

KOTO Comments to HARC Agenda  
March 27,2018

- 2) **1009 Watson Street**. Concur with Staff concerning scale of accessory structure. The revised design is more compatible with the neighborhood.

Wondering about:

- a) Fence. Assume the 6' solid fence can be repaired/replaced without neighbors' consent as would otherwise be required pursuant to LDR 122-1183(1)c. Note the survey shows a 3' easement running the length of the property but the plan proposes a fence 2'8" from the property line creating a 4" encroachment the length of the easement. The adjacent neighbor indicates this easement provides the only access to their home thus the encroachment does impact them daily. The side gate depicted provides access to the easement and thus access to the "accessory structure" without accessing the primary structure raising the question of whether this is intended as separate living space and is truly "accessory". The staff report is silent about any additional ROGO permit.
  - b) Lot Coverages. Each measurement exceeds allowable although in each case purports to be an improvement over existing. Pool plus new accessory structure would appear to increase impervious surface coverage, not reduce. Nothing here was condemned. This is a voluntary demolition and rebuild. May need to comply with coverage limits or obtain a variance.
  - c) Shutters. "Decorative" shutters depicted on the revised plan south elevation are insufficient to cover the adjacent windows on the lower level.
  - d) Tree. There appears to be a large gumbo limbo along the property line adjacent the easement (visible in photos 15 & 16). The deck may be configured around the tree; however, the proximity of the tree to the construction may require input from the Urban Forester.
- 3) **1012 Catherine Street**. Concur with Staff. The door is not unattractive but it is inapposite to the structure and neighborhood.
- 4) **903 Eaton Design**. Concur with Staff: the proposed structure is out of proportion to its neighbors and inharmonious with the neighborhood. Additionally, it appears intrinsically "confused", giving the appearance of a smaller house with a large addition behind. This appears to be an effort to avoid the traditional full-width front porch on order to accommodate a parking pad. Given the 50' width of the lot there would seem ample space to provide parking to the side or rear of an appropriately scaled structure. Further, the full glass entry doors might be appropriate on a commercial building but are inappropriate on a residence in Old Town.

- 5) **903 Eaton Demolition.** Concur with Staff's evaluation of the design. The LDRs do not include an approved replacement plan as a demolition criterion; accordingly, the demolition should be approved.
- 6) **922 Thomas Street.** Concur with Staff.
- 7) **805 Olivia Street.** Concur with Staff's evaluation of the design: it fails both the letter and the intent of the Guidelines for new construction and additions.

Wondering about:

- a) Side Setback. The proposal does not comply with side yard setback requirements and there is no mention of a variance having been obtained. Reference Footnote 11 to the table of setback requirements found in LDR **Sec. 122-1151. - Size and dimension.** "Greater of the number given in the table or ten percent of the lot width to a maximum of 15 feet" yields 10'6" for this property as Mr. Shepler accurately notes. He maintains the proposal improves on an existing, non-conforming condition; however, the shed he indicates is to be demolished is no longer on the property ergo there is no existing, non-conforming condition (See Project Photo 3). Also no mention of
- b) Extension. How was this HARC CoA extended? There is no right to an extension and the new Guidelines were in place creating substantially changed circumstances.

**Sec. 102-159. - Expiration.**

A certificate of appropriateness shall expire two years from the date of its approval if the work has not commenced under a duly issued building permit. Upon application of the property owner, the historic architectural review commission, or its designee, ***may*** extend a certificate of appropriateness for a specified period of time not to exceed two years ***upon a finding of no substantially changed circumstances.***