



DEPARTMENT OF COMMUNITY PLANNING, HOUSING AND DEVELOPMENT

Neighborhood Services Division

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DRAFT

MINUTES/TRANSCRIPTION OF THE HISTORICAL AFFAIRS AND LANDMARK REVIEW BOARD

**Wednesday, April 19, 2017
2100 Clarendon Boulevard
Lobby Rooms Cherry and Dogwood**

MEMBERS PRESENT: Charles Craig
Robert Dudka
Sarah Garner
Carmela Hamm
Gerald Laporte
Joan Lawrence, Chairman
Tova Solo
Sara Steinberger
Mark Turnbull
Richard Woodruff, Vice Chairman
Andrew Wenchel
Mitchell Zink

MEMBERS EXCUSED: John Peck

STAFF: Cynthia Liccese-Torres, Historic Preservation Coordinator
Rebeccah Ballo, Historic Preservation Planner
John Liebertz, Historic Preservation Planner

ROLL CALL & CALL TO ORDER

The Chairman called the meeting to order at 7:32 pm. Mr. Liebertz called the roll and determined there was a quorum.

DEFERRAL OF THE MARCH 15, 2017, MEETING MINUTES

The Chairman asked HPP staff to discuss the March 15, 2017, meeting minutes. Mr. Liebertz stated that the minutes would be prepared for the following meeting.

PUBLIC HEARINGS FOR CERTIFICATES OF APPROPRIATENESS (CoAs)

The Chairman reviewed the public hearing procedures. She stated there were five items on the consent agenda. Mr. Turnbull moved to approve the consent agenda as submitted. Mr. Woodruff seconded the motion and it passed unanimously, 12-0. There were no Administrative CoAs this month. The Chairman reviewed the public hearing speaking procedures.

CONSENT AGENDA:

1. Peter Connell
2411 24th Street North
CoA 17-07 (HP1700013)
Fort C.F. Smith Historic District
Request to make minor alterations to the tractor barn.
2. Avalon Bay Communities, Inc.
1028 South Walter Reed Drive
CoA 4-01C (HP1700006)
Columbia Pike Form Based Code
Request to alter the blade sign due to new ownership of the building.
3. Theodore & Rebecca Schmitt
2315 North Kenmore Street
CoA 17-06 (HP1700012)
Maywood Historic District
Request to construct a shed.
4. Larry & Nancy Scully
2353 North Edgewood Street
CoA 17-05 (HP1700011)
Maywood Historic District
Request to construct an addition on the second floor.
5. Ginger Brown
5151 14th Street North
CoA 16-16A (HP 1600060)
Broadview Historic District
Request to construct a shed with an attached greenhouse and other
landscape/hardscape alterations.

DISCUSSION AGENDA:

1. Brendan & Jody Devine
3501 21st Avenue North
CoA 17-04 (HP1700004)
Maywood Historic District
Request to replace the existing stamped tin roof with asphalt shingles.
2. Barry Seymour
2322 North Fillmore Street
CoA 15-01 (HP1500001)
Maywood Historic District
Request to demolish the existing dwelling.

3. Barry Seymour
2322 North Fillmore Street
CoA 15-01A (HP1500001)
Maywood Historic District
Request to construct a new dwelling.

DISCUSSION AGENDA ITEM #1, 3501 21ST AVENUE NORTH (TRANSCRIPTION)

>> Joan Lawrence: [02:40] We heard this case last month and had very extensive discussion on metal roofs in general. And also, [for] this particular case, we sent the applicant back to the design review committee to--with requests for more estimates, and also to look at some alternate materials. As we discussed last month, the HALRB's actions are limited by the Virginia Code and the Arlington Zoning Ordinance. The HALRB has the authority to review and certify alterations to structures that are architecturally compatible with the other buildings and structures, in this case in the Maywood local historic district, or other Arlington local historic districts. The HALRB does not have the authority to consider factors other than architectural compatibility, such as cost. So, would you like to present your initial information, please?

>> Brendan Devine: [04:03] So the--since the last board meeting, I'd say that we still maintain our overarching position in that the pertinent document for Maywood is the neighborhood design guidelines. And the language in the Maywood Design Guidelines is permissive with respect to placing of metal roofs. The way it's laid out, it gives the HALRB--the strongest supports are placed--it doesn't say mandates, requires, or prescribes replacing metal roofs. That being the case, and also the fact that architectural and pre-fab asphalt shingles are widely represented in the neighborhood, and are architecturally compatible with the character of the neighborhood, that it's not a style of shingle that differs vastly from what you see on the majority of the houses in the neighborhood. So, after the last meeting, we had several tied motions, and we went back to the DRC. I did a significant amount of research into other suppliers of metal shingles and metal roof. The vast majority of these suppliers supply either standing seam style materials, or they supply shingles that are designed to mimic the look of other slate, wood, something like that, something that's not compatible. I found a total of three suppliers that supply shingles that approximate what we're looking for, one of which is in Canada. I attempted to contact all three. I heard back from two. The Canadian one--the three that I contacted were WF Norman, Best Buy Metals, and a Canadian company in Ontario. But I heard back from the Canadian company and Best Buy Metals. Best Buy Metals sent me a price sheet. The Canadian company I spoke with on the phone, and I told them the situation, they said, "Well, we're actually going to be more expensive than Berridge because we custom make our shingles based on the job. We don't mass produce them. We hand produce the shingles," so he said, "I'm not even going to give you a price because if you're looking for something that's more reasonable than what [inaudible] offers, it's not going to be ours."

I got a price list from Best Buy Metals, and I provided that to two roofers. I got three different estimates. The original one, Augustine Paint and Roofing gave us another estimate. And I reached out to Wagner Roofing at the request of one of the members of the DRC, who said they were under the impression that they did metal roofing work. Augustine declined to give me an estimate for Best Buy Metals or WF Norman, saying their supplier has told them their products were of questionable quality, and they weren't going to put their name on using those materials. So, they were only going to give me an estimate using Berridge. The other roofing company, Painter, attempted to contact both those companies multiple times. They heard no response from either one, WF Norman or Best Buy Metals. I gave them the price list I got from Best Buy metals, and they took a [stab] at an estimate based on that, which came out to be approximately the same as the original estimate. Wagner Roofing, my communications with them, it became clear that they were not very experienced with the replacement of stamped-in shingles, and they had to do a lot of research to find suppliers. The only supplier they were able to find was Berridge. I had

about 5 or 6 days from the DRC to when staff wanted estimates in, so they didn't get their estimate to me until Tuesday. They provided an estimate using Berridge, which was significantly more expensive than the others I got. So, basically where we're at is we did a significant amount of research into alternative suppliers. The cost difference came out to be negligible, if not more. So, now we have three estimates on the table, the lower one of which represents a threefold difference in cost between asphalt shingle and the metal shingle. And also, Best Buy metal shingles only come in galvanized metal. They don't offer colored options. So, to avoid having the roof that has a black asphalt, black shingle, a silver main house shingle, and a black standing porch, we'd have to paint it, which would have to be redone every 5 to 10 years or so. It's easy to say as the board that cost is not a factor, but the homeowner cost is a factor. So, we factored it into our calculation. So, we went and did the research, that's what we came back with. But we're still basically where we were before with regards to our position. I'm hoping to get, you know, resolution to this one way or another tonight so that we can move onto whatever the next step is, whether it's installing the roof or moving on from here. So, that's pretty much where we sit.

>> Joan Lawrence: [08:58] Okay. Thank you. Staff report first?

>> John Liebertz: [9:01] Sure. Just to provide background from the last HALRB meeting, there were two motions that failed. The first motion was that the HALRB deny the application as submitted. And the second motion was, due to the unique circumstances of this particular structure, the metal shingle roof no longer meets the characteristics of distinctive features, finishes, and construction techniques to quality for standard five of the Secretary of the Interior's Standards for rehabilitation. The applicant attempted to protect the roof with latex coating in 2011, that failed. And as a result, it is appropriate to replace this roof with another architecturally compatible roof. After those two motions failed, the board sent it back to the DRC, and the motion passed as follows. The HALRB deferred the action to the DRC for further review. Specifically, the DRC would review materials and alternative materials to recommend to the HALRB.

What staff did is that we put together a packet of alternative materials. Some were more appropriate than others. We, you know, agreed that the Best Buy Metal Victorian stainless steel shingle roof was probably the most appropriate in terms of appearance. I did find online similar concerns about that company's products, about it being of an inferior quality. And the DRC reviewed all the different materials and asked us to look further into that when the applicant included that manufacturer, the Best Buy Metals, in his quote. Staff recommendation remains the same. Based on the Maywood Design Guidelines, Secretary of the Interior's Standards, and the HALRB precedent over the last decade, we recommend denial of the replacement of the stamped-in shingle roof with an asphalt shingle roof.

>> Joan Lawrence: [10:46] DRC?

>> Robert Dudka: [10:47] DRC, I don't really have anything to add to what John just said other than we did look at the--we did look at the packet that John put together, and some of the Best Buy shingles that actually we had found independently and some other things that we had looked at, which we realized would be even more expensive, so we didn't really consider them. And then we decided that the Best Buy was appropriate, and also decided that, or recommended that, there be additional price options. And so, recommended that they also look at Wagner, which is a roofing company that specializes in historic preservation.

>> Joan Lawrence: [11:32] We have two public speakers, Frieda Kulish.

>> Frieda Kulish: [11:45] I have my roof approval package. In 2004, we had a similar situation. I think we were the last property in Maywood that was approved to asphalt shingle replace our metal roof. We did all the same research you did. To get the exact shingle, it was going to cost us \$823 per square in 2004. I would like to support him, but I'd like to make the comment that was made to us at the time. Some

of you may remember Judd McIntyre, who was an architect and lived on 22nd Street. If you'd go past his house, he has the basic, cheapest asphalt shingle on his roof. And then he has standing seam on his porch. And the reason--and at the time that we were approved, we were told we also had to buy that specific shingle, unlike the ones that had more definition that you're approving for lots of houses. It's sort of lumpy and modern looking. If you look at that particular shingle, it looks most like the metal roof. It doesn't look like the metal roof, but it has a profile similar to it. And that was the recommendation. He is an architect. He happened to be the architect that did the African-American Museum. And he did quite a bit of research on it also, and you approved it for us, and I would like to support you also to have-- basically to do what we did. We couldn't put a more expensive roof on, which would have saved us the labor because it'll go more quickly, but the profile is the closest to the profile of the shingle. And we looked into everything. And when we win the lottery, we are planning to put the metal roof, you know, back on our house.

>> Brendan Devine: [14:03] I concur with that too.

>> Joan Lawrence: [14:08] [Second speaker.] Amanda Davis.

>> Amanda Davis: [14:14] So, I am the--for those who don't know me, I am the president of the Maywood Civic Association, community association. And I would like to support the Devines. We would all like to support the Devines. On behalf of the Maywood Civic Association, I would encourage you guys to take cost into consideration when there is an alternative material that is also historically appropriate. I do disagree with John. Sorry, John. I don't see it in our guidelines that it's clear that tin roofs need to be replaced with tin. I don't actually see that anywhere. And asphalt roofs are prevalent in our neighborhood. Most people have asphalt roofs in our neighborhood. In fact, very few tin roofs exist. So, additionally, in addition to the cost consideration, which is significant, I think it's five times the cost if I'm not mistaken to replace with a tin roof, and the fact that the guidelines are not clear, just aesthetically, Brendan's house is on the corner. And no offense, Brendan, but to have three separate roofs looks rather silly. So, just aesthetically, I think it would improve the neighborhood if he had the consistent roof. So, the cost is definitely a consideration, I would implore the HALRB to really look at cost when talking about alternative materials. Thank you.

>> Joan Lawrence: [15:58] That being the last public speaker, there were two letters that came in. One of them lacked a full name and a specific address. The other one was clearly someone in Maywood commenting. You have those letters. The matter is now with the HALRB for discussion. We'll not entertain comments or questions from those outside the board. There will be a limited time to ask the applicant questions. Is there any discussion on this matter? Again, keep in mind we've already discussed this for several hours [last month]. And if there was something new you would like to add to this discussion, if you want to talk about the new materials.

>> Richard Woodruff: [16:54] Excuse me, I have a question for John. In the recommendation that they go back to Wagner and look at some other alternatives, what's the assumption here?

>> John Liebertz: [17:12] Can you elaborate? I guess I'm not following your—

>> Richard Woodruff: [17:14] I can't hear you.

>> John Liebertz: [17:15] I'm not following your exact question.

>> Joan Lawrence: [17:17] Well, we have one estimate from when we met before. And so, it was to get more estimates.

>> Richard Woodruff: [17:23] For the same materials?

>> John Liebertz: [17:26] More estimates for the same materials. Typically, when historic review boards, architectural review boards look at applications to change materials, they ask for typically two to three--two to three quotes just to see what the price difference is. And there is a range of price differences. I know that the Painter came in at \$19,000. The original estimate from Augustine was \$29,000. And the final estimate from Wagner was \$33,000. So, there is--and that's all with the same Berridge stamped tin shingles. So those--so that's why we asked for more quotes, so we could see what the price range would be in terms of what the work would cost.

>> Richard Woodruff: [18:06] Are there additional different materials that could be considered?

>> John Liebertz: [18:10] Well, that's one of the things we looked at. And the one we found most appropriate was the Best Buy Metals stainless steel shingle roof. I can pull up the specification for that on the computer. And that ended up being, the applicant received only one quote for that material, and it ended up being the same price as the stamped tin. And from my research and Brendan's research on the subject, we both independently came to the fact that there were some questions regarding the quality of that manufacturer's materials.

>> Richard Woodruff: [18:44] Okay, thank you.

>> Joan Lawrence: [18:47] Other questions or comments?

>> Mark Turnbull: [18:48] I have a question for staff. And I apologize if it was covered last month. But would this type of roofing--let's say they went with the tin roof. Would it qualify for the historic preservation tax credits?

>> John Liebertz: [19:07] It would qualify in terms of the larger project, but probably the replacement of the stamped-tin shingle roof wouldn't meet the thresholds for what the applicant would need to spend on a project. So, there would have to be additional expenditures elsewhere to meet the minimum threshold.

>> Joan Lawrence: [19:23] Other questions or comments?

>> Gerald Laporte: [19:24] What's the threshold, John, if you don't mind?

>> John Liebertz: [19:26] It's--what is it? 25% of your home value, the assessed value of the house.

>> Rebeccah Ballo: [19:34] Which has increased substantially since there's been a new addition put on it.

>> Sara Steinberger: [19:41] I have a question for the applicant. Are you considering any further projects on the home in the near to short term? I'm talking like 18-month period, 2 years, something like that.

>> Brendan Devine: [19:53] The only additional project we're considering is putting dormers in the roof of the old house. That's also contingent on what happens with this roof. We got to pay \$30,000 on this roof that would table that project. But they would be dormers that mimic the dormer on the front. There would be several houses--this is a separate HALRB discussion that's going to happen further down the road. The dormers would mimic the dormers down our front just on the side. And the estimate for that came in at about \$10,000.

>> Joan Lawrence: [20:25] That's a separate issue.

>> Sara Steinberger: [20:26] And that's a separate issue, but John, we don't get anywhere close to the threshold if we combine those.

>> Rebecca Ballo: [20:31] Well, that work would also have to be--it would also have to meet the Secretary of the Interior's Standards, and it would also have to be--it's a real wildcard.

>> Joan Lawrence: [20:44] Any questions or comments?

>> Richard Woodruff: [20:46] I'll just say one thing. I'm not going to repeat everything I said, don't worry. I think everybody knows where I stand. But I do--I went back and looked at the guidelines, and I think we have some discretion. That's my opinion.

>> Joan Lawrence: [21:04] All right, I have a proposed motion. I'll read it, I do have copies if you would like a copy. There's an introductory part and then the motion. [Reads the motion aloud]: "Having considered the additional estimates and information relating to the--related to the replacement of the existing metal shingle roof on the historic portion of the house provided by [the] applicant, public comments presented in letters, and testimony, the report of the Historic Preservation Program staff, the HALRB finds that replacement of the existing metal shingle roof with metal shingles is appropriate, and is supported by the Secretary of Interior's Standards for preservation of historic roofs, the Maywood Design Guidelines, and the HALRB's decisions for the last decade requiring the replacement of old metal shingle roofs with new metal shingle roofs in the Maywood Historical District. I move that the HALRB deny the applicant's request to replace the existing metal shingles with asphalt shingles." Is there a second?

>> Sarah Garner: [22:07] Second.

>> Joan Lawrence: [22:10] Discussion on motion?

>> Charles Craig: [22:12] If I could, I may have added this last time, I'm not sure, other local historic districts have a similar problem. It's different in different areas. I've been fortunate, I have friends that retired in Key West. And they have a similar problem, only there every house has standing seam because there are no asphalt shingles. And the houses that have existing tin shingles, whether it's on a porch or the entire roof, have to replace them in-kind. The house I stayed in had individual shingles on the front porch, and they had to replace them in-kind. So, this is not an uncommon thing for it to be required to replace in kind as opposed to something less expensive or a modern technology.

>> Joan Lawrence: [23:14] For those of you who were not at the last meeting, we did a bit of a survey of other jurisdictions in Virginia, and they all require replacement of metal roofs in kind. So, this is--there is precedent for that in this particular situation.

>> Richard Woodruff: [23:33] How many were there? How many jurisdictions?

>> Joan Lawrence: [23:37] I think I looked at about ten. Not every single historic district. I was limited in my time. Other discussion?

>> Joan Lawrence: [23:45] Okay, all in favor of the motion? Seven. [Ms. Lawrence, Mr. Dudka, Mr. Craig, Ms. Garner, Mr. Laporte, Mr. Turnbull, and Mr. Zink] Opposed? One, two, three, four. [Mr. Woodruff, Mr. Wenchel, Ms. Steinberger, and Ms. Hamm] Abstain? [Ms. Solo] The motion carries.

**DISCUSSION AGENDA ITEM #2: CoA 15-01, 2322 NORTH FILLMORE STREET
(TRANSCRIPTION)**

>> Joan Lawrence: [34:31] I want to make a couple comments before we get started. There were letters received from residents of Maywood, and there's an apparent misunderstanding of roles of the HALRB and the DRC from those letters, and I just wanted to explain that the DRC is a subcommittee of the HALRB, and considers applications for Certificates of Appropriateness, and makes recommendations to the HALRB, who considers those recommendations in reaching a decision. No decisions have been made in this case by either the DRC or the HALRB, so I think that's important to note because there seems to be some confusion on behalf of residents of the community. As I noted earlier, I just want to remind everybody that the HALRB's actions are limited by the Virginia Code and by the Arlington County Zoning Ordinance. And under Virginia law, the HALRB only has powers expressly conferred upon it. For example, the authority to review and certify that a proposed building or structure is architecturally compatible with or changes to those buildings are architecturally compatible with other buildings or structures in Maywood or whatever local historical district we're considering. We also have the authority to review, and approve, or disapprove demolitions of historic buildings subject to the Virginia Code and the Arlington County Zoning Ordinance's provisions that give the owner of a building or structure in an historic district a right to demolish or raze the buildings. A little bit pretension there. I'd like to ask the applicant to go ahead with the presentation, please.

>> David Tarter: Thank you very much. I'm David Tarter, I'm an attorney with Tarter NoVa Law. I have the architect, George Myers, here with me, and also Barry Seymour the applicant. If you're not familiar with Mr. Myers' work, I just thought I'd pass along a binder. Let me know, can pass that around while I speak if anyone has any interest in that. It's just a portfolio of some of his work. Mr. Myers lives in a historic district himself and has a historic home, so I think he's more appraised of the issues you're grappling with. But thank you very much for having us here this evening. It's a pleasure, I know this has been a long road for a lot of folks. This has been going on, I think, for about two to two-and-a-half years. We appreciate your patience and your ability to work with the applicant. He's attempted to do the same thing with you to try to come to a reasonable outcome.

I thought I'd give you a little bit of background about the property. You may be familiar with it. I know many of you have seen this before. But nonetheless, for those of you who haven't, I know there's been some turnover on the board as well. I thought I'd just go through a few slides and let you see some of the existing property, some of the neighboring properties in our project as well. And then I'll let the architect briefly describe and elaborate on the design and some of the changes that have been made.

So, this is the existing house. It's a non-contributing house. It was built, what, is it a 40s house, 50s house? '51. So, nothing special, certainly not of any architectural significance. Okay, let's go to the other slide. This is a shot of the back and a shot, again, of the house from the front. You'll notice the grade is fairly steep. I think it's something like 16 degrees. That may come up a little bit later, but I thought I'd just pass that along from street to the actual front of the building. On the left, you'll note as well a large specimen tree. It's, I believe an oak, in the back corner of the property. I know at some of the earlier meetings, some discussions and particularly with the immediate neighbor, there have been discussions about saving that tree because it's a beautiful, large--I believe it's an oak. But anyway, that's a photo of the tree. It's not a great photo, but it is in the back right corner of the property, influenced the design to some degree to give that tree and its roots as much berth as possible, to give it the best chance of survival. Also, I had discussions with the immediate property owner to the right. You can see that in the slide on the right. And they are very interested in saving that tree as well. They actually sent an email earlier today, I don't know if it's part of your materials, but in support of the project and of the proposal, and of the agreement to save the tree. If anyone would like a copy of the email, I have a few in my hand.

This is the existing conditions, just a survey. But I would note a few things on here as well. On the left side, and I know you can't see this, but on the left side is a sanitary sewer line. And there's a berth as well of basically 10 feet on either side of that that Arlington County desires or insists upon that there can't be any construction or any improvements on top of. Also, along the left side of the property, there are a number of mature trees, not as large as the specimen I just showed you, but they kind of line the property boundary. And on the back right is the large tree I just referred to. That's existing conditions.

This is the immediate neighborhood, just some of the houses in the immediate vicinity. On the right hand side, you can see I believe that's our house on the far left. And then the neighbor's house you just saw, and a few others up the street. This is down going the other side of the street going the other direction.

Chronology, again, some of you may be familiar with this, but just by way of review, Mr. Seymour met with staff I believe almost two and a half years ago, January 2015, had a number of meetings with staff, about at least 10, between January and April this year. Five DRC meetings for construction of the new home from February of last year, February 2015 to April of this year. Two DRC meetings for demolition of the existing house. And this would be the second HALRB meeting. At the last one, I believe there was a straw poll and a formal vote on demolition, which I believe a straw poll indicated that the group was in favor. But you would know better than I would.

These are some of the revisions. There's been a number of revisions where the house was reduced by 5 feet, the building elevation was lowered. There's been a number of architectural modifications to the front, rear, and side. In particular, the front porch was enlarged and wrapped around the front of the building. The roof lines have been revised. Garage doors have been recessed and redesigned. A lattice gate, I think at the suggestion of someone on this body, maybe someone who's not here right now, but a lattice gate was incorporated as well. And just a whole lot of scenarios have been gone through to show different models of this project.

This is the new home--proposal for the new home. And I can let the architect speak to it in a little bit more detail, but again, that's the lattice on the ground floor that was suggested by this body in the large wraparound porch. Some other shots of this. And again, I'll let the architect speak more to this, but we believe it comports with the Maywood Design Guidelines, particularly section six, in design, style, mass, and location, fenestration materials, and site elements. Another shot of the property. We also believe it enhances and complements the neighborhood. You see some of the neighboring houses. This is a line drawing of the immediate houses to the right, which we're on the far left. And here's some of the houses in Maywood in general that I think inspired the design, and follow the rhythm and vernacular of the neighborhood. There's some lattice as well that I think this body approved this house on the right. Some other houses in Maywood. And that's what I've got. George, would you like to speak to some of the--

>> George Myers: [42:19] Sure. Generally speaking, we are in agreement with the staff report. We worked very closely with them. I think it's been a good process. They suggested a lot of improvements that I think brought us a long way. Just a couple points about, you know, how we designed the house initially. And this is coming from my own experience. I've been doing historic work since 1989 when I started my firm. Mostly started off doing historic renovations and additions. And as things changed, went along, we did a number of new homes. And in the past year, I've just jotted down two in Kensington Historic District in Montgomery County, two in Chevy Chase, one in Garrett Park. These are all historic districts on the other side of the river, but all around the same time. They're all sort of houses 1880s to 1920. And similar situations where we took down non-contributing structures and replaced them with new homes. And working with their staffs, one of the strategies that you suggested was to do the masking in a way that there was a smaller--it looked like there was a house that was there, and then set the addition in the back to make it look like there was a house there that we did an addition to. So, the massing is not just one big block, it's broken down into pieces that are similar in scale to the rest of the neighborhood.

So, that was the starting point. And I think we stuck with that all the way around, and that's consistent with the guidelines.

I think a lot of the discussion has been the garage. And ideally, obviously in any historic district like this, you'd want to do a detached garage in the back corner. And that's the ideal scenario. In this case, it just wasn't possible, a combination of factors. You got the easement on the left. You really can't do anything on the left side. You have the tree up the right. And even if you wanted to take a driveway all the way up, I guess theoretically it's possible, but it would probably look like a tunnel with deep retaining walls on either side of the front going all the way up, which to me would look not historic at all. So, in some ways, I thought how do we get some storage and garage space in here, and make it look like it really wasn't there? And I think the end result, the lattice gates and the lattice in the front, makes it look an awful lot like a number of other houses in the neighborhood. So, I think that was a suggestion made by someone else at one of the review committees, and I think it was a good one, and that's how we ended up there. So, just to summarize, I think, again, we're in agreement. I think we've met the guidelines as far as the house goes. It's been a tough process, but you know, I think just generally speaking, it always is.

Whenever we do new homes in historic districts, I think it's important that it should be a tough process because it needs to be a house that fits in. And I don't think if you took the existing house and this house together, just massing, I don't think there's any way you could say that the new house doesn't enhance or fit in better than what's there. If we came in and proposed to build a house here and it looked like the house there, you'd surely reject it because it has nothing to do with the guidelines, right? So, I think it's important that every generation has the ability to add to this district. It can't just be a static district. It needs to be able to grow. Additions need to be put on. Occasionally, it makes sense to replace a house with a house that's more appropriate. And it should be allowed, and it just needs to be done carefully and thoughtfully, and I think we've done that. So, I'm happy to answer any questions that might come up.

>> Joan Lawrence: [45:46] Thank you, we'll do that shortly. What I'd like to do is to divide this. We've got two different Certificates of Appropriateness [CoAs], one for the demolition and one for the new dwelling. And I would like to focus first on the demolition. But before I get started, I would like to thank staff, especially John, for the very thorough reports that were done with a wealth of factual information provided. So, thank you for that. I'd like to have the staff report on the demolition. This is CoA 15-01.

>> John Liebertz: [46:33] Alright, so the applicant proposes to demolish a non-contributing house and construct a new house on the property. The Historic Preservation [HP] staff recommends approval of the demolition application pending the approval of a subsequent CoA to improve the site. So, just as a little background, the HALRB heard this application as a discussion item in April 2016. The Historic Preservation Program supported the request to demolish the dwelling. The board discussed the merits of the proposal and the appropriateness of demolishing a non-contributing primary resource to the historic district and conditions that would need to be satisfied.

In a straw poll, the HALRB preliminarily recommended the demolition of 2322 North Fillmore Street, contingent upon an alternate site development such as an addition to the existing house, a park, or a new dwelling that conforms to the Maywood Design Guidelines. So, here we have the outline of the local historic district. In Maywood, there's two different districts. There's the local historic district and the National Register historic district, and those have very different connotations. So, the orange outline here is [the] Maywood [local historic district]. And then we have the National Register district on top of that. You can just see that the boundaries are a little bit different than what's in the local historic district. I'm sorry, the green is the local historic district. I flipped those.

So, Maywood was designated as a local historic district in July 1990. The designation requires that any exterior changes to the property undergo the design review process, and receive approval from the

HALRB. The local historic district designation differentiated between historic period properties and post-historic period properties. Historic period properties were defined as between 1906 and 1939. Maywood is significant as a planned residential suburb of Washington, DC dating from the early 20th century. The early development of the community is tied to the lifespan of the commuter railroads in Arlington County, which provided service to the area from 1906 to 1934. Maywood developed primarily between 1909 and 1929, with development decreasing during the 1930s. Like other early 20th century suburban developments, Maywood was promoted as a highly desirable and easily accessible alternative to the overcrowded, polluted urban environment.

Maywood was found eligible under Criteria A and C of the National Register of Historic Places. The Maywood Historic District has a period of significance extending from 1906 to 1941, and reflects the themes of architecture and community planning and development. So again, the 1906 to 1941 period of significance is for the National Register district. The consultants determined that period of significance, this is the span in which the property attained the significance for which it meets the criteria. Again, the period was established as it reflects the themes of architecture and community planning. The nomination and period of significance were accepted by the Arlington County Historic Preservation Program, the Virginia Department of Historic Resources, and the National Park Service. It is important to know that the buildings from 1941 to 1953, 50 years prior to 2003, were purposely declared non-contributing resources, as they are predominantly infill within the community.

As a result of this application, the staff reexamined the dwellings [in Maywood] built in the 1940s and 1950s. There are about 16 houses, and they're a mix of architectural styles, including but not limited to ranch, Cape Cods, and colonial revivals. Furthermore, these houses were built as infill throughout the neighborhood over nearly a decade. They were not designed or sited as a cohesive collection of homes. Staff concurs with the previous assessment completed in 2003 and likewise approved by the Virginia Department of Historic Resources and the National Park Service. We continue to find these resources non-historic when taking into account the developmental and architectural significance of the neighborhood as an early 20th century streetcar suburb.

Here is some background about the Maywood Design Guidelines. The demolition policy reads that it is the policy of the HALRB to maintain historic buildings on their original sites. In rare instances, the relocation of buildings to sites within the historic district will be considered in lieu of demolition. Removal or demolition of part or all of the building or structure, including outbuildings, requires a CoA.

Here is some background information on the house. Some of it was just provided by the applicant. It's a Minimal Traditional house built in 1951. These Minimal Traditional houses flourished in the late 40s and early 50s. They were simple and economical. This style was particularly well suited to large tract housing developments, which gained popularity after World War II. As its name implies, the Minimal Traditional style is a simplified form based on traditional cottages and bungalows stripped of ornament or detailing. These basic, generally one-story houses, employ a square or rectangular plan with small rooms clustered around a central point. Often, the front elevation features a projecting gable or awning. The typical siding materials include wood, asbestos, aluminum and brick.

And here are just a couple photographs of the house again. We have the retaining wall in the front. This is the rear of the property on the top upper right. Here is the rear retaining wall. You can see the slope. Here is the tree that they were discussing earlier, the oak tree. And again, just another site plan. The retaining wall in the back is here labeled in blue. The tree would be in this corner. And this is the sanitary sewer line that needs the 10-foot buffer from the center of the pipe.

The intent of the Maywood local historic district zoning overlay is to preserve and protect the individual historic resources and overall characteristics of the neighborhood that represent its early 20th century

suburban history. Non-contributing resources should respect and complement the scale, massing, fenestration patterns, and overall streetscape of the historically significant period. However, there are many building forms that can complete this objective. Neither the local nor National Register historic district designation, nor the Arlington County Zoning Ordinance, or the Code of Virginia provides any protections against the demolition of what we consider post-historic period properties or non-contributing resources. The zoning overlay and supporting preservation policy documents simply require that any alterations or new construction conform to the criteria outlined in the Maywood Design Guidelines. Therefore, the Historic Preservation Program staff recommends approval of the request to demolish 2322 North Fillmore Street contingent upon the approval of a separate COA to improve the site.

>> Joan Lawrence: [53:46] It's my understanding the DRC did not make a finding on the demolition, so nothing to report there. We have--yes?

>> Barry Seymour: [53:57] There is a recommendation in the previous DRC committee report on the minutes from the meeting that we had way back in, like, April of 2016. The DRC was okay with demolition contingent on approval or replacement at the time.

>> Joan Lawrence: [54:16] That was basically the straw poll.

>> Barry Seymour: [54:18] No, no, this was the DRC before it came to the--

>> John Liebertz: [54:22] That was in the DRC report.

>> Robert Dudka: [54:26] That's correct, the DRC did recommend to the full board that given the effect of the non-contributing, given the site--the unique site constraints, that contingent on something appropriate replacing it, that they would recommend that it would be--made that recommendation to the full board.

>> Joan Lawrence: [54:42] Thank you for the clarification. We do have six speakers. Frieda Kulish.

>> Frieda Kulish: [55:13] Do I just stand?

>> Cynthia Liccese-Torres: [55:24] Sorry, we're a little short on [chairs]--

>> Frieda Kulish: [55:33] I don't have a whole presentation, but I did bring some [photos]. I can share that. I'm at 2822 23rd Street [North], and my house has 4 non-contributing properties on 4 sides. And so, this is my house. And these are non-contributing properties. And if you continue to use the term "non-contributing properties" as the primary reason versus the sewer easements or whatever for allowing this house to be torn down, then every one of these houses, the precedent would be set that any one of these houses could be torn down. The one that really worries--and Mr. Seymour is not a--is a property rights individual. This house, which is a Cape Cod and is on a large lot, is ripe for development. So, what I've done here, these are all houses that [inaudible] historic district, where the houses were taken down, three walls, and then they were rebuilt so they were not officially tear-downs. Because legally, if you leave a certain number of walls, then it's not a tear-down. And that's what they look like, and they are not a neighborhood historic district. They don't have to come to you. They're only an honorary district, you know, under the National Register. These are two houses in Maywood. It was a smaller Cape Cod, this is large. And looks quite nice and sold for \$1.3 million. And this is the house next door to this [inaudible] property, which was a modified rambler, whatever the definition is. And that's now a Cape Cod. And that went through the process. And this is what I consider a disaster--

>> Sara Steinberger: [58:02] Could you hold that? We can't actually see that.

>> Frieda Kulish: [58:07] It's very upsetting because I am one of the few people left in the neighborhood who lived there before the district was created. And we were under the impression that we could protect it. And I think Mr. Seymour's house is beautiful. I really like it. It's just not in proportion. If you look at the front of it to other four squares and farm houses. It's wider and it's huge. If I am correct, it's over 7,000 square feet. Is that correct?

>> Barry Seymour: [58:47] No.

>> Frieda Kulish: [58:49] It's not? Oh, how many square feet is it?

>> Barry Seymour: [58:52] 3,400, something like that. There's a lot of exaggeration, so if someone says--it's not 7,000.

>> Frieda Kulish: [59:02] Okay, excuse me. But anyway, I just am--it's very discouraging to go through all the processes that we go through in the neighborhood and only to have a tear-down. The first tear-down in the district would set a precedent. And precedent is what really upsets me, and particularly the use of non-contributing. Because when we created the district, we were not--we did not discuss contributing and non-contributing. We voted on it, the County Board voted on it. Did the County Board approve each of the National Register districts? Did that go before then? Staff?

>> Cynthia Liccese-Torres: [59:45] No, but it went to the HALRB.

>> Frieda Kulish: [59:49] No, County Board, okay. So, the County Board did not approve--I would be willing at this point to have us remove Maywood from the National Register, which is purely an honorary designation except for the tax credit, which very few people even consider. But it just--I know your house is lovely, and it also bothers me that someone has to bring their attorney to something like this. To live in the district for 35 years and to have something like this happen, and to have staff recommend it, I realize now why I no longer participate in these meetings. So, thank you very much.

>> Richard Woodruff: [1:00:31] Did you say that the County Board didn't approve the historic district?

>> Joan Lawrence: [1:00:36] The local historic district, yes, has jurisdiction over--the Virginia Department of Historic Resources and the National Park Service approve and administer National Register and Virginia historical districts.

>> Frieda Kulish: [1:00:55] But that's a clarification. The County Board did not approve us to become a national—

>> Rebecca Ballo: [1:00:56] Well, I will add a further clarification to that. All of the National Register districts that the county has created have been done through cost share grants with the state historic preservation office. And the County Board does approve our matches for that. So, whenever we get a cost share to study a National Register district, you know, \$30,000 to do Maywood or \$20,000 to do that, we put in a matching grant. And the County Board approves the funding for the matching grant to go ahead and to do the study. And they've done that for our National Register districts and our larger survey reports as well.

>> Richard Woodruff: [1:01:29] But the controlling--the controlling factors...

>> John Liebertz: [1:01:33] And to--just to add one other clarification to that, with that board report and the survey report done by the HALRB at the time, and even the original guidelines, which I have in my

hand, it does distinguish between historic period properties and what was called post-historic period properties. And historic period properties were listed between 1906 and 1939, and post-historic period properties are everything else. Where it has guidelines for renovation in this original guidelines, it talks about these post-historic period properties. So, there was a distinguishing factor, it was not contributing or non-contributing, but there was a distinguishing factor that was discussed when they looked at what were the historic period properties and what were the post-historic period properties.

>> Joan Lawrence: [1:02:17] Are you finished with your comments?

>> Frieda Kulish: [1:02:22] Only that, yes, the County Board actually did not approve a National Register designation. It just contributed money to do all the surveying.

>> Joan Lawrence: [1:02:33] Joseph Debor.

>> Joseph Debor: [1:02:47] Members, staff, and applicants, loopholes and historic preservation. The applicant uses the Virginia Department of Historic Resources National Register Form 5056 as a basis for declaring the property non-contributing. I was puzzled by this because the property clearly meets both the National Register and the Arlington County Zoning Ordinance 11.3.4. criteria for contributing. It's more than 50 years old. It's architecturally intact. It's an integral part of the Maywood Conservation Plan, which has been in place since 1965. This house has been there since the beginning, when people wanted to conserve the neighborhood. Part of the National Park Service *NPS Brief 36* has been an integral part of the Maywood historical vernacular landscape since 1951.

In order to resolve this puzzle, I needed a second opinion. So, I called the Virginia Department of Historic Resources and asked them if this was a historic property or not. They sent a staff member to my house, and we discussed this with a number of the neighbors. And as a result, we found that the property is one of 13 Maywood houses that had become more than 50 years old since 1991, and are now eligible for financial incentives via the national designation. And as--and contribute status via 11.3.4 local designation.

In any event, the national designation, 5056, is not, and I repeat, not the basis for demolishing anything. These National Register forms are strictly for financial incentives for people who wish to declare their houses historic and get support to maintain them. Per the Zoning Ordinance 11.3.4.A, 2322 North Fillmore, including the house, the landscape, the large trees, is suitable for preservation, not demolition. This is a historic neighborhood. It's a very, very bad precedent. And the design itself is not of interest to me. Thank you.

>> Joan Lawrence: [1:05:44] Thank you. Carol Parker.

>> Carol Parker: [1:05:53] I moved to Maywood from Cherrydale, where we lived for 12 years, and just at the time when the historic designation happened. And initially, it was sort of a pain. We had to come here to get the railings approved on our front steps, and every pane in our windows that we replaced had to be approved. But I now look back at Cherrydale, and I'm appalled how the neighborhood has changed. I would say a third of the neighborhood has been torn down, historic and non-historic, and gigantic houses put up. And I really appreciate all the work that you've done, the house is beautiful. But these are, size-wise, even though I'm sure you diminished the size from the original plans, I still think it doesn't look historic. It's historic-ish, but it doesn't look historic. It's very high. It's got a garage underneath it. The footprint is gigantic. And you know, I appreciate all the work that you've done. I just think it's--my house is 100 years old and there are--in my block alone, there are 4 other houses that would qualify to be torn down and have a giant, new house put up. And I just think it's a very bad precedent. So, thank you for all

the work that you've put into this, but I think it's a real precedent kind of move that you're making here that's not just one house. And I don't want it to look like Cherrydale. Thank you.

>> Joan Lawrence: [1:07:59] Laura Litz.

>> Laura Litz: [1:08:04] Hi. I was going to say that I agree that it sets a really bad precedent. There's a house across the street that would fall into that category too. And I live on the corner of [inaudible] next to a monstrosity that totally does not fit our neighborhood at all. So I mean, it's just the beginning of the slippery slope. Plus, also there's no way you can save that tree. It'll kill that tree for sure. So, I just wanted to say that.

>> Joan Lawrence: [1:08:38] Thank you. Peter Harnik.

>> Peter Harnik: [1:08:51] Like my wife, I moved from Cherrydale to Maywood right around this time. And back in 1990, Cherrydale and Maywood were almost interchangeably similar looking. The same houses were brought up the same Lee Highway to be constructed on either side. And in the last 25 years, it's been really shocking to see what's been happening in Cherrydale, including our old house and practically every house on our block on Rose Street has been torn down and replaced, many of them with houses that look somewhat similar to what's being proposed here.

So, I agree with basically what Carol was saying, that Maywood is becoming more and more special every year as we see what's happening in Cherrydale and places like Cherrydale in this relentless look of this particular time period, sort of fakey time period reconstruction, some of which are better quality and some of which are worse quality.

The thing that bothers me personally the most is the garage. You know, that's just not a Maywood type or look. And I'm proud of the Maywood look of freestanding car pads or garages in the back, or something like that. And what is being proposed here, you know, just to me relentlessly pushes Maywood in the direction of a Cherrydale and a modern type, Arlington type solution that isn't what Maywood looked like and should look like in my opinion. So, thank you for all of your hard work on this tough issue.

>> John Liebertz: [1:10:47] Thank you. Amanda Davis.

>> Amanda Davis: [1:10:57] Hello again. So, again, on behalf of the Maywood Community Association, which represents 200 homes in Maywood, I would say there's probably no consensus on the issue of the tear-down. The majority of people who come to the MCA meetings are all adamantly opposed, for the most part. I'd say 95% of the people who come to the MCA meetings are not interested in a tear-down. They came to Maywood because they wanted to avoid tear-downs. They like our neighborhood as is, and they want to keep it that way. From the emails that I've received, there are people out there that are cautiously optimistic, or nervously watching might be a better representation. But we're all very anxious, and that is really true. Everybody is anxious about the precedent that is going to be set here possibly tonight.

I would like to echo some of the things I've heard. The house is lovely. You're a very talented architect. Barry and I have had coffee together. I understand what he is--how he feels and where he believes the law is on his side, and maybe it is. But the size and the massing are not consistent with Maywood. The front loading garage, not only is it absolutely not consistent with Maywood, it is clear in our guidelines, it is very clear in our guidelines, that garages are outbuildings. Garages are outbuildings in our guidelines. I ask you to look at our guidelines that the neighborhood has put together with county preservation [staff] and the HALRB, and uphold our guidelines. The guidelines are clear - garages are outbuildings. Most people in Maywood don't have garages. It's not a right. It's not something that most of us have or expect

to have. He can get his price tag that he wants, I believe, because other houses sell in Maywood for, you know, over the million-dollar mark without garages, whether they're front loading or--we don't have--I guess we have a couple, but they're not on--we've never had a tear-down. The front loading garages are just not part of the Maywood aesthetic, and I'm very concerned about this precedent that you're setting if you do allow the tear-down and then you allow the design as it's put forward right now. It just does not fit. I have told Mr. Seymour it's a lovely house and it would look fabulous across in Cherrydale, which is where it belongs. It doesn't belong in Maywood, so with that said, just on a personal note, I live in a really small house. It is a non-contributing, little, tiny brick house. I have three teenage boys in that house. It is perfectly suitable for a family to raise children in small houses. And that is why we moved to Maywood because we like our small house. Anyway, so that's it. Thank you. Please uphold our guidelines, please. Thank you.

>> Joan Lawrence: [1:14:33] That was our last speaker. The matter is now with the board, so there will be no comments from those not on the HALRB. We have a limited amount of time for questions. We're discussing the demolition. Comments on the demolition. These are separate COAs. Comments on the demolition.

>> Gerald Laporte: [1:15:12] I just have a question. They're separate, but demolition is contingent on the other, so how can you say--

>> Joan Lawrence: [1:15:20] There has been no specific decision on that. We took a straw poll. We have not--there's not been a motion. I can propose a motion for discussion if you'd like.

>> Gerald Laporte: [1:15:34] The staff report I think--

>> John Liebertz: [1:15:37] Staff report did--that was their recommendation.

>> Gerald Laporte: [1:15:41] Demolition contingent on approval of a site plan.

>> Joan Lawrence: [1:15:44] That was the staff's recommendation, which we can follow or not. Discussion on the demolition. I'm going to propose a motion for discussion. This is short, so I won't pass it out. Having heard and considered the applicant's presentation, of public testimony and comments, and the presentation of report by the Historic Preservation Program staff, I move that the HALRB approve the applicant's request to demolish the building at 2322 North Fillmore Street in the Maywood Local Historic District contingent upon the approval of a separate Certificate of Appropriateness to improve the site.

>> Joan Lawrence: [1:16:44] Were you seconding or no?

>> Charles Craig: [1:16:46] No, I have a question. I'll wait until it's seconded.

>> Mark Turnbull: [1:16:51] I'll second.

>> Charles Craig: [1:16:55] I have a question for staff. If the--is historic designation automatic? Is it a rolling date 50 years prior to today, where houses in historic districts, whether contributing--that are not contributing, that at that point become automatically--therefore become contributing?

>> John Liebertz: [1:17:20] No, it's not a rolling designation. You still have to have a justification for why those houses would be contributing now. Just because something becomes 50 years old, it doesn't mean that it's automatic. And that's what the consultants looked at when they looked at the National Register nomination. They did it in 2003. They could have extended the period in theory to 1953. And to be honest with you, they could extend it beyond that as long as the majority of the period is more than 50

years in terms of National Register status. So, it's not a rolling period. And even when they reviewed it in 2003, they still found that, you know, Maywood is only significant until 1941.

>> Charles Craig: [1:17:57] Is this something that the Maywood community could bring forward if they want to pursue designation, possible designation for what are now non-contributing houses? And I assume there would need to be a survey done.

>> John Liebertz: [1:18:14] What would need to be done would be a survey to reevaluate why these buildings meet the criteria, justification for why we'd extend the period of significance based on the research and information that we find. The houses were surveyed at that point. They were considered and they were--it wasn't unintentionally that they were left off. It was a conscious decision that, you know, Maywood as an early 20th century streetcar suburb has a defined period of significance. Staff, when we looked at it again for this application, we went back and tried to find the homes built in this period. You could see in the 30s that from that--let me pull up the map. Sorry for one second.

These houses from the 1940s and 1950s, are in blue and purple. The 1920s, we estimated about 37 houses were constructed. In the 1930s, we have about 17 houses. In the 1940s, there were only 4 houses built. And based on how they're scattered, there's not a cohesive architectural style. It's not like one builder came in and built a small collection of 1940s, 1950s, you know, Colonial Revivals or Minimal Traditionals. It really was infill housing. So, staff, from our examination of it, couldn't find a justification of why the National Register period would be extended beyond what it was then.

>> Charles Craig: [1:20:00] So, what we're dealing with today is what is designated as contributing structures in a local historic district, not something that might happen or change in the future?

>> John Liebertz: [1:20:12] So, what we have today is when the Maywood Local Historic District was designated in 1990, there was the language about--in the survey report and on one of the maps that I had, and in the guidelines that were created as well, historic period properties, which ran from 1906 to 1939. And then the post-historic period properties, which was everything after that date. When the Design Review Committee and the HALRB have been looking at projects since the Maywood National Register nomination was accepted, we've been using that National Register nomination as well for its contributing and non-contributing buildings, and that's extended the period of what we can consider contributing another 2 years to 1941.

>> Robert Dudka: [1:20:50] I'm going to ask another question. The houses that were built outside of the period of significance in the 50s--in the 40s and the 50s, were they built on empty lots? Or did they replace houses that had once been in the historic district

>> John Liebertz: [1:21:07] I can't tell you for 100% certainty. I've seen houses, a lot of these were empty lots that were not developed at that point. But I'm sure that there could have been a couple houses that were potentially torn down. But a lot of these were empty lots. You know, some of them had weird topography issues, which is maybe why they were not developed with the earlier set of houses, as this one.

>> Rebeccah Ballo: [1:21:34] There were also--in the upper right hand corner, when I-66 came through, a couple of those little houses were moved up onto [North] Edgewood Street and sort of the southeastern, southern portion of the neighborhood got chopped off. So, there's that development pattern that impacted the neighborhood as well.

>> Sarah Garner: [1:21:50] And the one since 2000, were those empty lots?

- >> Rebeccah Ballo: [1:21:54] Those were--one of them had a house that had a tree --
- >> Cynthia Liccese-Torres: [1:21:58] A tree fell on it.
- >> Rebeccah Ballo: [1:22:01] The others were empty lots that--and that one was subdivided off, yes.
- >> Sara Steinberger: [1:22:07] And what about that one--there's one there?
- >> John Liebertz: [1:22:12] That was--that was a larger lot that was cut. Yeah, that was Dale's house. So, that was another new construction house that was built.
- >> Sara Steinberger: [1:22:23] On an empty lot?
- >> Cynthia Liccese-Torres: [1:22:25] There was a house in the back of the lot, and a new house was built--
- >> Sara Steinberger: [1:22:28] So, it's subdivided?
- >> John Liebertz: [1:22:30] It's not subdivided per se, but it was--this brown section, was that--right there where I have my laser pointed on now, back to where the house was.
- >> Rebeccah Ballo: [1:22:39] There was like an old flag lot that was then re-subdivided, and a new house was built on what had been vacant area.
- >> Richard Woodruff: [1:22:47] I want to get--I want to explore a little bit the legal question between contributing and non-contributing structures. What's to prevent the neighborhood from deciding that they want to make all the structures in the neighborhood contributing structures?
- >> John Liebertz: [1:23:01] Well, you would still need justification as to why. Now, just because you want to be on the National Register doesn't mean they automatically put you on it.
- >> Richard Woodruff: [1:23:09] But I'm talking about the--I'm talking about the Maywood historic district as designated by the county.
- >> John Liebertz: [1:23:16] Even with the Virginia State Code, the idea is to protect historic resources. So, you know, legally, and this is my interpretation of this, that you would need to have legal justification of why you're declaring something historic. You just can't declare an entire area historic without justification because that's not the intent.
- >> Richard Woodruff: [1:23:32] The board doesn't have the legal authority to do that?
- >> Rebeccah Ballo: [1:23:35] No, what he's saying to--so, now we have designation criteria written into our ordinance. You know, the 11 designation criteria. Those 11 criteria used to be in the HALRB's policy, but now they're codified in the ordinance. So, presumably if the neighborhood wanted to expand, you know, the period of significance to make, say, all buildings from the 1950s fall under the terms of the ordinance and under the Design Guidelines, presumably you would have to take that case back to the County Board to amend the Zoning Ordinance that created the Maywood Local Historic District, and make findings, 2 of 11 criteria, you know, findings of fact, and your conclusions about why this group of properties should now be considered historic. You know, what two historic criteria it would then meet, and make the case to the County Board.

>> Richard Woodruff: [1:24:27] Wouldn't we just pass a resolution urging the County Board to do that?

>> Rebecca Ballo: [1:24:31] You could, but you would have to then--you know, who would be making that case to the County Board? You know, who would be compiling the report, doing the research?

>> Richard Woodruff: [1:24:39] Staff.

>> Rebecca Ballo: [1:24:40] Well, the HALRB does not direct the--HPP staff is the staff of the County Manager and the County Board.

>> Richard Woodruff: [1:24:48] I understand all that. What if we were to pass a resolution doing that? What would happen? What if I were to amend this motion?

>> Cynthia Liccese-Torres: [1:24:55] You would have to make that request at the County Board for us to be directed to do such a study.

>> Rebecca Ballo: [1:25:01] Or the HALRB could undertake it on your own to do the study.

>> Richard Woodruff: [1:25:07] Because I'm actually thinking about amending this motion to suggest that henceforth, after this project, all non-contributing structures in Maywood be designated as contributing structures.

>> Joan Lawrence: [1:25:22] I don't think we could put that--include it in this motion. It's something separate. Because this is a very focused issue, and it would--

>> Richard Woodruff: [1:25:34] But we're talking about a non-contributing structure.

>> Joan Lawrence: [1:25:08] But there's one specific non-contributing structure, and non-contributing just simply refers to the fact that it does not contribute to the period of historic significance as defined by the National Register and the Maywood Local Historic District. We're looking at one particular property, and it's just--it needs to be separate.

>> Richard Woodruff: [1:26:02] Right, but what I'm hearing is a lot of sort of conversation about how difficult it is to undertake an additional study of the remaining non-contributing structures. And so, what I'm trying to do is figure out how to get that study done.

>> Joan Lawrence: [1:26:24] I think that's fine, but I think that it has to be separate from this particular case in front of us.

>> Rebecca Ballo: [1:26:31] I would clarify as well I don't think that staff--yes, it is difficult, but I think staff is also saying that those resources were considered by the historic preservation consultants that the County hired to do the National Register nomination. They have also been considered by staff. They were considered at one point by the neighborhood as well, and were found not to be historic. So, that work has already been undertaken, and those were the findings.

>> Richard Woodruff: [1:26:58] That was 25 years ago.

>> Joan Lawrence: [1:26:59] Well, 2003.

>> Rebecca Ballo: [1:27:01] And then 2003, so that was--

>> Cynthia Liccese-Torres: [1:27:03] It's been undertaken twice.

>> Joan Lawrence: [1:27:05] We've got a specific case in front of us, and that's something that we need to focus on right now. We can deal with your proposal separately.

>> Richard Woodruff: [1:27:16] Well, I'd like to figure out an amendment that we could agree on because we're talking about creating a precedent where we're taking down a non-contributing structure. And so, I want to make sure that, in that process, we at least create a process where we're looking at the other non-contributing structures to figure out whether they ought to be contributing. I would think that we'd be able to think of some language that puts us on that path.

>> Charles Craig: [1:27:45] I'm not a lawyer and I don't play one on TV, but plain and simple on this seems to be a better approach. And to separate that out because I think we should have a discussion. But I don't think it should in any way encumber this motion.

>> Richard Woodruff: [1:28:01] Can we put it on the agenda for the next meeting?

>> Joan Lawrence: [1:28:03] Absolutely.

>> Robert Dudka: [1:28:05] And Joan, wouldn't it be appropriate for this also to come from the community if Maywood was to--the Citizens Association was to vote and say, you know, this is something that we would like HALRB to look at, that would certainly give us a good reason to do so.

>> Joan Lawrence: [1:28:21] That would be much better, yes, yes. All right, let's focus--

>> Mark Turnbull: [1:28:23] Can I ask just two quick questions?

>> Joan Lawrence: [1:28:25] Yes.

>> Mark Turnbull: [1:28:26] One, would it be an accurate assessment that when we're talking about contributing versus non-contributing, contributing properties make up about three-quarters of all properties [in Maywood]? That was my rough count based on your math.

>> John Liebertz: [1:28:42] That's the--the light blue is contributing. The dark purple is non-contributing.

>> Charles Craig: [1:28:47] It was a number in here somewhere.

>> Cynthia Liccese-Torres: [1:28:50] I think you had a number in your--

>> Charles Craig: [1:28:51] 75%.

>> Mark Turnbull: [1:28:54] This particular property has an issue of easement, also the elevation concerns. We really have similar concerns with some of these other properties. We have a giant sewer pipe running through some of these properties.

>> Cynthia Liccese-Torres: [1:29:10] They haven't been assessed to that level yet.

>> Sara Steinberger: [1:29:12] I have a question about the sewer pipe since we brought it up. When was that pipe put in?

>> Rebecca Ballo: [1:29:18] 1917? 1920?

>> Sara Steinberger: [1:29:22] Okay, so it's really--so, the pipe is historic, the house is not.

>> Rebeccah Ballo: [1:29:28] The pipe didn't service the house--

>> Sara Steinberger: [1:29:31] And the pipe still works.

>> Rebeccah Ballo: [1:29:35] There are a lot of those little private sewer lines because the county sewer system was not created until the 1930s. So, the private developers put them in, and they're in all the old neighborhoods, Lyon Park, Lyon Village, Maywood, Cherrydale. Some still function, some don't.

>> Sara Steinberger: [1:29:51] But that sewer line is now used by--I mean, it's county--

>> Rebeccah Ballo: [1:29:56] It's private. It's a private sewer, but it's used--

>> Barry Seymour: [1:30:01] It's maintained by Arlington County, and I'm going to respect the 10 feet on each side and grant them future easement, you know? So they can maintain it, you know.

>> Sara Steinberger: [1:30:14] So, it's maintained by Arlington County, but not owned by Arlington County?

>> Rebeccah Ballo: [1:30:18] I am not an expert. I'm not going to play an expert. I don't know.

>> David Tarter: [1:30:23] I'm not sure at this point we have for you tonight that information. It is--we've been directed by Arlington County to keep a 10-foot berth on either side of this property. My understanding, Arlington County has created it as a county pipe. Whether in fact that is legally true, we don't really delve that deep.

>> Joan Lawrence: [1:30:39] The fact is it's there, and there's a requirement of a setback easement. That's what's being dealt with. Somebody else had a question.

>> Gerald Laporte: [1:30:51] I was just going to tell a war story. I lived in Lyon Village, and we have a similar situation. And there's one that broke a few years ago in front of somebody's house, and the County billed them almost \$100,000 to fix it because they said it was a private line. And the County backed down on that. So, there's some discussion as to who's responsible. It's not really relevant.

>> Joan Lawrence: [1:31:14] Moving on, moving on. We need to focus. All right, there is a motion on the table that's been seconded. Is there additional discussion on the motion?

>> Sara Steinberger: [1:31:33] Can you repeat the motion?

>> John Lawrence: [1:31:34] Yes. Having heard and considered the applicant's presentation, public testimony and comments, and the presentation of report by the Historic Preservation Program staff, I move that the HALRB approve the applicant's request to demolish the building at 2322 North Fillmore Street in the Maywood Local Historic District contingent upon the approval of a separate certificate of appropriateness to improve the site.

>> Joan Lawrence: Questions? Any additional discussion? Alright, all in favor? Eight, nine, ten. Opposed? Two [Mr. Woodruff and Ms. Solo]. Abstain [None]? Alright, so the contingency is that we approve a certificate of appropriateness for improvements on the site. What has been proposed for rebuilding on the site is a new dwelling. We have a staff report on the new dwelling.

**DISCUSSION AGENDA ITEM #3: CoA 15-01A, 2322 NORTH FILLMORE STREET
(TRANSCRIPTION)**

>> John Liebertz: [1:32:59] The following presentation reviews the subject proposal to construct a new two-and-a-half-story dwelling at 2322 North Fillmore Street. The staff presentation will examine the following elements of the building: the design and style, the scale and massing, the location, space and rhythm, the fenestration and openings, and the materials and site elements. The HALRB has consistently approached new construction and additions in local historic districts from the “invention within a style strategy.” That’s detailed more in the staff report.

In Maywood, the HALRB has prioritized compatibility and ensured that the new buildings share the same underlying principles of space, form, composition, proportion, ornament, materials, and the character of the historic--of the surrounding historic resources. This subject proposal follows this approach taken by the HALRB. The proposed design stems from a vernacular Queen Anne style and historical form evident throughout the local historic district. Staff found about 18--approximately 18 contributing primary historic resources in Maywood that serve as a baseline for the style, massing, and form of the proposed dwelling. They all share the same front gable with an ell plan that creates this traditional form. Therefore, staff found the design and style to be compatible with the overall character of the neighborhood. And here are just some of the examples from around the community that have a very similar front gable with an ell attached to it. The wraparound porch and the setback of the side-gable ell, which is right here, and you can see that setback here, it’s a significant setback due to the wrapping of the porch, creates a more traditional massing and diminishes the overall width of the dwelling when viewed from the public rights of way. As shown previously, this building form is often utilized within the neighborhood, and is appropriate to the setting of Maywood.

Let’s move on to scale and massing. The overall dimensions of the dwelling are appropriate with respect to the historical precedents and the HALRB-approved new construction in the district. Here, we have two graphs. This one is the subject dwelling on the left in comparison to the historic houses of similar massing. Of the historic houses of similar massing, we have an average width of about 34 feet. The one on the left, the bar here, that’s our proposed dwelling. On the right [graph], we have HALRB-approved new home construction. This looks at the height, the width, and the length of the houses. Again, the proposed house is the one in the blue on the left of each of these three groupings. And you can see it falls within the range of what’s been approved by the HALRB. The one house that we did not graph or examine is the one at 2325 North Edgewood Street. This was constructed in 1992. That was the first home built after the [local] district was designated, and we just found it to be too far outside of the time frame that we’re looking at, and also before the current Design Guidelines.

The proposed design respects the typical location and spacing pattern between the buildings on North Fillmore Street. Similarly, the setback of the front porch respects the condition of the dwellings at 2336 and 2338 North Fillmore Street. And that’s this one, the two four-squares. Due to the topography, the existing dwellings on the west side of the street all have partially to fully exposed basements. The basement of the subject proposal would have a maximum of 9’ exposed on the southern end of the facade. So, you can see, all three of these properties have exposed basements to different degrees. In respect to the overall height, the scale of the proposed dwelling aligns with the existing rhythm of the streetscape. The buildings all step down from one another when descending south on Fillmore Street. And so, the peak of the subject building is about 1.2 feet lower than the adjacent property, which still maintains that, you know, the houses drop down as you continue down Fillmore Street.

During the design review process, the main issue was related to the front-loading garage, or this was one of the main issues that the DRC and staff tackled with the applicant. The proposal, as submitted,

precluded a detached garage due to the slope of the property. Per County regulations, the final slope of a permeable paver driveway must be less than 10%, so that precluded adding any type of detached garage on the right side or the left side of the property in the rear. In addition, a new curb cut for a driveway on the eastern end of the property would be required to be at least 25' from the neighboring curb cut per County regulations. There's a curb cut right here, so adding another curb cut right here would not be permissible. You could try to do some type of shared easement with this property owner in having a single or shared driveway, but that coupled with the fact that you can't put a permeable paver driveway here really excluded the idea of a detached garage. So, also per the--excuse me. The design submitted with the sanitary sewer easement that ran right here, doing a side-loading garage wasn't feasible with the design as submitted. Arlington County requires, per the Zoning Ordinance, that one car be parked on the property for a new construction.

So, there are four front-loading garages within the Maywood Local Historic District, and they are located on non-contributing or post-historic period properties. The historic period dwellings and contributing resources in the Maywood Local and National Register Historic Districts lack front-loading garages due to their period of construction. There are three HALRB-approved side-loading garages within the Maywood Local Historic District.

Here are the four front-loading garages and these are the four non-contributing buildings that they're located on. And again, there are three HALRB-approved side-loading garages within the district as well. So, in terms of staff justification for the proposed garage, based on the proposed design, site conditions preclude the construction of a detached garage or a side-loading garage. Second, the HALRB has approved the construction of three attached garages in the past. Third, the proposed dwelling was not arbitrarily raised to accommodate a front-loading garage, but utilized the existing topography. The elevation of the first floor would not be altered with the exclusion of the garage. The elevation of the first floor of the proposed house is lower also than the first floor of the existing house. Also, the neighboring non-contributing dwelling, which is seen right here at 2338 North Fillmore Street, utilized the topography, and has a front-loading garage. Fourth, the use of lattice between the brick piers of a porch's foundation is a historically appropriate treatment of the space. Here's a property on Old Dominion [Drive] approved by the board, and you can see that has lattice of significant heights. There's even a door leading underneath the garage on the side of the porch. Fifth, the design of the proposed mechanized lattice gate matches the design of the lattice infill between the other brick piers.

[Per a previous submission], recessing the garage door 7 feet under the porch mitigated its impact to the streetscape, but created a 9-foot-wide gap in the porch's foundation that was inconsistent with the character of the [local] historic district. However, the applicant's proposed mechanized lattice gate creates a uniform appearance on the facade of the dwelling and a fenestration pattern that remains consistent with the neighborhood. So, that's the lattice gate. You can see their model right here; it's made to mimic the two lattice infill openings between the other brick piers.

Also, in more recent conversations with the applicant, they are amenable to synchronizing the interior garage door with the exterior lattice gate. By having the garage door and lattice gate synchronized, the compatibility of the garage element with the overall character of the local historic district would be improved. As part of a motion to consider the proposal, the HALRB could include this synchronization feature as a condition.

Moving on to materials and site elements, all the proposed building materials and site elements are compatible with the character of the district. The HALRB regularly approves the use of smooth cement fiberboard siding and cellular PVC trim on new construction. The proposal complies with the requirements set forth in Appendix C and Appendix D [of the Maywood Design Guidelines]. The wood

front porch, doors, and windows retain a consistency of appearance between historic and new construction in respect to the overall streetscape and character of the neighborhood.

The HP staff finds that the proposal complies with Chapter 6: New Addition/Building of the Maywood Design Guidelines. The applicant should be required, however, to return to the DRC and HALRB to review all of the working plans and details of the designs. These include, but are not limited to: stormwater mitigation; the size and design of the stair tower window on the north elevation; the size, trim, and profile of windows; a section of the front porch; details and dimensions of the dormers; dimensions of trim elements; detailed drawings of the lattice gate and its mechanization; detailed roof plan; and landscape plans that include the tree protection and design specifications for the rear retaining wall. That concludes the staff presentation.

>> Joan Lawrence: [1:42:45] Alright, we've already heard public speakers, so the matter is now with the HALRB. Then limit comments to those on the HALRB. If there are some specific questions that you have for the applicant, then we'll have a limited time for that, so. I'm sorry? Oh sorry, yes, DRC report. Sorry about that.

>> Robert Dudka: [1:43:15] As I presented earlier, the DRC saw this a number of times, and has been working with the applicant for some time in regard to this. First, I want to commend John for a very thorough staff report. But I want to take a quibble with one thing you said in there, which was that you--at one point, you say that somebody called for a front-loading garage. Nobody ever called for a front-loading garage. We simply--we simply noted that because of the topography of the site with the slope going up, and the fact that you'd have to locate the back of the house, you know, at the break at the back of the house, you end up, like all the other houses on the street, with the front of the house significantly out of the ground. And so, the opportunity for a front loading garage existed, but it didn't drive the form of the house. It wasn't--and the house would be this high up in the air regardless of whether there was a garage there or not. And so, that was--that was an important thing that the house itself was not being driven by the idea of a garage. It was simply a possibility because of the topography. The applicant was responsive to the suggestions of the DRC and the staff. And it was an extensive process, so we made a number of suggestions.

Firstly, we asked the applicant to explore other options in terms of the garage. And I think you've heard John speak about the exploration of detached garages of, you know, side garages. And none of those were proven to be feasible. We asked the applicant to work very hard to make the house smaller. And not just make it smaller, but make the apparent size smaller, which John also addressed in terms of the idea of having a smaller width on the front that then had an apparent addition behind. We were--we were fairly positive about saving the large tree.

Another thing we were very--that we thought was very important is because this is an important feature of Maywood, is the relationship of the porch to the sidewalk. You know, Maywood really is about--one of the reasons front-loading garages are not appropriate in Maywood generally is because they generally interfere with the idea of having a porch on the front of your house. And in this case, because the house is naturally higher up in the air, you're going to have an elevated porch. But we thought it was very important that that relationship between the porch and the sidewalk be emphasized and studied carefully. And so, that's what led to the wraparound porch with the entrance with the steps to the porch at the opposite end of the house from the garage, and a nice--and a nice--and a nice set of steps down to the sidewalk, which are broken up so that you don't have an enormous flight of stairs up to this porch, but rather a set of--several sets of smaller steps with landings in between so that there is a really nice--there's a much better relationship between the street, the sidewalk, and the porch. The other thing which we suggested was a disconnect between the entrance of the house from the driveway, which is something that often you see with garage front houses that, you know, you get the driveway and then the steps to the

house, or the front entrance to the house, come right off of the driveway. And we thought that that's a giveaway that you've got a driveway and a garage. And we insisted that those be disconnected. So, the entrance to the house is at the--and the steps are at the opposite end from the driveway.

We also thought it was important to conceal the garage with architectural features. And it was a suggestion of one of the DRC members that the lattice doors be introduced, which not only moved the garage to the back of the porch, but putting the lattice in the front. Now, you know, it's difficult to tell what's behind those doors. It might just be where you keep your--you know, where you keep your lawnmower and garden tools. And so, all of those things we thought together helped to diminish the idea of a front-loading garage. We also--we also asked that pictorial views be provided, which is what you see in front of you here. But nevertheless, we all remained somewhat concerned about the idea of precedent being set by this house. And consequently, due to disagreements between various members of the DRC in regard to the possibility of precedent set by this house, the DRC, although we generally like the house, was unable to achieve a consensus. And so, we moved it forward to the full board for discussion without recommendation.

>> Joan Lawrence: [1:48:30] Thank you. All right, discussion. Discussion, comments.

>> Richard Woodruff: [1:48:40] I'll just--I want to compliment both you, DRC, and the architect, and the home owner for creating a design that's a lot different from the first one. And you know, having established the precedent of knocking down the old house, the new house is actually pretty nice, I'll admit that. So, that's all I have to say about that.

>> Joan Lawrence: [1:49:06] Other comments? Yes?

>> Gerald Laporte: [1:49:11] Yeah, I had a couple questions of the applicant. I noticed on the rendering and the--I don't know if you call this the photograph. I'm talking about the steps over on the side. The steps seem to be much wider in this picture than they do in the rendering. I think you've done a really good job of trying to reproduce an appropriate dwelling. We have a lot of people that are putting in these pseudo Craftsman houses. And one of the things that is apparent about these is they're kind of ostentatious [inaudible]. And I think that these stairs, they look like they're 6 feet wide, which I don't think is consistent with--in the rendering, they look okay, but on the picture, I think they look much wider than that.

>> George Myers: [1:50:14] I can answer that. The hand drawings are accurate. The stairs are about 4 feet wide. There's some limitation to the rendering. The stairs are going to be about 4 feet wide. Also, as we go on into the next level of drawings, the working drawings, which staff will also review, there will be a site plan, as mentioned, that they'll get another--the final approval will be contingent on those. There's a number--this is sort of a schematic plan. But what's drawn in the plan and scale, what's submitted is 4 feet wide. The rendering does appear to be a little bit wider. But it's just a function of it's a rendering. It's not an artistic--

>> Gerald Laporte: [1:50:57] It looks like 6 feet wide or 7 feet.

>> George Myers: [1:51:00] No, that would be inappropriate obviously. We would be doing what is characteristic of the neighborhood.

>> David Tarter: [1:51:04] And we can stipulate to the effect.

>> Gerald Laporte: [1:51:10] Just the record seems to show two different styles, so that's why.

>> Joan Lawrence: [1:51:13] Right, then that'd be a good point to clarify.

>> Gerald Laporte: [1:51:19] Secondly, and this may be another thing, a problem with this software, we're trying to sort of mask the garage doors, but you put handles on the middle to make it look like garage doors.

>> George Myers: [1:51:31] Well, actually, we thought the handles made it look like more like a regular door that you'd open to go in, like storage. Like the old kind of doors you'd see on a shed, you know what I mean? And those doors do swing. Well, actually, you won't pull them because they'll be mechanized now, so we don't need the handles.

>> Barry Seymour: [1:51:48] We can take those off.

>> George Myers: [1:51:49] Right, but they were done intentionally to make them look like not a garage door.

>> Gerald Laporte: [1:51:57] Yeah, I think to me, it looks more like a garage door than a tool shed. And I think if you had a tool shed, you wouldn't probably have a lattice, okay? But anyway, that's--I think there's a bit of--

>> George Myers: [1:52:14] [inaudible] more like another picture that came up. You see in one area, you have that much lattice, and people will use the space under their porch frequently. And you'll see often it is made out of lattice. That's just a simple latch.

>> David Tarter: [1:52:26] Do you want us to--if you want us to take them off, we'll take them off.

>> John Liebertz: [1:52:30] Well, that can be discussed. You could make that as a comment for the Design Review Committee to discuss if it goes forward.

>> Gerald Laporte: [1:52:35] And the third question I had was about the shutters, okay? I think that a lot of people over the years have added shutters to these Victorian type homes. I don't know that they're historically appropriate. And I think the ones that are there, we leave them there, but maybe the DRC had a discussion of this. I think that to be more historically appropriate, you do not put shutters on this house, even though I'm sure there's a lot of Victorian houses--

>> George Myers: [1:53:01] I think that that's--you see them both ways. We've just seen--I mean, I think a lot of the older Victorian Queen Anne houses had shutters. Some of them just took them off. I think that if you put them on, you have to use real hardware, and they have to be really operable, but they work. I don't think it's that--I don't think it's a deal killer if we have them out. But I think--I don't know that it's--I wouldn't agree that it's inappropriate if this house has shutters. I don't think either one is inappropriate.

>> Gerald Laporte: [1:54:30] If it's Colonial Revival, it does, but this is not really--maybe it's sort of pre-Colonial Revival. I know a lot of people have put it on because they think it looks nice and cute, but--

>> Joan Lawrence: [1:53:43] There are original shutters in Maywood.

>> Gerald Laporte: [1:53:48] The hardware?

>> Joan Lawrence: [1:53:51] Shutter dogs. No, there are original shutters.

>> Gerald Laporte: [1:53:57] It didn't appear to me that's what these were, the Colonial Revival--

>> Joan Lawrence: [1:54:03] The description is that they're operable.

>> George Myers: [1:54:05] They are operable with hardware. I wouldn't put anything fixed on. The shutters that just get screwed on are awful. I would never--I would never--I can't stand them. But if you put them on and then they actually work, I think it adds a bit of interest to a house, which you know is a little exciting. It's another element of craft, I think, if it's done well. But that would be the only reason--we'd only put them on if they had real hardware.

>> John Liebertz: [1:54:35] And the DRC and staff did discuss the shutters in one of our meetings. I think we even asked you to take them off the side elevation, as you had them wrapping the house at one point. So, that item was discussed by staff and the DRC and the applicant at one of the DRC meetings as well.

>> Robert Dudka: [1:54:51] Can I just add something to the DRC report? In regard to the porch, I mean, the motive for wrapping it around the house partly was to get the steps, you know, to be able to work from the end. But what the applicant originally came in with was a porch which was much narrower. And we insisted that the porch be at least 7 feet deep. And by wrapping it around, it's now become the sort of quirks that you would expect to find in Maywood that is, you know, truly one of the rooms of the house, and that you could imagine people actually living out on their porch. I mean, having the wicker furniture or whatever. And so, that we thought that was important also, unlike a lot of modern development, which has vestigial porches, that this be a real porch and that sort of encourage it to be really used.

>> Richard Woodruff: [1:55:46] Yeah, that's a really nice element. You know, so many of these new houses have these skinny porches that you can't even put a chair on.

>> Robert Dudka: [1:55:56] Or even a--I saw a house that had a--recently that had a single baby stroller jammed in. A double stroller would not have fit.

>> Joan Lawrence: [1:56:06] I think Charlie had--

>> Charles Craig: [1:56:07] Yeah, I was just going to say that I think I brought up at the first meeting of DRC that front-loading garages would be precedent setting. And they would--it was a concern that I held through all of our meetings. I also mentioned the fact that a garage is not a right by law. However, the applicant explored every possible location for a garage on-site. And if this were a commercial property, I think as you know, with a storm sewer on the left side of the property, for a commercial property, they would move the storm sewer someplace else to put a road through at that point. But that is not possible on a residential site. My other main concern has been with the garage looking like a garage. On too many sites that are flat, the houses are jacked up 10 feet above grade, and all you see is a garage door and steps leading up front. And there is one in my neighborhood that is done that way and is not successful. So, that was something I felt was to be avoided.

With the suggestion that the garage--outer garage doors are not garage doors at all, that the lattice be used as a screen for the garage door behind, and that a combined one-button mechanized system would open the outer doors in and the garage door up at the same time, thereby when the homeowner comes in and drives in, there's one button that closes everything back up again, you would still not see the garage door behind the lattice.

I have--this has certainly been a project that I have spent a lot of time thinking about. We've had a lot of discussion about this project. And I think that in this case, given this site--and I'm not a lawyer. I hope that something can be put into the motion, and I will not be the person doing it, regarding the grading of the site and the fact that this is a suitable solution, but I think this is a good solution to this problem. It

will be a non-contributing structure. And yeah, it will be a non-contributing structure. And there was one other site where a sewer easement ran through the middle of it. It was Wiljanen. And he had to set back from that as well. His site was big enough so that he could get a garage, freestanding garage on the site. So, I do support this project.

>> Joan Lawrence: [1:59:22] Other comments and discussion? Oh, yes?

>> Sara Steinberger: [1:59:27] Yeah, I had a couple. Could you go--there was a slide--I wanted to look at two of them, the one where you showed the massing and how it compared to the other properties in Maywood. And then the slope down, where you showed, like, the grade of the other houses and, like, the drop down between them. Oh, that's fine, I don't care which one first. Okay, so in terms of the massing where we're at, it does seem to me that, while we're consistent with some of the other homes that were looked into for comparison, that we are on the higher end of that.

>> John Liebertz: [2:00:08] That--yes, that is true, we are on the high--

>> Sara Steinberger: [2:00:12] Have we already come down through the different DRC meetings to get to this point? Like, where do these start at?

>> Robert Dudka: [2:00:18] That house was reduced in width and in height through the process.

>> John Liebertz: [2:00:24] And one of the--besides being reduced in width, and I think--you'll have to correct me, I think it was about 5 or 6 feet from what he originally proposed, this front elevation basically--this setback right here, which is 8 feet now, as originally proposed, this was only 2 feet. And so, how this house read as one solid 36-foot wide massing. And that, you know, staff found to be inappropriate for the [local] historic district. So, we requested, along with the DRC, that he set it back. So, you have this 24-foot-wide massing here, which would be an appropriate size to the district, and then you have this 12-foot-wide--12 foot, 6-inch wide section here. So, you get about 36 feet wide still on the front, but it is set back and creates that L form, which is a traditional form. And then you have two projecting gables, side bays at 2 feet each on either side, which brings it to about 40 feet, 6 inches total.

>> Joan Lawrence: [2:01:23] Maximum width, not--

>> John Liebertz: [2:01:24] The maximum width of the house. So, on the front, you know, this is 24', this is 12 feet 6 inches, and then you have the two bays on the side, which you could see--well, you can't see it at this point. You have to look at the floor plans.

>> Sara Steinberger: [2:01:42] I mean, so in terms of when the DRC was sort of reviewing that, are we at kind of a comfortable point in terms of where we got to with the massing? Because, like, what I'm hearing from kind of the neighborhood is that that's still kind of a concern. And I want to be cognizant of what we're kind of hearing from neighbors, and that's kind of that the impression of the house is still maybe too much just physically.

>> Robert Dudka: [2:02:12] Are you addressing that?

>> Sara Steinberger: [2:02:13] I don't know, or a comment generally. I could look at my other comment, which I think is related, and then we can kind of talk more free form. Could you--wait, so--

>> John Liebertz: [2:02:22] So, this is the--you know, you have the 24-foot section here, the 12-foot section that's set back here, this is the porch roof, and this is the 2 feet here, 2 feet here. So, you've got a total of 40 across, but it's 24, 12.

>> Sara Steinberger: [2:02:39] It's kind of staggered.

>> Sara Steinberger: [2:02:41] Could you go, and it might be back on the other presentation, where you showed the dropdown between the houses next to it and [inaudible]. Yeah, you had another set where it was a little easier to see, but no. Yeah, so I'm trying to tell--to me, it looks like the drop-down--

>> Sara Steinberger: [2:03:06] That is the drop-down, yes, we are kind of still keeping the slope, but that the slope is much more--or it seems to be more noticeable in the first three than in what's proposed. I mean, I'm taking your word, but there's that difference. You know, you said it was a foot and a half?

>> John Liebertz: [2:03:28] Well, yes, the drawings, these are submitted by the applicant. They have the peak of the roof at 268.4 here, and they have the peak of the roof at 267.2. So, this house is a--also a non-contributing house, this is new construction. Just in terms of the height of that house or the height of our house, from the first floor to the peak of the roof is 28 feet, and from the first floor of this house to the peak of the roof is also 28 feet.

>> Sara Steinberger: [2:03:55] Okay.

>> Robert Dudka: [2:03:59] The house next door is a one-story house with a--whereas this is a--you know, you've got a two-story house.

>> George Myers [2:04:07] One of the things too I'd like to point out too is that, so, the first floor of the new house is lower by I think a foot.

>> George Myers: [2:04:14] Two feet lower than the current house. And the heights, the first floor is a 9-foot ceiling, which is typical, and then the second floor actually has 7 feet to the plate height. The whole point of that was to reduce the overall height of the house down to the heights that are consistent with Maywood. I mean, there's--like, often when we see new houses done in other neighborhoods, you'll see 10 foot, and then 9 foot, and then the roof. And that's why, when you see the new houses next to previous ones, it looks so much taller. I mean, they're literally 3 or 4 feet higher just to the roofline. But this is intentionally pushed down so to be consistent in those heights. Second floor actually is a 7-foot plate height, so the second floor of this house is going to have some sloped ceilings.

>> Robert Dudka: [2:04:59] And John, I believe that the ridge line, you know, from the first floor, for the moment ignoring the basement because there's nothing you can do about that because of the terrain--

>> Sara Steinberger: [2:05:12] Right, that's the topography, yeah.

>> Robert Dudka: [2:05:14] Is actually very typical of the sorts of heights that you would find in Maywood.

>> John Liebertz: [2:05:18] Yes, so this is what this model's kind of showing. So, this is the model of the house two doors up. So, you can see it has a 28 foot from the floor--first floor to the ceiling--I mean, to the peak of the roof. And here we have 28 feet again from the first floor to the peak of the roof. This one's nine, this one's nine, this one's--you know, the first floor to the--so, this is eight, this is seven. So, there is a consistency that they're trying--that the application tries--

>> Sara Steinberger: [2:05:45] Okay, I just wanted to get confirmation on that. And then the last comment I was going to make is, can you show one of the renderings that shows the lattice? Like, all of the front lattice? There were a bunch of options, so if you can just pick one. One of like the photo-y ones.

>> John Liebertz: [2:05:59] I'll get there in a second.

>> Sara Steinberger: [2:06:04] Yeah. So, to me, and while I love the idea of lattice, I think that's a very smart way to kind of do the space, I don't like this lattice. This lattice reads to me as very modern. And I'm confident there's a way that lattice cannot look modern. And I don't know if it's a color thing, or if it's the handles, or if it's sort of the fact that they've been done in this kind of square as opposed to kind of larger sheets of lattice, which is what I more associate thinking of kind of more historic. But to me, this almost emphasizes the fact that this is something different as opposed to kind of blending it in and using a historic element. So, I would love to see some other lattice styles.

>> George Myers: [2:06:46] I think, again, it's a little bit of the limitations of the rendering, but I have no problem stipulating, we'll use whatever lattice is most typical in what you see in the neighborhood.

>> Sara Steinberger: [2:06:58] Because I looked through the materials and stuff, and I didn't see a specific sample of what kind of lattice it would be unless I missed it.

>> George Myers: [2:07:03] Well, most of the older lattice tends to be 90 degrees. A lot of the newer stuff you see is 45 just because that's what's available. Older lattice is hand-made, and new stuff comes in sheets, right? So, I think typically I would like to use 90 degrees, but we could just find out whatever--defer to staff on that, whatever.

>> David Tarter: [2:07:25] I think we're agreeable to whatever you all think would be a good lattice for the house.

>> George Myers: [2:07:29] Okay.

>> Charles Craig: [2:07:30] Could I add one thing that does not show on the street elevation, is the grade through--in the neighborhood is--go back one more.

>> John Liebertz: [2:07:41] One more? Do you want this?

>> Charles Craig: [2:07:49] That is a cut-through at the façade, the elevation at that point. The thing that's very deceiving about this is the property, as do all properties, rise precipitously to the right side of each property. I mean, it goes up quite precipitously. So, the site is a challenge. It's not--this appears that it's perhaps almost projecting upward a little bit, when it's really not projecting up at all.

>> Sara Steinberger: [2:08:21] And I know this is--you know, we've talked a lot about the unique problems of the site, and sort of the design elements from that. So, that's not news, it's more just kind of the impression that I had in going through some of these slides. I wanted to get clarification. Those were my thoughts.

>> Joan Lawrence: [2:08:37] Other questions or comments?

>> Tova Solo: [2:08:41] Just one question for you, John. This is a magnificent piece of work you've done here. Could we go back to the massing comparison?

>> John Liebertz: [2:08:49] Massing comparison? All right, sorry, it's going to take a second.

>> Tova Solo: [2:09:13] Sorry, it's just a confusion I may have. Now, you have the height of the proposed house on the--the proposed house is the first on the left in either one, right?

>> John Liebertz: [2:09:22] That's the proposed house. And so, this is the height, width, and length. So, it's always the first.

>> Tova Solo: [2:09:27] So, I read that on the left, the height is 40.

>> John Liebertz: [2:09:31] Yep.

>> Tova Solo: [2:09:32] 40.

>> Robert Dudka: [2:09:32] Well, that's not the height, that's the--

>> John Liebertz: [2:09:34] That's the width, it's the width. Yeah, this is the--

>> Robert Dudka: [2:09:36] Oh, okay, got you.

>> John Liebertz: [2:09:37] This is the width of the house. I just compared the widths.

>> Tova Solo: [2:09:43] Because inside here on the other page, it does suggest that the height is the 28 plus the 9 feet below would come to 39. In other words, you opted not to use the full height. That's fine.

>> George Myers: [2:10:00] [inaudible]. He's measuring first floor to roof. So, they'll have to change all of the [inaudible].

>> Joan Lawrence: [2:10:17] Did that--did that answer your question?

>> Tova Solo: [2:10:18] Yeah, thank you. It was my confusion.

>> Gerald Laporte: [2:10:20] I just have one more comment. And I'm giving away how I'm going to vote, but I like this design, okay? One of the reasons it--John, if you would go back to that, please, again. One reason I really like it is because I think we may be setting a precedent tonight, okay, for teardowns in Maywood. Be that as it may, but if we do, I think actually this helps contingent on--the demolition contingent on this design is a really good precedent because, for instance, the house next to it I think is perhaps a target for a tear-down. I mean, I don't know.

>> Joan Lawrence: [2:10:54] It was--we approved, the addition.

>> Gerald Laporte: [2:10:56] I know, but they're paying \$1.3 million on the property in these neighborhoods, and tearing down, and--

>> Charles Craig: [2:11:04] But you know, one of the projects that was shown earlier was a remodel of a non-contributing structure where the front porch went up to a larger pediment, and it was a significant addition off the back. It was a Cape Cod, a big Cape Cod. So, it just all depends on who buys the house and who does the development. And--

>> Gerald Laporte: [2:11:32] But that's why I think this is a good question because I think this is almost a model for what we'd like to see next door because there's a reason why other neighborhoods like Cherrydale are getting to look not historic, is because people are putting in these huge houses. And this is not--you know, with the 9 foot--

>> George Myers: [2:11:54] Yeah, well, one of the different--I mean, the main difference between that neighborhood and yours is they have you guys. Because if--I can just tell you because we also do houses all over the place. And I can tell you that any builder who'll go in here, if it wasn't a historic district, would say, "No, I want 10 foot ceilings, and I want 9 foot second floors. And they wouldn't have you to worry about, and they would just do it. And then they'd put a house up that's too big.

>> Gerald Laporte: [2:12:18] That's why these houses--

>> George Myers: [2:12:19] That's why you guys--that's the difference between what the future tear-downs are going to be like in your neighborhoods because you have that control.

>> Robert Dudka: [2:12:27] And I can attest because the house that's across the street from me is a typical developer house. Charlie's got them in his neighborhood, the same developer. And they literally--I mean, that's exactly what they do, they go up 10 feet, and then they go up to 9 feet. And they don't make any attempt--they won't stick build the roofs, they just plop trusses on top. And so, these things become absolutely enormous.

>> George Myers: [2:12:52] Unless they take them out of the ground a little bit so I can get some more light into my 9-foot basement.

>> Gerald Laporte: [2:12:55] Sometimes they don't even dig a basement, okay.

>> Joan Lawrence: [2:12:59] Well, let's focus on this particular house. It's getting late.

>> Gerald Laporte: [2:13:02] That's why I'm just saying that this house I think is almost a model for what we'd like to see if there are future tear-downs. And that's one of the reasons I think this is a good decision to have, assuming they want to demolish it to approve this design for the site. Because it doesn't set a precedent like we've seen in other neighborhoods. It actually sets a control for Maywood that is perhaps a model for other neighborhoods that are getting mansionized.

>> Joan Lawrence: [2:13:33] Are there other questions or discussion? All right, I'm going to distribute a rather lengthy motion. It is just for members of the HALRB because there are probably going to be some changes to it.

>> David Tarter: [2:13:59] Could we have a copy as well? Do you mind?

>> Joan Lawrence: [2:14:04] Well actually, there's a page attached there that I--so, not yet. Let's see how it goes. I think so, yeah. I have an extra copy.

>> Richard Woodruff: [2:14:16] Here's another one.

>> Joan Lawrence: [2:14:22] Does everybody have a copy? Alright, "for purposes of discussion, for Case 15-01A, having heard and considered the applicant's presentation, public testimony, and comments, and presentation of report by the Historic Preservation Program staff, and I need to add in the Design Review Committee, the HALRB finds--and these are four findings. The property at 2322 North Fillmore Street in the Maywood Local Historic District presents unique development conditions due to the topography of the property, the location of the sanitary sewer line with a setback easement on the property limiting the location of structures adjacent to and over the easement, and the location of a large, mature oak tree to be preserved on the property. Second, the scale and massing of the proposed house are architecturally compatible with the scale and massing of new and existing construction in the Maywood Local Historic District, and in line with the existing rhythm of the streetscape on North Fillmore Street. Third, the unique

development conditions prevent the location of a detached out-building garage on the property, as described on page 44 of the Maywood Design Guidelines of 2006, separate from a house, and a side-loading garage internal to the house. Fourth, the proposed garage located below the first floor porch behind the mechanized lattice gate that matches the location and design of the lattice infill between brick piers on the remainder of the porch is architecturally compatible with the character of the Maywood Local Historic District. Based, and I want to say solely on these findings and the unique development conditions, I move that the HALRB approve the application for a Certificate of Appropriateness for the proposed house as shown in HALRB Case 15-01A subject to the conditions listed on page 19 in the Historic Preservation Program's staff report, and to further review by the DRC and approval by the HALRB of the final drawings and specifications.”

I know there's concern with precedent. This does not have to set a wide precedent. We cannot prevent teardowns in Maywood. I wish we could, but unfortunately the General Assembly has not seen fit to grant localities with historic districts that particular authority. Personally, it would be great to see this house renovated and preserved, but the reality is that what has been proposed is something that is compatible with the neighborhood, and is in keeping with the Design Guidelines and the character of the neighborhood.

>> Mark Turnbull: [2:17:39] I would second that.

>> Joan Lawrence: [2:17:45] Is there a discussion?

>> Gerald Laporte: [2:17:53] The second bullet, you say with the scale massing of new and existing construction. Why do you specify new and existing?

>> Joan Lawrence: [2:18:09] That probably was not artfully done. I meant new and historic construction.

>> Gerald Laporte: [2:18:14] Why don't you change it to scale and massing in the Maywood Local Historic District or surrounding--

>> Joan Lawrence: [2:18:23] Are you offering a friendly amendment?

>> Gerald Laporte: [2:18:25] Yes.

>> Joan Lawrence: [2:18:26] Okay, that's acceptable. Is that acceptable to seconder?

>> Cynthia Liccese-Torres: [2:18:30] What are you changing it to?

>> Joan Lawrence: [2:18:31] Massing--in taking out of new and existing construction.

>> Gerald Laporte: [2:18:36] I don't know what that means, and I don't know who--new construction, or how relevant to that.

>> Joan Lawrence: [2:18:41] I was thinking new versus historic, but I'm--it's acceptable.

>> Sara Steinberger: [2:18:47] So, we're taking about just the second bullet.

>> Joan Lawrence: [2:18:49] So, the second bullet point, second line, it should read, "The scale and massing of the proposed house are architecturally compatible with scale and massing in the neighborhood--in the Maywood Local Historic District." So, delete "of new and existing construction."

>> Gerald Laporte: [2:19:07] And the final paragraph, see, I would not add the word "solely" because I think it usually--you would have a preamble you say, "Now therefore." But you know, this is all based on our discussion here today, and I don't think you want--we necessarily want to limit ourselves by saying solely. I think we--

>> Richard Woodruff: [2:19:30] Where is that?

>> Gerald Laporte: [2:19:31] It's in the first paragraph.

>> Joan Lawrence: [2:19:32] It's not written in there. I added it as I was speaking.

>> Gerald Laporte: [2:19:41] But you could even say, "Therefore, I move because." Now therefore.

>> Joan Lawrence: [2:19:47] I actually wanted to make it really clear that the motion was based on the findings. So, I mean, I'm agreeable to taking out solely.

>> Gerald Laporte: [2:19:56] I would take out--and when I say, "and the unique development conditions," because you've already said that above in bullet number one, "based on these findings." And then you look up above, you already talked about unique building conditions. That's duplicative I think, but I--

>> Sara Steinberger: [2:20:13] I viewed it as emphasis.

>> Joan Lawrence: [2:20:18] I'm sorry?

>> Mark Turnbull: [2:20:19] I think for a non-precedential basis; this makes it very clear.

>> Joan Lawrence: [2:20:23] I wanted--I did want the redundancy there. So, is that a major concern? Yes, I mean, it is redundant.

>> Sara Steinberger: [2:20:31] I would say instead of solely, maybe "based specifically on these findings and the unique development conditions."

>> Cynthia Liccese-Torres: [2:20:46] The lawyers can duke it out.

>> Gerald Laporte: [2:20:47] I think--I don't think you want to limit yourself by saying--

>> Sara Steinberger: [2:20:52] Well, I think solely is more limiting than specifically.

>> Gerald Laporte: [2:20:56] What's wrong with "based on these findings"?

>> Joan Lawrence: [2:20:58] I think let's just leave it as "based on these findings."

>> John Liebertz: [2:21:11] Was there a desire to talk about the synchronization in bullet four that you were discussing?

>> Charles Craig: [2:21:15] Well, yes, if the applicant is agreeable, I am, as I mentioned, concerned that the garage door, that the door is operating at the same--

>> Barry Seymour: [2:21:26] I talked to staff, and I agreed with John that if you guys wanted that, we said that's fine. Yeah, we're good.

>> Sara Steinberger: [2:21:32] What does that actually mean? Like practicality, what does that look like?

>> Robert Dudka: [2:21:36] It means that when the garage door is opened, the lattice doors are open. When the garage door is closed, the lattice doors are closed.

>> Sara Steinberger: [2:21:42] So, everything's getting mechanized, so it's all push one button and both things happen?

>> Barry Seymour: [2:21:47] Yeah. The advantage is you never see the garage door behind it.

>> Robert Dudka: [2:21:50] So, the lattice doors won't be left open all the time, and then you see the garage door.

>> Sara Steinberger: [2:21:54] Okay, I've just never seen something like that before. Clearly that I just haven't explored enough. There you go, if it can be done.

>> Charles Craig: [2:22:07] Yeah, but no worries, if it comes back to DRC, I've been there for the whole thing.

>> Sara Steinberger: [2:22:10] Charlie's going to do the test, right? He's going to be the one pushing the buttons.

>> Charles Craig: [2:22:14] Yeah. Well I mean, if you own the house, you would not want to have to close two doors as you go in or out, two doors as you come out. And what would happen is they would be left open all the time, at least that's what I would do, wouldn't you? Yeah. It solves that problem.

>> Joan Lawrence: [2:22:33] Other questions or discussions?

>> Robert Dudka: [2:22:35] So, where is that going to--are you going to suggest that be put into the motion?

>> Joan Lawrence: [2:22:39] It is in there. It's in the mechanized lattice gate.

>> Richard Woodruff: [2:22:42] Synchronized.

>> Sara Steinberger: [2:22:43] Synchronized mechanized.

>> Robert Dudka: [2:22:44] Synchronized with--

>> Joan Lawrence: [2:22:47] Synchronized lattice gates, synchronized with the garage doors.

>> Robert Dudka: [2:22:50] Yeah, something like that.

>> Joan Lawrence: [2:22:53] Seconded, or are you agreeable to that?

>> Mark Turnbull: [2:22:54] That's fine.

>> Joan Lawrence: [2:22:55] All right, so on the second line after lattice gate, "synchronized with the garage doors." I'm going to give you this marked version when we are finished. Are there any--is there anything else? Any other discussion, comments, questions? All in favor of the motion? Okay. Opposed? Okay. Abstain? [The motion passed 11-1-0; Ms. Solo voted against the motion].

>> Joan Lawrence: There is a lot of concern with precedent, and I'm hopeful that our motion is going to limit the precedent here in that you're going to have to have a pretty challenging property to be able to automatically go through what we went through, but it's been a long process.

>> David Tarter: [2:24:36] It's been two and a half years, and so I think you've had an applicant willing to work with you all, and give and take.

>> Joan Lawrence: [2:24:42] Which we appreciate.

>> David Tarter: [2:24:43] Yeah, and we do as well. I think projects get better through this involvement. So, I think that bodes well for the future, frankly. And then collaboratively, I think you can come up with some really nice designs. I think this is going to be a great project.

>> George Myers: [2:24:54] Thank you.

>> Barry Seymour: [2:24:55] Thanks for the consideration.

>> Barry Seymour: [2:25:01] We'll see you back with the working drawings and everything. Thank you.

REPORTS OF CHAIRMAN, STAFF, AND STANDING COMMITTEES:

The Chairman stated that Nancy Iacomini submitted a request to locally designate the APS Education Center and David M. Brown Planetarium. Ms. Liccese-Torres stated that the HP staff was coordinating with County leadership with respect to a timeline to review the request. Mr. Liebertz briefly discussed the architecture and history of the buildings.

Mr. Liebertz conveyed the upcoming schedule for The Hermitage Local Historic District. The item will be heard by the LRPC, Planning Commission, and County Board in May 2017.

Ms. Ballo stated that a site plan was submitted for the Clarendon Center. She stated that the proposed plan reorganizes the interior space and adds a fourth story on the building.

Ms. Ballo stated that the CoA for the new driveway and other site improvements at Reevesland would be coming forward to the HALRB in May 2017.

Mr. Liebertz provided a brief update about the W&OD Trail Bridge near the Benjamin Elliott Coal Trestle Historic District. He noted that VDOT would be invited to present to the HALRB.

The meeting adjourned at 10:55 PM.