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## Historic Landmarks and Preservation Districts Commission

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### Report to the Committee

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To: Old Louisville Architectural Review Committee  
Thru: Savannah Darr, Historic Preservation Officer  
From: Priscilla Bowman, Historic Preservation Specialist  
Date: October 31, 2022 *SD*

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**Case No:** 22-COA-0229  
**Classification:** Committee Review

#### GENERAL INFORMATION

**Property Address:** 115 W. Ormsby Avenue

**Applicant:** Shauna Musuraca, Trustee  
Velma J Murphy, Irrevocable Trust  
1320 S. Brook Street  
Louisville, KY 40208  
(502) 640-8597 | (502) 640-4591  
[musuracas@gmail.com](mailto:musuracas@gmail.com)

**Owner:** Same as Applicant

**Estimated Project Cost:** N/A

#### Description of proposed exterior alteration:

The applicant is seeking after-the-fact approval for approximately 6' tall chain-link, double-gates, at the rear of the property facing the alley. The chain-link has been screened with black vinyl inserts to reduce visibility.

#### Communications with Applicant, Completion of Application

The application was submitted on September 8, 2022. Staff emailed the applicant to let them know that the application had been received. The application also contained an after-the-fact wooden privacy fence. It was separated from this application (case # 22-COA-0273) and approved at staff level. The case is scheduled to be heard by the Old Louisville Architectural Review Committee (ARC) on November 9, 2022 at 5:30 pm, in person, at 444 S. 5<sup>th</sup> Street, Room 101.

## FINDINGS

### Guidelines

The following design review guidelines, approved for the Old Louisville Preservation District, are applicable to the proposed exterior alteration: **Site**. The report of the Commission Staff's findings of fact and conclusions with respect to these guidelines is attached to this report.

The following additional findings are incorporated in this report:

### Site Context/ Background

The site is located on the north side of W. Ormsby Avenue, six lots west of the intersection of W. Ormsby Avenue and S. 1st Street. The property is zoned TNZD in a Traditional Neighborhood Form District. The building is a Victorian era, two-and-one-half-story, masonry, single-family home, and is surrounded by structures of similar age and style.

Staff approved a COA (22-COA-0273) with conditions for after-the-fact privacy fencing on October 25, 2022.

### Conclusions

The after-the-fact gates generally do not meet the Old Louisville Design Guidelines for **Site**. Guideline ST-16 states that chain-link cannot be installed where it can be seen from a public way. Since the gates are located on the alley, they are visible from a public way. However, they are not visible from W. Ormsby Avenue. Staff recommends denial of the chain-link gates remaining on this site. If the applicant were to consider changing the gates to wood, then staff would recommend approval.

### Recommendation

On the basis of the information furnished by the applicant, Staff recommends the after-the-fact application for a Certificate of Appropriateness be **denied** as the request does not meet Guideline ST-16.

However, should the applicant agree to change the chain-link gates to wood, then Staff recommends the after-the-fact application for a Certificate of Appropriateness be **approved with the following conditions**:

1. The applicant shall replace the double chain-link gate with a wood gate system to match the existing wood privacy fencing within 6 months of the committee's decision.
2. All wood shall be painted or stained within 12 months of construction.
3. If the scope of the project were to change, the applicant shall contact staff for approval.



Priscilla Bowman  
Historic Preservation Specialist

10/31/2022

Date

# SITE

## Design Guideline Checklist

|     |                                           |
|-----|-------------------------------------------|
| +   | Meets Guidelines                          |
| -   | Does Not Meet Guidelines                  |
| +/- | Meets Guidelines with Conditions as Noted |
| NA  | Not Applicable                            |
| NSI | Not Sufficient Information                |

|             | Guideline                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                        | Finding | Comment                                                                                                                               |
|-------------|------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|---------|---------------------------------------------------------------------------------------------------------------------------------------|
| <b>ST1</b>  | Consider the relationships that exist between the site and structure when making exterior alterations. Changes to one will affect the other. A primary goal should be to maintain a complementary relationship.                                                                                                                                                                                                                                                                                                  | +/-     | The proposed gates are generally complimentary to the site. They are located on the rear alley and screened with black vinyl inserts. |
| <b>ST2</b>  | Retain established property line patterns and street and alley widths. Any replatting should be consistent with original development patterns.                                                                                                                                                                                                                                                                                                                                                                   | NA      |                                                                                                                                       |
| <b>ST3</b>  | Use paving materials that are compatible with adjacent sites and architectural character.                                                                                                                                                                                                                                                                                                                                                                                                                        | NA      |                                                                                                                                       |
| <b>ST4</b>  | Restore and reuse historic paving materials for streets and sidewalks such as brick and hexagonal pavers and limestone curbing. Maintain original curbing whenever possible. The historic relationship between the road surface and edging should be preserved. Any replacement should use historic materials. If replacement with original materials is not technically or economically feasible, a substitute material may be used if it duplicates the color, texture, and visual appearance of the original. | NA      |                                                                                                                                       |
| <b>ST5</b>  | Maintain brick, stone, or poured concrete steps wherever present. If replacement is required, original materials should be used. New construction should incorporate steps on blocks where they are a character-defining feature.                                                                                                                                                                                                                                                                                | NA      |                                                                                                                                       |
| <b>ST6</b>  | Do not harm historic resources through road widening or underground utility repair.                                                                                                                                                                                                                                                                                                                                                                                                                              | NA      |                                                                                                                                       |
| <b>ST7</b>  | Locate driveways, parking areas, and loading docks to the side and rear of properties. Access from alleys is preferred.                                                                                                                                                                                                                                                                                                                                                                                          | NA      |                                                                                                                                       |
| <b>ST8</b>  | Maintain original front yard topography, including grades, slopes, elevations, and earthen berms where present. New construction should match the grade of adjacent properties. Do not recontour front-yard berms into stepped terraces, using railroad ties, landscape timbers, or any other historically-inappropriate material for retaining walls.                                                                                                                                                           | NA      |                                                                                                                                       |
| <b>ST9</b>  | Do not carry out excavations or regrading within or adjacent to a historic building, which could cause the foundation to shift or destroy significant archeological resources.                                                                                                                                                                                                                                                                                                                                   | NA      |                                                                                                                                       |
| <b>ST10</b> | Do not install masonry walls in street-visible locations unless they are used to retain earth at changes in grade, screen service areas, or unless a historic precedent exists.                                                                                                                                                                                                                                                                                                                                  | NA      |                                                                                                                                       |
| <b>ST11</b> | Use materials that match existing sections of historic fencing in material, height, and detail when carrying out limited replacement projects. If an exact match cannot be made, a simplified design is appropriate.                                                                                                                                                                                                                                                                                             | NA      |                                                                                                                                       |

|             |                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                 |    |                                                                                                  |
|-------------|-----------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------|----|--------------------------------------------------------------------------------------------------|
| <b>ST12</b> | Use materials that match the existing character of the original when replacing retaining walls or curbing. If an exact match cannot be made, a simplified design is appropriate.                                                                                                                                                                                                                                                                                                                                                                                | NA |                                                                                                  |
| <b>ST13</b> | Install only historically-compatible iron fencing under 2'-5" in height where there is demonstrable historic precedent.                                                                                                                                                                                                                                                                                                                                                                                                                                         | NA |                                                                                                  |
| <b>ST14</b> | Do not install front-yard fencing where there is no historic precedent.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                         | NA |                                                                                                  |
| <b>ST15</b> | Install any rear- or side-yard privacy fencing so that it is set back from the side wall at least two feet and presents the finished side out. Any privacy fencing should be less than seven feet in height. Contact the Department of Inspections, Permits, and Licenses regarding additional restrictions on fencing at corner properties.                                                                                                                                                                                                                    | +  | The chain-link gates are only 6' tall and located on the rear alley.                             |
| <b>ST16</b> | Do not install chain-link, split-rail, or woven-wood fencing, or concrete block walls in areas that are visible from a public way. Opaque fencing, such as painted or stained pressure-treated wood, may be permitted with appropriate design.                                                                                                                                                                                                                                                                                                                  | -  | The chain-link gates are located right on the alley. They are clearly visible from a public way. |
| <b>ST17</b> | Use understated fixtures when installing any type of exterior lighting. Fixture attachment should be done so as not to damage historic fabric. Fixtures should not become a visual focal point.                                                                                                                                                                                                                                                                                                                                                                 | NA |                                                                                                  |
| <b>ST18</b> | Do not light parking areas or architectural features in a harsh manner. Generally, an average illumination level of 1.5 to 2.0 foot-candles will be sufficient. Light should be directed down and away from neighboring properties.                                                                                                                                                                                                                                                                                                                             | NA |                                                                                                  |
| <b>ST19</b> | Parking lots of a certain size should have a portion of the parking area dedicated to plantings that will soften the expanse of paving. See the Jefferson County Development Code - Requirements for Landscaping and Land Use Buffers for specific requirements.                                                                                                                                                                                                                                                                                                | NA |                                                                                                  |
| <b>ST20</b> | Use high-pressure sodium or metal halide lights to create a soft illumination where site or streetscape lighting is desired.                                                                                                                                                                                                                                                                                                                                                                                                                                    | NA |                                                                                                  |
| <b>ST21</b> | Position fixtures, such as air conditioning units, satellite dishes, greenhouse additions, and overhead wiring, on secondary elevations where they do not detract from the character of the site. Try to minimize noise levels to adjacent properties.                                                                                                                                                                                                                                                                                                          | NA |                                                                                                  |
| <b>ST22</b> | Preserve large trees whenever possible and enhance established street tree patterns by planting additional trees along public rights-of-way. Consult the city arborist to determine what tree species are suitable for placement near overhead wires. Select and place street trees so that the plantings will not obscure historic storefronts once mature. Removal of trees within or immediately adjacent to a public right-of-way or within public open spaces requires review unless directed by the city arborist for emergency or public safety reasons. | NA |                                                                                                  |
| <b>ST23</b> | Ensure that all proposed cellular towers and associated fixtures will be properly screened from view.                                                                                                                                                                                                                                                                                                                                                                                                                                                           | NA |                                                                                                  |
| <b>ST24</b> | Install utility lines underground whenever possible.                                                                                                                                                                                                                                                                                                                                                                                                                                                                                                            | NA |                                                                                                  |