td><td>area not mapped</td></tr> <tr><td>1891</td><td>7</td><td>Dwelling</td></tr> <tr><td>1894</td><td>8</td><td>"</td></tr> <tr><td>1899</td><td>5</td><td>"</td></tr> <tr><td>1904</td><td>5</td><td>"</td></tr> <tr><td>1909</td><td>14</td><td>"</td></tr> <tr><td>1914</td><td>14</td><td>"</td></tr> <tr><td>1921</td><td>17</td><td>"</td></tr> <tr><td>1929</td><td>17</td><td>"</td></tr> <tr><td colspan="3">Other: _____</td></tr> <tr><td colspan="3">_____</td></tr> </tbody> </table>			YEAR	PAGE	USE	1857			1870		Unclear	1877		Structure appears	1884		"	1886		area not mapped	1891	7	Dwelling	1894	8	"	1899	5	"	1904	5	"	1909	14	"	1914	14	"	1921	17	"	1929	17	"	Other: _____			_____			OLD PHOTO REFERENCES: 			BIBLIOGRAPHIC REFERENCES: 		
YEAR	PAGE	USE																																																						
1857																																																								
1870		Unclear																																																						
1877		Structure appears																																																						
1884		"																																																						
1886		area not mapped																																																						
1891	7	Dwelling																																																						
1894	8	"																																																						
1899	5	"																																																						
1904	5	"																																																						
1909	14	"																																																						
1914	14	"																																																						
1921	17	"																																																						
1929	17	"																																																						
Other: _____																																																								

ADDITIONAL MAP INFORMATION: Former street #: #405 1894-1904 maps #509 1909-present			MAJOR ALTERATIONS: rear of house altered from 1 story to two story 1894-1899																																																					
DEED RESEARCH AND ADDITIONAL INFORMATION:																																																								



August 23, 2017

Francis Page Nelson, Jr.
509 N New Street
Staunton, VA 24401

1-2 260

NOTICE OF VIOLATION

RE: 509 N New Street

Dear Mr. Nelson,

This is a follow up letter from our conversation on July 13, 2017 in regards to the Certificate of Appropriateness (COA) for work completed on the porch at the above referenced property. This is official notification that you are in violation of Staunton City Code 18.85.050(7)(i), requirement of conformance with the Certificate of Appropriateness which states:

All work performed pursuant to an issued certificate of appropriateness shall conform to the requirements of such certificate....

To correct this violation, you will need to submit to the Community Development Department a corrective plan of action on how you will remedy the non-compliance with the approved COA within fifteen (15) days of receipt of this letter.

Background:

- 1) On August 24, 2016, the Historic Preservation Commission approved that the porch would be repaired and missing elements would be replaced with matching architecturally compatible components.
- 2) On a subsequent Historic Preservation Commission field trip to the property, November 21, 2016, for an amended request of the approved COA, it was brought to the attention of staff that the porch repairs were not made in compliance with the August 24th approval. You were notified on that field trip that you would need to request approval for the changes to be reviewed by the Commission.
- 3) At the February 28, 2017 meeting of the Historic Preservation Commission, you requested that the repair/reconstruction of the porch be approved as constructed. The Commission denied your request on the porch remodel due to the work not meeting the City of Staunton guidelines or the Secretary of Interior standards as referenced.



- 4) The work does not meet the formerly approved COA for repairs in-kind to the porch. The Commission further specified which guidelines the remodel does not meet, which were outlined in the March 6, 2017 denial letter you received. Those guidelines not met include:
- Repair damaged elements, matching the detail of the existing original fabric.
 - Do not strip entrances and porches of historic materials and details.
 - Do not remove or radically change entrances and porches that define the building's overall historic character.
 - Deteriorated features should be repaired rather than replaced.
- 5) In the March 6, 2017 denial letter you were notified of your option to appeal the decision of the Historic Preservation Commission to the City of Staunton City Council, which you did not do within the required thirty (30) days and therefore relinquished your right of appeal.
- 6) On July 13, 2017, you were in the Community Development Department applying for a building permit for a garage and discussed with staff that you were not going to make any changes to the porch because of financial constraints on the project.

You have the right to appeal this decision to the Board of Zoning Appeals. If you choose to do so, you must file an appeal in writing, **within thirty (30) days of receipt of this notice.** If you fail to file an appeal as noted, the decision becomes non-appealable. A written appeal constitutes an appeal application as well as the \$200.00 appeal fee.

If you have any questions please feel free to contact our offices (540) 332-3862. I appreciate your attention and cooperation with this matter.

Sincerely,

A handwritten signature in cursive script that reads "Linda M. Nesselrodt".

Linda Nesselrodt
Zoning Technician

August 28, 2017
Francis Nelson
NOT BEING AT HIS USUAL PLACE OF ABODE, AND NO MEMBER OF HIS FAMILY ABOVE THE AGE OF SIXTEEN YEARS BEING THERE FOUND, I EXECUTED THE WITHIN PAPER BY LEAVING A COPY THEREOF POSTED AT THE FRONT DOOR OF HIS PLACE OF ABODE.

A.L. Caldwell Jr.
Sheriff, City of Staunton, VA
By: A.M. Ellis
Deputy Sheriff

STAUNTON HISTORIC PRESERVATION COMMISSION**May 22, 2018****5:30 p.m.****Council Chambers**

PRESENT: **Nancy Gregory**
 Deneen Brannock, Vice Chair
 Alexander Avery

ABSENT: **David Brown, Chair**
 Michael Brown

ALSO PRESENT: **Rodney S. Rhodes, Senior Planner**
 Linda Nesselrodt, Zoning Technician
 Terry Holmes, Council Liaison
 Frank Strassler, Historic Staunton Foundation
 Suzanne F. Simmons, Clerk of Council

The Vice Chair opened the meeting at 5:30 p.m. and a moment of silence was observed. The Vice Chair then read the preamble of the Historic Preservation Commission.

APPROVAL OF MINUTES

Ms. Gregory moved to approve the minutes of the April 24, 2018 meeting as presented. The motion was seconded by and carried unanimously at 3-0.

NEW BUSINESS

- a. CERTIFICATE OF APPROPRIATENESS**
 Raelsa I, LLC / Laurie Berman
 120 S. Augusta Street
 Request of Amendment to Approved COA

Laurie Berman, managing member, 120 S. Augusta Street, stated she had applied for historic tax credits and received provisional acceptance, but with requested changes that needed to be addressed. Therefore, she is requesting an amendment to the COA for renovation of:

- 1) South and West windows: NPS and VADHR require windows to be one over one, rather than two over two with real mullions. She is asking to replace those sashes.
- 2) West wall door change: On the upper deck, the door leading to deck will be set in the SW corner, rather than between windows as approved. This is due to a design change.
- 3) Roof: NPS and DHR asked for alternative solutions for a reduced profile for the building's HVAC. Tim Cox, contractor, has suggested a notch in the roof where the HVAC units will be placed on a lower elevation.
- 4) North Wall stucco: NPS requires that the stucco on the North wall have a smooth finish as opposed to a pebbled finish.

Mr. Avery asked how the proposed notch in the roof would be sealed and what type of siding on that section would be installed. He also asked if the brick would be exposed in the notch on the side walls / inside of the parapet. Mr. Cox stated inside of the parapet would most likely end up being plaster covered throughout. Discussion ensued on how the roof will be finished.

Ms. Brannock asked if the design has been submitted to DHR. Ms. Berman stated they have seen the design. Ms. Brannock asked if the relocation of the door had been reviewed by DHR. Mr. Cox noted it had been reviewed.

HSF Recommendation – HSF recommends the application for the Certificate of Appropriateness be approved based upon the Historic Tax Credit reviews by the Virginia Department of Historic Resources and the National Park Service.

- 1) South and West windows: NPS and VADHR require windows to be one over one, rather than two over two.
- 2) West wall door change: On the upper deck, the door leading to deck will be set in the SW corner, rather than between windows as approved.
- 3) Roof: NPS and DHR both prefer a reduced profile for the building's HVAC.
- 4) North Wall stucco: NPS requires that the stucco on the North wall have a smooth finish. The existing finish is rough or textured.

While the recessed portion of the roof will provide a new and changed roof style, the use of standing seam metal roofing continues the material and the basic form continues to be a shed roof. The visibility of the new HVAC may be reduced in a manner that is more successful than the previous catwalk roof top addition.

The following changes will not significantly change the character of the building:

- Change of window lights
- Change of stucco texture
- Change of door location

Mr. Avery moved that the proposed changes be approved based upon the Historic Tax Credit reviews by the Virginia Department of Historic Resources and the National Park Service. The proposed changes will not have an adverse impact on the character of the local historic district and resources and is a good design solution.

The motion was properly seconded and carried unanimously at 3-0.

b. CERTIFICATE OF APPROPRIATENESS

REL Properties, LLC / Whitney Levin

128 W. Beverley Street

Exterior Rehabilitation of Building, Window Film / Signage

Whitney Levin, managing member of REL Properties, 128 W. Beverley Street, stated they have recently purchased the building. Their proposal is to paint the exterior of the building which includes brick on the front wall and stucco on the back. Ms. Levin stated they will be repairing and replacing the front trim on overhang, installing a window and awning on the back of the building, and use window film on a front window to create privacy. The general concept is to update the exterior from the 1960's to make it contemporary and stylish.

Ms. Brannock asked how high the window film would be placed. Ms. Levin noted it would only be a partial band. She noted it would most likely be frosted white in color.

Ms. Gregory asked about the paint location. Ms. Levin stated a darker color will be applied to the front of the building and the rear of the building will receive a lighter color due to sun exposure. Ms. Brannock pointed out that this is a non-contributing building in the Beverley Historic District. Ms. Levin noted that the paint color on the brick wall will be carried through on the base around towards the side and back walls. Mr. Avery asked if the block supports for the walkway would have the same brick color. Ms. Levin stated it would have the same color.

Mr. Strassler stated since this is not a historic building and is modern brick and would not be affected by there being a paint film on it, but for overall maintenance, the applicant would be better off using a silica stain as opposed to a paint film due to the amount of water that overflows the sidewalk from the street.

HSF Recommendation - HSF recommends approval of the Certificate of Appropriateness. The treatment is based upon the guidance from the Virginia Main Street Program.

Mr. Avery moved the Certificate of Appropriateness be approved as proposed based on the guidance from the Main Street Program.

The motion was properly seconded and carried unanimously at 3-0.

c. CERTIFICAT OF APPROPRIATENESS
LEX Building, LLC / Victor M. Santos
12 N. New Street
Replacement of Front Stoop

John Wirth, 12 N. New Street, stated their proposal is to replace the front entry stoop, walkway, and steps due to deterioration and to perform masonry repairs. The visible surface will be of soapstone.

Their proposal is to remove the existing soapstone and loose material and have the front entranceway, leading up to the door, replaced with soapstone. Mr. Wirth said it is their intent to install a railing along the lines of the proposed handrail, and then landscape and mulch the side areas.

Ms. Brannock asked if the railing would be painted to match the fence. Mr. Wirth stated he anticipated it would be black.

Mr. Avery questioned if there would be fence on the side. Mr. Wirth stated the front fence would remain and the fence along the side of the new walkway leading up to the front entrance. Mr. Wirth stated the side bushes would remain and there are no plans to install a handicap entrance.

Ms. Brannock asked if they are planning to replace the existing stoop with matching materials and then install a metal handrail. Mr. Wirth noted this was correct and that the replaced stoop would not extend out like the previous one.

HSF Recommendation - HSF recommends approval of the Certificate of Appropriateness. The design is based upon the guidance from the Virginia Main Street Program. The existing stoop is not a historic feature, is in poor condition, appears to have been enlarged in phases, and consists of modern concrete block foundation with soapstone surface.

Mr. Avery moved the Certificate of Appropriateness be approved for construction of the new stone stoop, installation of handrail, and masonry repairs as proposed.

The motion was properly seconded and carried unanimously at 3-0.

d. CERTIFICATE OF APPROPRIATENESS

Page Nelson

509 N. New Street

Request Extension of Approved COA

Page Nelson, 509 N. New Street, stated he is requesting an additional extension of his COA. He noted he had purchased the property in January, 2016 and renovations were started in June, 2016. In September, 2017, he stated he attended an HPC meeting with a proposal of relocating the front porch stairs to the side of the porch. Commission members approved that proposal. Mr. Nelson stated his contractor subsequently removed the porch floor without his input into the design. He also noted he wanted the railing built to code, which is 36", whereas the original had been 30" high.

Mr. Nelson stated the original architectural railing elements are not missing and they had reused all of the ones that existed along with replicating ones for the stairs. He explained how the contractor added the additional height to the railing. He stated the posts had been clad as well due to deterioration.

Ms. Brannock clarified with Mr. Nelson that he was present at tonight's meeting to request an extension until June, 2018. She stated the Commission did not have any materials present for discussion.

Mr. Nelson stated he is financially unable to rebuild the porch. He stated the original tongue and groove flooring on the porch extended out and its profile was visible from the street. Mr. Nelson stated the contractor used deck board for the flooring which he felt was appropriate for ventilation purposes. He added he was willing, with the Commission's approval, to apply tongue and groove boards on top of the existing deck boards and extend it out over the facing board to give it the same appearance as the original floor.

Ms. Brannock informed Mr. Nelson that the Commission could not rule on this as they did not have any photographs or any materials. Mr. Nelson stated he'd misunderstood the purpose and he would like to request an extension. Ms. Brannock noted Mr. Nelson should contact staff and Mr. Strassler on what he would like to propose and bring a presentation back to the June 26, 2018 meeting.

Ms. Gregory moved that the COA extension be approved for 509 N. New Street until June, 2018.

The motion was properly seconded and carried unanimously at 3-0.

Ms. Brannock explained to Mr. Nelson that the deadline to present information for the June, 2018 meeting would be June 5, 2018.

OLD BUSINESS

a. CERTIFICATE OF APPROPRIATENESS

**William Little
626 Stuart Street
Replace Windows**

William Little, II, son of William Little, stated his father had been working on replacing the windows and had taken a while to obtain measurements. He noted Mr. Strassler had also made a site visit to the property. He felt they now have the correct measurements, which is 54" in height by 36" in width, know that they are single pane, true divided light, and six over six. Mr. Little stated they are working on getting the exact measurements for the casing and the sash.

Ms. Brannock asked Mr. Little if they were planning on bringing a cut sheet, drawing or written description and felt it would be helpful for the Commission. Mr. Little replied they had been looking into building the casing and the sill or buying the windows, but it was a matter of finding time to speak with his contractor.

Ms. Brannock questioned if Mr. Little felt he could have this ready for presentation by June 26, 2018. Mr. Little felt he would be able to have that ready by then. Ms. Brannock noted he should continue to work with Mr. Strassler on the details so that the windows would comply with the City's guidelines.

Mr. Avery moved to extend the Certificate of Appropriateness until June, 2018 for further review and approval.

The motion was seconded and carried unanimously at 3-0.

Ms. Nesselrodt asked Mr. Little to sign a new "Agreement to Table Agenda Item" form and explained that the deadline for the June, 2018 meeting would be June 5, 2018.

OTHER BUSINESS

Ms. Brannock stated the Commission members were recently provided with the first draft of the proposed Historic District Guidelines for the City of Staunton. She noted Commission members would not be discussing it at tonight's meeting, but staff is requesting a meeting with members for next week. Mr. Rhodes noted a work session meeting would be held next week allowing Commission members and staff time to review the draft Guidelines. He noted Frazier Associates had set a deadline for June 1, 2018. The meeting was tentatively scheduled for Wednesday, May 30, 2018 at 12:00 p.m.

ADJOURNMENT

The Chairman adjourned the meeting at 6:08 p.m.

Suzanne F. Simmons
Clerk of Council



Planning & Inspections
Department

City of Staunton
VIRGINIA

P.O. Box 58
Staunton, VA 24402-0058

TO: Historic Preservation Commission

FROM: Applicant

DATE: 05/22/18

SUBJECT: Agreement to Table Agenda Item

I William Little II agree that action regarding my application for a

Certificate of Appropriateness dated 3/2018 regarding
Replacement windows be tabled until the next Historic Preservation

Commission meeting. I understand that by signing this agreement I am waiving my rights as set

Forth in the below listed code section:

**City of Staunton Code
Section 18.85.050 (7-g)**

Approval or Rejection of Application for Certificate of Appropriateness. The commission shall approve or reject an application for a certificate of appropriateness at the meeting when the item is heard as prescribed in subsection (3) of this section. Failure of the commission to act shall constitute approval, and the certificate of appropriateness shall be issued, unless the applicant agrees to an extension of time in writing. Evidence of approval shall be by a certificate of appropriateness issued by the commission. Notice of the issuance of approval or denial of a certificate of appropriateness shall be sent by the United States mail to the applicant and all other persons who have requested such notice in writing filed with the commission within 15 calendar days of the date of the decision

[Signature]
Applicant/Authorized Agent Signature

[Signature]
Witness Signature

Request for variances and Certificate of Appropriateness, 509 N. New Street

My previous request in February 2017 (misnamed "Certificate of Occupancy") for a COA pertaining to the condition of the windows and front porch at 509 N, New Street (hereafter "509") was rejected, and the work done in rebuilding the front porch was characterized as a "remodel" by the committee's expert and ordered returned to its previous profile. As I failed to appeal this action to the City Council within 30 days, I "lost" my right to appeal the negative decision. A previous denial of a request to replace all of the missing or badly deteriorated windows in a very deteriorated building was denied after the committee's expert contradicted my correct assertion that the replacement windows I had purchased were all wood and indistinguishable from the originals when viewed from the street. My protest was ignored. I felt and still feel that I did not get a fair hearing on the five windows in the front of 509.

HSF's architectural inventory from 1976, forty years before my purchase of the building, describes it as being in "fair" condition. By the time I purchased the building it was in badly deteriorated condition, having been vacant for 25 years. Had not the owner, Mr. Maddox, replaced a failed metal roof with a shingle roof and new gutters and downspouts some years ago, the building would surely have been unrecoverable. This committee took him to task for that action using non-historic materials (which he could barely afford) but didn't thank him for extending the life of 509 at no benefit to himself. As it was, I erred badly in undertaking a project that had no possible economic success. That I attempted to guide the work from CA was another mistake. The aforementioned 1976 survey by William Frazier noted only one aspect of architectural significance on the house—the sawn millwork on the front porch. We saved and re-used all of the surviving millwork and believed we were

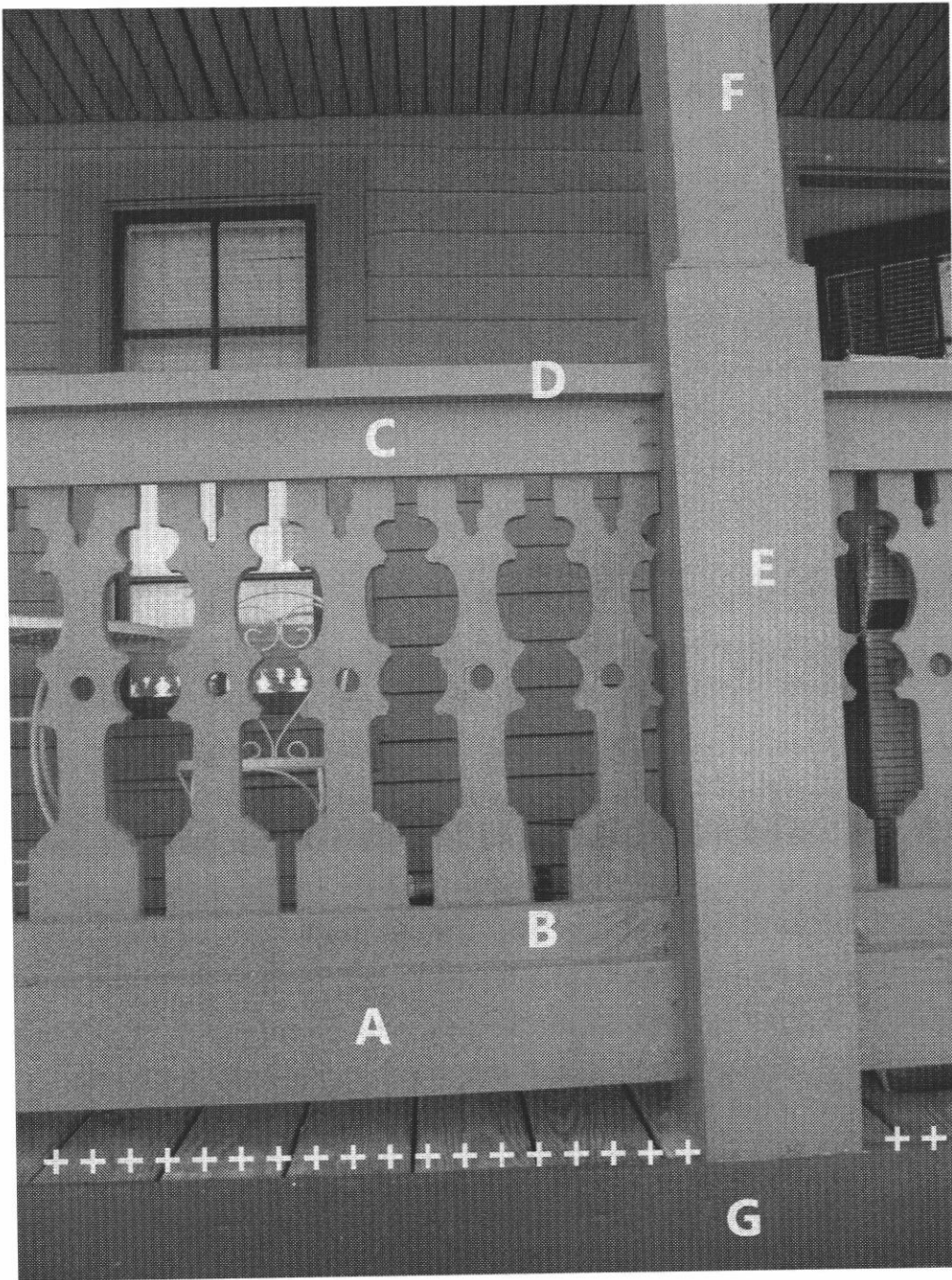
appropriate. Frazier also described the structure under “incidence in the area” as “frequent.” This would indicate that my house is nothing special, not something anyone is going to cross the street to look at. When HSF sponsored a walking tour of the Stuart Addition last June, one block was completely ignored. That was the block in which my house is located. And yet my front porch is on everyone’s radar?

The 1976 inventory did not further elaborate that this was a poor man’s house built with great invention and care but with what were at the time cheap materials. The windows in particular were cheap and largely useless as a means of ventilation. They didn’t improve over time. That the adherents of coercive historic preservation think it just or sensible to require a person investing his life’s savings in a building to be forced by their rigid demands to live encased in historic rubbish is insulting and deeply un-American. It’s also mean. There are certainly many houses in Staunton—at the other end of New St.—spacious and well-built by the wealthy and powerful of durable materials and striking design, whose economic basis and value is enhanced by applying the historic preservation guidelines strictly.

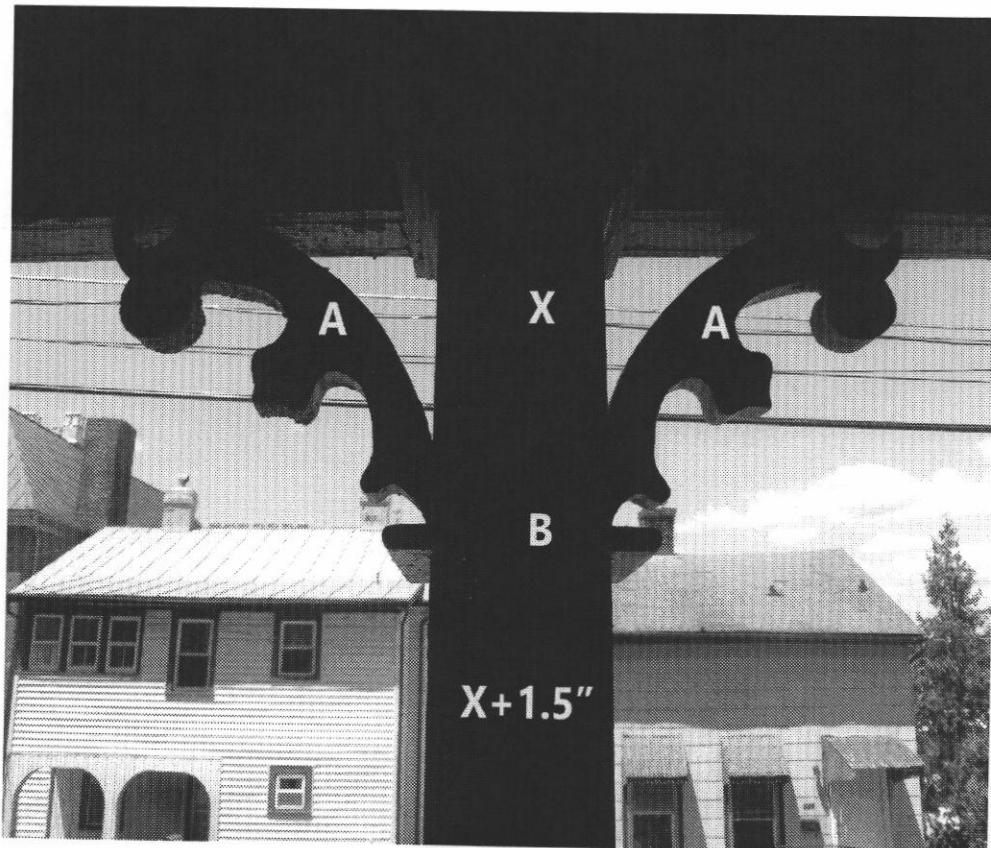
But the houses built by the less affluent are not so served. Those of us who acquire such houses in falling down condition are expected to impoverish ourselves to provide barely noted window-dressing for the great houses of the neighborhood. We are the spear carriers of historic preservation and it costs us money and aggravation we should never be expected to spend on such matters effectively propping up the property values of people whose houses truly merit such effort. We live in a country marked by depths of increasing inequality never seen before and yet the purveyors of the historic preservation myth pretend that we’re all in this together, that one house in the historic district is very much like another and all should be held to the same standards: I know better.

I learned at last month's meeting that the guidelines are being amended and re-designed. I wonder if any effort has been made to ascertain the views of the many residents of the historic districts who have never been before you with a request but who feel the weight of your restrictions both real and imagined? A questionnaire would seem to be a good way to begin—but only if public input is actually desired. I have yet to meet anyone in Staunton who is not under the impression that painting of buildings in the district must be submitted for approval. I have yet to hear a single positive remark about the effect that this system has on people's lives.

My proposal to satisfy the demand that I return my front porch to its previous profile has two parts. 1) I can (See image ONE) install tongue and groove flooring above the current deck board floor (see: ++++++). This new flooring will overhang the face board (G) facing the street in profile as apparently did the previous floor. 2) I can remove the five inch board (a) at the bottom of the porch railing. We can fashion a bottom rail approximately like the top rail (D) and routered to a certain roundness so that there will not be the current imbalance with the bottom rail approximately twice as thick appearing as the top. We cannot undo the "wrapping"(E) of the vertical posts as that would mean the complete undoing of the railing at exorbitant cost. There is finally an option of wrapping the upper portion(F) of the posts to match the lower section. This will add 1.5 inches to the existing upper vertical posts but will also probably require some molding to hide the seam. There will be distortion at the top (TWO) I would request that this step not be required as the present appearance of the vertical posts is pleasing to me and to all of the passersby who comment favorably upon the appearance of the house.



ONE



TWO



THREE

Linda M. Nesselrodt

From: Linda M. Nesselrodt
Sent: Friday, June 22, 2018 3:00 PM
To: f.page.nelson@gmail.com
Subject: 6.26.18 Historic Preservation Commission Meeting
Attachments: 509 North New Street porch proposal review 6-21-2018.pdf; Agenda June 2018.pdf

TO: Page Nelson

DATE: June 22, 2018

SUBJ: HISTORIC PRESERVATION COMMISSION: Certificate of Appropriateness, 509 N New Street

With regard to the subject request, please be advised, the Historic Preservation Commission will hold its regular meeting on Tuesday, June 26, 2018, in the City Council Chambers on the first floor of City Hall, 116 West Beverley Street at 5:30 pm. Please find attached the agenda and staff briefing for the meeting.

The applicant or a representative of the applicant must be present at this meeting.

If you have any questions, please don't hesitate to give us a call at 540-332-3862.

Best Regards,

Linda M. Nesselrodt, CZA
Zoning Technician
Community Development Department
Planning & Zoning Division
City of Staunton, VA

Office: 540.332.3862
Cell: 540.294.1019
Web: www.staunton.va.us

Sending a large file over 5mb? [Please share via my fileshare email address.](#)

TO THE FULLEST EXTENT PERMITTED BY LAW, THIS COMMUNICATION AND ITS CONTENTS ARE CONSIDERED STRICTLY CONFIDENTIAL AND EXEMPT FROM DISCLOSURE PURSUANT TO VIRGINIA CODE § 2.2-3705.6 (2), (3) & (11), AS MAY BE APPLICABLE.

STAUNTON HISTORIC PRESERVATION COMMISSION**June 26, 2018****5:30 p.m.****Council Chambers**

PRESENT: **Nancy Gregory**
 Alexander Avery
 Michael Brown

ABSENT: **David Brown, Chair**
 Deneen Brannock, Vice Chair

ALSO PRESENT: **Rodney S. Rhodes, Senior Planner**
 Linda Nesselrodt, Zoning Technician
 Terry Holmes, Council Liaison
 Frank Strassler, Historic Staunton Foundation
 Suzanne F. Simmons, Clerk of Council

Motion for Acting Chair: Ms. Gregory moved that Michael Brown be appointed as the Acting Chair for the June 26, 2018 meeting. The motion was seconded and carried unanimously at 3-0.

The Acting Chair opened the meeting at 5:30 p.m. and a moment of silence was observed. The Acting Chair then read the preamble of the Historic Preservation Commission.

APPROVAL OF MINUTES

Mr. Brown stated he was absent at the May 22, 2018 meeting. Mr. Avery moved to approve the minutes of the May 22, 2018 meeting as presented. The motion was seconded and carried unanimously at 2-0.

NEW BUSINESS

- a. CERTIFICATE OF APPROPRIATENESS**
 Clark Wiedmann & Linda Steigleder
 214 Fayette Street
 Install Handrails

Linda Steigleder, 214 Fayette Street, was present to present this request. Her proposal is to install steel painted black handrails attached to the inside of the concrete step walls. This is for a safety issue.

Mr. Avery questioned if the railings would be installed on the inside of the steps. Ms. Steigleder replied they would be.

HSF Recommendation – HSF recommends the Certificate of Appropriateness be approved. The proposed changes provide additional accessibility while following the Staunton Residential Historic District Guidelines and the Secretary of Interior Standards by relating new elements to existing materials and design characteristics.

Ms. Gregory moved the Certificate of Appropriateness be approved as proposed.

The motion was properly seconded and carried unanimously at 3-0.

b. CERTIFICATE OF APPROPRIATENESS

Paul King

4 Fayette Court

Request to amend COA for Windows, Driveway

Paul King, 4 Fayette Court, was present to present this request. His proposed work is to install a permeable driveway down from Stuart Street to the house at 4 Fayette Court. He noted the driveway has a one-way private lane with no area to turn around. He stated it would be a 1950's style permeable driveway of double cinder blocks filled with gravel and grass on top.

Mr. King proposes to fill the door opening on East façade and return it to a window. He also wanted to install new wood basement windows to match existing in material, dimension, and details hopefully possible through architectural salvaging. The windows would have a minimal view from Stuart Street.

Mr. Brown questioned Mr. King about the proposed driveway border. Mr. King stated the City has approved installing a curb on the right side with landscaping and a stone wall to the left as well as a stone retaining wall at the bottom of the driveway. Mr. King noted the border areas would be grass, the same as it is now. He explained in further detail his proposed driveway plan using a double row of standard cinder blocks.

Mr. Strassler noted when he did the review he had interpreted the plan differently. He noted the area that is outlined for a driveway and parking appears to be on the same lot as the existing house and had not reviewed a driveway coming from Stuart Street.

Ms. Nesselrodt explained the process of installing a new entrance off of a city street.

Mr. Brown asked Mr. Strassler if the proposed cinder block would be a historically compatible material. Mr. Strassler replied that historically for a ribbon driveway it would have been poured concrete or concrete done in poured and scored squares. He noted this would be a contemporary sort of use of cinder block. He questioned if a construction cinder block is rated to take the pressure of a vehicle driving across its top. Discussion ensued about the proposed plan.

Mr. Brown noted more information was needed for that proposal showing the members on where and how that has been used and there was no information provided for the proposed stone walls or a plan showing the exact location of the driveway. Mr. Brown noted the stone walls would also need to be approved by the Commission.

Mr. Brown stated this item could be continued so that Mr. King could assemble the requested information regarding the use of cinder blocks, an exact plan of where the driveway will be located, and where the stone retaining walls will be built and what type of material will be used. Mr. Brown noted if the stone retaining wall is completely non-visible, then the owner would not need approval, but he could not judge that without a proposed plan.

Mr. Avery asked if Mr. King could obtain pictures of the cinder block tire strips as well as the layout of the driveway on the lot from Stuart Street.

Mr. King questioned if he could build on the lot. Ms. Nesselrodt stated he would need to have water and sewer hooked up and would also have to appear before the Commission for approval of a house design. She noted the Community Development Department could speak with Mr. King regarding this.

HSF Recommendation - HSF recommends the Certificate of Appropriateness be approved.

Historical landscape note: The siting of this house indicates the importance of the historic view of the railroad. At the time of construction, the railroad yard below included the large roundhouse and a great deal of daily railroad activity.

HSF recommends the Certificate of Appropriateness for the in-kind replacement of the two basement windows be approved. The existing windows are significantly deteriorated and have a minimal view from a public street. The new windows will match the existing in appearance including using the same material, molding details, and construction.

HSF recommends approval for the selective removal of a non-historic door and changing the opening back to a window opening.

HSF recommends approval for installing the parking area while keeping paving of the yard to a minimum. The proposed use of brick paver border with a grass paving system works well with the site by providing a textured surface, keeps hard surfaces to a minimum, and provides a water permeable feature.

Mr. Avery moved the Certificate of Appropriateness be approved for:

A. In-kind replacement of the two basement windows which are deteriorated and will match the existing appearance including using the same material, molding details, and construction.

B. Selective removal of a non-historic door and changing the opening back to a window opening based on the physical evidence of the historic window that was there.

Mr. Avery moved to table Item C on the proposed parking area and driveway until next month with more information being provided by the owner.

The motion was properly seconded and carried unanimously at 3-0.

**c. CERTIFICATE OF APPROPRIATENESS
Staunton Property Redevelopment LLC/
Thomas Weidner, IV
440 E. Beverley Street
Install Half Round Gutters**

Scott Giorgetti, contractor for L & L Roofing, was present to present this request. He stated he is proposing to replace existing vinyl gutters with galvanized 6" half-round gutters and round downspouts.

HSF Recommendation - HSF recommends approval of the Certificate of Appropriateness for installation of half-round gutters and round downspouts. The proposed changes are compatible with the architectural character of the property and the local and Secretary of Interior Guidelines.

Mr. Avery moved that the Certificate of Appropriateness be approved for installation of half-round gutters and round downspouts.

The motion was properly seconded and carried unanimously at 3-0.

d. CERTIFICATE OF APPROPRIATENESS
Virginia Francisco / Sarah Francisco
127 Church Street
Install Fence

Sarah Francisco, 127 Church Street, was present to present this request. They are proposing to construct a wood picket fence with gates at the sides and rear of the house. She noted they would replicate the style of the existing old picket fence located at the front of the house.

HSF Recommendation - HSF recommends the approval of the Certificate of Appropriateness as proposed. The design, including materials, scale, and location of the picket fence is compatible with the historic district. As proposed, the project meets the local guidelines in terms of design, materials, size, scale, and location.

Mr. Avery moved for approval of the Certificate of Appropriateness for the construction of the picket fence and gates as proposed.

The motion was properly seconded and carried unanimously at 3-0.

e. CERTIFICATE OF APPROPRIATENESS
Jason Stell / Stephanie Pitsilos / Marc Paxton
687 Sherwood Lane
Remove Windows, Addition to Shed

Mr. Stell, 687 Sherwood Lane, was present to present this request. He proposes to remodel the existing addition by installing a single bay window, patch or replace siding with matching material, and extend shed by 5 feet on North. He noted an addition was added to the house in 1960 which sits back approximately 300 feet from East Beverley Street.

Mr. Brown asked Mr. Stell if they intend to match the existing windows in materials and finish. Mr. Stell replied they are anticipating a single light for the proposed bay window to match the appearance of the lower windows on the bottom part of the house. He noted the roof on the bay window, which will be approximately 4-6 inches, will be a small cooper or metal roof. He noted the finish on the windows will be painted white. Mr. Stell stated the side windows would be casement windows of approximately 12 inches.

Mr. Strassler reiterated that the changes being made to the house are being put on a modern addition to the house with previous changes approved by the HPC in 2006. He stated the proposed changes are certainly in keeping with the modern contemporary addition to the house and has a limited view of over 300 feet from East Beverley Street.

HSF Recommendation – HSF recommends approval of the Certificate of Appropriateness as proposed. The section of the house being remodeled is not historic. The view of the house is well away from the primary road due to the historic placement of the house. The proposed changes reflect contemporary changes while respecting the historic character of the house. Following the design guidelines to achieve an architecturally appropriate window, the new windows should utilize true divided lights or utilize permanently adhered Simulated Divided Lights on the exterior of the window glass.

Mrs. Gregory moved that the HPC approve the Certificate of Appropriateness for the bay window and extension of the wall on the previous addition.

The motion was properly seconded and carried unanimously at 3-0.

f. CERTIFICATE OF APPROPRIATENESS

Ronald Rammelkamp

325 Institute Street

Replacement Windows, Shed, Equipment Screen,

Front Porch Rail & Floor, Parking Area

“Result of Violation”

Mr. Brown stated it was determined the porch rail and floor was not part of this; however, Ms. Nesselrodt noted she felt it should be included in the application as it was replaced without prior approval. Ms. Nesselrodt stated the parking area has not been determined whether it's in the city right-of-way yet.

Ronald Rammelkamp, 325 Institute Street, was present to present this request. He stated ignorance is no excuse to not have done things properly and was naïve to the historic guidelines.

Mr. Rammelkamp noted the windows had been replaced and the shed placed also without approval. He noted he had further plans for the property and presented pictures to Commission members. Mr. Brown reminded him that paint colors are not part of their review.

Mr. Brown asked the owner if all of the original windows have been removed and replaced with vinyl windows. Mr. Rammelkamp replied that was correct. He stated he did not have the original windows and doubted if the contractor still had them. Mr. Brown stated the Commission has had issues with this company before and should have known the guidelines. The owner stated he was there to cooperate in whatever way he could, but he did not have the money to replace those windows. He questioned if he could replace just the front window and install landscaping on the sides of the house as an alternative. He stated the window openings were not resized at all.

Mr. Brown stated the next item concerned the shed and the biggest problem involved its location. Mr. Rammelkamp stated the shed was on skids and that he could financially afford to move it approximately 3 feet before needing to move dirt and gravel. Mr. Brown stated as far as any required setback, that is a zoning issue.

Mr. Brown then referred to the equipment screen. Mr. Rammelkamp stated he is proposing to plant boxwoods or other appropriate vegetation to hide the mechanical box from view.

Mr. Brown questioned the owner about the porch rail and floor. Mr. Rammelkamp stated the work had been done prior to him purchasing the property.

Mr. Brown questioned the owner about the parking area. He stated it is possible the structure is in the right-of-way of the road which would make it a Public Works issue, but there has not been a ruling on that as of yet. Mr. Brown stated the Commission had to proceed assuming that it was a part of this. Mr. Rammelkamp stated there's nowhere to park and that is why he built the graveled parking area on his adjoining lot which is owned by him.

Mr. Strassler stated it would be nice to find out if the original windows are still available. He noted the Commission did not have a chance to review them and makes for a difficult decision on what to approve. He stated the vinyl windows do not meet the guidelines in any way and could not recommend approval. Regarding the shed, Mr. Strassler stated the guidelines require picking up on details of the existing building. He noted one way to obtain this would be to copy the roof pitch or using a lap siding. He stated if those items are not going to be changed, he would recommend moving the shed back behind the house so that it's not in a primary view of the house and possibly build cribbing underneath to fit the slope of the lot. Regarding the parking, Mr. Strassler stated there are clear local guidelines on placing parking on a lot. He noted it's on a lot that can accommodate parking as far as size, but it difficult to accommodate because of the slope. He stated it would need to be done with materials that reflect the character of the site. He noted the house has a very nice rubble stone retaining wall as well as the house next door. He stated, as its currently built, he did not believe it met the local guidelines.

Mr. Brown asked Mr. Strassler if he could confirm the porch floor and railing had been done previously. Mr. Strassler replied it had been done by the previous owner. He stated one way to make the existing rail match the house would be to stain it as opposed to leaving it as pressure-treated material.

Mr. Avery stated when the historic districts are created, whatever changes were done before that are grandfathered in.

Mr. Brown stated although they have great sympathy for the owner's situation, the Commission has to rule based on the guidelines which are passed by City Council.

Mr. Brown stated the vinyl windows are not compatible with HSF guidelines. He stated the storage shed it not totally compatible with the house, but it could be moved, as discussed, and is not a permanent structure. Mr. Brown stated the owner has proposed a reasonable screen for the mechanical unit. Mr. Brown stated it appeared that the parking structure does not meet the guidelines. He pointed out that the surrounding materials are stone walls which is compatible with what's already on the property.

HSF Recommendation:

Windows: HSF recommends the Certificate of Appropriateness for the replacement windows be denied based upon the guidelines adopted by the City of Staunton. The replacement windows already installed do not convey the same visual appearance as the historic windows. This action removed the historic, character defining components of the house. Even the synthetic house siding can eventually be removed to expose the historic cladding. The ultimate goal of the

preservation ordinance and guidelines is to retain as much historic fabric as possible and to maintain and repair when possible.

Historic windows should and can be properly repaired, maintained, and made weather tight. Storm windows may be placed on the exterior or interior of the windows to provide double glazing. Maintenance of existing windows and the addition or deletion of storm windows does not require a Certificate of Appropriateness.

Many other property owners in the Newtown Historic District carefully follow and invest in their properties according to the guidelines adopted in the City of Staunton Zoning Code. Numerous independent studies clearly indicate that rehabilitation of wood sash windows is cost effective. Repaired windows are fully functional and are energy efficient when properly weather-stripped and include a storm window.

To remedy the removal of the historic windows, the historic wood sash windows should be recovered from the installer, repaired, and reinstalled.

Storage Shed: HSF recommends the Certificate of Appropriateness for the storage shed be denied as designed based upon the guidelines adopted by the City of Staunton.

2. Design new garages or outbuildings to be compatible with the style of the major buildings on the site, especially in materials and roof slope.

The shed roof does not appear to relate to the roof pitch of the house nor does the siding material relate to the intended appearance of clapboard siding.

The shed is located to the side and rear of the house, but it is situated very close to the lot lines. The impact may be mitigated by moving the shed to a location behind the house and less viewable from the street.

Mini-Split HVAC Screen: HSF recommends the Certificate of Appropriateness for screening of the HVAC be approved. Boxwood will provide good screen, but it needs to be installed in a manner to screen the view as much as possible from Institute Street.

Parking Structure: HSF recommends the Certificate of Appropriateness for the parking structure be denied as designed. While the parking is placed on an adjacent lot, the lot does not accommodate a structure well due to the slope. The new structure is visually dominant and does not incorporate the characteristics of the adjacent rubble stone walls. Parking areas in the historic districts are typically designed to include narrow drive aprons leading to parking areas away from the street. Given the forested character of the lot, a parking area might be more successful if it is set back away from the road and incorporates well-planted tree or hedge screening. If the slope of the site cannot accommodate the feature, then it is not an appropriate location to install parking. Was a curb cut and site line approved by the City Engineering Department for this construction?

Mr. Avery moved the Certificate of Appropriateness be denied for replacement of the historic windows. The original wood sash windows should either be located or based on the original windows, wood sash windows built to match the originals and reinstalled in order to comply with the City of Staunton Zoning and Historic Preservation Ordinance.

Mr. Avery moved the Certificate of Appropriateness be denied for the storage shed where it is located currently. It should either be moved or altered to more appropriately reflect the architectural styles of the house and the time.

Mr. Avery moved the Certificate of Appropriateness for the parking area be denied.

Mr. Avery moved the Certificate of Appropriateness be approved for the installation of HVAC equipment to be screened from view of Institute and Fillmore Streets with a boxwood hedge.

Mr. Brown informed the owner that the Commission cannot design the parking area for him, but the guidelines are available and would be happy to review any proposed changes the owner wanted to make the parking area. He stated a stone façade would fit the guidelines and that there may be other alternatives that would fit the guidelines.

Mr. Avery stated since the porch rail was changed prior to the owner purchasing the property and the railing that was removed was not on the house originally, he moved to approve the Certificate of Appropriateness for the porch floor and railing if it is painted or stained.

Mr. Brown informed the owner that the COA is good for one year, but he could apply for an extension. Ms. Nesselrodt clarified to the owner the process of the COA's if approved as well as the appeals process.

The motion was properly seconded and carried unanimously at 3-0.

Mr. Rammelkamp questioned the Commission if all eleven windows had to be replaced. Mr. Brown stated that was their ruling was and that the installation of the vinyl windows had been denied. Discussion ensued between the owner and the Commission. Ms. Nesselrodt informed the owner she could provide him further information at the Community Development Department.

**g. CERTIFICATE OF APPROPRIATENESS
Russell Milbourn / Michael Brown, Architect
204 Church Street
Rear Addition, Deck**

Mr. Brown recused himself as he is an architect on the project. Mr. Avery assumed Acting Chair.

Mr. Milbourn, 204 Church Street, and Mr. Brown were present to present this request. Mr. Brown proposes to extend the existing closed in rear porch by approximately 2 feet, 8 inches. He noted it would involve some demolition in order to accomplish that. He stated the only item they are proposing, which is slightly different from what was presented in the packet, is to replace the first-floor square window with a taller, rectangular window to obtain a better view. Mr. Brown stated the upstairs windows would remain as they are on the new elevation.

Ms. Gregory questioned Mr. Brown about the exhaust fan. He explained that was located on the opposite side and was a minor item for a new kitchen and would face Federal Street. The owner stated it would be painted the same color and made as unobtrusive as possible.

Mr. Avery asked if there would be brackets there that are on the rest of the house under the roof. Mr. Brown stated there aren't any brackets there currently and they are wanting to differentiate this from the rest of the house as basically it is a new addition. He stated the proposed extension would come out just short of the trim on the one side.

HSF Recommendation – HSF recommends the approval of a Certificate of Appropriateness. The addition meets Staunton Residential Historic District Guidelines by:

The poor condition and integrity of the existing porch, which exhibits multiple remodels.
The size and scale of the addition does not overpower the historic house.
Locating the addition at the side and rear of the property.
The proposed materials match those of the existing house.
The wood elements will receive a traditional painted surface.
The design details reference the historic construction without copying directly from the older porch and house. The new square windows differentiate the addition from the historic house.
The overall design is compatible with the historic house and neighborhood.

Ms. Gregory moved for approval of the Certificate of Appropriateness as proposed to extend the porch and install the exhaust fan.

The motion was properly seconded and carried unanimously at 2-0.

Mr. Brown returned to the dais.

OLD BUSINESS

a. CERTIFICATE OF APPROPRIATENESS

**William Little
626 Stuart Street
Replace Windows**

William Little, II, son of William Little, owner of 626 Stuart Street, stated he was presenting blueprints from the carpenter showing specific dimensions of the replacement windows.

Mr. Brown asked if the windows would be built in the shop to those dimensions. Mr. Little stated the outside sash would be built.

HSF Recommendation – HSF recommends the Certificate of Appropriateness for the replacement of the missing windows be approved. The window openings and sills will be restored and reconstructed windows will match the removed historic windows based upon remaining physical and documentary evidence.

Ms. Nesselrodt stated she would recommend, as City staff, to decrease the time in regards to the normal certificate, which would be a year, to a lesser time since this was under a notice of violation.

Mr. Avery moved the Certificate of Appropriateness for the replacement and replication of the missing windows be approved with a six-month time period rather than a one-year time period. The window openings and sills will be restored as much as possible to their original appearance.

The motion was properly seconded and carried unanimously at 3-0.

a. CERTIFICATE OF APPROPRIATENESS

Page Nelson

509 N. New Street

Request Extension of Approved COA

There was no one present to present this request. Ms. Nesselrodt stated the Certificate of Appropriateness was extended last month until tonight so the owner to come up with how to address the issues with the porch. She noted it would be up to the Commission to either approve his request or deny his request of extension for the COA. To clarify further, she noted it was a request of the extension, but also a request to amend what was previously approved – to repair the porch in kind. She noted Mr. Nelson had made changes to the porch which were not according to what the Commission had approved and in February, 2017 he asked for approval as it was submitted which the Commission denied. Ms. Nesselrodt noted this was the owner's response to ask the Commission for approval so that he can move forward and make changes to this as well as an extension of his COA to complete the changes.

Mr. Brown clarified if the owner was asking for an extension as well as approve the items that he has already done. Ms. Nesselrodt pointed out in the request the owner outlined some changes basically to add a tongue and groove floor on top of the existing floor as well as move the skirting board down so it has the appearance of the floor out over the bottom skirting board.

Mr. Avery questioned if the owner had proposed to wrap all of the posts from the top of the railing up, but not the very top at the bracket tree. Ms. Nesselrodt replied that was correct.

Mr. Strassler noted the Commission has a fairly consistent track record of not reviewing an application where no one is there to represent it. He noted he received a phone call from the previous contractor to schedule a meeting with them and discuss the potential changes to the porch and return it to its stylistic details and its appearance which would be following the guidelines. Mr. Strassler stated they had a long conversation and agreed to a meeting. He noted he was never called back to schedule a meeting and no arrangements were made for a meeting. He stated he did diagram how the porch details could be taken apart and reinstalled to meet the guidelines. He stated he has done that work, he has outlined it to meet the Secretary of Interior Standards and the local guidelines for rehabilitation. He stated his recommendation, as an advisor to the Commission, is if there is no one here to represent the project that the Commission needs to make a ruling either affirming or not affirming the COA.

Ms. Nesselrodt stated Mr. Strassler's recommendation was correct in this instance, especially since it was granted a one-month extension from last month. Mr. Strassler stated Commission members were given a time constraint in the zoning language in order to make a decision.

Mr. Strassler stated he may be lost in the details of which motions were approved, but he noted he was under the impression that the windows had been previously approved. Ms. Nesselrodt noted she did not think the owner was addressing the windows in this application and it was just for the porch. Mr. Strassler clarified with her that only the porch was being addressed today along with the request of the extension for the COA.

Ms. Gregory moved that an amendment of the Certificate of Appropriateness for the remodeling of the porch as proposed and completed be denied due to the work not meeting the City of Staunton guidelines or the Secretary of Interior Standards as reference in the local zoning code.

The motion was properly seconded and carried unanimously at 3-0.

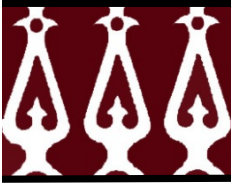
OTHER BUSINESS

Mr. Rhodes stated there was no other business.

ADJOURNMENT

The Chairman adjourned the meeting at 6:47 p.m.

Suzanne F. Simmons
Clerk of Council



Historic Staunton Foundation

20 South New Street

Staunton Virginia, 24401

www.historicstaunton.org

STAUNTON CITY COUNCIL

July 30, 2018

HSF Brief

Appeal of the HPC Decision for 509 North New Street

Porch Remodel

Stuart Addition Historic District

Discussion:

Please read the complete HPC review conducted by HSF. Finding of fact was completed for the review including location in a historic district, historic period of the building, architectural description, and view of the features from a public street. Applicable Residential Historic District Guidelines as adopted by the City of Staunton were outlined. The commission discussed and followed the guidelines in reaching their decision.

The Basics of Historic Preservation in Staunton

Staff reviews, HPC discussion, and decisions follow the local Zoning Code adopted by the City of Staunton at the request of citizens and the work of the planning commission, City Council and local groups concerned about the health of the community. This was and continues to be a recognized effort out of concern for stabilizing neighborhoods that have experienced disinvestment and poor property maintenance.

Why preserve? – Recognition of community character and history, recognition of the local unique historic resources, proven stabilization of property values and neighborhood investment, sustainable growth of the community, continued use of established core investment in infrastructure

What guides decisions? - Adopted local guidelines readily available to all citizens since 1996. These are guidelines based upon national examples and well-researched approaches to building, landscape, and neighborhood preservation resulting in revitalization.

Specifically:

The Staunton Residential Historic District Guidelines state:

Entrances, Porches and Doors

Entrances and porches are often the primary focal points of a historic building and, because of their decoration and articulation, help define the style of the structure. Entrances are functional and ceremonial elements for all buildings. Porches have traditionally been a social gathering point as well as a transition area between the exterior and interior of the residence.

The important focal point of an entrance or porch is the door. Doors are often a character-defining feature of the architectural style of a building. Residences may have any of a variety of door types reflecting the variety of styles of residential buildings.

1. Inspect masonry, wood, and metal of porches and entrances for signs of rust, peeling paint, wood deterioration, open joints around frames, deteriorating putty, inadequate caulking, and improper drainage. Correct any of these conditions.
2. Repair damaged elements, matching the detail of the existing original fabric. Reuse hardware and locks that are original or important to the historical evolution of the building.
3. Replace an entire porch only if it is too deteriorated to repair or is completely missing. The new porch should match the original as closely as possible.
4. Do not strip entrances and porches of historic material and details. Give more importance to front or side porches than to utilitarian back porches.
5. Avoid substituting the original doors with stock doors that do not fit the openings properly.

Continued - Entrances, Porches and Doors

6. Do not remove or radically change entrances and porches important in defining the building's overall historic character. Avoid adding "Colonial" decorative elements, such as broken pediments, columns, and pilasters; installing decorative iron supports; or adding a new entrance to the primary elevation.
7. Do not enclose porches on primary elevations and avoid enclosing porches on secondary elevations in a manner that radically changes the historic appearance.
8. Paint aluminum storm doors to match other doors or trim.
9. On residential buildings, provide any needed barrier-free access through removable or portable ramps when possible, rather than permanent ramps that may alter features of the historic building.

The Historic Preservation Overlay zoning specifically references The Secretary of the Interior's Standards for Rehabilitation as a basis for review of changes to historic properties.

Applicable Standards for the review of 509 North New Street:

The Secretary of the Interior's Standards for Rehabilitation:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where

The Secretary of Interior Standards for Rehabilitation are further explained by Guidelines for Rehabilitation:

Please see the attached sheet for Entrances and Porches - Secretary of Interior Guidelines for Rehabilitation:
http://www.nps.gov/history/hps/tps/standguide/rehab/rehab_entrances.htm

Recommendation:

HSF recommends denial of the Appeal of the decision reached by the Historic Preservation Commission. The Commission reviewed the existing conditions, then followed and stated the adopted guidelines in reaching their decision.

The work performed outside of the stated design for the approved COA(September 2016), is not in keeping with the adopted City of Staunton Historic Preservation Ordinance, the Staunton Residential Historic District Guidelines, or the Secretary of Interior Standards for Rehabilitation.

As documented, the project started with intact historic materials, details, and physical evidence allowing for rehabilitation and restoration of the railing, columns, porch floor and front trim. The subsequent treatment clearly changes the historic appearance. The vernacular characteristics of the front porch are lost.

The combination of added material at the bottom rail and on the porch posts changes the dimensions well out of scale and character from the historic appearance. Molding details are missing from the railing. Obscuring the porch floor with an enlarged porch band is again out of character from the construction of the historic porch.

HSF has provided an outline of potential design recommendations that may help to bring the porch into compliance with the guidelines. Because historic materials are now missing and the project is beyond regular maintenance, any proposed changes will require review and approval by the Historic Preservation Commission.



Historic Staunton Foundation

20 South New Street
Staunton Virginia, 24401
www.historicstaunton.org

STAUNTON HISTORIC PRESERVATION COMMISSION

June 21, 2018

HSF Review of Proposal from Applicant addressing front porch changes

509 North New Street

Proposal to amend February 2017 COA application

Remodel of Porch and Replacement of Windows

Stuart Addition Historic District

June 21, 2018

HSF Recommendation – The previous review addresses the changes made to the porch and HSF staff continues the recommendation from February 14, 2017.

HSF staff was contacted by the contractor and agreed to hold a meeting with all concerned, however HSF was not contacted again for a scheduled meeting.

Attached is further documentation of the porch before changes were made and an outline of how to remedy the front porch changes not approved by a COA. The outline follows the Staunton Residential Historic District Guidelines and the Secretary of Interior Standards.

Review from February 14, 2017

Existing Condition:

Constructed between 1857 and 1877, this is a 2 story 3 bay frame house with gable roof and central chimney. The main roof is covered with composite shingles. Windows are four over four light, double hung wood sash.

A single story porch extends across the façade. The porch includes a hip roof covered with standing seam metal., square columns with brackets, and balustrade with pattern sawn pickets. A set of concrete steps leads from the south side of the porch toward the sidewalk. The concrete is molded with bullnose steps and caps on sidewalls.

A concrete block foundation fills in under the porch.

The front yard is retained with 4x4 wood landscape timbers. A second set of concrete steps leading in to yard is located at the south end of the retaining wall.

The front porch has been remodeled from the appearance documented in the original COA review.

Proposed Work:

See the application for description and photos of the completed porch remodel and of the replacement windows on the side of the house. The applicant intends to replace windows on the side and rear of the house with modern insulated windows that replicate the appearance of the historic sash.

Window description from the previous COA review:

- *“replacement windows will be custom manufactured from wood to the dimensions of the originals”.*
- *“a total of 13 wood-on-wood, four-over-four double-hung windows. These will fill the existing holes and be indistinguishable from the current windows except for their being functional.”*
- *“windows will be insulated and thus will not require storm window protection. They will have screens.”*

Discussion:**The Secretary of the Interior's Standards for Rehabilitation:**

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

The Staunton Residential Historic District Guidelines state:**Entrances, Porches and Doors**

Entrances and porches are often the primary focal points of a historic building and, because of their decoration and articulation, help define the style of the structure. Entrances are functional and ceremonial elements for all buildings. Porches have traditionally been a social gathering point as well as a transition area between the exterior and interior of the residence.

The important focal point of an entrance or porch is the door. Doors are often a character-defining feature of the architectural style of a building. Residences may have any of a variety of door types reflecting the variety of styles of residential buildings.

1. Inspect masonry, wood, and metal of porches and entrances for signs of rust, peeling paint, wood deterioration, open joints around frames, deteriorating putty, inadequate caulking, and improper drainage. Correct any of these conditions.
2. Repair damaged elements, matching the detail of the existing original fabric. Reuse hardware and locks that are original or important to the historical evolution of the building.
3. Replace an entire porch only if it is too deteriorated to repair or is completely missing. The new porch should match the original as closely as possible.
4. Do not strip entrances and porches of historic material and details. Give more importance to front or side porches than to utilitarian back porches.
5. Avoid substituting the original doors with stock doors that do not fit the openings properly.
6. Do not remove or radically change entrances and porches important in defining the building's overall historic character. Avoid adding "Colonial" decorative elements, such as broken pediments, columns, and pilasters; installing decorative iron supports; or adding a new entrance to the primary elevation.
7. Do not enclose porches on primary elevations and avoid enclosing porches on secondary elevations in a manner that radically changes the historic appearance.
8. Paint aluminum storm doors to match other doors or trim.
9. On residential buildings, provide any needed barrier-free access through removable or portable ramps when possible, rather than permanent ramps that may alter features of the historic building.

Secretary of Interior Guidelines for Rehabilitation:

http://www.nps.gov/history/hps/tps/standguide/rehab/rehab_entrances.htm

Entrances and porches

Identify, Retain and Preserve

Recommended

Identifying, retaining, and preserving entrances and porches--and their functional and decorative features--that are important in defining the overall historic character of the building such as doors, fanlights, sidelights, pilaster, entablatures, columns, balustrades, and stairs.

Not Recommended

Removing or radically changing entrances and porches which are important in defining the overall historic character of the building so that, as a result, the character is diminished.

Stripping entrances and porches of historic material such as wood, cast iron, terra cotta tile, and brick.

Removing an entrance or porch because the building has been re-oriented to accommodate a new use.

Cutting new entrances on a primary elevation. Altering utilitarian or service entrances so they appear to be formal entrances by adding panelled doors, fanlights, and sidelights.

Altering utilitarian or service entrances so they appear to be formal entrances by adding panelled doors, fanlights, and sidelights.

City of Staunton Residential Historic District Guidelines State:

<http://www.staunton.va.us/directory/departments-h-z/planning-inspections/images%20and%20files/1996-residential-historic-district-design-guidelines>

Windows:

Windows add light to the interior of a building, provide ventilation, and allow a visual link to the outside. They also play a major part in defining a building's particular style. Because of the wide variety of architectural styles and periods of construction within the districts, there is a corresponding variation of styles, types, and sizes of windows.

Windows are one of the major character-defining features on residential buildings and can be varied by different designs of sill, panes, sashes, lintels, decorative caps, and shutters. They may be placed at regular intervals or in asymmetrical patterns. Their size may highlight various bay divisions in the building. All of the windows may be the same in one house or there may be a variety of types which give emphasis to certain parts of the building.

See Staunton Residential Historic District Design Guidelines

1. Retain original windows if possible. Insure that all hardware is in good operating condition, that caulk and glazing putty are intact, and that water drains off the sills.
2. Repair original windows by patching, splicing, consolidating, or otherwise reinforcing the material. Wood that appears to be in bad condition because of peeling paint or separated joints often can be repaired.
3. Uncover and repair covered-up windows where they have been blocked in. If the window is no longer needed, the glass should be retained and the back side frosted, screened, or shuttered so that it appears from the outside to be in use.
4. Replace windows only when they are missing or beyond repair. Reconstruction should be based on physical evidence or old photographs. **Do not use inappropriate materials or finishes that radically change the sash, depth of reveal, muntin configuration, the reflective quality or color of the glazing, or the appearance of the frame. Use true divided lights to replace similar examples and do not use false muntins in the replacement.**
5. Do not change the number, location, size, or glazing pattern of windows by cutting new openings, blocking in windows, or installing replacement sashes that do not fit the window openings.

6. Improve thermal efficiency with weather stripping, storm windows, caulking, interior shades, and if appropriate, blinds and awnings.
 - A. Install interior storm sashes with airtight gaskets, ventilating holes, and removable clips to allow proper maintenance and to avoid condensation.
 - B. Install exterior storm windows that do not damage or obscure the windows. Storm window divisions should match those of the original window. Aluminum storm sash should be painted or have a baked-on finish. Avoid replacing multi-paned sash with new thermal sash using false muntins.
7. Use shutters only on windows that show evidence of their use in the past. They should be wood (rather than metal or vinyl) and should be mounted on hinges. Shutters should be sized to cover the window opening when closed. Avoid shutters on composite or bay windows

The Secretary of the Interior's Guidelines for Rehabilitation:

http://www.nps.gov/tps/standards/four-treatments/standguide/rehab/rehab_windows.htm

Windows

Identify, Retain and Preserve

RECOMMENDED

Identifying, retaining, and preserving windows--and their functional and decorative features--that are important in defining the overall historic character of the building. Such features can include frames, sash, muntins, glazing, sills, heads, hoodmolds, panelled or decorated jambs and moldings, and interior and exterior shutters and blinds.

Conducting an indepth survey of the condition of existing windows early in rehabilitation planning so that repair and upgrading methods and possible replacement options can be fully explored.

NOT RECOMMENDED

Removing or radically changing windows which are important in defining the historic character of the building so that, as a result, the character is diminished.

Changing the number, location, size or glazing pattern of windows, through cutting new openings, blocking-in windows, and installing replacement sash that do not fit the historic window opening.

Changing the historic appearance of windows through the use of inappropriate designs, materials, finishes, or colors which noticeably change the sash, depth of reveal, and muntin configuration; the reflectivity and color of the glazing; or the appearance of the frame.

Obscuring historic window trim with metal or other material.

Stripping windows of historic material such as wood, cast iron, and bronze.

Replacing windows solely because of peeling paint, broken glass, stuck sash, and high air infiltration. These conditions, in themselves, are no indication that windows are beyond repair.

Repair

RECOMMENDED

Repairing window frames and sash by patching, splicing, consolidating or otherwise reinforcing. Such repair may also include replacement in kind--or with compatible substitute material--of those parts that are either extensively deteriorated or are missing when there are surviving prototypes such as architraves, hoodmolds, sash, sills, and interior or exterior shutters and blinds.

NOT RECOMMENDED

Replacing an entire window when repair of materials and limited replacement of deteriorated or missing parts are appropriate.

Failing to reuse serviceable window hardware such as brass sash lifts and sash locks.

Using substitute material for the replacement part that does not convey the visual appearance of the surviving parts of the window or that is physically or chemically incompatible.

Replace

RECOMMENDED

Replacing in kind an entire window that is too deteriorated to repair using the same sash and pane configuration and other design details. If using the same kind of material is not technically or economically feasible when replacing windows deteriorated beyond repair, then a compatible substitute material may be considered.

NOT RECOMMENDED

Removing a character-defining window that is unrepairable and blocking it in; or replacing it with a new window that does not convey the same visual appearance.

Feb 2017 Recommendation:

Windows:

Based upon clarified documentation and actual examples provided, HSF recommends the Certificate of Appropriateness for the replacement windows on the side and rear of the house be approved. The proposed windows are made of wood with a painted finish, double hung sash with true divided lights.

The historic windows from the viewable side of the house are missing.

The guidelines adopted by the City of Staunton state:

4. *Replace windows only when they are missing or beyond repair. Reconstruction should be based on physical evidence or old photographs. Do not use inappropriate materials or finishes that radically change the sash, depth of reveal, muntin configuration, the reflective quality or color of the glazing, or the appearance of the frame. Use true divided lights to replace similar examples and do not use false muntins in the replacement.*

Porch:

HSF must recommend that the COA for remodel of the front porch be denied. As documented in the previous reviews, the project started with historic materials, details, and physical evidence allowing for rehabilitation and restoration of the railing, columns, porch floor and front trim. The subsequent treatment clearly changes the historic appearance. The vernacular characteristics of the front porch are lost.

The combination of added material at the bottom rail and on the porch posts changes the dimensions well out of scale and character from the historic appearance. Obscuring the porch floor with an enlarged porch band is again out of character from the construction of the historic porch.

The guidelines adopted by the City of Staunton state:

1. *Inspect masonry, wood, and metal of porches and entrances for signs of rust, peeling paint, wood deterioration, open joints around frames, deteriorating putty, inadequate caulking, and improper drainage. Correct any of these conditions.*
2. *Repair damaged elements, matching the detail of the existing original fabric. Reuse hardware and locks that are original or important to the historical evolution of the building.*
4. *Do not strip entrances and porches of historic material and details. Give more importance to front or side porches than to utilitarian back porches.*
6. *Do not remove or radically change entrances and porches important in defining the building's overall historic character. Avoid adding "Colonial" decorative elements, such as broken pediments, columns, and pilasters; installing decorative iron supports; or adding a new entrance to the primary elevation.*

The Secretary of Interior Standards #1 to #6 note:

The Secretary of the Interior's Standards for Rehabilitation:

1. *A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.*
2. *The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.*
3. *Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.*
4. *Changes to a property that have acquired historic significance in their own right will be retained and preserved.*
5. *Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.*
6. *Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.*

Feb 2017 Sample Motion:

I move the Certificate of Appropriateness be approved for replacement of the missing windows on the side and rear of the house. The new windows as proposed meet the local guidelines by using the same material, function, dimensions, and finish. Since the historic windows are missing, they cannot be repaired.

I move that an amendment of the COA for remodeling the porch as proposed and completed be denied due to the work not meeting the City of Staunton guidelines or the Secretary of Interior Standards as referenced in the local zoning code.

The work completed does not meet these specific local guidelines:

- Repair damaged elements, matching the detail of the existing original fabric.
- Do not strip entrances and porches of historic material and details.
- Do not remove or radically change entrances and porches important in defining the building's overall historic character.

Overall the work completed does not meet the Secretary of Interior Standard:

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.



HSF File Photo 2016

The Secretary of the Interior's Standards for Rehabilitation:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in a such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.



Elements not approved by the HPC

Changes in porch balustrade and floor

Materials, dimensions, and scale

Railing height

Railing appears constructed of 2x4 lumber—does not match the historic railing

Bottom rail appears constructed of 2x6 lumber and is out of scale and does not match the historic lower rail

Wrapped porch posts—increased dimensions and scale and incorrect detail for this vernacular porch

Wide skirt board does not match the previous—out of scale

Floor edge does not extend over skirt board



Remove boards that wrap the post.

However, since the mortise and tenon joints are now missing, use the new boards on the inside post face to re-attach the railing. Cut to width less than original post.

Lower the balustrade to original height

Are these 2x4 lumber top rails? They do not match historic rail dimensions, scale, or shape.

Mold or shape top rail to match original profile

Remove 6" lower rail, restore dimensions

Create post base at correct height as illustrated in "before" photos.

Tongue and groove flooring should extend over the skirt board

Reduce the width of the skirt board

A safety railing of minimal proportions made of wood or steel may be added as a new addition above the historic rail configuration. If proposed to and passed by HPC.

"9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. "



Top rail is thin—estimated $5/4$ " thick edge possibly chamfered on top, with cove molding under edge

Top and bottom rail attach to posts with mortise and tenon joints

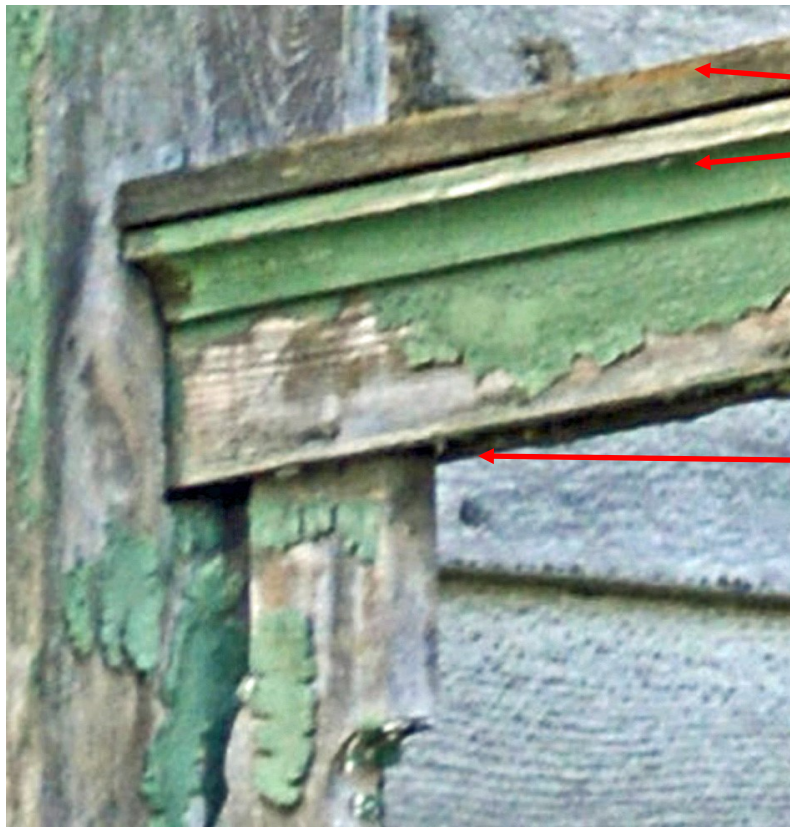
Pickets are set into a dado joint under the rail

Pickets sit on top of a V shaped top edge of a $5/4$ " thick bottom rail. Picket bottom is cut with a birds mouth to receive V of rail

Bottom rail is dimensionally in scale with top rail

Post is of box construction, with an applied base of $5/4$ " lumber, 45 degree mitered joint at corners.

Porch tongue and groove flooring extends over the skirt board



Top rail is thin, possibly chamfered on top

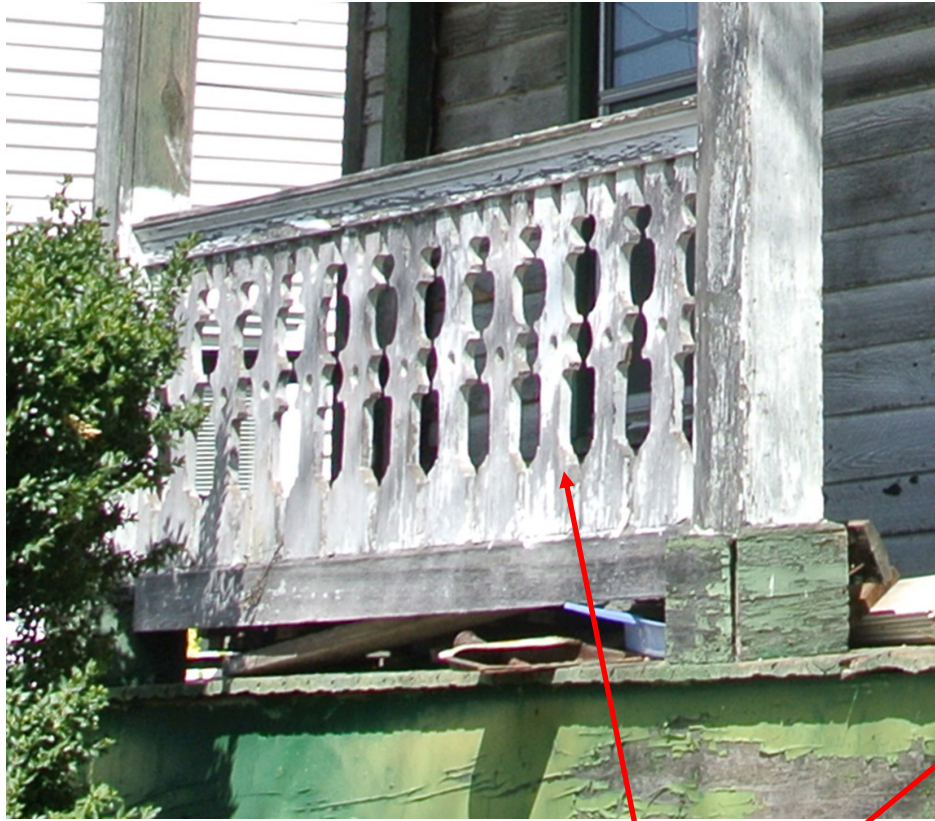
cove molding under edge

Pickets are set into a dado joint under the rail





Top and bottom rail attach to posts with mortise and tenon joints



Have the pickets been cut to shorter dimensions?

<https://www.nps.gov/tps/how-to-preserve/briefs/45-wooden-porches.htm>

Patching with a Dutchman Repair: The repair procedure involves cutting a piece of wood, called a dutchman, slightly larger than the area of damage that has been cut out. The dutchman then is laid over the damaged area and an outline scribed into the original wood surface below. Next, a chisel or router is used to follow the scribed line to form an opening in the existing wood for the new piece. As a preventive measure, an appropriate fungicide should be applied to the surrounding old wood and allowed to dry. The dutchman is then glued into place with waterproof adhesive, such as an epoxy formulated for wood. The repair is finished by trimming or sanding the surface of the new wood down flush with the surrounding existing surfaces, priming and painting .

Patching with Epoxy or Wood Fillers

There are a variety of commercial wood fillers. Cellulose based fillers consist of wood fiber and a binder and have been available in stores for many years. Only those suitable for exterior applications should be used and they will require a protective finish. Epoxies are a more contemporary product, commonly used by experienced contractors and woodworkers. Epoxies are petroleum-based resins created by mixing two components in accurate proportions that result in a chemical reaction. The result is durable, moisture-resistant consolidants and fillers that bonds tenaciously with wood, and can be sawn, nailed or sanded. Epoxies are for use only in areas that will be painted, as they do not take stain and deteriorate under sunlight. Since epoxies are more difficult to work with than other wood fillers, experience working with epoxies is needed for successful repairs.

Very Easy to use:

<https://www.abatron.com/product-category/wood-restoration-maintenance/>



509 N. New Street Timeline

Date	Item
July 3, 2016	Submitted application for Certificate of Appropriateness to repair and stabilize existing chimney, demolish front concrete stairs, reorient front stairs with railing, new retaining wall, removal of bay window, privacy fence.
July 26, 2016	Certificate of Appropriateness approved for: • The brick chimney will be pointed with an appropriate soft mortar and vented chimney cap installed to shed water. • The aluminum siding has already been removed. The existing siding will be restored and repainted. • Demolition of the existing concrete porch steps. • Demolition of the rear chimney, which has already been completed. • Demolition of the bay previously located on the north side of the rear house addition to be replaced with a new window to match in detail the existing one above it. • <u>The porch will be repaired and missing elements will be replaced with matching architecturally compatible components.</u> Items tabled for review: • Design for the new steps and railing on the south end of the porch. • The new walkway to those steps • The retaining wall • Fence construction
August 23, 2016	Request by Mr. Nelson to table the items until the September meeting.
September 27, 2016	Review items previously tabled. • The demolition of the existing concrete steps were approved due to the condition and situation of those, • the reorientation of the porch entry steps to the south end of the porch was approved, • <u>repairs to the porch and missing elements be replaced with matching architecturally compatible components, matching the ones in the photos, installation of new, painted or stained, wood side steps with wood railing utilizing pickets centered under the rail and joined to the top of the bottom rail, matching the ones on the porch.</u> • the retaining wall in the front with parget finish be approved, • sidewalk and new fence with the lattice inserted at the top will be stained, • lattice to be installed [around the base of the porch].

509 N. New Street Timeline

October 11, 2016	Request to amend existing certificate for replacement of windows and construction of garage in rear.
November 21, 2016	At the Historic Preservation Commission on site field trip, it was discovered that the porch repairs were not made in compliance with the July 26, 2016 approval. Mr. Nelson was notified verbally, on site, that he would need to request approval from the Commission on the changes.
November 22, 2016	Certificate of Appropriateness amendment was denied for replacement windows based on the City's guidelines and the Secretary of Interior's guidelines, and encouraged the owner to come back with information on the new windows to go into the former openings that are presently empty, and a plan for retaining the historic windows on the front of the building. Certificate of Appropriateness amendment was approved for the addition of a garage at the rear of the property. The garage will include wood siding, corner boards, fascia, corner, door and window trim matching the house with a painted finish.
February 7, 2017	Request to amend the existing certificate for replacement windows and to approve the front porch as constructed.
February 28, 2017	Certificate of Appropriateness amendment was approved for replacement of the missing windows on the side and rear of the house. These new windows, as proposed, meet the local guidelines by using the same material, function, dimensions, and finish, and since the historic windows are missing, they cannot be repaired. Certificate of Appropriateness amendment was denied for the remodel of the porch due to the work not meeting the City of Staunton guidelines or the Secretary of the Interior standards as referenced, nor was it in compliance with the formerly approved Certificate of Appropriateness for repairs. Specifically it does not meet these guidelines: • Repair damaged elements, matching the detail of the existing original fabric • Do not strip entrances and porches of historic materials and details • Do not remove or radically change entrances and porches that define the building's overall historic character. • Deteriorated features should be repaired rather than replaced.
March 6, 2017	Mr. Nelson was notified of his option to appeal the decision of the February 28, 2017 Historic Preservation Commission meeting, which he did not file for and relinquished his right of appeal.

509 N. New Street Timeline

July 13, 2017	Mr. Nelson was in the Community Development Department and stated that he was not going to make any changes to the porch because of financial constraints.
August 23, 2017	Notice of Violation was sent to Mr. Nelson regarding Staunton City Code 18.85.050(7)(i): • “All work performed pursuant to an issued certificate of appropriateness shall conform to the requirements of such certificate...” • Mr. Nelson was given 15 days to provide a corrective plan of action to address the non-compliance, which he did not comply with.
September 15-20, 2017	Email correspondence with Mr. Nelson in regards to the Notice of Violation. Mr. Nelson was notified that his certificate was to expire on September 27 th and he needed to request a final inspection or request an extension.
	Photo documentation of the continued violation.
October 8, 2017	Email correspondence request for an extension of the certificate.
November 28, 2017	Request of an extension of the certificate was granted by the Commission for six months in order to complete the outstanding items. COA will expire 5/28/18.
April 24, 2018	Email correspondence for a request of an extension of the approved COA. Mr. Nelson said he would be back in VA mid-May and would be able to present his proposal concerning the front porch.
May 22, 2018	Request of an extension for the certificate was granted until the June 2018. The Commission tabled the request in regard to the porch, indicating that they needed more information on the proposed changes to make a decision.
June 5, 2018	Received additional details on modifications to be made to the porch
June 26, 2018	There being no one to speak to the matter at the meeting. The Commission found as follows: • Certificate of Appropriateness for the remodeling of the porch as proposed and completed be denied due to the work not meeting the City of Staunton guidelines or the Secretary of Interior Standards as reference in the local zoning code.