

133 and 137 Kentucky Avenue Paul Ochenkoski and J. William and Marlie R. McRoberts, Owner/Applicants  
Aylesford Historic District

Scope of Work

Construct parking lot, fence and landscaping.

**Note:** These two properties are part of a Townhouse development in which the units are side by side. They have separate courtyards but a shared common driveway and fence. These cases will be heard concurrently.

**Background**

The owners requesting a Certificate of Appropriateness for the following work:

1. Repave and correct a drainage issue on the rear property driveway.
2. Relocate existing fence.
3. Relocate existing curb.

The existing fence and curb are located in from the property line. The driveway is asphalt.

The driveway will remain asphalt. The proposal calls for the curb and fencing to be moved 8” to the west to be located closer to the property line. The fence will be 6’tall shadow box fence and a 1’ concrete curb.

The owner’s intent is to redirect water that is now directed into his garage.

There are two trees: a walnut and hackberry tree that are on the property line and shared by the property owner at 137 Kentucky and 136 Woodland Avenue.

Guidelines

III. Guidelines for site and setting

In addition to buildings, elements of the surrounding site and setting contribute to the character of historic properties. These elements include both natural and manmade features such as trees, fields, gardens, fences, driveways, retaining walls and boundary definers. Historic site elements help to define a property’s historic character and appearance. Historic site and setting features should be preserved and maintained.

Guidelines cont'd

1. FENCES

DESIGN PRINCIPLE: Fences were typically constructed of wood, cast or wrought iron, brick, stone or woven wire. Lexington has a number of historic metal fences. Historic fences should be preserved and maintained. The construction of new fences based upon historic designs and materials is also appropriate. Cast iron or woven wire is preferable for 19<sup>th</sup> and early 20<sup>th</sup> century buildings. Wood fences are also allowed; however, it is important to keep the fence as transparent as possible so as not to obscure the view of the historic building.

Fences:

- (III.1.)
- A. of cast iron, stone, metal, wire, or brick that are original to the property should be preserved and maintained or if missing, may be reconstructed based on physical or pictorial evidence.
  - B. of cast iron may be added to properties with buildings constructed to the early 20th century. Cast iron fences are not appropriate for buildings built after 1920.
  - C. of wood pickets are appropriate for front yards. Wood fences in front yards should be no taller than three feet, have pickets no wider than four inches and set no farther apart than three inches. Woven wire fences in front yards should also not be more than three feet tall.
  - D. of wood boards for privacy should be located in rear yards and generally be no taller than six feet (most pre-fabricated wood fence sections are 8' wide by 6' high). Privacy fences of this height should be at least half-way back from the front of the building to the back walls on the side of the house. Privacy fences of flat boards in a single row are more historically correct than shadowbox (alternating boards) designs but both designs are acceptable. Fences with flat tops, "dog ear" or Gothic (pointed tops) designs are all acceptable. "Stockade" designs are discouraged. Fences of PVC, vinyl or synthetic material are not permitted.
  - E. of free-standing brick or concrete walls are not appropriate in front yards but are acceptable at rear yards and side yards.

of stone should be repaired/restored with the same material and mortar mix as the historic stone fence. If it is a dry-stacked stone wall, it should remain so. Please be aware that stone fences in Fayette County within the public right-of-way are protected by the Stone Wall Preservation Ordinance Section 14-83 (see following section, Walls) and require permits through the DHP

Driveways and Parking Lots

DESIGN PRINCIPLE: Significant driveway materials such as brick, concrete and asphalt should be preserved and maintained. New driveway or parking lot surfaces should be of a material appropriate to the site and the historic district. Paving and parking should not be visually dominant. Parking areas should not be sited in front yards but at side or rear locations, as appropriate.

Guidelines cont'd

Driveways and Parking Lots:

- I. should be maintained.
- J. that are new, should be located at the side or rear of the building and not be visually dominant.
- K. should be of concrete, asphalt, pavers or grassy pavers.
- L. should have their parking areas located in rear yards and be screened with hedges, shrubs or fences as appropriate. Driveways should include concrete tracks where characteristic of the property and historic districts.
- M. should not be sited in front yards. Circular are not permitted.
- N. requiring new curb cuts for access should be kept to a minimum.
- O. on vacant lots between buildings should align edge screening with front elevations/facades of adjacent buildings and on corner lots should have edge screening on both the primary and secondary street.

6. Landscape, land features, land formations, view sheds and archaeology.

DESIGN PRINCIPLE: Landscape, land features, land formations, view sheds and archaeology define many site elements in historic areas throughout Fayette County. These elements include resources above and below the ground surface. As a result, landscape and land features are more difficult to define than built features and elements. Landscape and land features can be either man-made or natural. These features include, but are not limited to: trees and shrubs, decorative gardens, utilitarian (functional) gardens, fields, documented historic topography, archaeological and cultural resources and other land features and land formations.

Landscape, Land Features, Land Formations, Viewsheds and Archaeology:

- A. that are significant should be preserved and maintained.
- B. that are altered or introduced should be compatible to the site and with surrounding properties.
- C. should not be visually dominant, intrusive or suggest a false sense of history.
- D. should not be created by the demolition of existing structures.
- E. of open space should only be developed in scale and character with the neighborhood or designated historic landmark.
- F. of vistas and approaches should be preserved and maintained.
- G. trees with trunks greater than 10 inches in diameter should not be removed unless diseased or unsafe.
- H. new construction or rehabilitation activity should work around trees with trunks greater than 10 inches in diameter.
- I. the determination of archaeological/cultural resource significance is recommended before site work begins. If archaeological or cultural significance is determined, this should guide proposed alterations, new construction or demolition.

Guidelines cont'd

- J. trees topping (also called stubbed, heading or dehorning) is not permitted unless removal or cutting branches are diseased or unsafe.

Findings

Staff finds that the proposal to pave driveway, replace curbing and relocating the meets the Design Guidelines however, care should be taken to avoid harm to the two trees that are located on the shared property line. Guidelines regarding trees states. III.6. G states, “new construction or rehabilitation activity should work around trees with trunks greater than 10 inches in diameter. “

Guidelines lines regarding driveways, curing and fencing are the following: Guideline III.5.C. states parking “should be of concrete, asphalt, pavers or grassy pavers” ; Guideline III 1. D. states Fences of wood boards for privacy should be located in rear yards and generally be no taller than six feet (most pre-fabricated wood fence sections are 8' wide by 6' high).and Guideline III.5.F. requires that “new curb cuts for access should be kept to a minimum.”

Staff suggest the curb remain in its existing location and the fence could move 8”towards the property line.

**Recommendations**

The staff recommends approval of the Certificate of Appropriateness with the following conditions:

1. The curbing remain and the fence could be moved in 8”.
2. Care is taken to prevent harm of the tree.
3. Once reviewed by other LFUCG Divisions, resubmit any changes to staff or Board for review and approval prior to the start of work.
4. If any changes are made that alter the information submitted, resubmit the changes to staff for review and approval prior to the start of the work.

**Deadline for BOAR Action**

December 27, 2020