

A meeting of the Historic District Review Board was held on **February 12, 2014 at 2:00 p.m.** in the City Hall Planning Conference Room, 1911 Boundary Street. In attendance were Chairman Joel Newman, board members Mike Rainey, Inez Neal, and Erica Dickerson and city staff Lauren Kelly.

Michelle Knoll was absent.

In accordance with the South Carolina Code of Laws, 1976, Section 30-4-80(d) as amended, all local media were duly notified of the time, date, place, and agenda of this meeting.

CALL TO ORDER

Chairman Newman called the meeting to order at 2:00 p.m.

MINUTES

The review of the minutes of January 15, 2014 and January 17, 2014 were tabled.

PUBLIC HEARING: 986 RIBAUT ROAD – MAJOR DEMOLITION OF STRUCTURE

Chairman Newman opened this public hearing. The building is circa 1945, Ms. Kelly said, and it's not in the Historic District, but because it's on the survey, it came to the Board. Beaufort Memorial Hospital intends to remove the building and will put in parking on part of it. The rest of the parcel will remain open for the time being. There have been a few people who have approached the hospital about moving the structure or using some components of it for other purposes. Staff feels it's no longer in the appropriate context, so they agree with demolition.

Tim Wood said he's familiar with the property and would like to offer to move the structure, which he said is "very, very well built." He has moved a couple of houses before, and he thinks it's worth moving. He didn't know where to start, so he came to the meeting. Mr. Rainey asked if he was set to move it. Mr. Wood said he couldn't do it immediately, but he would do it ASAP. He described some other houses that had been moved and said it was "not rocket science" to move them. **Marion Moody** said he'd rather have someone move it than to demolish it. It may be offered first to a non-profit and then on a first-come, first-served basis. He said the house was "full of asbestos." Mr. Rainey said if it's moved, he wouldn't have to deal with the asbestos. Mr. Moody said they'd welcome it. **Chairman Newman closed this public hearing.**

REVIEW OF FULL BOARD PROJECTS

986 Ribaut Road – Major Demolition of Structure, Final Review

Applicant: Andrews & Burgess Engineering for Beaufort Memorial Hospital (HR14-05)

Chairman Newman said they don't decide if the building is ultimately demolished or not. **Mr. Rainey made a motion for final approval with an emphasis that the building be moved to an alternative site, second by Ms. Dickerson. The motion passed unanimously.**

926 Bay Street – Alterations, Additions, Preliminary Review

Applicant: JHN Residential Design for Paul Thompson (HR14-06)

This project is at Panini's, Ms. Kelly said, and this is the second time it's been before the Board. They are proposing a bar addition with an ADA restroom. All zoning requirements have been met. The revised design seems to have incorporated all of the comments from the last meeting, according to Ms. Kelly. Staff feels the size and scale are appropriate, given the size and scale of the original building, and it meets the Secretary of the Interior standards for building rehab.

New construction should reflect the lightness or weight of its neighbors, Ms. Kelly said, in accordance with the Preservation Manual Supplement, in this case a more solid building with more stucco meets this requirement better than the previous submission. Staff has suggestions for detailing: the parapet configuration is flipped, which addresses the concerns about where the water will go, and gives it a more substantial look. The Hardie lap siding feels too residential, Ms. Kelly said, so one suggestion was Hardie Smooth paneling that would be smooth and solid and blend with the stucco. There was a question about the types of windows on the south and west elevations. **Johan Niemand** said they are casement windows and operable. On the east elevation, the top windows don't seem like they'll be functional and don't seem appropriate, in Ms. Kelly's opinion. She suggested alterations to that elevation: panels, articulating the opening to help separate where the door is. On the north elevation, one suggestion is to consider replicating the pattern on the south elevation, and the roof overhang seems a little too deep in relation to the historic building, so they suggested pushing out the piers and cutting back to roof. The original historic building has parapet roofs.

Staff recommends approval with comments and improvements to be approved at staff level, Ms. Kelly said. Mr. Neimand said to keep in mind that the previous version had a shed roof over the entry into the bar area, which went away, but also, when they construct the structure, they might look at bringing it back to help with drainage coming off the tent. They may look at revising it at some point. Chairman Newman said, "This whole thing with the tent is difficult"; he doesn't like the tent.

Chairman Newman asked Historic Beaufort Foundation for comments. **Maxine Lutz**, Historic Beaufort Foundation, asked if the windows on the west façade were there "for light purposes." Ms. Lutz said Historic Beaufort Foundation felt Ms. Kelly had summed it up well, and they like the idea of replacing the lap siding with the panels.

Ms. Dickerson said she agrees with Ms. Kelly's comments. She's not fond of the slope on the back. Mr. Rainey asked if the pillar orientation were adjusted if that would help. Ms. Dickerson said it would, and she could live with it with Ms. Kelly's elevation and comments. Mr. Rainey asked if pushing pillars out would expand the building.

Chairman Newman said the comments were good. The west elevation looks good to him. One intention of the east elevation windows was to put in some light into that area. That's why there's a steep pitched roof. On the west elevation, they will want to control the water coming off, so he encouraged cutting the roof back and having a substantial gutter to control the water. That would make it look more like what it is. Overall, it looks "appropriate and handsome,"

Chairman Newman feels. The roof overhang should come off and be replaced with a gutter. On the east side, he was concerned about how tall the opening at the bar is; Mr. Niemand said the door to the restroom is 6'8". Chairman Newman said that would feel low, and he asked if there would be a shutter to lock it up. **Paul Thompson** said that there would be a closure system that meets at the bar. Mr. Thompson said where the "L" is on the south side, there will be a wall – partial there – and they will have columns with a shutter over that or a Dutch door for a service entry.

Chairman Newman said that opening, which looks 20' wide, will feel pretty low. He also said a 6 panel door is kind of colonial, so if they look at panelizing the area above it, they might be able to make the door more integral with that idea.

Chairman Newman asked how the colors fit in. Mr. Niemand said the roof will blend in, not jump out, so he took the brown for that. The stucco color is picking up on the building next door and makes it stand out a little from the yellow brick. But he thinks it's too red. Chairman Newman said he will want the stucco to be close to the color of the brick on the building.

Mr. Rainey made a motion for approval as submitted with staff comments and suggestions and for the applicant to be prepared to come back at final approval – Mr. Niemand said this *was* final approval. Mr. Rainey said Mr. Niemand could go through each recommendation and see if he agrees with them.

Ms. Inez Neal arrived. Chairman Newman said if they could make an outline, they could make the revisions, show them to Ms. Kelly, and then they can go on with it.

In regard to

- Roof overhang and guttering - Mr. Rainey said he agrees with the chairman. Mr. Niemand and Mr. Thompson said that's fine.
- Paneling – Mr. Thompson wants light coming in from the east *and* south exposures "so it's not a big dark hole in a light patio." He wants the tent to be seasonal and go up and come down. Chairman Newman said when they consider the paneling, Hardie siding won't look good over that whole extension; also if the entries are not quite so low, so they might not need the windows as much. Bigger doors and opening could solve two problems. Ms. Kelly could review that and determine if it meets the intention of what she described.
- Study the north elevation to create something like the south elevation.
- Ms. Kelly brought up the idea of (not) using Hardie lap siding at all. Mr. Rainey asked what the alternative was. Ms. Kelly said she suggested Hardie *panels*. Chairman Newman said they could select something slightly louver-like. They could use a ½ strip-lap siding to create an illusion, and that could work on the north elevation; they could also consider it on the west elevation, and it would look like shutters. Even the east elevation could be handled that way, Chairman Newman said.

Mr. Rainey recommended approval with the staff items being taken into account; staff can approve or deny the resubmittal. Ms. Dickerson seconded. The motion passed unanimously.

601 Port Republic Street – Alterations, Additions, Preliminary Review

Applicant: JHN Residential Design for Norman and Sally Campbell (HR14-07)

Ms. Kelly said this project is at 601 Port Republic Street, which is listed on the Historic Sites Survey. It is a proposed accessory building above a garage. The building is estimated to be circa 1850, but there is evidence it may have been moved on the site and enlarged, or it could be a different building than was originally there.

The applicant is proposing a two-story building with living quarters above a garage, Ms. Kelly said. The property has contained outbuildings in the past, but none exist today, only a modern small shed that is to be demolished.

Ms. Kelly read what the Preservation Manual supplement says about accessory structures. There's a section of the UDO that says the exterior of the accessory dwelling unit must be compatible with the main building in terms of color, siding, roof pitch, etc.

Staff feels the location, size, and scale meet the intent of the supplement. Ms. Kelly confirmed that the shed there currently is not historic. There was a suggestion from Historic Beaufort Foundation that this building could be pushed back to the west, Ms. Kelly said, and that could help navigate a car around the magnolia tree, so the applicant could consider that. In regard to the building, staff commented that the applicant should consider a foundation that has a masonry base similar to that of the original house. The main staff comment is about the roof, which is dramatically different than the house's pitch and doesn't comply with any of the standards previously discussed. If the plate height is raised, the slope could be reduced, and it may eliminate the need for dormers, or they could be smaller.

Staff recommends for the roof detail that the gable match the existing house, or they could simplify it and not return it. Also the overhang should relate more to the original house. In regard to paired windows, Ms. Kelly said they should use "a proper piece of trimming," not the manufacturer's assembly. On the east elevation, if they change the roof pitch, the trellis could be higher. In regard to the west elevation, the columns look thin, so staff commented that they could be larger. The roof above the stair landing doesn't match the simplicity of the main house. Staff suggested extending the roof only over the landing, not the windows, and the roof being a shed roof into the gable. They also need to submit samples.

Staff recommends approval with final submission at the next meeting and modifications and suggestions per staff.

Mr. Niemand said he understands the comments. Another option would be to swing the building 90 degrees; if they kept the 12:12 pitch, you could see the lower pitched dormer from the street side as an option to address the roof slope oddity.

Ms. Lutz said Historic Beaufort Foundation agrees with Ms. Kelly's comments and the requirement to have the existing building drawn next to what's proposed. They "were looking for something simpler," and Ms. Kelly's suggestions would help with that, Ms. Lutz said.

Chairman Newman said he agreed with Ms. Kelly's comments. This is a structure that needs to look simpler, like the main house, so the 12:12 pitch might complicate things more than they need to be. He had a question about the garage. It has a 10' ceiling inside but 7' doors; the owner could bring it down a few inches, and it would bring down the mass and take out stair height. Also, he was curious about why the stair was pulled off the building. Mr. Niemand said it was for practical reasons. Chairman Newman said one thing might solve the other if they reduce the height 16", "suck the stair up against it," and push the building back to the western boundary. Mr. Niemand said the intention of the western boundary is to have a covering over the door, so that's why he pushed it 5' back from the boundary to the face of the stair. It will help when they narrow the stair close to the building. Chairman Newman said if he wants a covered stoop up there, he would be forced to have the stairway up *into* the building. Ms. Kelly said she has to look into it. If they had a bracketed awning, they could move it. Mr. Rainey said the awning could be a temporary structure. Chairman Newman said all of those things would give more space on the lot.

Chairman Newman said he agrees with Ms. Kelly that if it's roughly a two-story scheme, lengthening the trellis would help. A shed roof might look better than a trellis.

Mr. Rainey encouraged the applicant to incorporate the suggestions. He said they redesigned 60% of the building. **Mr. Rainey made a motion to approve the application with the applicant taking the suggestions for alterations into account;** "this will also be an important and integral part of the motion for final approval in the future," he added. **Ms. Inez Neal seconded. The motion passed unanimously.**

913 Port Republic Street – Minor Demolition, Final Review

Applicant: Beaufort Inn, LLC (HR14-08)

Ms. Kelly said this is listed about circa 1950 on the tax register. It's the old Piggly Wiggly building and not listed on the Historic Site Survey. They want to demolish the rear addition from 1970 including a shed roof, exterior fences, a masonry chimney, and portions of a concrete platform, and some onsite parking spaces, and portions of the southern and eastern elevations to create windows and doors.

In regard to zoning, all requirements are met, Ms. Kelly said. In regard to design issues, the city has been working with the property owner, and this demolition will improve the area. Ms. Kelly said the demolitions of the masonry wall should be reviewed for the next application, but staff is recommending approval for site and rear building demolitions.

Ms. Lutz said Historic Beaufort Foundation concurs with the staff recommendations for the rear

and site demolition as submitted.

Ms. Dickerson moved to approve demolition as suggested. Mr. Rainey seconded. The motion passed unanimously.

913 Port Republic Street – Alterations, Additions, Change-After-Certification

Applicant: Beaufort Inn, LLC (HR140-9)

Ms. Kelly said these are changes after certification; **Bill Chambers** had been working on this last year, and staff issued a Certificate of Appropriateness in November 2013. Ms. Kelly listed the changes to the east elevation that had been approved at that time. The applicant has come back with the request for demolition and a few other changes they wish to make, some of which are on Port Republic Street. The proposed changes are to replace both gabled roofs with canvas canopies, an additional storefront window on the south side, a door on the Port Republic elevation, a water feature and outdoor area on the east side, and a set of stairs on the northwest corner. Ms. Kelly said staff feels all the additions and changes will enhance the building and the Historic District.

Questions from staff: Are concrete posts stuccoed? **Brian Coffman** said yes. In regard to canopies, Mr. Coffman said they were changed from porticoes in the original application because of “time and cost.” They want to open it fairly quickly, and it would be square 4x4 aluminum posts at the corners, he said. In regard to the new windows and doors, staff recommends that they have a proper heading and sill and consider trimming them out like the storefront windows. In the rear, vents are boarded, and Ms. Kelly asked if they intend to restore them. Mr. Coffman said they will fill them with masonry. On the sides, they will be filled to look like vents but are not functional.

Ms. Kelly asked if they can move the riser to the service area so that they don't have to have an additional door on the Port Republic side, the primary elevation. Mr. Coffman said they need the service door for fire department access; if they put it on the east side, they will cut into event space, and they are trying to avoid the large lot having water lines coming in through it. The suggestion is to have it near the men's restroom on the outside wall, Ms. Kelly said. Mr. Coffman said if the fire truck comes, he “sees them coming along the front.”

Chairman Newman said this is an emergency access door; he presumes “a door like that can't be accessible through the neighbor's yard.” **Courtney Worrell** said the water access is on Port Republic.

Chairman Newman asked about the work they are doing inside. Mr. Coffman said it's “minimal stuff,” cosmetics and interior finishes, and the restrooms. Chairman Newman asked if there is prohibition to the fire door being elsewhere. Mr. Coffman said there's a fence and a low wall on the Port Republic side. Chairman Newman said there's a gate 15' down the street.

Mr. Rainey said “the Board has a problem with the door,” and they “need to find somewhere

else to put it.” Ms. Lutz said Historic Beaufort Foundation objects to the door on the Port Republic side, too. Mr. Coffman said that is the best location, but they can look at alternatives. Chairman Newman said there’s just the front bay, and then it essentially becomes a warehouse. Chairman Newman said on the east elevation, he understands the desire to cover the doors, and he suggested using the same awning as on the front. It’s obscured, he said, so if it’s a bigger A-frame, he can envision it at the point where you can see it, or they “could only do the A-frame thing on that door.” They could dress up the big wall with a simple awning above those two new windows and door, and then the special door doesn’t need the A-frame awning. Mr. Coffman said they want to keep the focus on the front 20’ of the building. Chairman Newman said it would “give relief to those sitting in the garden.” He said he found the gates “odd”; they “jump way up and seem out of scale” and unnecessary. They should be in the same scale as the rest of it. Chairman Newman asked the nature of the metal fence. Mr. Coffman said they are looking to match what they have at the Beaufort Inn. Ms. Worrell said the purpose is for use during an event, so they can control access. Chairman Newman said if it’s just like the Beaufort Inn fence, its fine; there’s no problem with the gate, it is just too tall.

Ms. Lutz said again that Historic Beaufort Foundation objected to the door on the façade. Chairman Newman said they’d addressed it. Ms. Lutz said there are 2 proposed new windows and another entrance. Mr. Coffman said that’s correct. Chairman Newman said this seems like an appropriate use. They don’t need to do the repeated entry as they proposed originally. Ms. Dickerson said she agrees with everything said. **Ms. Dickerson made a motion to approve with the comments that were made. Mr. Rainey seconded. The motion passed unanimously.**

OLD BUSINESS

Ms. Kelly said in regard to 701 Greene Street that they have met with the owner and the contractor, and they have a full set of plans. There’s still some work to be done, particularly removing the balustrade. She thinks it will likely come back before the Board. The roof pitch gets higher and is visible from the street.

At 915 Craven on the corner with Charles, they are about ready to work on that building. Chairman Newman said they’re ready to go. They got a loan, Ms. Kelly said, from the Lowcountry Housing Trust, and it has to be a rental of the four units. Ms. Kelly said she doesn’t know what they have to use the units for.

PROCEDURES FOR HRB FULL-BOARD SITE VISITS

Ms. Kelly said that the Board needed to decide - if they want to do full-board site visits when they have a quorum – and if they do, do they want to make it a policy that they only be “investigative” and there would be no vote at the time of the visit, and if that should be stated at the onset of the meeting. Mr. Rainey said a site visit should be informational-only to answer questions the Board might have. He also feels that at a site visit with the applicant present, “you might be swayed one way or the other.” In future, it should be in writing: that a site visit is informational-only, and the vote will be taken elsewhere at a different time.

Ms. Dickerson said that the applicants are at the Board meetings, and Mr. Rainey said “it’s different when you’re onsite. He said that had he been there, he would have been adamantly opposed to the process as it took place on the site visit to the DeTreville house, 701 Greene Street, whose current owner, **Jeanette Neal**, applied for a permit for minor work but then made major renovations, many of which would have been unlikely to get Board approval. At the site visit, Ms. Kelly, 3 Historic Beaufort Foundation members, and a quorum of Historic District Review Board members, as well as the owner and a contractor, were present. A vote was taken on-site.

There was general conversation about what had occurred at the visit. Mr. Rainey said there needs to be “some methodology,” and “there’s got to be more than three people there” for approval of construction “that doesn’t conform to the approval that we had previously given,” or in this case, “that was never given.” He said they can’t go back and re-do what was done, but they “need to figure out a way where it doesn’t happen again.”

[Reporter note: The dialogue at this point was too quiet to be intelligible, and Ms. Lutz came to the table because she also couldn’t hear.] Ms. I. Neal said she tends “to agree with exactly what he said, that an on-site visit should be an on-site *visit* and then bring it back to the table with all members present, and discuss it openly in the meeting and *then* vote.” Chairman Newman said he doesn’t have a problem with that; in this case, “something was sort of sprung on us that doesn’t fit into any of the contexts that we’ve practiced here ... this context was about as skewed as you could come up with.” It was difficult to come up with “a reasonable compromise to accommodate someone who lives in one of these structures.” He added that nothing about the situation was ideal. Mr. Rainey agreed and said that was his point, that this was a worst-case scenario, including an emotional homeowner, and it’s natural to think that the homeowner has already spent a lot of money, so it’s difficult to tell them that they can’t do what they’ve done. For these reasons, it would be a good idea to gather information and then go back and meet to discuss the matter.

Ms. Dickerson said that she agreed with what Mr. Rainey said, but the problem was that she has read through every document that the Board is supposed to use to give it guidance, and she was unable to find “anything that says we have the right to say ‘Rip it all out.’” Mr. Rainey said that they can put a stop work order on it. Ms. Dickerson said, “Actually, it doesn’t say that anywhere.”

There was a general discussion about having all members present in these types of situations, as well as a discussion about the 701 Greene Street property owner and whether or not she had an influence on the Board’s decision one way or another.

Ms. Kelly said she will draw up a guideline, and the Board will review it. Ms. Kelly said they have made changes to prevent this kind of problem from coming to the Board. One of these changes is color-coded building permits; she described the colors and what they mean. Also, Ms. Kelly is keeping an inventory of all of the active projects in the Historic District.

GUIDELINES

Ms. Kelly said the two items that Historic Beaufort Foundation had wanted added to the Civic Master Plan weren't added, but council is committed to the "7 Integrities" and the "Infill Design Principles" from Oregon and believes they are important. The city is committed to incorporating them in the strategy for the Historic District. She gave the Historic District Review Board members a copy of the guidelines.

Ms. Dickerson said the UDO says that the Historic District Review Board is to use Milner, which has only a brief portion on infill guidelines, and "the rest is about repairs." She feels the Secretary of the Interior's guidelines aren't mentioned until the supplement. She doesn't know what the Board's role is. Mr. Rainey said in a National Historic Landmark District, they are responsible for ensuring that they don't make a mistake and lose that status. Ms. Dickerson said that "it's very vague," and Mr. Rainey replied, "It's very vague on purpose."

Ms. Lutz said they "can't disband as a group." Ms. Dickerson said that it's in the UDO that the Board will exist, but it's not clear about what the Board's power is. Ms. Dickerson said Ms. J. Neal broke codes, but Ms. Dickerson couldn't find justification for the Board making her stop what she was doing; it's not in the materials, so she would like a cleaner set of guidelines that everyone can understand.

Ms. Lutz said Ms. J. Neal violated city ordinances and codes and the Secretary of the Interior standards. Mr. Rainey said they have to be able to back up their decisions with Milner et al., in the court of law because that's where an appeal happens. When they make an important motion, Mr. Rainey said, they have to say how they interpret Milner in relation to the project.

Ms. Dickerson said that she had seconded Chairman Newman's motion on the Ms. J. Neal project because she felt it met the guidelines. Ms. I. Neal said minutes were sent to them that were taken at the site. She asked if the standards were followed, and then said that if they were, there should be no problem with what they did. Ms. Kelly said she feels they did everything technically correct, but they "didn't bring it back to the table." Chairman Newman said there's no procedural requirement to do that.

Mr. Rainey said it's already happened in the case of Ms. J. Neal's project. "There will be votes that differ," and Mr. Rainey feels "it should be more publically palatable." The impression of the Board is that they are secret, and that they always say "No." An editorial comment about a Historic District Review Board matter doesn't mean that they did anything wrong, Mr. Rainey said.

Ms. Lutz asked "what the city can do to (Ms. J. Neal) and the contractor in terms of fines." She recalled a contractor was not able to work for a year for not doing something he was supposed to do, she said. She asked who decides if the contractor gets a fine or has his license revoked.

Ms. Dickerson wondered about a case where she sees something non-conforming, but it has been there a long time. Ms. Kelly said there are recourses available, like a triple permit fee when you come to get a permit if you didn't get a permit in the first place. There are court citations, too. Ms. Lutz asked where those come from. Ms. Dickerson asked where "the teeth" are. Mr. Rainey said, "They are in the arena of public opinion." All that could have been done on the Ms. J. Neal project would have been to pull her permits.

Ms. Lutz said that means that if she puts down an impervious patio, she can do that and not get fined. Mr. Rainey agreed that she could. **Conway Ivy** said "in regard to the legal requirements, looking at the spirit of the process in terms of transparency, going forward they need to meet the spirit of an open process." Ms. Dickerson said there were 3 representatives at Ms. J. Neal's home from Historic Beaufort Foundation for the site visit.

Chairman Newman said the matter "was not ideal." He assumes that they are on the Board to make judgments. Ms. Knoll had written a letter about the Ms. J. Neal matter that said, "Judgment should be removed from the Board," Chairman Newman said, and he was "incredulous." If he and the Board had been deciding "ridiculous things where people were fined," he would have objected to taking the vote at that time. "Human beings are the difference in the Board now and in the past," Chairman Newman said, and they must all judge whatever contextual problem they are given and determine a reasonable solution.

Ms. Lutz said they have to have a procedure to do that. "The process was off" in this situation and has been in others. Ms. Dickerson said if the outcome had been different than it was for Ms. J. Neal, Historic Beaufort Foundation "would be thrilled." Ms. Lutz disagreed because, she said, the procedure was flawed. Chairman Newman said it was not ideal procedurally, and agreed that they need to make the procedure clear. Ms. I. Neal said Historic District Review Board members can look back in ten years and see what the current board did, and then follow that.

Ms. Lutz said Ms. J. Neal's was a highly visible project, and it would have been nice to know that it had been before the Historic District Review Board. Mr. Ivy said "the Board should have a reporting mechanism." Chairman Newman asked how many projects staff gets each month, typically, that don't come before the Historic District Review Board, and Ms. Kelly said "maybe 10." Mr. Ivy said the point is that the importance of procedure is that "it's informational and becomes part of the record."

There being no further business to come before the Board, the meeting was adjourned at 3:38 p.m.