



Historic Landmarks and Preservation Districts Commission

MEMORANDUM

To:	Historic Landmarks and Preservation Districts Commission
From:	Savannah Darr, Historic Preservation Officer
Date:	April 14, 2022

Case No: 21-COA-0230

Property Address: 2214 Patterson Avenue

Case Timeline

September 29, 2021: The application for window replacement was received.

October 7, 2021: Staff conducted a site visit to assess the interior and exterior condition of the historic windows.

November 10, 2021: The Cherokee Triangle ARC met at 4:30 pm via WebEx online video conference to discuss case 21-COA-0230. Members present were Gail Morris, Jennifer Shultz, Pete Kirven, Tamika Jackson, David Morgan, and Committee Chair Dave Marchal. Mr. Morgan made a motion to defer the case until there was more information on the dimensions of the existing windows and proposed replacement windows. The motion was seconded by Ms. Schultz. Ms. Elmore took a roll call vote, and the motion passed unanimously (6 yes and 0 no). Please see the Report of the Committee for further details on the hearing.

November 11, 2021: Staff contacted the applicant to explain the outcome of the hearing and that the applicant would need to bring detailed dimensioned drawings of the existing windows as well as the detailed and dimensioned cut sheets for each individual window proposed to be replaced for the future ARC meeting.

January 6, 2022: Nathan Smith, the applicant's architect, submitted a new COA application for the window replacement (22-COA-0002). However, a new application was not necessary as the previous was deferred by the ARC.

February 18, 2022: The applicant notified Staff that they wanted to go back before the ARC for replacement of the front windows.

March 2, 2022: Staff approved replacement of the side and rear windows at staff level (22-COA-0002).

The Cherokee Triangle ARC met at 4:30 pm via WebEx online video conference to discuss case 21-COA-0230. Members present were Gail Morris, Pete Kirven, Tamika Jackson, and Committee Chair Dave Marchal. Mr. Kirven made a motion to deny the application because there was not sufficient evidence to prove that the windows met the threshold for full replacement (W1), rather than repair. Ms. Morris seconded the motion. Ms. Jackson said she would have liked to have known more of the state of the existing windows because the proposed replacement windows do meet the Design Guidelines. Mr. Haberman took a roll call vote. Committee members Kirven, Marchal, and Morris voted yes while Committee member Jackson voted no. The motion to deny the replacement of the front three historic wood windows passed (3 yes and 1 no). Thus, the application for a COA was denied. Please see the Report of the Committee for further details on the hearing.

March 31, 2022: The owner's written request for an appeal of the Cherokee Triangle ARC's decision was received.

Summary

Per 32.257(K), "the Commission shall review the application and the record of the prior proceedings and, at the discretion of the Chairman, may take additional testimony from the applicant, the property owner, appellant, or other interested parties for the purpose of supplementing the existing record or for the introduction of new information. Upon review of the record and any supplemental or new information presented at the meeting, the Commission shall make a written determination that the decision shall be upheld or overturned.

A decision of the staff or the Committee shall be overturned by the Commission only upon the written finding that the staff or Committee was clearly erroneous as to a material finding of fact related to whether the proposed exterior alteration complied with the guidelines. When the Commission overturns a denial of an application, it shall approve the application, or approve the application with conditions. Any member of the Commission who voted on the application when it was considered by the Committee shall not vote on the question of whether the decision of the Committee shall be upheld or overturned."