

**Minutes  
Emergency Meeting  
February 7<sup>th</sup>, 2008  
North End - Huntington Heights Architectural Review Board**

The meeting was called to order at 6:00

**Members present:**

Steven Hudak, Mary Kayaselcuk, Phil Shook, Deirdre Wells, Fred Whittaker  
Carolyn Hughes arrived at 6:20

**Members Absent:** The Board has one vacancy.

**Staff present:** David Watson

**Review of the minutes.** Minutes of the November 1, 2007 and January 17, 2008 were reviewed and approved with minor modifications.

**CU-08-204 340 56<sup>th</sup> Street. Brian and Kristen Boucher.** Replacement of the front door with a Craftsman style door with a rectangular window.

This case was tabled from the previous meeting. The applicant was requested to provide a door choice in the Craftsman style. Mr. Whittaker stated that the sample shown in the photo was an excellent choice.

Mr. Hudak made a motion to approve. Mary Kayaselcuk provided a second.

Aye: Steve Hudak, Mary Kayaselcuk, Fred Whittaker, Deirdre Wells, Phil Shook.

**Open Session:**

Kathy Byars presented a letter written by her husband Richard Byars and requested that it be read into the minutes. Staff read the following:

February 7, 2008

North End Huntington Heights Architectural Review Board

Chairman Phil Shook, Members of the Board, I request that this letter be read in open session at the February meeting conducted on this date and be reported in the minutes of this meeting. I regret I cannot attend this session of the NEHH Architectural Review Board monthly meeting. Whenever my travel schedule permits, I will be present at every meeting.

As a concerned resident of North End Huntington Heights, and one that has conformed to your architectural guidelines, I am disturbed that many of our residents are in violation of said guidelines and this needs to be addressed.

I request that the Board re-open the siding/roof application for the property located at 331 56<sup>th</sup> Street, owner of record Shana Beale. I further request that you notify the City of Newport News Codes Compliance office this property is in violation of the City of Newport News Zoning Ordinance, Section 45-3144 and that a criminal summons may be issued.

This is one of many properties that has performed various improvements, repairs and installation of adornments that are in direct violation of your guidelines and were completed without Board approval. As reported to me by many residents, the Board has also directed property owners to expedite their cosmetic endeavors, such as scraping and painting, in order to ensure the work is performed in a timely manner and eliminate a prolonged unsightly condition. I agree. I request that the Board inspect the exterior condition at 310 55<sup>th</sup> Street. This scraping and paint job has been a work in progress for well over 4 months and seems to have been abandoned.

I, along with other concerned residents, will follow up on these requests, as well as submit more violations, at your next scheduled meeting.

Sincerely, Richard Byars. 322 56<sup>th</sup> Street. Carbon Copy to Sabine Hirschauer, Daily Press.

Staff noted that the complaints noted in the letter will be forwarded to the Department of Codes Compliance. It is not up to this Board to enforce regulations and that they are not empowered to do so. The Codes Compliance Department will be notified of your complaints.

Pictures of the homes mentioned in the letter were passed around. Mrs. Byars noted that house with new siding looks lovely, and is a great improvement over its previous state. She further stated that "if there is a rule for us, there is a rule for everybody."

Mrs. Byars stated that the list of future complaints could go on forever as she notes many new violations each week. The Board responded that they live in the neighborhood too and when violations are suspected, the Department of Codes Compliance is notified.

Mrs. Byars stated that there are many houses in a constant state of repair and never seem to make any progress. They are in a constant state of disarray and nothing is being done about it. Mr. Shook stated that just because you don't see any action taken does not mean nothing is being done. Enforcement actions and court appearances are generally slow processes.

Staff reiterated that this Board is not the proper venue in which to bring forth complaints. The Board does not have, nor does it wish to have, enforcement powers. The Department of Codes Compliance is the proper recipient of your grievances. Mr. Shook further stated that the Board only rules on applications that come before us. We are not charged with taking on the role of an enforcement body.

Mrs. Byars stated that she is of the opinion that most people are not aware of the rules, or changes in the rules. She noted that she has not received any official notification regarding the guideline change requiring exterior muntins on windows. Mr. Shook stated that the city is not required to individually notify citizens of changes in the ordinance. He stated an example of a citywide change made regarding the height of fencing in residential areas. Notifications were not sent to residents in that case. A change in the ordinance does not require the city to broadcast it to everyone.

Mrs. Hughes stated her opinion regarding the value of an ARB to the neighborhood. When shopping for a house, she looked at houses in Hilton but found that those houses were considerably more expensive, smaller, and built with lower quality materials than those available in the North End. Since the time of her purchase in the North End, the ARB has been in place for eight years and home values are more in line with those in the Hilton Village area. It is because of the considerable work of the citizens of the North End Huntington Heights that the ARB was established and regulations adopted. This work is bearing fruit in that homes are maintaining, or returning to, their historical character. This is a great improvement to the neighborhood.

Staff informed Mrs. Byars that the Board is making efforts to contact newcomers to the neighborhood, inform them that there is an ARB and to give them a copy of the guidelines. Mrs. Byars left the meeting.

Mr. Whittaker stated that there should have been no discussion beyond the reading of the letter. Staff was exactly right in stating that complaints need to be filed with the Department of Codes Compliance. This Board does not want to get in the middle of enforcement issues. He stated that Mrs. Byars lists legitimate points and that Codes Compliance is not exactly proactive in their enforcement. Mr. Whittaker further emphasized for the record that he has found the Department of Codes Compliance to be difficult to work with.

Staff presented the Board with a list of new residents in the NEHH neighborhood. The list was compiled by tracking real estate closing dates within the last six months. This is in response to the Board's stated desire at the October 2007 Regulation Update meeting to welcome new residents and provide in person a copy of the ARB Guidelines, as well as answer any questions the new residents might have. Staff also provided an appropriate number of Guidelines for distribution.

Mrs. Wells asked about some of the names on the list, noting that one family in particular had not moved in the past ten or more years, while another known new arrival was not on the list. Staff responded that some of the closings appear to be related to the creation of a Trust or a refinance transaction, rather than the transfer of ownership to a new resident. It should also be noted that it generally takes about six weeks for a recorded closing to appear in the city database.

Mr. Shook noted that the Board members should pair up and deliver the Guidelines. The Board member teams were created, and geographical areas were selected.

Mr. Whittaker asked if the city web site has been updated. Staff stated that the broken links had been repaired, and the latest Guidelines were available for download. He stated a concern that people are claiming not to be aware of the existence of the ARB and are unaware of the Guidelines. Perhaps a letter can be sent to residents as a reminder that they live in an historical district. Staff stated that options regarding a letter or an advertisement in the Daily Press would be investigated.

#### Other New Business:

Deirdre Wells presented a preliminary review of a proposed rear, second floor door that opens to the roof of a single story rear room to be installed in her home. Her request will be a fiberglass door with a square window. Mr. Whittaker asked if the doorway is visible from the street. Mrs. Wells stated that the door is barely visible from her yard, and may or may not be visible from adjacent property owners. The Board did not see any potential problems with the application coming forward.

#### Election of Officers

Chairman Shook stated that the Board normally elects officers each January. However, the regularly scheduled January meeting was cancelled, and the elections were postponed until the February meeting. Chairman turned over the meeting to staff in order for nominations to be presented and confirmed by vote. It was noted that Mr. Hudak and Mrs. Hughes have completed their terms and have been asked to stay on the Board until replacements can be found.

For the position of vice-chairman, Phil Shook nominated Deirdre Wells. Mary Kayaselcuk provided the second.

Aye: Steve Hudak, Carolyn Hughes, Mary Kayaselcuk, Fred Whittaker, Deirdre Wells, Phil Shook.

Nay: None

For the position of Chairman, Mary Kayaselcuk nominated Phil Shook. Deirdre Wells provided the second

Aye: Steve Hudak, Carolyn Hughes, Mary Kayaselcuk, Fred Whittaker, Deirdre Wells, Phil Shook.

Nay: None

Seeing that there was no more new business, the meeting was adjourned at 6:45PM