

AGENDA ITEM SUMMARY

MEETING DATE

October 10, 2023

PRESENTED BY

Shanda Horner (Historic Preservation Commission Chair), Eve Mergenthaler, Planner I

AGENDA ITEM # IV.6

Consideration of adopting Resolution #R-23-___ to either uphold or reverse the decision of the Historic Preservation Commission (HPC) to deny a Certificate of Appropriateness (COA) at 713 Pearl Street.

RECOMMENDATION

Uphold the decision of the Historic Preservation Commission (HPC) to deny a Certificate of Appropriateness (COA) at 713 Pearl Street.

SUMMARY

Stephen Milacci of Upkeep Homes, LLC is appealing the decision of the HPC to deny a COA request to replace wood windows with smaller vinyl windows wrapped in aluminum, replace the front door, replace elements of the front porch, and replace the rear deck at 713 Pearl Street. The work was completed after a stop work order (swo) was posted on the property and without approval from the HPC.

The HPC reviewed the "after-the-fact" petition on June 26, 2023, and found that the replacement work was not consistent with the Lynchburg Historic Districts Residential Design Review Guidelines Section VII. Guidelines for Rehabilitation and Restoration (25) Windows, (7) Doors, (15) Porch Columns and Railings, and (6) Decks; the style of the house; or the surrounding historic district.

The City's Zoning Ordinance, Section 35.2-13.11, Appeals to City Council, states: "On any such appeal, the final decision of the HPC ... shall be stayed pending the outcome of the appeal to City Council, except that the filing of such appeal shall not stay the decision of the HPC if such decision denies the right to raze or demolish a historic landmark, building or structure. The City Council shall conduct a full and impartial public hearing on the matter and apply the same criteria as the HPC before rendering any decision. The City Council may affirm, reverse or modify the decision of the HPC, in whole or in part. The decision of City Council, subject to the provisions of section 35.2-13.12, shall be final. If approved, a certificate of appropriateness, signed by the clerk of the City Council, shall be issued to the applicant."

At the Business Item Briefing, there were questions regarding previous modifications to the home's exterior. The roof was originally slate. The Board of Historic and Architectural Review (the prior name for the HPC) approved the previous owner's request to replace the slate with asphalt shingles in 1982. The siding on the house was originally clapboard. There is no record of when the siding was changed to asbestos, but it is likely that it was replaced prior to the Historic District's creation in 1978.

PRIOR ACTION(S)

September 26, 2023: City Council Business Item Briefing.

June 26, 2023: The HPC denied the COA request for the replacement of wood windows with smaller vinyl windows wrapped in aluminum, a front door, front porch elements, and the rear deck (4-0 with 1 abstention; Sherayko and 2 absent; Langseth and Watson).

FISCAL IMPACT

N/A

CONTACT(S)

Shanda Horner (Historic Preservation Commission Chair)
Eve Mergenthaler, Planner I
Tom Martin, Acting Community Development Director

ATTACHMENT(S)

1. Resolution A
2. Resolution B
3. Timeline
4. Residential Design Review Guidelines
5. Property Photos
6. HPC Meeting Minutes - June 26, 2023
7. COA Denial and HPC Meeting Packet - June 26, 2023

REVIEWED BY

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Date: October 05, 2023



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Date: October 05, 2023



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Date: October 05, 2023



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Date: October 05, 2023