



MINUTES OF THE ARCHITECTURAL REVIEW BOARD

January 21, 2021

Item 4

Demolition

1380 N. Spring
Street

NHPD
PR-1AAA

Action taken: Approved.

Philip Partington is requesting approval to demolish a noncontributing accessory structure located in the northeast corner of their lot. In its place, the applicants are proposing to construct an accessory dwelling unit (ADU) with a garage on the ground floor and living space on the second. Staff advised that typically when the Board approved a demolition, it requested to see what would be constructed in its place. Once the demolition was approved, the Board could consider the design aspects. It was clarified that the house itself was a contributing structure. Staff then read the applicable demolition requirements for structures in Sec. 12-2-10(A)(10). Advisor Pristera stated he did not find anything significant about the structure.

Mr. Partington presented to the Board and explained the Sherrills had done a fantastic job in renovating the cottage in the Dutch Colonial style. He informed the Board that the existing shed had wood rot, and Hurricane Sally had not done it any favors, and they wanted to build a new accessory building with a residential unit above it in its place. Vice Chairperson Mead stated final plans must be approved prior to demolition of a contributing structure. Staff advised the demolition could be approved, but no permit could be obtained until the applicant got at the very minimum a conceptual approval with firm foundations approved by the Board.

Mr. Partington shared the site plan and pointed out the beautiful garden at the south end of the property, but the clients needed a small garage with a residential unit above it. They tried to be sensitive to the existing structure and adapted the architectural language to this addition with features matching the house. Vice Chairperson Mead stated North Hill's comments addressed the placement and turning radius for the garage entrance. It seemed convoluted to get in and out of the garage especially when backing out of the driveway which might risk impact to the contributing structure. Mr. Partington stated it was not a suburban-type garage and would take a couple of turns to access the garage, which was not uncommon in an historical or urban setting. North Hill suggested shifting the garage to the south, placing the entrance on the north side to make that turn. Mr. Partington stated that was an option, but it would encroach on the historic garden. Vice Chairperson Mead asked if they could flip the entrance to the garage to shorten up that area which could give more space for a turning radius and still place the entrance on the north side, keeping the porch on the south side.

Board Member Yee asked for the required setbacks for the garage and the accessory unit. Staff determined in North Hill you could not have a two-story residential structure unless that

residential space is situated above a garage. When you get to the height level which would require two floors, the ADU would then have to meet the side yard setback of the primary structure. In this case, the side yard setback was 9' and typically in this district, it was 5' or 7.5'. On the rear, it could be situated 5' off the property line of the dwelling. Senior Planner Statler explained if you have a detached garage with an ADU above it, then the maximum height is 30' and you are subject to the rear yard at 5' and a side yard setback the same as the primary. Staff advised that accessory structures were different in nature from an ADU and specifically different in the Code.

Chairperson Mead did not have a problem with considering the demolition permit. It was determined the applicant could ask for conceptual approval while seeking a variance. Board Member Villegas stated style wise, the structure was complementary to the house, but size wise it was important to understand visually from the street how it was affecting the contributing structure. Advisor Pristera cautioned against the variance since this lot was large and had a lot of buildable area; we would be looking at a self-imposed hardship in this case, and you would have to make a strong case of why the structure would have to be placed in that location. **Board Member Ramos made a motion to approve the demolition of the noncontributing accessory structure, seconded by Board Member Villegas, and it carried 5 to 1 with Board Member Spencer recusing himself from the item.**

Item 5
New Construction
Action taken: Denied.

**1380 N. Spring
Street**

**NHPD
PR-1AAA**

Mr. Partington wanted to give as much flexibility to move forward with the final approval.

Board Member Ramos made a motion to deny the application based on the comments provided by the North Hill Preservation Association with which the Board agreed pursuant to Section 12-3-10(2)(D)(2)(ii)(b) which states in the case of a proposed new building, that such building will not in itself or by reason of its location on the site impair the architectural or historic value of the buildings on adjacent sides or in the immediate vicinity. No plans for a new building will be approved if that building will be injurious to the general or visual character of the district in which it is to be located considering visual compatibility standards such as height, proportion, shape, scale, style, materials, and colors. Vice Chairperson Mead seconded the motion with the amendment that the objections from North Hill are specifically that the proximity and location of the entrance to the garage do not provide for adequate turning radius or backup area and place the contributing structure at risk. It was accepted by Board Member Ramos and he added that if the application did return to the Board, the Board would need to see the relationship of the proposed accessory structure to the existing structure, mass, and height to help with a better decision. The motion was seconded as amended and carried 5 to 1 with Board Member Spencer recusing.

