

**CAPITOL ZONING DISTRICT COMMISSION
STAFF REPORT
8/30/17
BIM**



Location: 1401 South Spring Street
Applicant: Ed Sergeant for Chad Dillard
Permit Types: Certificate of Appropriateness

Project Description: This application is for a Certificate of Appropriateness to allow for the construction of a new, one-story detached garage and related site improvements. The approximately 600 square foot structure will be covered in horizontal cement fiberboard lap-style siding and trim. Windows will be one-over-one, single-hung wood or vinyl models. The gable roof is comprised of composition shingles. Two overhead garage doors will face north towards Daisy Bates Dr. The site plan also calls for relocating a curb cut and concrete driveway slightly to the east of their current location, and rebuilding a deteriorated rock wall slightly to the west.

***** UPDATE (2/12/18) ***** See updated analysis of backyard coverage requirements on pages 2-3 and a revised site plan on page 14.

Historic Significance: The Churchill House at 1401 South Spring Street was built circa 1890 in the Queen Anne style for Samuel Churchill, superintendent of the Union Compress Company (a cotton-packing concern) who lived there until 1900. Originally built on a double lot, the house saw several small additions early in its history, including a wrap-around front porch. By 1939, a garage had been constructed at the rear of the property, and the house had been converted to flats. It's unclear when the large front porch was removed, but the garage was demolished around 2012, and the house was restored as a single-family dwelling unit in 2014. The property is listed in the National Register as contributing resource in the Governor's Mansion Historic District. The current owner acquired it in 2015.

Previous Action: A Queen Anne style front porch was added to the house sometime between 1987 and 1998, though no permit was issued. Staff issued a permit in 1989 to allow for the installation of a swimming pool, but it appears this work never begun. Another staff-level permit in 2005 allowed for miscellaneous rehabilitation work and for the removal of some non-original additions. The 1930s carport located to the rear of the property was removed around 2012, though no permit was issued. Staff issued a permit in 2014 for miscellaneous exterior rehab. (This project also restored the house to a single dwelling unit.)

Zoning: This property is in Zone "M", the residential zone that comprises most of the Mansion Area.

Review Standards for Certificates of Appropriateness:

Capitol Zoning District Commission Rule, Section 2-105, Permit Approval Procedure

C. 1. (b) A Certificate of Appropriateness shall ... be required for the erection of any new structure ... Applications for new construction requiring Commission approval will first be scheduled for a review by the Design Review Committee which will make a recommendation regarding proposed work's appropriateness in historical style in the context of adjoining or neighboring structures; and its consistency with the goals of the Commission's Master Plan and Standards.

Staff finds the proposal constitutes a request to erect a new structure and requires a Certificate of Appropriateness that must be reviewed by the Design Review Committee and approved by the Commission.

C. 1. (e) When considering an application for a Certificate of Appropriateness, the Commission shall consider any applicable review Standards and Master Plan goals, the recommendations offered by the committees and staff, as well as any public testimony or evidence presented at the public hearing.

F.1. All changes in the Capitol Zoning District will be evaluated according to the General Standards and the applicable Area Master Plan. Also,

(a) Changes to historic structures or site features shall be evaluated according to the Rehabilitation Standards for Historic Properties.

i. Structures and site features 40 years or older are assumed to be historic ...

(b) ... new construction, shall be evaluated according to the applicable Design Standards

F.5. (a) In reviewing the application, the Commissioners shall consider the application and base their decision upon the report of the Staff, the recommendations of the Design Review Committee, advice from Advisory Committees, impact of the proposal on the property, neighboring properties, the District as a whole, the goals of the Master Plan, any applicable review criteria, and the evidence or testimony presented by the applicant(s) and other interested parties. The Commission shall approve the permit(s) if it finds the proposal to be substantially consistent with the applicable review criteria ...

Staff finds the property, as a whole, to be historic because of the main house's age and historic integrity. Staff finds the proposal should be evaluated using the General Standards, the Rehabilitation Standards (as they relate to the property as a whole), the Mansion Area Design Standards, and the Mansion Area Master Plan.

Capitol Zoning District General Standards, Section 3-201, Zoning Requirements

Z6. Zone M "Mansion Area Residential"

1. Setbacks

Rear, all properties = minimum 25 feet

Capitol Zoning District General Standards, Section 3-202, Additional Zoning Requirements & Definitions

Z9. Accessory uses and structures ...

2. An accessory structure is a structure built or operated in conjunction with an accessory use, located on the same parcel of land as a principal structure containing the principal use. Accessory Structures must comply with the following requirements:

a. An accessory building or structure may occupy not more than thirty percent of the required rear yard.

*Staff finds the proposal is consistent with this requirement. The required rear yard, in this case the eastern-most 25' feet (see Z6, above) of the 50' wide lot, consists of 1,250sf. Thirty percent of this area is 375sf. While the total structure is 576sf, only half of it (288sf) extends into the property's rearmost 25'. **NOTE: This analysis is contingent on a proposed replat of the parcel that would extend the rear property line an additional 10' to the east. (See the proposed site plan on page 11.) If this replat does not proceed, the new garage must move roughly seven feet west toward the main house to comply with this requirement. See condition #3 under Staff Recommendation.***

***** UPDATE (2/12/18) ***** *Negotiations with the neighboring property owner regarding the rear property line were unsuccessful, and the applicant has submitted a new site plan. These plans comply with the requirements above, but call for a 25% reduction of the rear yard setback. See Standard Z15, below.*

- b. All single and two family residences shall be separated from accessory structures by a distance of not less than six (6) feet.
 - c. No accessory building or structure shall be allowed in the front yard setback but in the side or rear yard, they shall maintain at least a three (3) foot setback from any property line.
- Staff finds the proposal is consistent with these requirements.*

Z15. Setback A setback is the required space or yard, unenclosed from its lowest portion to the sky, from the property line to the nearest finished vertical surface of the main structure ...

1. The Commission, with review, may reduce a required setback by 25% in cases where a lot is smaller than what is typical for the Area, is not accessible from an alley, or is otherwise irregular due to its shape or platting.

***** UPDATE (2/12/18) ***** *Staff finds the lot is not accessible from an alley and qualifies for this reduction. Reducing the required rear yard setback of 25 feet by 25% results in a 18¾' deep backyard. The lot is 50' wide yielding a required backyard area of 937½ sf. Thirty percent of this area is 281¼ sf. While the total structure is 576sf, only 278sf (11'7" x 24') extends into the reduced (18¾' deep) rear yard – just under the 30% maximum coverage requirement. This reduction, therefore, allows for compliance with Standard Z9 (2.a), above.*

Capitol Zoning Rehabilitation Standards, Section 4-301, Interpretation of Terms Related to Compliance

Historic - In general, a historic property is one that is at least 40 years old or older and largely unchanged; some properties less than 40 years old may also be considered historic if they are of exceptional significance. The CZDC is especially concerned with those properties that are associated with significant people or events or convey a character of building and design found during the District's period of significance, roughly 1880-1940. Note that in some cases, a CZDC-designated property may also be listed in the National Register of Historic Places.

Staff finds the property to be historic because of the documentary and physical evidence indicating the main house was built in the late 1800s, during the District's period of significance.

Capitol Zoning Rehabilitation Standards, Section 4-201, Streetscape & Site Design Features

Policy: Historic streetscape and site features that survive should be preserved. In addition, new features should be compatible with the historic context.

Staff finds the proposal is consistent with this policy.

R1.7 Preserve original fences.

- Replace only those portions that are deteriorated beyond repair.

R1.12 Maintain the original height of a retaining wall.

R1.13 For a replacement retaining wall, use materials that appear similar to that of the original.

- The color and finish of the brick or stone, as well as its mortar style, are distinctive features that should appear in replacement walls.

R1.14 New retaining walls should be similar in height, depth, apparent construction and function to historic retaining walls in the area.

- Materials for new retaining walls should be those used historically in the area for this purpose; i.e. stone and brick.

Though none of these standards directly address the proposal to rebuild the deteriorated rock wall slightly to the west of its present location, Staff believes the proposal is generally consistent with the spirit and intent of this section.

Capitol Zoning Rehabilitation Standards, Section 4-209, Secondary Structures

*** R9.3 A new secondary structure should be in character with those seen traditionally.**

- The building should be subordinate in scale to the primary structure.
- It should be located to the side or rear of the primary structure.
- See also the standards for new construction and for site design.

Staff finds the proposal to be consistent with this standard, because of the proposed garage's size and location.

Capitol Zoning Rehabilitation Standards, Section 4-302, Secretary of the Interior's Standards for the Rehabilitation of Historic Properties

These standards are widely recognized throughout the US as the foundation for state and local preservation standards and guidelines. The Capitol Zoning District Commission adopts these standards by reference.

- 6. Deteriorated historic features will be repaired rather than replaced ...

Staff finds the proposal to rebuild the rock wall to be consistent with this standard.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

Staff finds the proposed garage to be consistent with these standards.

Mansion Area Design Standards, Section 8-201, Design Standards for New Construction in Zones "M" and "N"

Policy: Creative new construction that is compatible with the historic character of the neighborhood is strongly encouraged. New buildings need not imitate older styles, and designs that contrast with the existing context simply for the sake of being different are discouraged.

Staff finds the proposal is consistent with this policy.

M30. A secondary structure should be compatible with the primary building.

- While the roof line does not have to match the house, it is best that it not vary significantly.

M31. A secondary structure should be similar in character to those seen traditionally.

- Basic rectangular forms, with hip, gable or shed roofs are appropriate.
- Contemporary interpretations of traditional secondary structures should be permitted when they are compatible with the historic context.

M32. In general, garages should be unobtrusive and not compete visually with the house.

- A detached garage is preferred. This will help reduce the perceived mass of the overall development.

M33. Locating a garage such that its visual impacts will be minimized is encouraged.

- Locating a garage in the front yard is discouraged.
- If a garage must be accessed from the street, set it back at least ten feet behind the primary building facade.

Staff finds the proposed garage is consistent with these standards.

Mansion Area Master Plan, Section 6-201, Mansion Area Goals & Recommendations

A. Mansion Area Goals

1. To preserve the character of the Mansion Area neighborhood ...
4. To create an improved image and stronger sense of identity.
9. To establish a sense of visual continuity within the Mansion Area neighborhood.

Staff finds the proposal is consistent with these goals.

Staff Recommendation: Staff recommends **approval** of the application with the following conditions:

- 1) That all state and city codes be followed at all times;
- 2) That the property be maintained in a neat and safe condition at all times; and
- 3) ~~That prior to issuance of a permit, a final site plan will be submitted to staff.~~ **(See page 14)**

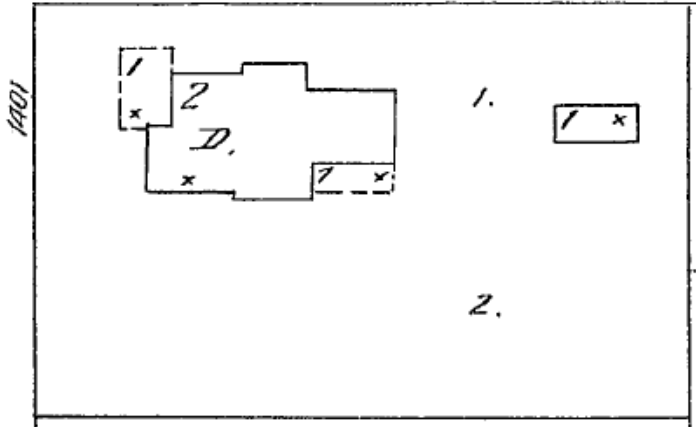
Design Review Committee Recommendation: The Committee voted 7-0 (with one member recusing) to recommend **approval** with staff's conditions, above. Members noted that the final site plan should include any trees to be removed / replaced.

Mansion Area Advisory Committee Recommendation: In a unanimous voice vote, the MAAC recommended **approval** with staff's conditions, above. (One member noted her recusal, citing a family relationship with the applicant.)

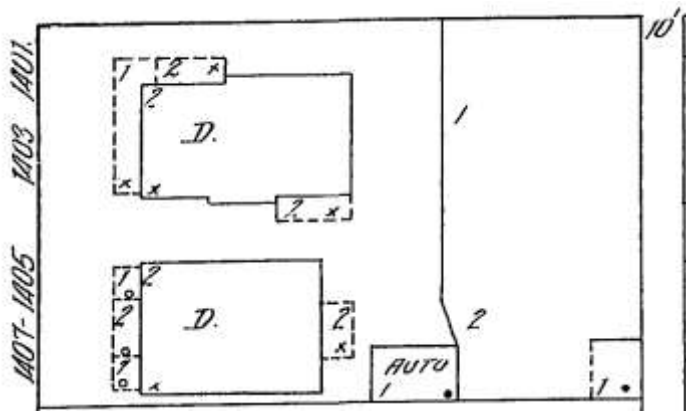
***** UPDATE (11/9/17) ***** At the applicant's request, the Commission voted unanimously at its September 2017 meeting to defer this item for two months.

***** UPDATE (2/12/18) ***** The Commission's November 2017 meeting was cancelled, and the Commission considered this item at its December 2017 meeting. Again, at the applicant's request, the Commission voted unanimously to defer the item for two months.

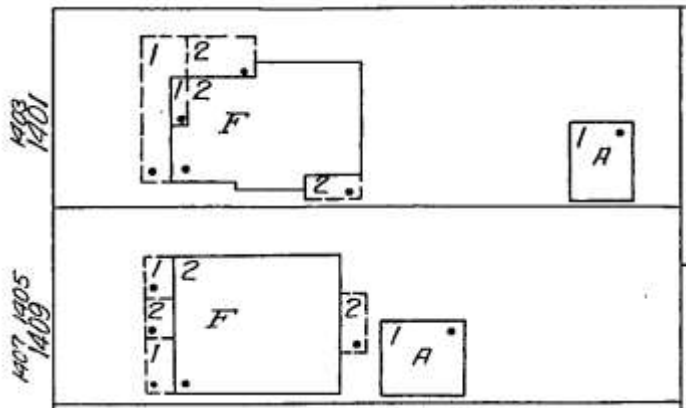
Details from Sanborn Fire Insurance Co. Maps



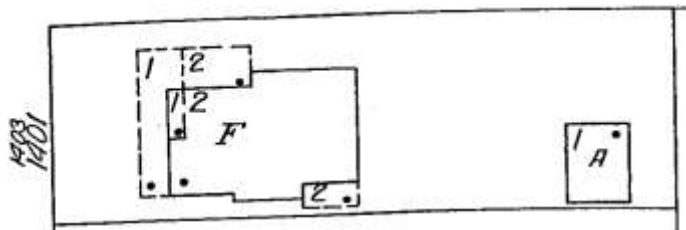
1897 – The Churchill house at 1401 S. Spring was built on a double lot around 1890 with a front porch on its northwest corner



1913 - The double-lot has been subdivided into two parcels and a narrow alley. The Churchill house has had an addition at its northeast corner, and now features a wrap-around front porch. The two addresses indicate the house may have already been converted to a duplex. The Colonial Revival / American Foursquare house at 1405 Spring (built circa 1910, likely as rental) is also seen here.



1939 – The rear alley is gone. Each house now sits on its own parcel and has been converted to flats (“F”). The garage (“A” = auto) seen behind the Churchill house stood until 2012.



1950 – No apparent changes.

Archive photos of property



1987 – Decorative metal columns, like those seen on the front porch on this photo, were popular on Ranch style houses, hinting that the large wrap-around front porch may have been replaced with this smaller porch in the 1950s or 1960s.



1998 – It's great that someone put a more period-appropriate front porch back on the house. (But they still should have obtained a permit. Tsk, tsk.)



2005 – rehab work in progress

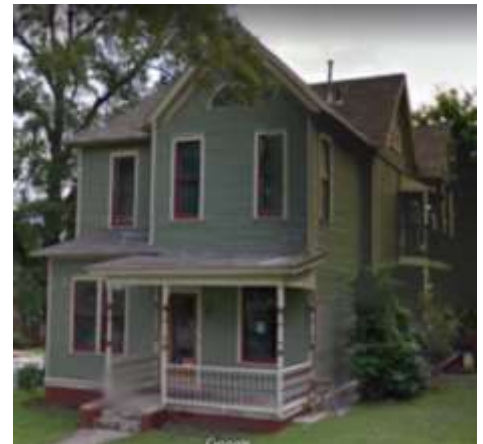
Google Maps streetview images



2007 – Some neighborhood residents informally referred to the property as the “purple house” during this period.



2011 – The 1930s garage at the rear of property was deteriorated, but still present.



2014 – The garage was removed (without a permit) in either 2012 or 2013 while the property was in bank foreclosure. The subsequent owners, however, rehabbed the house using historic tax credits.

Current photos of property



The foundation of the former garage is visible in this photo. The proposed new garage will be constructed in this same general area at the rear of the property. The current property line is noted by the orange flags. The proposed replat would move it 10 feet to the east to encompass the unimproved driveway leading to the back of 1405 Spring.



This section of rock wall will be reassembled to the right (west) of its current location to join up with the section of wall next to the house. This will also serve to close off the existing driveway. A new curb cut to the left (east) will serve the new garage.



21 AUG 17

CAPITOL ZONING DISTRICT COMMISSION

APPLICATION FORM

PROPERTY ADDRESS 1401 SOUTH SPRING ST.

PROPERTY OWNER CHAD DILLARD & JAMES SCRIBNER

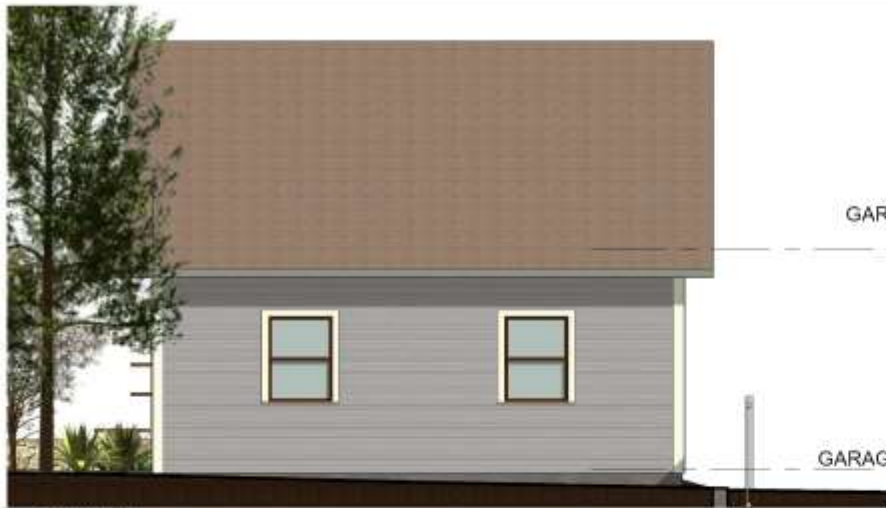
PERSON FILING APPLICATION ED SERGEANT, AIA
if other than owner

APPLICANT PHONE AND EMAIL (501) 350.6826 EDWARDSERGEANT@SBCGLOBAL.NET

APPLICANT SIGNATURE AND DATE Edw T Sergeant
Signature certifies that applicant is authorized to represent this property, and that all information presented in this application, as well as in any supporting materials, is true and correct to the best of the signatory's knowledge.

DESCRIPTION OF PROPOSED WORK AND / OR USE ADDITION OF A DETACHED GARAGE
-APPLICATION IS MADE CONTINGENT UPON
RELOCATION OF REAR PROPERTY TO
LOCATION SHOWN ON PLANS IN EXCHANGE FOR
ACCESS EASEMENT FOR ADJACENT PROPERTY

Attach as many pages or supporting materials as necessary. The Commission and its staff cannot make a determination on your application without a complete description of the property's proposed appearance, materials, and/or function. An application is not complete until all applicable supporting materials have been submitted to staff. Electronic submittals (email, scanned documents, PDFs, digital images, etc) are welcome.



3 SOUTH ELEV
3/16" = 1'-0"



4 EAST ELEV
3/16" = 1'-0"



1 NORTH ELEV
3/16" = 1'-0"



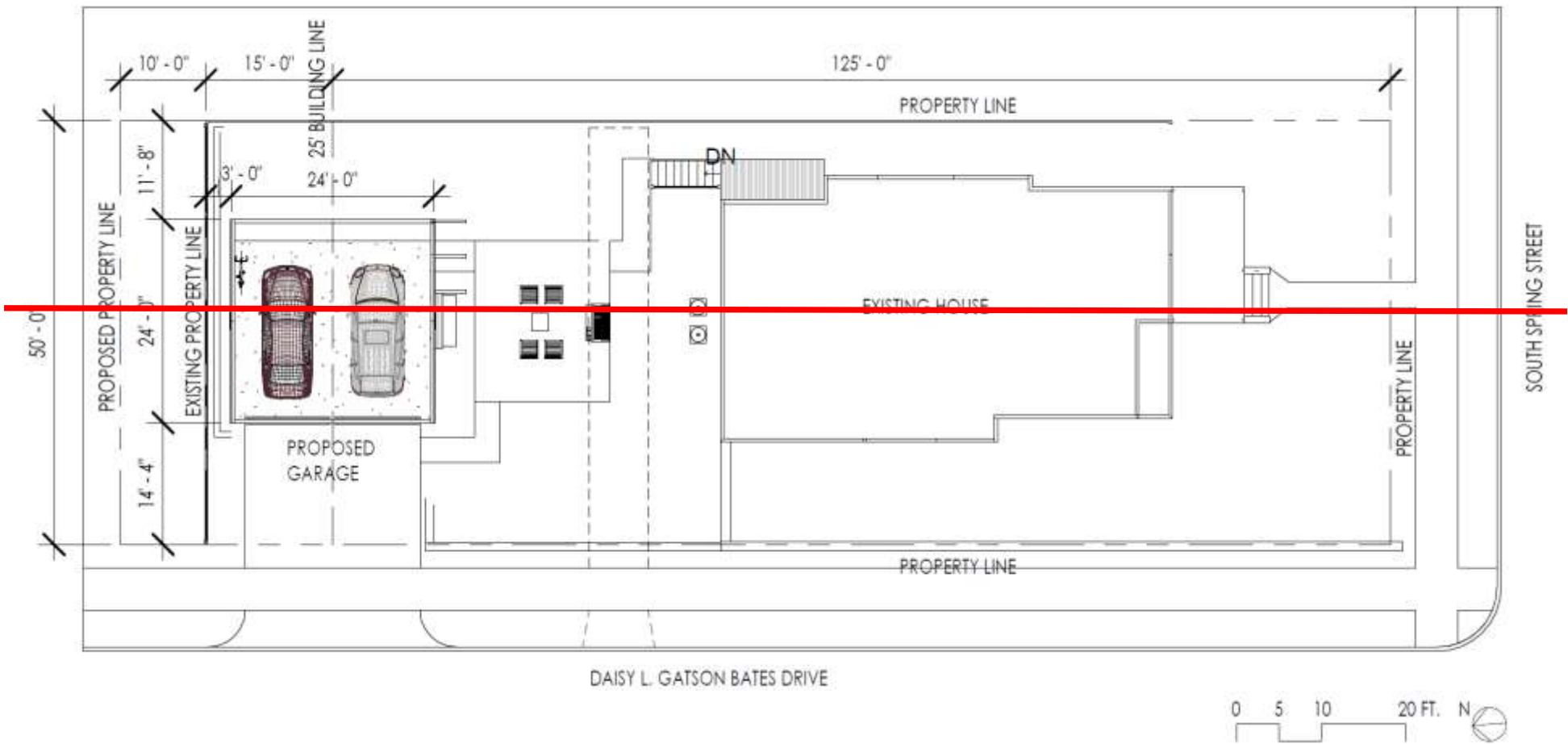
2 GARAGE WEST ELEV.
3/16" = 1'-0"

CHURCHILL HOUSE GARAGE
1401 South Spring, Little Rock, Arkansas

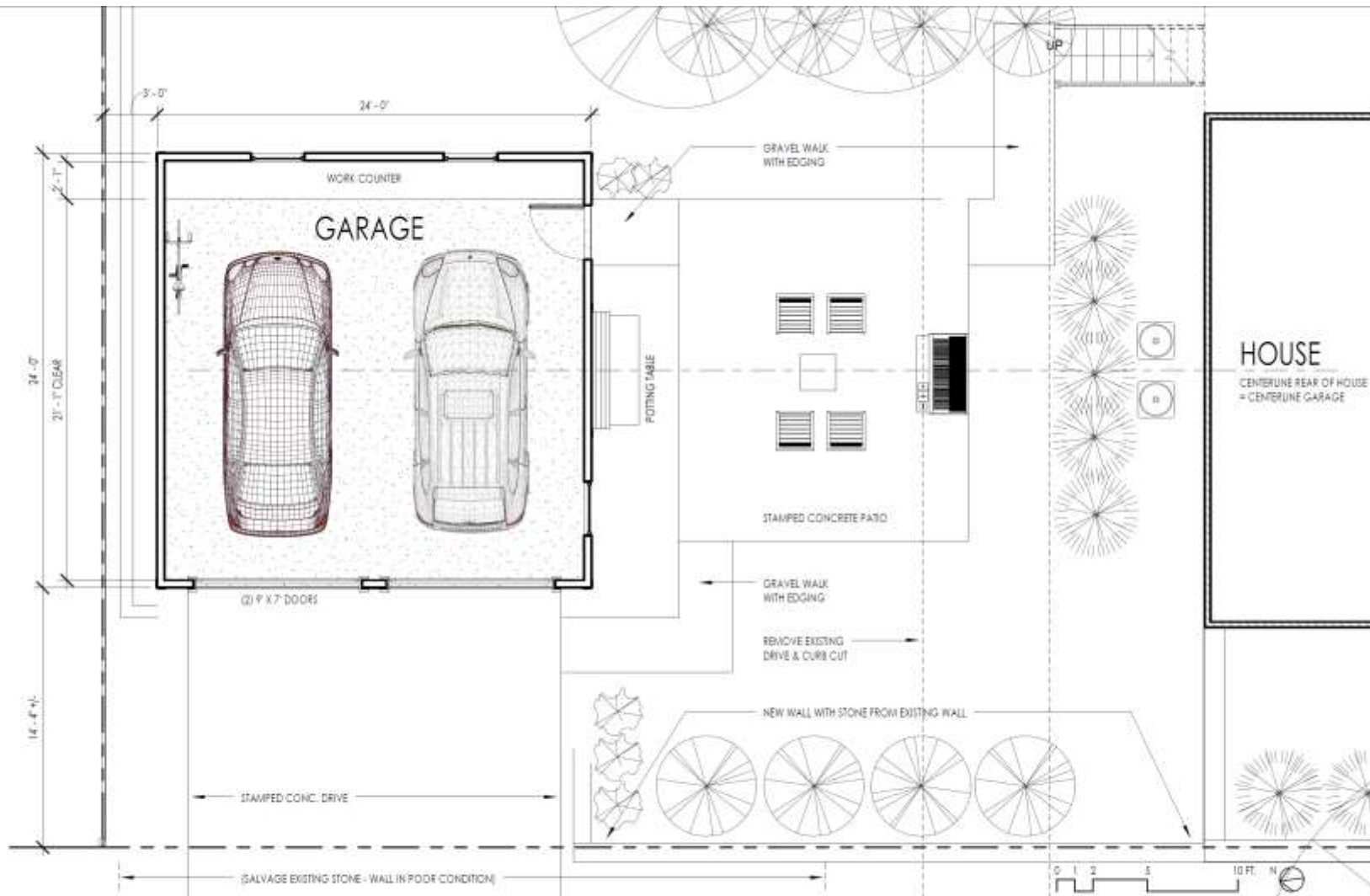
EXTERIOR ELEVATIONS

Project number	17007	A1.4
Date	AUGUST 21, 2017	
Drawn by	-	
Scale		3/16" = 1'-0"

SERGEANT ARCHITECTURE PLLC - 1658 SOUTH ARCH STREET - LITTLE ROCK, ARKANSAS 72206 - 501.350.6826 - SERGEANTARCHITECTURE.COM



***** UPDATE (2/12/18) ****** See revised site plan on page 14.



DAISY L. GATSON BATES DRIVE

CHURCHILL HOUSE GARAGE
 1401 South Spring, Little Rock, Arkansas

FLOOR PLAN

Project number 17007
 Date AUGUST 21, 2017
 Drawn by -

A1.1

Scale 3/16" = 1'-0"

SERGEANT ARCHITECTURE PLLC - 1838 SOUTH ARCH STREET - LITTLE ROCK, ARKANSAS 72206 - 501-350-8828 - SERGEANTARCHITECTURE.COM



SERGEANT ARCHITECTURE PLLC - 6888 SOUTH ARCH STREET - LITTLE ROCK, ARKANSAS 72206 - 501-350-8826 - SERGEANTARCHITECTURE.COM

CHURCHILL HOUSE GARAGE
 1401 South Spring, Little Rock, Arkansas

OVERHEAD VIEW

Project number	17007
Date	AUGUST 21, 2017
Drawn by	Author

A0.0

Scale

REVISED SITE PLAN - 2/12/18

