

**TOWN OF ABINGDON
HISTORIC PRESERVATION REVIEW BOARD
SPECIAL CALLED MEETING
WEDNESDAY, OCTOBER 26, 2022 – 5:15 P.M.
COUNCIL CHAMBERS– MUNICIPAL BUILDING**

A special called meeting of the Historic Preservation Review Board was held on Wednesday, October 26, 2022, at 5:15 pm in the Council Chambers in the Municipal Building.

A. WELCOME by – Mr. Byrum Geisler

B. ROLL CALL – Mrs. Mayana Rice, Director of Community Development

Members of the Board Present: **Mr. Mike Owens**
 Mrs. Kristi Hartshorn
 Mr. Byrum Geisler
 Mrs. Betsy White
 Mr. Peyton Boyd

Members Absent: None

Comprising a quorum of the Board – Yes

Administrative Town Staff: Mrs. Mayana Rice, Director of Community
 Development
 Gabe Cristofari, Planner/GIS Specialist
 Nick Howard, Planning Tech

C. APPROVAL OF MINUTES

D. CERTIFICATE OF APPROPRIATENESS

- 1. Certificate of Appropriateness – *Abdelbassett Ayeb, 134 Wall Street, Abingdon, VA.; Owner. COA Violations Discussion. Located at 134 Wall Street, Abingdon, VA 24210. Tax Map No. (019-2-16) (VIDEO 2:32 – 1:02:55)***

A. Staff report

B. Applicant presentation

C. HPRB discussion and decision

Abdelbassett Ayeab (Owner/Applicant) was approved for numerous COA projects from August 2021 through January 2022 for 134 Wall Street (Parcel 019-2-16). Upon staff observations a number of violations have occurred where the applicant did not follow conditions set forth in the previously approved COA applications, or did not acquire COA approval.

July 7, 2021: HPRB Regular Meeting (Minutes) Mr. Bassett Ayeab represented property located at 134 Wall St., Abingdon, VA. Mr. Bassett Ayeab proposed to dismantle the existing pergola, then use those material to build the new pergola on the side of the restaurant. Pergola to be a triangle shape with plexiglass roof. Mr. Weaver asked Mr. Ayeab how he would assure customer safety. Mr. Bassett Ayeab responded that he would install a fence or railing. Mrs. Hartshorn said she was surprised that the concrete was red. Mr. Bassett Ayeab will have to install half round guttering. On a motion by Mrs. White, seconded by Mrs. Hartshorn, the board approved the COA with the addition of half round guttering installation.

August 11, 2021: HPRB Special Called Meeting (Minutes) Mr. Ayeab, the owner of the property located at 134 Wall Street, proposed to remove a small window, existing entrance door, remove part of the roofline, and gate. The façade will be filled in with brick painted white to match the existing façade. A new entrance door to match the side door will replace the existing gate with an ADA compliant ramp built just inside the new door, with a new-sloped roof. Replacement of the existing awning with a 21' x 2' 4" black awning with a white strip. If entrance lighting is changed, Mr. Ayeab will need to come before the HPRB board with a sample for approval. Mr. Ayeab asked about building a 12 x 10 shed four feet off the rear of the building with a door and a pitched roof. Board explained that he would need to submit a COA with plans for the project to be approved. On motion of Mr. Weaver, seconded by Mrs. White, to approve the COA as presented for the façade and awning only.

September 1, 2021: HPRB Regular Meeting Mr. Abdelbassett Ayeab represented the property located at 134 Wall St., Abingdon, VA. Mr. Ayeab would like to build a shed at the rear of the restaurant using 2 x 2 posts with a sloping roof. The board explained that Mr. Ayeab could not use vinyl siding on the shed. The board suggested the use of Hardie board and black asphalt shingles for the roof. Mr. Ayeab asked about placing a sign in front of the National Bank on Main Street to help with the foot traffic for Mamma Mia, Mr. Vencill explained that the sign is out of the preview of the HPRB board. Mr. Ayeab will need to fill out a Town sign application and have the owner sign an owner's affidavit or have the owner apply for the sign permit. On a motion by Mrs. White, seconded by Mrs. Hartshorn the board approved the COA for the shed using dimensions submitted, using accepted materials, asphalt shingles, and an appropriate door.

January 5, 2022: HPRB Regular Meeting Mr. Ayeab is proposing to paint the letters on the awning red; the guidelines stipulate that the lettering color be complementary to the existing building. Letters will be 7.5" in height. It was suggested that Mr. Ayeab be given a set of sign

guidelines to use as a reference. Mr. Ayeb decided to paint the lettering white to blend in with the building.

Violation #1: The awning on the primary elevation of the structure was approved to be 21 ft. x 2 ft. 4 in. with white lettering on the awning to be 7.5 in. tall. Upon visiting the site, the awning is roughly 26 ft. 5 in. long and extends out roughly 4 ft., and the lettering on the awning is roughly 9 in. tall. Staff have been provide a solution from Jerry's Signs in the form of a new proposal matching the previously approved COA applications presented on July 7, 2021 and January 5, 2022. Staff will notify Jerry's Signs after the HPRB has reviewed the new corrected proposal and found it appropriate according to previously approved COA applications.

Violation #2: The applicant was not approved to install an awning on the South facing elevation over a door leading out onto a patio.

Violation #3: The applicant was not approved to install a substantial awning on the East facing elevation.

COA Violation #4: The applicant was approved to build a 12 x 10 shed using 2 x 2 posts at the back of the property. The roof was to be sloped and be black asphalt shingles. The structure is a pre-built shed and was not built on site. The walls of the structure are wood or a material that resembles wood and painted brown. The roof is metal not painted with striations/ribs. The shed measures 10 x 20 and is larger than what was approved.

Building Violations: A storage shed, approximately 200 square feet in size, was recently placed at the rear of the structure, with an electrical circuit from the existing building installed. The storage shed would be exempt from building permitting, however the installation of the electrical circuit is not and would be in violation of section 108.1 of the Virginia Uniform Statewide Building Code. An electrical permit application needs to be submitted for installation of the electrical circuit

COA Violation #5: The applicant was approved for a pergola with gutters. There was also a requirement for Plexiglas as the roof material. Instead the applicant added plastic. The applicants have never completed this project.

Building Violations: Pergola Structure: (BLD) 2018 VCC 2308.7.4 - The bottom of roof rafters cannot be notched more than 1/6 of member depth. (BLD) 2018 VCC 2308.7.6 - Single 2x6-beam support end of roof rafters is over-spanned. (BLD) 2018 VCC 2308.7.6 - Beam support at column need to bear on solid structure. (Screw attachment is not approved. (ELE) NEC 314.15 - Open electrical boxes need cover. (ELE) NEC 314.15 Cable entry into electrical boxes needs to be sealed. (ELE) NEC 400.12 - Cord from fan missing plug and cannot be spliced to fixed wiring.

Gutters: The roof drainage from the pergola is currently discharging onto the Town's sidewalk. This is in violation of section 62-63 of the Town of Abingdon Municipal code. Roof drainage from the pergola needs to align with the Town of Abingdon Municipal Code section 62-63.

Building Violation: BLD) 2018 VCC 1010.1.9.4 - Door lock on front entrance door cannot be "key operated" without indication door is locked, and must be identified with sign "Door to remain unlocked during public occupancy"

On a motion by Mr. Owens, seconded by Mrs. White, the HPRB voted to approve the plans for the awning that were originally approved by the board when they first viewed the COA.

The roll call vote was as follows:

Mr. Mike Owens	Aye
Mrs. Kristi Hartshorn	Aye
Mr. Byrum Geisler	Aye
Mrs. Betsy White	Aye
Mr. Peyton Boyd	Abstain

On a motion by Mrs. Hartshorn, seconded by Mr. Owens, the HPRB voted to not grant retroactive approval of the side awning. Mr. Aye will need to submit a COA for the side awning with the correct dimensions, or take the side awning down.

The roll call vote was as follows:

Mr. Mike Owens	Aye
Mrs. Kristi Hartshorn	Aye
Mr. Byrum Geisler	Aye
Mrs. Betsy White	Aye
Mr. Peyton Boyd	Abstain

On a motion by Mr. Owens, seconded by Mrs. White, the HPRB voted to approve that the back awning can stay if the existing Mama Mia’s logo is covered with lettering consisting of the correct dimensions.

The roll call vote was as follows:

Mr. Mike Owens	Aye
Mrs. Kristi Hartshorn	Aye
Mr. Byrum Geisler	Aye
Mrs. Betsy White	Aye
Mr. Peyton Boyd	Abstain

On a motion by Mr. Owens, seconded by Mrs. Hartshorn the HPRB voted to remove the storage building, and request a new COA for any structure at the back of the property.

The roll call vote was as follows:

Mr. Mike Owens	Aye
Mrs. Kristi Hartshorn	Aye
Mr. Byrum Geisler	Aye
Mrs. Betsy White	Aye
Mr. Peyton Boyd	Abstain

On a motion by Mr. Owens, seconded by Mrs. White the HPRB voted to remove the plastic material on top of the pergola.

The roll call vote was as follows:

Mr. Mike Owens	Aye
Mrs. Kristi Hartshorn	Aye
Mr. Byrum Geisler	Aye
Mrs. Betsy White	Aye
Mr. Peyton Boyd	Abstain

2. Certificate of Appropriateness – Healing Waters Counseling Center, Brad Kinder, Owner. 112 E. Main Street, Abingdon, VA 24210. Certificate of Appropriateness for External Changes. Located at 203 Valley Street NW, Abingdon, VA 24210. Tax Map (012-1-100) (VIDEO 1:03:00 – 1:16:30)

- A. Staff report**
- B. Applicant presentation**
- C. HPRB discussion and decision**

Mr. Gabe Cristofari provided the staff report.

Bradley Kinder (Applicant/Owner) has requested approval of a Certificate of Appropriateness for a handicap access ramp. The property is located on 112 E. Main Street (012-1-100). The property is within the Old and Historic Zoning District (Sub-District 2).

Currently there is no handicap access ramp on the property. The existing wooden porch structure is located on a cement pad centered on the North facing elevation. A broken cement walkway leads from the brick sidewalk to the cement pad.

Previous meeting approval. *The applicant proposed to replace the broken concrete path leading from the Town brick sidewalk set in a herringbone pattern to a concrete porch pad. Brick pavers will be used and set in a herringbone pattern to match the Town’s brick sidewalk. The brick paver color will be what is termed “Abingdon Blend”.*

Reviewed at the previous meeting: The applicant is continuing to request approval to construct an L-shape handicap access ramp constructed of the same bricks used for the proposed walkway.

The handicap ramp will be constructed of sand and the same brick proposed for the walkway and be built in an L-shape tying into the front porch, but the right hand side porch balustrade will be need to be removed. Dimensions for the L-shape handicap ramp are proposed to be 40 ft. x 4 ft.

If the ramp is made of sand and brick pavers only with no concrete involved, the pavers could be removed by hand and the sand base shoveled away if the ramp was to be removed sometime in the future with no harm to the existing building. Referencing Section 20-a of the Design Review Guidelines mentions ramps should be readily reversible.

Staff would like to notify the board, construction of an accessible structure is being required per Virginia Existing Building Code related to ADA compliance.

404.3 Alterations affecting an area containing a primary function.

Where an alteration affects or could affect the usability of or access to an area containing a primary function, the route to the primary function area shall be accessible. The accessible route to the primary function area shall include toilet facilities and drinking fountains that shall also be accessible to and usable by individuals with disabilities, serving the area of primary function.

Exceptions:

- 1. The costs of providing the accessible route are not required to exceed 20 percent of the costs of the alterations affecting the area of primary function*

The brick walkway will be centered on the Northside of the property leading from the Town owned brick sidewalk set in a herringbone pattern to a concrete pad supporting the wooden front porch structure. Dimensions for the walkway are proposed to be 24 ft. x 5 ft.

Staff met with the Town of Abingdon legal counsel and DHR on 10/18/2022.

Upon discussion with the DHR and the sentiments from the previous HPRB Meeting held on October 5th the decision that was made by the HPRB is still the best option.

The most acceptable action would be to have a straight in access point from the sidewalk to the front door, with no removal or alteration of any architectural element of the porch.

Another option that was brought to staff's attention by the DHR was installing a lift to the back of the structure's screened in area. The lift located here would be outside of public view and would only require a COA Waiver.

Mr. Jeff Easterling addressed the HPRB. He stated his plan is to construct a straight walkway at the front of the building with no ramp. He states that an approximately 40 ft. ramp will be constructed at the rear of the building.

Mr. Easterling stated that the wooden porch would remain untouched during the construction of the brick walkway.

On a motion by Mr. Owens, seconded by Mr. Boyd, the board approved the sidewalk replacement as a straight in walkway with no alteration to be done to the existing porch.

The roll call vote was as follows:

Mr. Mike Owens	Aye
Mrs. Kristi Hartshorn	Aye
Mr. Byrum Geisler	Aye
Mrs. Betsy White	Aye
Mr. Boyd	Aye

F. PUBLIC COMMENTS - None

G. BUSINESS/MATTERS NOT ON THE AGENDA

H. ADJOURNMENT

On Motion by Mrs. Hartshorn, seconded by Mr. Owens, for the board to adjourn the meeting.

The roll call vote was as follows:

Mr. Mike Owens	Aye
Mrs. Kristi Hartshorn	Aye
Mr. Byrum Geisler	Aye
Mrs. Betsy White	Aye
Mr. Peyton Boyd	Aye

Mr. Geisler declared the meeting adjourned.

Meeting adjourned at 6:45 P. M.

Byrum Geisler, Chairman

**Gabriel Cristofari, Planner/GIS
Specialist**

On a motion by Mr. Owens, seconded by Mr. Boyd, the board approved the sidewalk replacement as a straight in walkway with no alteration to be done to the existing porch.

The roll call vote was as follows:

Mr. Mike Owens	Aye
Mrs. Kristi Hartshorn	Aye
Mr. Byrum Geisler	Aye
Mrs. Betsy White	Aye
Mr. Boyd	Aye

F. PUBLIC COMMENTS - None

G. BUSINESS/MATTERS NOT ON THE AGENDA

H. ADJOURNMENT

On Motion by Mrs. Hartshorn, seconded by Mr. Owens, for the board to adjourn the meeting.

The roll call vote was as follows:

Mr. Mike Owens	Aye
Mrs. Kristi Hartshorn	Aye
Mr. Byrum Geisler	Aye
Mrs. Betsy White	Aye
Mr. Peyton Boyd	Aye

Mr. Geisler declared the meeting adjourned.

Meeting adjourned at 6:45 P. M.



Byrum Geisler, Chairman



Gabriel Cristofari, Planner/GIS Specialist