

## MINUTES OF THE ARCHITECTURAL REVIEW BOARD

March 19, 2020

**Item 7**

**15, 17, 19 W. Strong St**

**NHPD / PC-1**

**New Construction**

**Action taken: Denied.**

Jim Bozeman is requesting approval for changes to three new single-family residences. This project initially came before the Board in September 2017 and was approved with comments. At that time, a Variance to reduce the required rear yard setback was also approved. Because of design changes, the current plans were referred to the Board during the required Planning and Zoning Review.

Chairperson Quina confirmed this was the continuation of the Covington Place project. Mr. Bozeman stated one of the changes was to make the porch 6' instead of 4' and inside they opened up the side units with a side porch which allowed the owners to go out on a small patio. The color scheme was basically the same.

Ms. Nichols advised North Hill was excited about the new plan with the porches being deepened. In 2017, the project originally had turned wood spindles and wood railings, but when the project was executed, it turned into aluminum railings and handrails. Also, the courtyard wall was lost, and the stair handrails in some places reach down to city sidewalks. The gate was pushed forward to the street and attached to the staircase. These new homes will face Victorian homes, so they were concerned in getting them right moving forward, ensuring any changes return to the Board. Mr. Bozeman advised he would be addressing the gates and the aluminum rails. Board Member Mead asked what happened regarding all the variations. The first set of buildings were built, but now they were significantly modifying exterior elevations in a far more derogatory way, architecturally speaking, compared to what was approved in 2017, particularly with those facing the east and west sides. He was still concerned with the porches, railings and gates with regard to those previously approved. He did not feel comfortable at all with the application here when there was a significant departure unexplained and did not know how they would accomplish what the Board was asked to approve. Mr. Bozeman stated when the next units were turned in, he would not have aluminum. Board Member Mead stated his real issue was when the Board approved something and it did not happen, what was its purpose. He did not feel comfortable moving forward with a change under these circumstances and did not know why the unapproved changes were put in.

Senior Planner Statler could not speak to the unapproved changes but to current policy and procedure. She advised that Planning and Zoning was now fully entrenched in plan review, and all of the plans that come through are looked at with Historical Preservation Planner Harding dealing with the historical districts, and everything the Board sees, he sees; he reviews page by page the construction documents versus what they have submitted, what the Board approved, comparing it to any additional supplemental information which might have been approved as well. She advised they have that system in place now, but could not speak to what happened earlier. She explained moving forward we have a good check and balance method in place. Board Member Mead explained whatever happened with this developer, was approved by the developer first with the process of going forward between the developer and contractor. With a lot more of this

site to go forward, he was very concerned about the process and wanted to know where the breakdown occurred. Stated advised they could research more, but with the current procedure, Planning and Zoning has been involved with inspections and permitting in the construction process; construction documents were submitted to the Building Department, and when that happens, Planning and Zoning review would occur. Minor deviations were usually handled internally with an abbreviated review, but this did not meet that criteria. He did expect a number of these projects to come back before the Board as they review these projects in historic districts.

**Board Member Mead made a motion to deny the application from the change of the September 2017 approval on the grounds that the deviation from the side elevations are a significant detriment to the street affect of the structure both to the public and to the adjoining property owner and are not in keeping with the overall architectural affect of the front elevation and saw no reason to approve it. Board Member Crawford seconded the motion.** He stated the Board would have other applications for structures not yet approved and wanted to know where the process broke down whether it be on the City side or if we could from City records determine where it broke down on the other side if that was the case. He wanted to know the applicant brought forward the project in good faith and did not conclude there was bad faith, but could not conclude there was good faith all around either.

Mr. Fox stated he came on after the structure was built as a point of contact and would be a point of contact for the future buildings, overseeing the project and sales effort as well. He could not speak to the breakdown. Staff advised they would look through MaxxVault for a history on the project. Mr. Fox gave his contact information if there were any questions moving forward. **The motion then carried unanimously.** Chairman Quina explained a denial meant the applicant must submit a reapplication for next month. He explained the Board wanted to see the changes and a resubmittal for April.

It was determined due to the Covid-19 virus, the scheduling of the April 2020 ARB meeting would be up to Council.