

Minutes of the Avon Hill Neighborhood Conservation District Commission

January 26, 2009 - 5:30 P.M. – 831 Massachusetts Avenue, Basement Conference Room

Members Present: Theresa Hamacher, *Chair*; Arthur Bardige, *Vice Chair*; Catherine Henn, Maryann Thompson, *Members*; Constantin von Wentzel, *Alternate*

Staff: Sarah Burks

Members of the Public: see attached list

With a quorum present, Ms. Hamacher called the meeting to order at 5:30 P.M. She introduced the commissioners and reviewed the jurisdiction and procedures of the Commission. She designated alternate member Constantin von Wentzel to vote on all matters.

Public Hearing: Alterations to Designated Properties

AH-306: 146 Upland Rd., by Keiko Kanda. To review previously-installed fence.

Ms. Burks showed photographs of the existing conditions of the fence at the front of the property. She explained that the fence, in some locations forward of the front plane of the house, was constructed higher than the 4 feet allowed in the district's fence exemption. The property owners had been informed of the violation and asked to submit an application. The review was non-binding. She said she believed it had been the owner's intent to comply.

Isamu Kanda, one of the owners, pointed out on the photograph that the grade of the lawn sloped down to the east. The fence was 4' high at the corner closest to the entrance, but as the grade sloped down, the fence got taller in order to stay the same height along the top. He said he thought it was in compliance with the district's fence exemption.

Ms. Henn noted that the fence stepped up on the side of the property. Ms. Burks agreed, adding that it stepped up to the height of an existing fence. The point at which it stepped up corresponded with the front wall of the enclosed porch. She said the intent to comply was clear, but ordinarily, the front wall plane of the house would be considered to be the main wall of the house, not the wall of the porch.

Ms. Thompson said she approved of the design of the fence. She was not of the opinion that it should be changed.

Ms. Hamacher said the guidelines for fences encouraged openness and to retain the view of the house. She said the Commission could approve the application with a certificate of appropriateness.

Ms. Burks agreed. She read the design guidelines for fences and said the staff opinion was that it met the guidelines. She recommended approving the certificate of appropriateness.

Leonard Wisse, of 150 Upland Road, said his house was most directly affected by the fence. It in no way upset his aesthetic sense or his view of his own property of that of the Kandas. He encouraged the Commission to approve the application.

Ms. Henn moved to approve the fence, as constructed, on the grounds that the fence met the district's conservation guidelines relative to fencing and noting that the home owner in good faith thought he was in compliance. She noted for future cases, that the front wall plane should be interpreted as the front main wall of the house and that the measurement of the height should be made from the public side of the fence not inside the fence.

Mr. Bardige seconded the motion, which passed 5-0.

Minutes

Mr. Bardige moved to approve the November 17, 2008 minutes as submitted. Ms. Henn seconded, and the motion passed 5-0.

Ms. Henn moved to adjourn the meeting. Mr. von Wentzel seconded, and the motion passed 5-0. The meeting adjourned at 5:50 P.M.

Respectfully submitted,

Sarah L. Burks
Preservation Planner

Members of the Public Who Signed Attendance Sheet, 1/26/2009

Isamu Kanda	146 Upland Rd
Leonard Wisse	150 Upland Rd