

BAR Meeting Minutes – Excerpt
January 22, 2025



Certificate of Appropriateness Application

BAR # 25-01-04

116 West Jefferson Street, Tax Parcel 330183000

North Downtown ADC District

Owner: West Jefferson Properties, LLC

Applicant: Kristin Cory/Joshua Batman

Project: Rear porch exit stairs

Jeff Werner, Staff Report – Request CoA for approval of modified trim and railing details at rear porches due to alterations necessary to accommodate code-required egress stairs.

Ms. Lewis – When was the hyphen between the 2 buildings added? That seems to be one of the factors that is driving the confusion on the back.

Mr. Werner – It is not historic. My guess is that it happened when they built the addition or after. It is not pre-1980.

Ms. Lewis – I don't remember them being connected.

Mr. Werner – As long as I have looked at this, it has been there.

Mr. Bailey – As I recall, the idea was that they were going to remove the hyphen at one point when they were going to reinstall or recreate the front porch. That has changed.

Mr. Werner – There are many pieces and parts to this. I did not go back and reconstruct it. I looked at whatever was the last thing that we looked at. It included the hyphen being there and the deck out over the top of it.

Ms. Lewis – Is this the same owner that we dealt with on the previous application with the porch? It is.

Joshua Batman, Applicant – The building official and structural engineer do not think that we can adequately attach the posts and tie them down. Maybe there is a way we could do some steel that goes down to the floor if you want to keep the brick. We are open to that.

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There is this landing that must be there. What I did was add posts in there to help ground this thing and take it from this structure that is tall and up in the air there. The lattice that we have proposed here would not be a typical lattice. It would be an inch and a quarter by an inch and a quarter fur painted with a larger aperture in it. Underneath there is a little residential unit. That little porch underneath would be a little patio for that unit. We want it to be nice down there.

This really helps anchor that. It helps take away from a stair there. We like the railing going across the top. It is an ode to the old porch. The roof structure is beautiful. I want to keep that roof structure that is historic. That part is historic. We have lighting proposed in there. All the trim would be white. Along the rims of the porch, we have 1-by-4 and 1-by-12. That would all be painted composite boards there. It looks good. That is up to you to decide.

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It almost looks like teak decking. They had already purchased this railing, which is a typical fur rail. That is what we are proposing to use. Up top, we would like to put these little brass half-moon post lights and some step lighting that you see there. Up on that top deck, we would like to use these little lit deck caps to go around that top little roof deck area.

We will have to submit a full landscape plan. That is why we hadn't addressed the screening on the HVAC on the other side. We are working with engineering to figure out exactly how the entries tie into the sidewalk. The 6-by-6s are from the structural engineer. She would maybe give us a letter or something that said we could use the posts. Down below, it would be very difficult. Up top, it would not be as difficult. We have retained all the existing posts. That might be an option to put those existing posts along that top porch structure. It is a typical column detail with bed molding and a plant at the top or little capital piece at the top. We did have to shift it a bit from the original porch rack to allow the code required 36 inches on the stairs. There is 1.5 inches offset from that original porch rack there. You can see the rest of the details on this. We intend on putting some Arbor Vitae in between where the posts go around the base.

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With this option, we looked at putting some painted white shakes underneath that stair landing down to the original porch elevation on the first floor. The lattice does work pretty well. The other one is less remarkable.

QUESTIONS FROM THE PUBLIC

No Questions from the Public

QUESTIONS FROM THE BOARD

Mr. Birle – Did the applicant ever get a demolition certificate?

Mr. Werner – Some of that is on me. We were talking about one thing. The answer is 'no.' That miscommunication is on me and not on the applicant. They were following what the building code official was requiring of them.

Ms. Lewis – I don't think that you should 'fall on that sword.' This is an owner that came before us. We had a significant discussion about altering this building. There were 2 meetings about the front porch and about this particular purpose. I find it hard to believe that they thought that they needed permission to put a front porch on but not to take a back porch off, almost 3 stories worth

of structure. Somebody might say it is somewhat historic if it is original to the building. I have a hard time with this demolition. I don't believe that it is staff's fault at all. This is a historic building. It is in an ADC District. The applicant had come before us before. They were obviously aware of the constraints of this being in a historic district and what they needed to do to alter this building.

Mr. Batman – We finally had gotten the building permit. They had already taken the rails and decking off. The posts were still there. We did think that the exit stair had been approved when we finally obtained the building permit. All the conversation was before the building permit was obtained. That is when Chuck Miller had asked Mr. Werner. I understand your concerns. It is not all on Mr. Werner. This was a confusing project because it went on so long. There were so many different iterations. The building permit took 9 months. I came in after they hadn't been able to get the building permit for about 6 months. We finally obtained the building permit. When we got the building permit, we thought that everybody was happy. That is why Chuck released it. He thought that we were there. We obviously were not there. We have all the original posts. That is the only part that was truly original. We have those.

Mr. Timmerman – They are in pretty good shape.

Mr. Batman – They are in pretty good shape.

Mr. Timmerman – Has the structural engineer ever assessed them to see if you could reuse them anywhere?

Mr. Batman – The part that would be difficult to use them on is the landing. That is where it would be very hard to use them. I think we could use them on the top portion. That is just roof load. Because it is now R-1, boarding house is where it falls under the code. The structural engineer is having to design the deck and the stairs and everything to 100 pounds per square foot. That is when she went to the 6-by-6s. We have all the posts. I think that we could use them up on the top portion. I am sure that she would sign a letter that would say that these are structurally capable to carry that roof, which is what we need.

Mr. Birle – Aesthetically, the landing is going to hit the post right at the belly of the curve there. Personally, I think that 'ship has sailed.' To use the turn posts at the top is going to look fake at this point. It is a shame. When I look at this 1980s photograph, it was a handsome back porch. It was all original based on what I am seeing. What you have done is about as good as you are going to do.

Mr. Werner – With the 1980s photos, the assumption was that it was original. What was there when they came in and started, a lot of it was replaced.

Mr. Batman – The deck framing was pressure treated. It wasn't original. That part was not original.

Mr. Timmerman – I had a question about your section on sheet 7, the bottom part. I am trying to figure out where the bottom beams cut through.

Mr. Batman – It starts with the detail on the top of this column and up to the port track.

Mr. Timmerman – With the little curve you made that into the fascia board?

Mr. Batman – That is for head height. It is to get down in this basement. Even to do something here, I think that I will still have to pull this stair out from the building and demolish the concrete there. There are a couple concrete stairs there. It was to get head high. That line needs to stay there where the original porch was. It looks strange if you do anything else. I can just get to the head height there and not have to demolish the entire patio that already has drainage. I would rather not have to demolish that.

Ms. Tabony – With the 3 options in the materials, are you asking our opinion about that?

Mr. Batman – It could be. That was based on the owner. The owner was worried there might be too much lattice. It might feel like a bird cage inside. He wants it to be nice under there. I want to do an inch and a quarter by an inch and a quarter with 3.5-inch hole there. It is not this slapped together lattice like you put under a porch. It feels nicer and it is a nicer to be behind and in front of. If you have an opinion, I would love to hear them or get suggestions.

COMMENTS FROM THE PUBLIC

No Comments from the Public

COMMENTS FROM THE BOARD

Mr. Bailey – I agree that the post ‘ship has sailed.’ Trying to put them on top would look fake at this point. Aesthetically, it would be a malange mismatch that simply would not work. If you are going to be an honest modern addition, you may as well go that way as opposed to try fake recovery at this point.

Mr. Timmerman – My biggest issue right now is that it feels like it is too much. I want to see simplicity. Part of the issue for me is that you have 2 squares, the rectangle, this thing with a bite out of it, and another. I just want to see some simplicity even if you were to take that out and make this an opening. This bothers me. There is too much happening.

Ms. Tabony – I agree. There are too many parts and pieces from the last time we saw this. I agree that the ‘ship has sailed.’ The original porch is gone. What is still there is the beautiful roof and the cornice. If there is a way we can, let’s just make this a modern box. It is a modern thing. The detailing now is trying to recall a historical period. It does not seem honest to me. Let’s depart from that. My suggestion would be to depart from that and do something more contemporary and acknowledge that this is a new thing.

Mr. Werner – Is this necessary? Before, it looked like they were jamming that rail in there. Is that deck even necessary given these changes? It resolves some of that head height issue. I am speaking from my construction experiences. This is one of those details. This might be something that we must look at a couple of times. That is why I think if you are letting this be a stair and we acknowledge up here that you are retaining that railing. Do we even need the illusion of a deck or a horizontal member there?

Mr. Birle – If you are going to have a deck there, why wouldn't the column in the middle section come all the way down to it? It would be the same height as the original column. I agree with Ms. Tabony. The more contemporary this is handled, the better in a lot of ways. The more I look at this, it is that middle column being as squat as it is, that throws that off.

Mr. Timmerman read the following comments from Mr. Zehmer – The biggest issue is that they have torn down what may have been an original porch fabric. Based on the historic photos, the railings were recently removed. The picket originals had balusters. I am not sure that the turn columns had been replaced. There is a distinct bulb shape on the columns that appears in earlier photos. If they have not yet disposed of them, they should reinstall the turn columns. These are character defining features of this back porch. If these do not work for the new structure, that is not our problem. The structural engineer should figure out a solution to preserve the columns and achieve their egress stair goals. I agree that the required railing at the landing hit the turned column at mid-height. It would be an awkward juxtaposition. However, they could install another simple post and board with a historic column to achieve this structurally. Alternatively, a new code compliant egress stair could have been considered on the side of the building. The BAR would have had to approve this. It may not have been egregious as running a useful 2-story porch. The columns cannot be reinstalled. We should ask that they be put into storage on site, attic, or basement or even strapped to the underside of the lower porch. This will give future owners the opportunity to restore them if the building returns to a private residence one day.

Mr. Schwarz – I was ready to approve this tonight. It sounds like we are not going to. I would be willing to make that motion if there is enough agreement. If this porch was finished tomorrow, when could you get your CoA? Are you waiting for this?

Mr. Batman – It is not on the path right now. If I need to come back, I am fine with that. I recognize that there is some angst over this.

Mr. Schwarz – I think you said during your presentation to us you wanted to keep that lowest deck line. Is that something that you looked at and it looked awful to you?

Mr. Batman – Without some horizontal there, they start to feel like long legs going up. That is why I kept the horizontal. I hear you on the squatness of that column at the landing. We could just not put a base there. We could come down and put the base back where the original porch was. That might help that.

Mr. Schwarz – You are just wrapping the wood that you have already constructed at this point. The column could appear to come all the way down.

Mr. Batman – It could. We could do anything here that you want us to do. I tried it out. They look long going up to that landing. It is tall. It needs something. When I put these other columns to help ground that landing there, because it has that one column, she originally had a column coming down to a big 2-by-12 beam where the horizontal is. Originally, there was a post coming down here to support this landing to a beam here. The other column was here. This feels awkward without something under it. That is where I came up with this rhythm to help ground it. I just carried it around. I am happy to do another iteration on this. I would have taken some of the comments and come up with something.

Ms. Lewis – What is in the hyphen? Is that a passageway? Is it livable space? What, functionally, is going on in there?

Mr. Batman – It is a back-of-house space. It acts as a connector. There is a unit on the ground floor of that rear. This is a required ADA unit here. There is a unit above. The way you are accessing this unit above is through a door right here. You can also get back to where the lounge is.

Ms. Lewis – It is a passageway.

Mr. Batman – It has a laundry room and storage, which you need in a property like this. That is what it is functioning as right now.

Ms. Lewis – Along with what Ms. Tabney and Mr. Birle said, I would like to see the back contemporary maybe enclosed in glass. That is why I asked whether that could be opened up or how enclosed. The sad part is that you would lose that back porch. With the structure next to it, you would maybe get a view across the street of McGuffey. This would become an addition instead of this confusing series of porches. You still have the problem of the stairs come down. All of the framework could be simplified. Whether it is interior space or exterior, there is a lot happening. Functionally, we know those stairs must get down. We have headspace requirements. You have that hyphen sitting there, which you need to work around.

Mr. Schwarz – I said this the last time. This is not an uncommon thing to have a stair to a porch. It happens a lot. My memory of them is that they are not complicated. Maybe they are and we don't notice. I feel that once it is complete and painted, there are going to be a lot of 'sins' on this that we are not going to see anymore. We are not going to notice that the columns are 'out of whack' by 2 inches. As much as that frustrates me architecturally, I don't think anybody is going to see that. What you did to the 1980s building to make it look so historicist, it is well done. I hear you about doing a contemporary something there. At the same time, you have worked so hard. The applicants worked so hard to make this very traditional. I don't know if that would feel even more out of place.

Mr. Batman – The applicant does want to do the front porch. He is working on getting funding to do that. He wants to do that. He wants to keep more of that historic feel versus making this a modern statement. I like Mr. Birle's comment on that squat column. I think that is right. I think that I can simplify this. Once it is white and we put some arbor vitae in front of it, we are going to submit a landscaping plan for this area once I figure out with engineering what they are going to allow me to do. With walks coming and meeting at the street, one of the things that we would like to do is to potentially put a little rod iron fence there. We have had trouble with homeless people coming in and invading the house. We want to make sure it does not feel too open to the street. By the time you put the landscaping down there and it is white, I love the corners work up at the top. It is gorgeous. It is a beautiful Philadelphia gutter. The columns are decent. They are not that striking. The cornice work is beautiful.

Mr. Timmerman – It sounds like you have engaged in a lot of the comments that we made. It sounds like you are on the right path where you can make revisions that you are going to feel good with and we will hopefully feel good with next time. I don't think I would necessarily approve it this round. It sounds like you are willing to come back and make revisions. It would be the best for the project.

Mr. Batman – I agree. I am happy to have your comments. I appreciate them. It is a tough design problem. I am grateful for the input. Next time, I will do more. I will get the landscape architect involved. That is going to help a lot. Once you landscape the bottom of this and you paint it white, if we were to take it modern, we could maybe make it work. With everything else in the house, he wants it to feel like a historic boutique house. You have these nice, beautiful luxury rooms. That is the feel he wants. I have a lot of lighting on there. At night, it is going to look pretty with the deck lighting and the small accent lighting. The part that I have the most problems with is that lattice. What do we do between the columns? It needs something. I don't know when they put this in, but it was not historic. It was essentially security grading.

Mr. Timmerman – I don't think we suggested any one material but to take home the more general concepts of geometry and purpose. What is the intent? He should not feel tied to historic norms or a portion of the historic norms. Revising the design to meet its new needs, even if it is a contemporary solution, but to clean up the geometry that is a little chaotic.

Mr. Batman – I am happy to get you some more options. We want to do more options. I will probably be coming back to you anyways. I know that I am going to come back for the landscaping. I need to figure out with the engineering how they are going allow me to get to the sidewalk.

Mr. Timmerman – Thank you for willingness to work with us.

Mr. Schwarz – You have mentioned on the drawings that you are removing the brick piers. Are we good with that? Does the applicant need to keep the brick pier? Can we let it go? I am Ok with it going away.

Mr. Birle – On one elevation, you do show a parged concrete base for that. You are going to have to do something. You cannot bring the wood down to grade.

Mr. Batman – This is existing concrete. This would be the intervention here on the corner. The brick columns come down. It makes a corner here. They put a concrete well to create that little porch down there. It is a tiny retaining wall this tall.

Mr. Birle – With the side elevation that we are seeing when we see the partial south elevation, we are seeing that in front of the brick pier. I am Ok with not having a brick pier.

Mr. Schwarz – I am going to bring up something that has been, for previous BARs, a point of contention. You appear to have that historic, weird, curved curbing on the edge of your sidewalk. We probably want to see what you intend to do with how you are going to cut through that or if you are going to cut through it.

Mr. Batman – That is where I still need to get with engineering and see what leeway I am going to get. Right now, the intent was to put a sidewalk at this entrance back here straight to the street and take a path that goes right up to this current sidewalk coming in. I need to get with engineering. I want to do a full landscape plan to bring to you. I am going to see how far I can get. I want to do enough that you all feel happy with this so I can build it. It might take a while with engineering and planning. They want to come back and do a minor site plan/minor development plan on this. We are not taking anything out. We came into this, and it had been partially done. We thought that we were good. We have halted on this part before we do anything to those concrete pieces that come up at the entrance.

Mr. Schwarz – The reason I noticed that is because you have this little pyramid at the edge of the existing sidewalk.

Mr. Batman – That is where this path comes out.

Mr. Bailey – If you are going to be doing landscape, I noticed that staff has put in a possible amendment to an approval.

Mr. Batman – We are going to put the front porch on. We must do landscaping around it. There is going to need to be a whole landscaping plan. The owner likes his properties to look nice. The landscaping is what is going to help blend this in and take away from it being right there.

Mr. Rosenthal – How many units are there in this complex?

Mr. Batman – It is going to be a boutique hotel. There are 12 rooms. Some of them are longer stay suites

Mr. Batman – asks for a deferral on his CoA Application – Ms. Lewis moves to accept applicant deferral – Mr. Schwarz with the Second – Motion passes 7-0.