

ITEM NO. 4: 711 Connecticut Street : DR-12-146-10, DR-01-04-11, DR-01-05-11 and DR-2-13-11; Demolition and New Construction, Site Plan, Rezoning; and Parking Variance; Certified Local Government Review and Certificate of Appropriateness Review. The property is located in the environs of Lawrence's Downtown Historic District and the North Rhode Island Street Historic Residential District, National Register of Historic Places. It is also located in the environs of the Octavius W. McAllaster Residence (724 Rhode Island), Lawrence Register of Historic Places. Submitted by Michael Tubbs of Tubbs Law Firm for James and Nancy Dunn, the property owners of record.

STAFF PRESENTATION

Ms. Nicoletta presented the item.

APPLICANT PRESENTATION

Michael Tubbs, Tubbs Law Firm, stated the structure's foundation had issues. He said he was not supportive of holding up the demolition permit while working out construction issues. Mr. Tubbs stated the structure was not in the line of site of the Octavius W. McAllaster residence and was not on the Historic Register. He said the property was not eligible for tax incentives and had been structurally condemned by the City of Lawrence in August, 2010. Mr. Tubbs stated the project would be reviewed by the Board of Zoning Appeals March 3, 2011, the Planning Commission March 30, 2011 and the City Commission on April 12, 2011. He said the architect for the project was willing to work with the Architectural Review Committee.

Commissioner Veatch asked Mr. Tubbs if he objected to condition number two in the staff report.

Mr. Tubbs asked the Board to release the demolition permit. He stated he was not opposed to the remaining conditions.

Commissioner Veatch said Staff would administratively approve the demolition permit after construction documents were provided.

Mr. Tubbs said he was concerned the project would be delayed.

PUBLIC COMMENT

Deron Belt, East Lawrence Neighborhood Association President, stated he respectfully disagreed with Mr. Tubbs. He said he was disappointed Mr. Dunn did not attend the neighborhood board meeting. Mr. Belt stated Mr. Dunn owned numerous properties in the area and the neighbors did not want to see the remaining property demolished due to neglect. He stated he was concerned with the transfer of ownership of the property.

Tony Peterson, 724 Rhode Island street, said he lived in the Octavius W. McAllaster home. He said he had watched the property at 711 Connecticut street decline for years. He stated there had been no maintenance on the home other than lawn mowing. Mr. Peterson asked the Board to deny the demolition request.

K.T. Walsh, 732 Rhode Island street, stated the Dunn's owned twenty three properties in Lawrence. She said she was strongly opposed to rewarding lack of investment and interest in a property. Ms. Walsh stated the property could be rehabilitated and at one time the owner of

the church had agreed to rehabilitate the house but the house was ignored. Ms. Walsh stated there had been an agreement with the owner of the church to tear down a house that was between 711 Connecticut and the church with the understanding 711 Connecticut Street would be restored. She said east Lawrence had the largest intact area of late early 21st century vernacular housing in the United States. Ms. Walsh asked Mr. Werner, Mr. Dunn, and Mr. Tubbs to attend an East Lawrence Neighborhood Association meeting and discuss the project further.

Mike Goans, Lawrence Preservation Alliance, displayed photos of the structure at 711 Connecticut Street and said the home could be restored. He stated the foundation was intact and the windows and floors could be restored. Mr. Goans stated the back porch had been added on to the home and was not worth saving. He said the trim was intact on the first floor and all of the trim on the second floor was missing. Mr. Goans stated the stairway in the home was intact. He said the rafters of the home were intact and the ridgeline and chimney were straight. Mr. Goans stated the lot had been paid for and rehabilitation would be more feasible than building a new structure.

Dennis Brown, Lawrence Preservation Alliance President, stated the home was on the front edge of the environs and the applicant was asking for the right to tear down a structure that could be restored. He said the pipes had burst due to the property owner not having the city water turned off in the home. Mr. Brown stated the home was character defining to the environs. He said a zoning change or parking variance would damage and encroach upon the historic district. Mr. Brown stated a new two story addition could be added to the west side of the structure. He stated the applicants replacement plan was not code compliant.

COMMISSION DISCUSSION

Commissioner Antle asked Ms. Braddock Zollner to explain Staff's recommendations.

Ms. Braddock Zollner stated she recommended approval of the Certificate of Appropriateness. She stated RM32 zoning was not appropriate for the neighborhood and the variance request was premature.

Commissioner Antle asked Staff if the property would qualify for tax credits.

Ms. Braddock Zollner said the property was adjacent to the historic district. She stated the house individually would not qualify for a listing but it could potentially contribute to an expansion of the historic district.

Commissioner Veatch stated ordinarily the Board would want to see cost comparisons for rehabilitation versus replacement cost.

Ms. Braddock Zollner stated Natural Breeze had provided a letter with cost estimates.

Paul Werner stated new construction would cost \$107.50 a square foot and renovation would cost \$119 a square foot.

Commissioner Antle asked Mr. Werner if rehabilitation would be economically feasible with the addition replaced.

Mr. Werner stated a nice new structure would fit in with the neighborhood just as well as the current structure.

Mr. Tubbs stated a licensed engineer reviewed the project. He said the East Lawrence Neighborhood Association and the Lawrence Preservation Alliance took photos but they did not include the most severe damage to the structure. He said there was severe water damage that compromised the upper floors and the entire south side of the structure. Mr. Tubbs stated the City water had been turned off in the home and he did not know when it had been turned back on and caused the damage. He stated he was in the home in December and the water was not turned on.

Commissioner Antle asked Mr. Tubbs if the structure was a case of demolition by neglect.

Mr. Tubbs stated he disagreed the structure was neglected due to the fact there had been attempted maintenance on the house.

Ms. Walsh stated the county records list the home as a religious institution and she was concerned the home would be sold to the church and become a rehab house.

Ms. Braddock Zollner stated the owner of the home does not concern City Staff. She said at the time of the condemnation the structure was a three dwelling units and was not habitable. She said the addition on the house was in bad shape and the remainder of the home needed a lot of work. She said she was surprised the foundation was in the condition it was. Ms. Braddock Zollner stated the City had condemned the home.

Commissioner Veatch stated historic structures were character defining features of the environs and the home was next to the historic district.

Commissioner Antle asked Mr. Goans if the structure could be rehabilitated.

Mr. Goans stated the engineers report was very negative but if the property was his responsibility he would rehabilitate the home and turn it into a single family home.

Commissioner Antle said the project was at the edge of the district. He stated there was an opportunity for the applicant to work with the neighborhood to rehabilitate the structure.

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Antle, to deny the State Law Review for the demolition and new construction, DR-12-146-10, for 711 Connecticut Street.

Motion carried unanimously, 4-0

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Antle, to approve the Certificate of Appropriateness for the demolition and new construction, DR-12-146-10, for 711 Connecticut Street, with the following conditions as listed in the staff report:

1. The applicant will work with the Architectural Review Committee to reduce the size of the addition, refine architectural elements such as the porch, and reduce the amount of impervious surface and parking ;
2. The applicant will provide measured drawings of the structure before the

demolition permit is released;

3. The applicant will board and secure the structure until demolition;
4. The applicant provide complete construction documents, with material notations to be reviewed and approved by the Historic Resources Administrator prior to release of the demolition permit and the building permit for new construction;
5. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work;
6. The property owner will allow staff access to the property to photo document the project before work commences, during construction, and upon completion of the project.

Motion carried unanimously, 4-0

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Antle, to deny the State Law Review for the Site Plan, DR-1-4-11, for 711 Connecticut Street.

Motion carried unanimously, 4-0

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Antle, to approve the Certificate of Appropriateness for the Site Plan, DR-1-4-11, for 711 Connecticut Street, with the following conditions as listed in the staff report:

1. The applicant will work with the Architectural Review Committee to reduce the size of the addition, refine architectural elements such as the porch, and reduce the amount of impervious surface and parking;
2. The applicant will provide measured drawings of the structure before the demolition permit is released;
3. The applicant will board and secure the structure until demolition;
4. The applicant provide complete construction documents, with material notations to be reviewed and approved by the Historic Resources Administrator prior to release of the demolition permit and the building permit for new construction;
5. Any changes to the approved project will be submitted to the Historic Resources Commission prior to the commencement of any related work;
6. The property owner will allow staff access to the property to photo document the project before work commences, during construction, and upon completion of the project.

Motion carried unanimously, 4-0

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Antle, to deny the State Law Review and Certificate of Appropriateness, for the Rezoning, DR-1-5-11, for 711 Connecticut Street.

Motion carried unanimously, 4-0

ACTION TAKEN

Motioned by Commissioner Veatch, seconded by Commissioner Antle, to deny the State Law Review and Certificate of Appropriateness, for the Parking Variance, DR-2-13-11, for 711 Connecticut Street.

Motion carried unanimously, 4-0

Commissioner Antle encouraged the applicant to work with the neighborhood for a rehabilitation project for 711 Connecticut street.