

MINUTES
The Spartanburg Board of Architectural Design and Historic Review
ZOOM Meeting
Thursday, August 13, 2020 ~ 5:30 PM

Board Members Attendance: Ray Trail, Brad Steinecke, Melissa Walker, Meg Reid, Kathleen Crowley, and Rhiannon Leebrick. Also New Board Members Anne Rodrick and Kenneth Brown attended the meeting as well.

Absent Board Members: Josh Lonon.

City Staff: Natalia Rosario, Planner III; Rachel Grothe, Planner II; and Julie Roland, Administrative Assistant. Martin Livingston, Neighborhood Services Director; Bob Coler, City Attorney; and Buddy Bush, City Building Official also attended the meeting.

Mr. Trail, the Chair, called the ZOOM HARB meeting to order at 5:30 P.M., and stated the hearing procedures. He recognized the eight Board Members present constituted a quorum, and he proceeded with the guidelines for the procedure of the meeting. Mr. Trail welcomed the two new Board Members who were just appointed by the Mayor and City Council this past Monday, August 10, 2020.

Mr. Steinecke moved to amend tonight's agenda by adding a non-voting item; the City's discussion about Duke Energy's Line Burial Project within Hampton Heights between Agenda Items III and IV; and he was seconded by Ms. Reid. The motion was approved by a vote of 8 to 0.

Disposition of the Minutes from the July 9, 2020 ZOOM Meeting.

Ms. Walker made a motion that the July 9, 2020 minutes be approved as submitted; and she was seconded by Ms. Reid. The motion was unanimously approved by a vote of 8 to 0.

Mr. Trail had all of the Board Members introduce themselves for the recording.

New Business:

Certificate of Appropriateness for Major Works – 400 Hampton Drive in Hampton Heights – Owner/Applicant is seeking permission to enlarge the existing front balcony and lower patio area on an existing apartment building on a property in the R-6 zone district. Phuoc Do, Owner.

Ms. Grothe, Planner II was sworn and she submitted into evidence the meeting packets the Board Members had previously received via email and tonight's presentation and slides into evidence as Exhibit A. Ms. Grothe showed a slide of the location map for the property; and said this is for a proposed balcony and patio expansion at 400 Hampton Drive. The project site is an approximately 11,800 square foot lot on the corner of Hampton Drive and West Hampton Avenue. The site currently contains a single apartment building with six units. The building appears to have been constructed in 1950 and can be described as a vernacular low-rise apartment building. The owner is proposing to expand the existing upper balcony area and lower patio areas in order to create some usable outdoor space for the building's residents. A slide was shown which she explained showed a bit more of the current conditions of the building; and she said their meeting packets should have included a bunch of pictures, too. Another slide of the building was shown and she said the existing balcony walkway was in poor shape and in need of repair, and they could see there was some stuff going on with the underside

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as well. So as I stated earlier, the owner wants to expand the upper balcony and lower patios. So with this expansion, two new cross gabled roofs would be added onto the existing hip roof and would slope over the extended balcony to provide shade. The new gables would be supported by wooden columns, and the balcony floor would be shiplap wooden planks. The current balcony, which serves as a walkway for the upper units will be expanded from 5 feet to 10 feet in width. The new balconies will not span the entire length of the walkway, but will be two 20 foot long bump-outs connected in the middle by the five foot walkway. The existing wrought iron railing will be sandblasted and repainted a shiny black. Ms. Grothe showed another slide and said this was the proposed front elevation that the owner submitted. So here is a floor plan view that shows the existing walkway and where the two new bump-outs would be located. It also shows the location of the new support columns. The existing staircases would remain in their current location and configuration. A slide was shown of the lower patio areas; and she explained they'll take on this same configuration as the new upper floor balconies. And the owner plans on utilizing raised concrete to create the patio spaces down below.

[Editor's Note: The meeting packets the Board Members received via email prior to the meeting, contained the following criteria for reviewing a Certificate of Appropriateness:

1. *The character and appropriateness of the design* – The proposed balcony, patio expansions and cross gabled roofs will complement the existing apartment building through their design and proposed materials. The cross gabled roofs and porch features are an appropriate design for the Hampton Heights Historic District and complement the many porches on surrounding houses. The Design Manual emphasizes the importance of recognizing the prevailing character of existing development; the proposal does this well. The new roof line will match many of the cross-gabled and hipped bungalows throughout the neighborhood.
2. *The scale of the buildings* – *The proposal is of an appropriate size and will not overwhelm the site. In fact, the porches and new roof line will help to break up the massing of the building and add interest along an otherwise flat and unadorned façade.*
3. *The texture and materials* – The new balcony and existing walkway floor will be shiplap wood floor. This wooden material is not only appropriate for a balcony floor but it will also be sealed to ensure it is weather proofed. The patios on the ground floor will be raised concrete and match the existing concrete stoop. Both of these materials will complement the existing brick and asbestos shingle façade.
4. *The relationship of such elements to similar features of structures in the immediate surroundings* - The proposed project will have similar features to many of the surrounding homes. Per Section 8.1.3 of the Design Guidelines, porches and entrances are often the focus of buildings. Together with their functional and decorative features, porches are an extremely important character defining feature. A staff survey of Hampton Drive revealed that almost every house on the street has some sort of porch feature. As such, these porches have wooden columns much like the columns proposed for the balcony and patios.
5. *If the property is in a Historic District, the extent to which the alteration or construction would be harmonious with the Historic District* - *The proposed project will blend harmoniously with the existing neighborhood and the Hampton Heights Historic District due to its design and materials. Many of the homes in Hampton Heights are known for porches as they are a distinctive character defining feature. The proposed balcony, patios and new roof will be compatible with the neighborhood as a whole and will allow the existing building to better blend into the neighborhood without creating a false sense of history.*

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Zoning Ordinance, Section 603.3(A)(2) Variance:

Variance will be required for the balcony expansion as it will extend into the required 15 foot exterior side yard setback.

Ms. Grothe informed the Board Members the district standards for the R-8/SFD stipulate that the exterior side yard setback is 15 feet. So the proposal will encroach into this setback by approximately five feet. As such, if the Board votes in favor of the project, the matter of the side yard encroachment will need to be heard and decided by the Board of Zoning Appeals, likely at the September meeting.

Staff recommends approval of the project as submitted that includes her Conditions of Approval the Board Members also received via email in the meeting packets.

Board Questions for Staff:

Mr. Steinecke asked Ms. Grothe about the property had a Hampton Drive address, correct; so that the front façade technically faces Hampton Drive, was that her understanding.

Ms. Grothe said that's correct. That's where all the doors line up. And I guess sort of historically, from a planning perspective, when I am looking at lots, typically in my experience, we will call the front the narrower of the two lot lines. But I mean, this is pretty clearly constructed that way as the exterior side. And so we can have them do the setbacks for that. The exterior side setbacks.

Mr. Steinecke said he guessed that was sort of his question. Because you said something about side-yard setback and I wondered if there's a difference in how that is structured.

Ms. Grothe said yes; that was a good point. Because I think right now its set back about 15 feet and I think the front yard set-back for this zone district is 30 feet. Yeah, I don't know how to... when I had calculated it, I had calculated it as an exterior side-yard setback.

Mr. Steinecke said either way. So you're saying, that either way, it sounds like it would need a variance that would go before the BZA.

Ms. Grothe said that was correct.

Mr. Trail asked Ms. Grothe if they approve this and it had to go for approval by the Zoning Board, would this Board do any approval on the condition that it's approved by the Zoning Board.

Ms. Grothe said included in my report, behind the conditions of approval and there should be one in there that says something to the effect that this needs to go to the Board of Zoning Appeals, which is #7 on the Conditions of Approval; the matter of encroachment into the exterior side-yard's setback, and shall be referred to the Board of Zoning Appeals for consideration.

Mr. Trail said to follow up on that question, I guess I should have rephrased it a little bit. So if we were to approve it and it went to the Zoning Board, what happens if they don't approve it. Does that just stop it.

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Ms. Grothe said yes.

Mr. Trail asked if the applicant would need to make an adjustment and come back to us.

Ms. Grothe said yes; I suppose if he wanted to do something else that was considered a major work; I can tell you in my professional opinion, I would support, or I do support this encroachment. And I feel I can make the findings for it.

Mr. Trail said all right.

Mr. Steinecke asked Ms. Rosario was there a reason that it might be preferable to have it go before one board versus the other first. And he said that might be something that Bob can weigh in on. I'm aware of another BZA Hampton Heights related...

Ms. Grothe said it's going to BZA first and then coming to us with the approval already.

Mr. Steinecke said that's right.

Ms. Grothe asked was he talking about the one on Hydrick Street regarding Josh London's.

Mr. Steinecke said that was correct.

Ms. Grothe said that went to BZA day before yesterday and they approved it, the encroachment into the rear-yard setback and the side-yard setback. And the way that I had looked at it, and the way it had been sort of presented to me by Josh and by his architect, the addition wouldn't be visible from the street; and it was not going to come in front of y'all. They will apply for an administrative one.

Mr. Steinecke said so in that case, it was going to BZA first because it didn't seem like it was going to be coming before this Board at all. But it's not a matter of hierarchy between boards.

Ms. Grothe said that was correct there were no hierarchy between boards.

Mr. Kenneth Brown informed Mr. Steinecke if he could weigh in just briefly. If I understand your question, Brad, I think if both boards are required to give their approval, I'm not sure I see any difference in which one it appears before first. But I don't think it makes a significant difference.

Mr. Steinecke said he just wanted to clarify that. Let's see. Another question for Rachael, so there's a separate building permit process that happens, assuming this were to be approved. Is that correct.

Ms. Grothe said that was correct.

Mr. Steinecke asked does that permit process require a licensed contractor to execute the work. Or is that something that can be done by the property owner and how that was determined.

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Ms. Grothe said she had the City Building Official sitting to her right, Buddy Bush. So I can, if you're comfortable, I can have him answer that question.

Mr. Steinecke said that would be great.

Mr. Buddy Bush, City Building Official said it was nice to see all the folks; and to answer the question; absolutely this would be licensed. But yeah, it would have to be a... a quadraplex actually is going to have to be a licensed general contractor versus a residential contractor... well, you can do up to 16 units, three stories high. He said actually a residential builder could do that but they'll have to be a licensed residential builder and they'll be bonded. So they could do the job or a licensed [inaudible 00:17:12] could do it but with the proper valuation. Mr. Bush said what we'll do is we'll get the drawings on it. I had not seen the footprint exactly of the porches. I mean, I just had not looked at it. And apparently we'll have to look at the engineering piece of it. So I wasn't sure, is it going to be... somebody said elevated concrete. Okay. So if you've got wood, I think, out there now with concrete on top, I believe. Oh, what's the... the second portion is going to be all wood. Okay. Well, I mean wood structurally is what I'm talking about.

Mr. Grothe said right.

Mr. Bush said Yeah, because you've got wood now. But I think with concrete. But anyway, the point being is it will have to have structural drawing, so it may require a professional engineer to do the structural piece for me, because we'll have to have the right loads, you know, calculated on the decks. And it looks like the decks are going to bump out such that I'm assuming they'll allow people to sit out there. Which really adds to the load somewhat. You'll have some dead and live load. So I am assuming that's the theory here, rather than just have a walkway. If that's correct, to allow folks to... okay. So yeah, from that standpoint, we'll get a licensed contractor, we'll get some building drawings that will tell us structurally how to build it. So beyond that it'll be pretty standard construction. Now I didn't catch this part, but are they... are the stairwells going to be brand new stairwells as well. Is that what we think.

Ms. Grothe said no sir.

Mr. Bush said Okay. But keep the stairways. Now just one caveat I want to throw out here. The risers and the treads all need to be code compliant currently to meet current code since we're doing such a major modification here. And of course, handrails and guardrails will have to meet current code, which they may. They probably don't, but I don't know without seeing them in the field. So that is a normal process that we'll follow. We'll get the drawings and approval and then a licensed contractor will pull the permit.

Mr. Steinecke thanked Mr. Bush, and said this might be a question that either Rachael or Buddy might could answer, but when I was looking through the proposed materials, it was saying that the upper level would be wooden. And my understanding is that the current walkway on the upper level is concrete. So there's going to be a sort of change of materials between the extension and the current walkway area. So there's like a seam of some sort that would be there, right.

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Ms. Grothe said she would try to make it so they could look at that on the screen; and she pointed to a point on the screen; but she said it could not be seen. Ms. Grothe said so the stairs are concrete, right. Then if you look at the upper picture, you can see that that's wood. And then whatever this is that people step on right there that you're looking at, the floor. I want to say that I think that it is almost, it looked like a thin sort of some sort of metal. That's what it looked like to me, because it almost looked like it had a little bit of rust on it. Yeah, and I think it's just been sort of like painted the same sort of grayish concrete-ish color.

Mr. Steinecke asked that it doesn't seem from your reading of the application, that there is a seam between the extension and the current walkway. It would be a harmonious transition between the balcony area and the walkway.

Mr. Bush asked would it be wood.

Ms. Grothe: said yes.

Mr. Steinecke asked was that something we could specify in the approval.

Ms. Grothe said that's something they could specify. She said it looked like its wood framed with some kind of concrete cap on the stairs, which you could probably get at Lowe's or Home Depot and then either it's finished out with concrete sealed on top, almost like plaster. But that would just be us, it would be a wood frame new deck regardless, with us calling out which type of finish material they would use on the top of the stairs. So if that's something that we want to say, I mean maintaining the existing concrete finish. Because they're not truly concrete stairs. And so I don't know if that was a shortcut that someone had done in the past to get away with doing prefab concrete stairs.

Mr. Bush said in the picture, they would use wood frame and apartment complexes use [Gib Free 00:22:34], which is [inaudible 00:22:35] housing and they still use it today. It could be a bord... especially border. And it has no aggregate in it, and you pump it in. It could be that. I'm not really sure. Now the steps are all precast concrete, I think, or some sort of concrete. He said if it's going to be wood though, I mean, is the plan I thought that's what I read on there. I'm not sure about what the order plans are.

Ms. Walker said she guessed she may have been assuming, but I was assuming that upper walkway would be rebuilt completely with the bump-outs and the new supports. So that may be a question for the homeowner. So in other words, there wouldn't be a seam between the bump-outs on the deck and the walkway, because it would be a new walkway.

Ms. Grothe said that was what she assumed, too.

Ms. Reid said she would assume that. And the reason why I brought up the finish part is because we've had previous projects where we've approved or not approved because of the authenticity of say a CMU foundation block, which is particular to either neighborhood. And so this wouldn't necessarily be like an authenticity of materials, because it's just a concrete precast cap on a wood frame. And so that's kind of why I brought that up.

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Mr. Trail asked did they have any more questions for Rachael right at this time. No. Okay, I do believe we do have the homeowner or building owner with us, if he would like to come forward and state his name and address.

Mr. Phuoc Do, owner of 323 West Hampton Avenue came forward and was sworn. He explained to the Board Members he wanted to extend out the deck and the lower porch for the people that would live there. And let me modify the upper deck. The upper deck is a wood deck. It's covered by the sheet metal. And what I intend to do is add extend on the top of treated wood board there, will be shiplap wood. Shiplap wood and covered on the top of it. And the continuous piece of wood come from the, if you see, from the... under... out the wall to the outer edge of the porch. [inaudible 00:26:00] seamless.

Mr. Trail asked were there any Board questions for the applicant.

Board Questions for petitioner:

Mr. Steinecke informed Mr. Do he was having a little bit of difficulty understanding part of what he was saying about the shiplap. There's a... I think a common material for porches is tongue and groove wooding. Is that probably what you're meaning.

Mr. Do said no; shiplap is different from tongue-in-groove. Shiplap is where really they cut the top and bottom rectangular and they fit into each other. [inaudible 00:26:33] trailers, the 45 foot trailers. And [inaudible 00:26:38] now they put shiplap there. [inaudible 00:26:41] the square is not tongue and groove. So the shiplap and it is single printed in the hatch, we will not water in the shiplap [inaudible 00:26:56]. [inaudible 00:26:56] didn't come out to the [inaudible 00:27:01].

Mr. Steinecke said he was having some audio issues on his end; and he was having a difficult time hearing some of this. He thought another comment that you made was that you intended to keep the structure of the upper decking there, but that there would be a new surface on top that would go over the entire new construction and old construction so that there would not be a seam. Is that a correct understanding.

Mr. Do said right. This is five and three quarter inch shiplap wood on the top of it.

Mr. Steinecke said the other question I had, or maybe just an observation, so the railings on the upper level is that your intention to have those be the wrought iron.

Mr. Do said yes.

Mr. Steinecke said Okay. And that would be in the bump-out section, that that would all be wrought iron railing.

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Mr. Do said yes.

Mr. Steinecke asked between wooden posts, is that right.

Mr. Do said wooden posts at downstairs and then up in... wrought iron will be between wooden posts. He said the wrought iron [inaudible 00:28:35] in wooden posts.

Mr. Steinecke asked was there a proposal for railing on the bottom patios, or was that all open in addition to the entry way on the sides as well.

Ms. Crowley asked to clarify, was the intent to use the existing railings.

Mr. Do said yes, he would build... sandblast and repaint in a cross... across that.

Ms. Crowley said that kind of ties back to Buddy's comment from before, where we're going to have to confirm that those existing railings are up to the new code standard. Because from what I can see in the picture, they look like they're a little bit too low. So that's just something to consider if you're going to use those railings; you might have to invest in new railings or some kind of handrail addition to the top of them.

Mr. Bush said she was exactly right. That's what will have to happen. We run into this all the time with handrails and I understand this is historical, but I've got to make it compliant with current codes. So we've got to have it at least three feet high, and I mean, to me it's the... and apartment building. It's really coming out of the IBC, which makes it... see, that's where you get into the difference, 42 inch side guardrails and 34 to 38 inch high hand rails that have to be continuous. So this is an apartment quadruplex. So I do have to impose that. So I'm going to drop back on that three feet and say it's got to comply with building code. Because this is not single family or a duplex or a town home. So going forward, when somebody builds and adds on to something like this, we always make them compliant. So, I mean, you could fabricate it and maybe add to it. Say for instance, you only have one handrail. I'm looking at going up the last set of risers there, you've got to have one on the building side. So then you're going to have to add that, to comply. And the guards have to be... the peg-ins have to be spaced so that a four inch spear won't pass through. So we would address all that on the planning review, when the drawings were submitted.

Mr. Trail asked were there any further questions for the applicant.

There were no more Board questions at this time.

Mr. Trail opened the public comment portion and asked anyone either on-line or on the telephone that would like to comment on this project, either for or against it.

Mr. James Spearman, the other applicant in tonight's meeting said he and his wife live down the street from the proposed site. He felt the improvements in the visual appearance of that house would be great

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for the neighborhood. When you come into the neighborhood, if you're first entering into Hampton Heights; you see this house that's kind of characteristically out of place that doesn't have any outdoor space. I don't know about compliance with codes and all those things, but to have some porches that look more like what you see in the other apartments that are across the park from it, or more consistent with the front porches that are seen in other places; I think this would be a good improvement for the neighborhood.

Mr. Trail said for the record that statement was made by our other applicant.

Mr. Trail thanked him for his comment; and asked if there were any other comments from the public. There were no more comments. Mr. Trail closed the public hearing portion and said they would move on to Board Discussion/Deliberation.

Board Discussion/Deliberation:

Mr. Steinecke said his main reaction is to be favorable of the addition of porches. I think that would be a very good thing for that property and would enhance not only the entry on West Hampton; but on Hampton Drive which is a prominent location. But I think that given the need for code compliance, I am a little bit concerned that there will be changes that we can't see in the current drawings. But I don't know that I have enough information to make a vote at this time on all aspects of it. The lack of railing on the lower level is a bit of a concern for me; I think that design-wise, it would be something that would be of benefit. And I think that the composition of the flooring upstairs, I think tongue and groove would be more harmonious with the use of the materials through the neighborhood in general. But at this point, I feel like I am not able on the way it's submitted at present.

Mr. Trail asked was there any other comments/discussion.

Ms. Grothe said if Mr. Steinecke would like to add or amend some conditions of approval, that was definitely within the Board's purview to do so. And so if you want to ask Mr. Do if he would be open to the tongue and groove flooring, that could be added to the conditions of approval. And if he agreed to that, we might not necessarily have to come back.

Mr. Steinecke said O.K.; and thank you.

Ms. Crowley said if their purpose is to maintain the integrity of materials and the aesthetic of, in this case, Hampton Heights, regarding the new guardrail; I don't know if we would have to have another meeting about it, but to see drawings of the type, style of that guardrail could be something that's important to the aesthetic of the new add-on. Or you could easily mimic what was there and add on the additional guardrail, and we could approve contingent on that. Like you don't add any swirls or fleur de les on the new guardrail. But I don't know, it's up for debate, obviously.

Mr. Trail asked if there were further discussion.

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Mr. Do said he was able to put tongue and groove. However, shiplap would be easiest. And shiplap and tongue and groove for that size. And we can get that. But shiplap worked very well and very durable versus the oak (tongue and groove). The oak outdoor is not as durable as yellow pine. So I think, I look into that because of the wear and the condition. So that it's more resistant, the yellow pine is more resistant, treated yellow pine (shiplap). Treated yellow pine more resist to weather than tongue and groove or oak. So that's why I can say that the tongue and groove is not as good as yellow pine. But if the Board want to have tongue and groove, it does require more maintenance. Because it needs to be sealed every year.

Mr. Steinecke asked was there not a pine, tongue-and-grove.

Mr. Do said no; the yellow shiplap treated wood. They make it for wood floor. He did say the tongue and groove was easier to apply.

Mr. Steinecke asked was the thickness different, like the distance between the planks.

Mr. Do said the thickness will be same. He said the width, wider. It's a little bit wider than tongue and groove.

Mr. Steinecke asked if they meet and overlap, there wouldn't be gaps between them.

Mr. Do said right they overlapped. The one have the lower lip, the other have the upper lip; and the lower lip and upper lip attach each other, rather than you put a tongue in the groove in there, one just have a lower lip and the other one upper lip. And you then lay on the upper lip on the lower lip.

Mr. Steinecke said that satisfies me. Something in my mind still had gaps.

Mr. Do said there were no gaps.

Ms. Crowley said she would be interested in helping expedite this process, because I do think it will be an asset to the neighborhood to get this work done. She felt if they feel like they need to make it some kind of an amendment to Ms. Grothe's language that just says bringing the railing up to code would involve mimicking the appearance of the current railing, for example. I think I'd be more comfortable making that amendment right now and allowing him to move forward.

Mr. Trail asked if she wished to put that in the form of a motion.

Ms. Crowley moved that we amend the language on Ms. Grothe's proposal to specify that Mr. Do has to make the appearance of the railing comply with the appearance of the current railing, when he modifies it to meet code.

Mr. Steinecke asked Ms. Walker was she at all interested in adding to her motion railings on the bottom level.

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Ms. Crowley did not feel strongly about railings on the bottom level unless it's required to meet code. But if you want to amend my amendment, I would be open to that.

Ms. Crowley said regarding putting railings on the bottom, it would be that the drop is high enough on the foundation that you might have to add them. So you could make it, if it is required on the bottom to add railings that must be a part of the new project.

Mr. Steinecke said In other words, if code requires the drop off there. If code requires railing, they'll allow it at that point.

Ms. Crowley said right.

Mr. Do did not think the code requires for that... that not high enough for the code to require. He believed it to be 30 inches above.

Mr. Steinecke said he would second the motion on the floor.

Mr. Trail said they had a motion on the floor and a second. Let's put it to a vote. All in favor of this motion. Aye.

Rhiannon Leebrick:

Aye.

Brad Steinecke:

Aye.

Kathleen Crowley:

Aye.

Ray Trail: Aye.

Any opposed. Okay, the motion carries. All right, thank you sir. Appreciate that.

Mr. Do thanked him.

Certificate of Appropriateness for Major Works – 298 W Hampton Avenue in Hampton Heights – Owner/Applicant seeking permission to install a historically accurate porch and attached rear garage on an existing house on a property in the R-6 zone district. James Spearman, Owner.

Ms. Grothe, Planner II who was still under oath; submitted into evidence the meeting packets the Board Members had previously received via email and tonight's presentation and slides into evidence as Exhibit A. **Ms. Grothe** showed a location map, and various slides of the proposed property. She informed the Board Members this is for a proposed front porch and rear addition at 298 West Hampton Avenue. The project site is an approximately 16,600 square foot lot towards the end of West Hampton Avenue, and three houses down from the corner of North Irwin Avenue. The site currently contains one single family home that was constructed in approximately 1920 and can be described as a Colonial Revival cottage. The owners are proposing to remove the existing entrance feature and construct a new, more historically accurate porch, with a rear addition with a garage. So this is sort of a closer view

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of the entrance feature. And in talking to the owner's architect, he guesstimated that this front feature was installed at some time in the 1980s. So the owner did some digging and was able to find some evidence of a much larger and a much grander porch. On a 1925 San Borne Fire Insurance map (a slide was shown) and she said so I've outlined the property in red, so that's 298 there. And then the dash line that you see sort of around the front and then curve around to the right, that is a porch. So you'll notice that it is quite similar to the porch found on the neighboring house to the left, which is 304, I believe. So this is what the owners are proposing was new the porch will be approximately 700 square feet in area and run around the front façade, wrapping around the left side of the house.

The owners are proposing a driveway with access to a proposed garage on the right side of the house. So this location was chosen because they would like to preserve a large and mature shade tree on the left side of the house. So the portion that wraps around the left side of the house will be screened in to create outdoor dining space. The existing window located on the right side bay room bump-out will be removed and a door added for access from the interior dining room to the screened-in porch area. The existing window in the middle portion of the bay room bump-out will be removed and replaced with three fixed transom windows. And then in talking with the architect, he indicated that historically these types of windows were common in dining rooms in order to accommodate for a side board. And then the existing front door will be removed in favor of a door with two side panel windows. The porch will extend 10 feet out from the front and left of the house. A staircase will be constructed from the left side of the porch, to gain access to the side yard and back yard areas. The roof of the porch will be a standing seam metal roof. The roof will be held up by seven sets of wood like double columns. So the owner is thinking about some type of fiber, cement fiber material that mimics the look of wood but will be durable and easier to maintain. The columns will be supported by three foot tall brick tiers and the railing will be a wood like turned pickets and will enclose the areas between the brick tiers. Ms. Grothe said she knew that was a lot of things; so she would go through with some more pictures, just to show a little bit more detail. So something that I had described in the last slide is that the applicant wants to replace the existing front door to something similar to what is shown on the right. They are wanting to do something that is just a bit more grand, and maybe more appropriate for a larger porch. And then they also would like to cover their porch with a galvanized steel roof, much like the one that is shown on their neighbor's house which is shown on the left, which is 304 West Hampton. And that was approved with a Certificate of Appropriateness and was identified in that approval as an original material. So you can see the picture of the house up on the top left and then I sort of zoomed in on their roof a little bit. And then over here on the right is just something that they were thinking about doing. So the owner is proposing to remove the existing middle single window on the bay room bump-out and replace it with three fixed transom windows. So you can sort of see that in the drawing to the left, the dash line is where the existing window is now and they would like to remove that and do the three transom windows.

And then the window shown on the right part of the bump-out will become a door or they would like to do that to provide access from the interior dining room to the screened in porch area. So other work includes a small addition that was constructed in the 1980s that bumps out on the right side of the house, that's going to be removed. Ms. Grothe showed another slide and said so that's a view of it from the front, the top left picture. So you can see it pop out there. And then the lower picture is a view of that little bump-out from their back yard. And then the wall area underneath will be repaired and patched appropriately. She said they would also like to do a new 10 foot wide driveway, right there along the right side of the house. So they would like to use concrete driveway tracks for the majority of

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the way down the side of the house. And then once the driveway reaches the back of the house, it will turn into a full concrete driveway that loops around the back of the house to access the proposed rear facing attached garage. She showed another slide of the rear of the existing house right now; and said what they were thinking of doing was the new garage will be approximately 500 square feet and will be located on the ground level. Above the garage, a new den and porch will be constructed, and cumulatively will be approximately 500 square feet, which is the same as the garage below. The lower garage and upper garage and upper den and porch edition will be minimally visible from the street due to their rear location. The addition will be clad in wooden siding and will match the existing house. A new fireplace with chimney will be installed on the left side of the rear edition. And that will create an outdoor fireplace on the new porch, and then an exterior staircase is proposed on the right side of the house and it will provide access from the rear porch to the back yard garden below.

[Editor's Note: The meeting packets the Board Members received via email prior to the meeting, contained the following criteria for reviewing a Certificate of Appropriateness:

- 1) The character and appropriateness of the design;
- 2) The scale of the buildings;
- 3) The texture and materials
- 4) The relationship of such elements to similar features in the immediate surroundings;
- 5) If the property is in a Historic District, the extent to which the alteration or construction would be harmonious with the Historic District

Staff found, or I found, that the porch project is constant with the design manual, in that the new front porch will remove an inappropriate porch and will replace it with one that is much more historically accurate, as evidenced by the San Borne Map and the house next door.

So the manual places a pretty heavy emphasis on the importance of porches as a character defining feature, as we just talked about in our last case. The roof and the porch will match what was likely the original material, metal. So this is substantiated by the porch roof next door. The neighbor received a Certificate of Appropriateness for their standing seam metal roof, which was original to the house.

So in addition, the other proposed materials will be historically appropriate and will compliment the surrounding houses through the use of wood and brick. The cement fiber columns and railings and pickets will, once painted, will mimic the look of real wood and will be substantially more durable to the elements. And then only a small portion of the front porch will be screened in, which is consistent with the manual's guidelines which states if a porch is enclosed, it shall utilize transparent materials such as a screen, which will help maintain the original open character of the porch design.

And then moving on to the driveway and rear additions; she said those are also consistent with the manual. The manual recommends the use of driving lanes as an appropriate historical approach for driveways. So the proposal will utilize this approach for a portion of the driveway, mostly what's visible from the street, and then be concrete once it gets to the rear.

The garage and upper addition will be located at the rear of the property and will be mostly hidden from the street. So the manual stipulates that additions to historic buildings should be added to the main

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historic façade and they should be located away from the principal public view at the rear of the building.

So the proposed rear addition will ensure that the addition will meet the intents of this guideline. So other considerations when proposing an addition includes respect for prevailing character and compatibility. The garage and porch will utilize similar materials to the existing house and what is proposed on the front porch.

The manual also indicates the importance of differentiating new work from the original historic structure. The very nature of that part of the edition will include a garage, will provide an indication that the work is new. Attached garages are not a common feature of historic homes in Hampton Heights and therefore it can be inferred that an attached garage addition would be differentiated from the original structure by the very nature of its presence.

And so this project, much like the last one that we had, will also need to go in front of the BZA, Board of Zoning Appeals in September, because the proposed front porch extends into the front yard set-back and it also extends just a smidge into the side-yard setback. It will encroach into the front yard by about 10 feet and into the side by approximately a foot and a half. So as such, if the Board votes in favor of the project, the matter of the front, the front and side yard encroachments will need to be heard by the BZA. She concluded her presentation by saying If anyone had any questions, I would certainly be happy to try and answer them for you. I know that the homeowners are here as well and their architect is also here as well.

Board Questions for Staff:

Ms. Reid said she was just trying to get a handle on what we're actually doing; so we're talking about porch, windows, driveway tracks, the metal roofing. It doesn't seem like this should all be one; and she asked should they be approaching this as like a segmented sort of thing. She felt it was all very well prepared.

Ms. Grothe said it was a lot.

Ms. Reid just wondered if they might need to segment it; and that the back stuff did not concern this Board, was that right.

Ms. Grothe said not really. And that's why I didn't go into too much detail with that. I don't know, I mean I didn't think about it that way when the application came in. Historically in my past life as a planner in other jurisdictions, we sort of processed everything concurrently. And a lot of that had to do with the fact that we charged fees for this sort of thing. And people didn't want to pay more than once.

Ms. Reid said she was not suggesting that it can't all be bundled. I just wanted to maybe put out there there's this... everybody says, "Wow, that porch looks great and it's a return to what was there!" And that there could be segmenting if we needed to, I guess.

Ms. Grothe said I suppose if the Board feels more comfortable doing that, they had the authority to do so.

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Ms. Crowley asked Ms. Grothe if she could just go back in her presentation, they could do a quick recap of how are the five essential elements done. The new porch, door, etc.

Ms. Grothe said regarding the proposed front door; the roof, the metal roof; the proposed window configuration, and he did not have it shown on here, (she pointed out on the slide) Where this window here will be a door and then these windows here replaced, a new window configuration. And then driveway. And I think that's probably really it, because y'all would probably be happy that that bump out is going away. And you wouldn't get too involved with any of this rear stuff. It was just I wanted y'all to know what was going on. So if everyone's comfortable, we can start at the top and just sort of talk through it the way Ms. Crowley suggested.

Ms. Crowley said , I'm just thinking from back in the day, when I was first on this Board regarding a door; we would require some sort of cut sheet, to show more than just a drawing of what they are intending.

Ms. Grothe said that was right.

Ms. Crowley said I would feel good just taking that one off the list or they could paper cut it. Because I think we need a product that they're envisioning.

Ms. Grothe said O.K.

Ms. Crowley said as opposed to some of the other things, where the roofing and the... that's probably just the one they make or I'm trying to make now, but... the door feels like a separate thing that they would need to have a... just a product sheet to show.

Ms. Grothe said O.K.

Mr. Steinecke asked Ms. Grothe when he was looking through the slides there, it seemed like the bay bump-out on the left side of the house had two over two sashes, but that pretty much everywhere else in the house was one over one. And it looks like the new drawings are one over one, so it would more or less bring it into conformity with the rest of the house.

Ms. Grothe said she would agree.

Mr. Steinecke said and I don't know if I may have missed it and there were in fact two over two sashes elsewhere in the house or if those have been changed out at some point or if they are going to need evidence of which might be the more original approach.

Ms. Grothe said I'm not sure. I mean, maybe the homeowner can answer to that or can provide an opinion and/or maybe their architect. I'm not entirely sure.

Mr. Steinecke said O.K. That was just something I noticed while you were presenting it. I didn't see it and catch it before in the packet or anything.

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Mr. James Spearman, applicant and owner of the property said the side windows on the east side of the house are two over two. It's only the front two windows that are one over one. And I don't know that the drawings were specifically being one over one versus two over two. I think they were just showing the window frames. He said he would not be opposed to either one that was consistent with the architectural integrity.

Mr. Steinecke said O.K.

Mr. Spearman said it might even be since that very front window seemed substantially larger than the others, that that it warrants an exception in that location. But just to any degree that there's conformity throughout the window, I think would be a good thing.

Ms. Grothe asked was he saying he would like to see the uniformity throughout the windows.

Mr. Spearman said yes. The two window sets that are in the front of the house, the one over one. If it's determined that those are original to the home, I think it would be best to leave them as they are, the one over one. But elsewhere he thought two over two might be the appropriate approach, except of course in the case of the very small, transom one.

Mr. Trail asked Ms. Grothe about the front door on the house. I know it has a storm door on it, but is that an original front door on it.

Mr. Grothe said she did not think it was.

Mr. Trail said it looked like one.

Mr. Spearman said it is not. It has a plastic window and was not a historic door.

Mr. Trail said O.K.

Ms. Reid asked if there was any proof that there had been a window sided or there at any time there in the past.

Mr. Glenn Boggs, the applicant's Architect said they had tried to look for that and see if there's any kind of outline of a door. The entrance hall for this house is very grand and wide. And it's odd that it would have just this little, single door, in my opinion though. That's something that probably would be looked for, for sure.

Mr. Steinecke asked Ms. Grothe was a new cut in that's going to be required for the driveway.

Ms. Grothe said correct.

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Mr. Steinecke asked was there any sort of additional permitting process for that, or was their approval enough.

Ms. Grothe said yeah; I believe only to get a street cut permit for that, but she was not sure.

Mr. Trail asked if there were any other questions for Ms. Grothe.

Ms. Walker said there was a question in the chat box about regarding would the porch extend into the shared driveway.

Ms. Grothe said no. The porch will not extend onto the shared drive. She said she did not see any of the chats because she had the shared screen up. It will not extend into the driveway. And the house is completely within the required setback, which I believe is eight feet. The porch is going to encroach by a foot and a half into that side-yard setback, but not into the driveway.

Mr. Boggs, the applicant's Architect said it may encroach into the driveway some; and James I've forgotten what the width of the shared driveway is supposed to be. It widens on the Spearman's side beyond required shared driveway should be.

Mr. Spearman, Applicant said the deed includes a four foot shared driveway agreement on either side of the driveway. The driveway as it currently stands may be wider than four feet onto our side of the driveway, but the addition would not extend into the deed agreed four feet.

Mr. Boggs said correct.

Mr. Spearman explained that's required by the deed. So it wouldn't be doing anything to be violating the deed to the extent that the driveway may extend beyond what the deed allows. There may be minor modifications to the driveway. But there should still be more than ample room for the neighbor to be able to utilize the driveway as intended per the agreement.

Mr. Trail asked were there any other questions for Ms. Grothe.

There were no more questions for Ms. Grothe at this time.

Mr. Trail asked for the applicant to introduce himself and present his case to the Board Members.

Mr. James Spearman and his wife Erin of 298 W. Hampton Avenue were sworn; and Mr. Spearman said their interest was in revitalizing this house, and in discussion with our architect, was to try and make an update to the house that makes it more modern but doesn't leave the house different than what it was intended when it was built and designed. Our architect found, luckily, in the historic maps that it had included a front porch that was consistent with other houses along our street, including our next door neighbor's. We would like to add a front porch to the house, to make it consistent with other houses in the neighborhood, including a screened-in porch, as our next door neighbors have. And we would like to modernize the house by adding a garage to the back of the house so that it is minimally disturbing to the

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architectural integrity of the neighborhood. The other things that we're going to do to the interior of the house, we're going to work hard to maintain architecture consistent with the period and we're actually really excited about being able to add to the beauty of our neighborhood, while making our house more livable and enjoyable.

Mr. Trail asked were there any Board Questions for the Applicant.

There were no questions for the applicant.

Mr. Trail opened the public comment portion of the meeting; and asked was there anyone with us from the public who would like to make a comment on this. If so, will you please state your name and address before you make your comment. Either for or against this.

Mrs. Mitchell said she lived next door to the applicant and said she knew there was four feet there, they put it in the deed. But I'm still curious how far past the edge of the driveway does the porch go.

[Editor's Note: at 6:40 P.M. a storm caused the power to go off from the 440 S. Church Street office that was hosting the Zoom meeting. Ms. Grothe was able to dial back in to the Zoom meeting by telephone; some Board Members were still on by computer and some by phone. and after some discussion it was decided since they were almost finished with the public hearing portion of the meeting to go ahead and finish this case; and the rest of the items (which were discussion items) would be brought up at the next meeting.]

Mr. Coler, City Attorney said it goes about two feet into the existing edge, but that existing edge is way past the four foot agreement. It goes into approximately a foot and a half or two feet at some points.

Mr. Trail asked **Mrs. Mitchell** if that answered her question. There was no answer.

[Editor's Note: at approximately 6:45 the telephone went out at 440 S. Church Street office; and in a few minutes Staff was able to get back on by telephone. There was discussion between Staff and City Attorney regarding moving this case to the next meeting; and it was noted that a fifteen day due diligence process would need to be repeated on moving this case to the next meeting. Ms. Crowley felt they should give a couple minutes grace period to make sure no-one else wanted to say anything and to make sure that the neighbor who responded was on board with everything to avoid any pushback.

Mr. Trail asked how many Board Members were still on either by computer or telephone. They had five Board Members at present.

Ms. Rosario, Senior Planner was able to dial back in; and said if they tabled the request Staff would need the fifteen day due diligence.

City Attorney Bob Coler dialed back in and said VOYA required the public to have access and right now they don't know if there were members of the public who were wanting to observe an open meeting.

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Mr. Trail asked if we have any other person from the public that would like to make a comment. There was no response. Mr. Trail closed the public hearing portion of the meeting and said they would have Comments/Deliberation from the Board.

Mr. Trail asked were there any other concerns; and the only one that he really had heard was the one about the door. What the door would look like. He said this was certainly well thought through.

Ms. Leebrick said she just got a text message from Ms. Rodrick, because she lost power and so can't get back on.

Ms. Walker said she was in and out due to the storm.

Mr. Trail said they now had five Board Members back on right now, and they had a quorum.

Ms. Walker said you do have a quorum. Okay. Well, I'll stay until everybody gets power back.

Ms. Crowley said in the sake of circumstance, we could make a motion to table this conversation until we have maybe an interim meeting next week or something, due to technical issues; and asked could she make that motion.

Ms. Walker said with the amount of things left on the agenda, and the storm with people coming in and out constantly and there's no way we can maintain a quorum probably.

Mr. Trail said they had never run into this before.

Ms. Reid said she was worried about if Rachel or Julie were tuning in to keep the minutes. I wasn't exactly keeping track of everything that we had talked about. And so if we make a motion, I wouldn't want to leave anything out.

Mr. Trail said he saw Mr. Steinecke come back on.

Ms. Reid said they could technically not have a record right at this moment or intermittently

Mr. Steinecke indicated he was back on.

Mr. Spearman got back on and said they had some lightning there, and had lost you guys for a couple of minutes. We have no idea what's been said in the last couple of minutes.

Mr. Steinecke said it took his wireless router a minute to boot back up and that's... that couldn't connect me in there for a bit.

Ms. Walker said she just got word that somebody else in Hampton Heights doesn't have any internet on Charter so I think that might happen to me, too. And it's like-

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City Attorney Coler said Mr. Chairman, I'll weigh in just for what it's worth.

Mr. Trial said O.K.

The City Attorney said he agreed with one of the members that said there is now the potential that some folks won't have fair say and won't be able to participate like they want to. So I don't know how bad the weather is going to stay or going to get, but at some point it is probably a prudent thing to do to decide to table and reconvene when we're sure that everybody can participate.

Mr. Steinecke asked was there a minimum or a number of days before. In other words, if we wanted to have a meeting before our next monthly scheduled meeting, could we do that? What's the number of days that we have to post that.

The City Attorney said if Ms. Grothe could weigh in that he thought it was a week.

Ms. Rosario, the Senior Planner said hello, everybody. This is Natalia. I don't know if you can hear me, but before y'all can take a vote on a matter, we have to have 15 days of advertisement; and it would be another two, three weeks; so essentially the next HARB meeting. Unless you wanted to do a special meeting which I still have the recording. I'm the host now, since I think every other city people got kicked off. So I can get the minutes from that and circulate it, if that's helpful at all.

Mr. Trail asked how many members had they lost. I see Brad, Kathleen, Meg..

Ms. Rosario said I think our HARB folks might have... most of us are still able to get. But city, Rachel and Julie, maybe even Martin got kicked off.

Ms. Reid asked Mr. Rosario how did they get that special meeting for Cleveland Hall for example. Could we put in an application for today, right now.

Ms. Rosario said it would also have to have 15 days notice; and she asked the City Attorney if he could weigh in again.

Mr. Coler, City Attorney said In addition to that, I mean I'm concerned that it does require the public to have access. So right now we don't know if there are public, members of the public who are wanting to observe an open meeting. And so, yeah. Two options. I guess we could suspend deliberation here for 10 or 15 minutes and see if the weather improves and then push on, or table it. And yes, Natalia, we'd go through the notification process over again. Make sure everybody's had fair warning of the pending agenda.

Ms. Rosario said o.k.

Mr. Spearman asked now does that have to wait. Does that apply to non-voting matters as well? Or is that only for items that are fit to vote.

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Mr. Coler said he thought it applied to the entire meeting. He thought VOYA required an open meeting; so in all fairness, that was probably everything that is going to occur in the meeting.

Ms. Grothe got on by telephone and asked could everyone hear her.

Everyone could hear her.

Ms. Grothe said I'm on my phone right now. I wanted to say that they would, in my opinion and in what I have done and what I thought was legally in past jurisdictions is that this would not need to be re-noticed, because the Board could continue this item until a date's certain that would serve as notice.

Mr. Coler said he agreed with that; except that's generally done when everybody in a meeting is present and the Board decides to terminate the meeting. So everybody there knows when it's going to be picked up again. I just want to be comfortable that we can share with the public when it's going to be reconvened for discussion.

Rachel Grothe said O.k.

The City Attorney said he was not sure; and they were in uncharted territory with a Zoom meeting. But if they could up with a process that we're all comfortable with, the public who wants to continue watching can watch. Then I think we can probably reconvene this, certainly before next month. But maybe, maybe not before 15 days.

Mr. Trail said O.K.

Mr. Coler said again, unless there's some pressing matter that needs to be heard within 15 days because it's of some development issue, it's most prudent, I think to just notice it for 15 days from tomorrow. But if you're telling me there's a pressing matter, I will look hard at moving that up, maybe have the meeting less than 15 days from tomorrow.

Ms. Grothe said she did not have one. I guess maybe you'll have to ask the owners, but I don't have one. I would make an objection.

Ms. Reid said to the Spearman and architect, would that affect your design construction schedule if we tabled this for two weeks due to technical issues and reconvene then? I mean, be honest.

Mr. Spearman said it's inconvenient, but at the same time we want to be fair and make sure everybody has their opportunity to be heard. We really don't feel that what we're proposing is really that inconsistent with the aims of the neighborhood at maintaining architectural integrity. So it doesn't seem to me to be controversial. But I certainly would not want to circumvent anyone having an opportunity to give voice to their concerns. So that being said, sure we'd like to start sooner. But if it's necessary to wait a couple of weeks, then it's necessary to wait a couple of weeks.

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Mr. Trail said we had actually gone through the public hearing. Of course, I don't know if anybody out there lost their power before they had a chance to say anything. But we've heard from the Board, we've heard from the City and from the public. So we're at Board deliberation.

The City Attorney said to the Chair, that's a good point. If we could just somehow satisfy ourselves that people are able to dial in now. I mean Natalia or Rachel, can you sort of operation test that? If it looks like the lines are open and people could jump in if they wanted to, then I think we're probably in a position to finish the Spearmans' hearing at a minimum.

Ms. Rosario said, I can try dialing in on the phone number.

Mr. Trail said o.k.

Ms. Grothe had gotten knocked off for a few minutes and then gotten back on; and she asked had they satisfied the Mitchell's question about the encroachment on the driveway.

The City Attorney said in his opinion, it was answered. And I'm not sure that was more of an easement question than it was a design question. Or I mean, I'm sorry, yes it was more of an easement than a design. But my impression was that it was addressed.

Ms. Grothe said O.K., she had just probably missed that while I was kicked off.

Mr. Trail said he did ask them again. Of course, they could have lost power. But I did ask them again if they had any further comments.

Ms. Reid said they still appeared to be on the meeting.

The City Attorney said they were back on.

Ms. Reid said if they're here, they haven't responded any further.

Mr. Trail asked if everyone felt comfortable continuing.

Mr. Trail said he just got a notice that his Internet connection is unstable. So I don't know how much longer I'm going to be here.

[Editor's Note: It appeared at the moment that all of the Board Members and Staff were either on by computer or telephone.]

The City Attorney said O.K.; then I'm comfortable. Let's at least finish the Spearman's application.

Mr. Trail asked if everyone could hear him; and were there any motions for this or any other discussion.

Ms. Leebrick said she thought they just lost Meg. Do we still have a quorum?

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Mr. Trail said one, two, three, four. Yeah, we have a quorum.

Ms. Crowley motioned to approve the project as presented; and she was seconded by Mr. Steinecke. The motion was unanimously approved by a vote of 4 to 0.

Mr. Steinecke felt like that this was an extremely high quality application and I was very impressed with the enacting of the spirit of the guidelines..

Ms. Leebrick felt it's going to be beautiful.

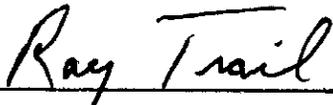
Mr. Trail asked all in favor for approval. Any against. There was no one against. All right. Good luck with your project.

Mr. Trail said they still had some business, but he did not think we'll be able to do that. It's a... do I hear a motion to adjourn and we'll take the... up the other things on here at the next meeting.

It was decided to bring the rest of the informational items back up at the next meeting.

Ray Trail: All right. We are adjourned. Thank you. Stay safe.

The meeting was adjourned at approximately 7:15 P.M.



Ray Trail, Chairman

Minutes edited by Julie Roland,
Administrative Assistant