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IN RE: CA245-008(CP)

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AUDIO TRANSCRIPTION OF RECORDED CITY OF DALLAS LANDMARK

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COMMISSION REGULAR MEETING

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SPEAKERS

12

COMMISSIONER MONTGOMERY

13

MR. LOONEY

14

COMMISSIONER PREZIOSI

15

CHRISTINA PARESS

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MARCUS WATSON

17

LESLIE NEPVEUX

18

UNIDENTIFIED MALE

19

COMMISSIONER

20

COMMISSIONER REAVES

21

COMMISSIONER CUMMINGS

22

COMMISSIONER OFFUTT

23

COMMISSIONER ANDERSON

24

COMMISSIONER ROTHENBERGER

25

1 (RECORDED AND TRANSCRIBED)

2

3 COMMISSIONER MONTGOMERY: All right.

4 Well, it seems to have passed.

5 MR. LOONEY: I was. Here for the next  
6 thing.

7 COMMISSIONER MONTGOMERY: All right, Mr.  
8 Looney. So you have received this judgment, and I wish  
9 you well with your time.

10 MR. LOONEY: All right. Thank you.

11 COMMISSIONER MONTGOMERY: Mr. Cummings  
12 listen.

13 All right. We have two additional people  
14 who are available to comment on D2 and D5 are other  
15 additional questioning, and apparently I have to make  
16 the motion to have them come move now to this spot in  
17 the agenda, because they had not signed up previously,  
18 and I had indicated that I preferred having them able  
19 to come discuss their project.

20 So I move that D2 and D5 be taken next in  
21 order, and that the late signing up speakers be allowed  
22 to speak.

23 COMMISSIONER PREZIOSI: Second.

24 COMMISSIONER MONTGOMERY: Second is  
25 Commissioner Preziosi. All those in favor, please say

1 aye.

2 COMMISSIONER PREZIOSI: Aye.

3 COMMISSIONER MONTGOMERY: Aye.

4 All right. So we begin with D2.

5 CHRISTINA PARESS: Okay.

6 COMMISSIONER MONTGOMERY: The  
7 (indiscernible) speaker you'll have to find out for me  
8 when we get there.

9 CHRISTINA PARESS: Yes.

10 COMMISSIONER MONTGOMERY: Staff, please do  
11 your thing.

12 CHRISTINA PARESS: Christina Paresse, on  
13 behalf of staff. Discussion Item Number 2 718 Glendale  
14 Street, Junius Heights Historic District, CA 245-008  
15 CP. Request a Certificate of Appropriateness to  
16 install fence in front yard. Staff recommendation that  
17 the request for a Certificate of appropriateness to  
18 install fence in front yard be denied without  
19 prejudice.

20 The proposed work is inconsistent with  
21 preservation criteria Section 3.681 and 2. The  
22 Standards and City Code Section 51A-4.501 G6 CI for  
23 contributing structures, and the Secretary of the  
24 Interior Standards for Rehabilitation.

25 MARCUS WATSON: Task Force recommendation

1 that the request for a Certificate of Appropriateness  
2 to install fence in front yard be denied without  
3 prejudice per section 3.6.2.

4 Task force comment. Special recommendation  
5 can only be made by the Landmark Commission, not the  
6 Junius Heights Task Force.

7 COMMISSIONER MONTGOMERY: Alrighty. So  
8 next we need to hear from our speaker.

9 CHRISTINA PARESS: Would be Leslie, and I  
10 believe -- I know he's definitely on.

11 COMMISSIONER MONTGOMERY: Okay. Well, one  
12 at a time.

13 Is Leslie Nepveux on?

14 LESLIE NEPVEUX: Yes.

15 UNIDENTIFIED MALE: She's on right now.

16 COMMISSIONER MONTGOMERY: Okay. We need  
17 to get --

18 LESLIE NEPVEUX: I'm here.

19 COMMISSIONER MONTGOMERY: -- her visible.

20 There you are. All right, you know the  
21 drill. I need your name and your address and your  
22 promise to tell the truth.

23 LESLIE NEPVEUX: Leslie Nepveux, 718 Dumas  
24 Dallas, Texas, 75214. And I promise to tell the truth.

25 COMMISSIONER MONTGOMERY: All right. And

1 then you have three minutes to discuss this project of  
2 course.

3           LESLIE NEPVEUX:       I'm going to share my  
4 screen. Okay. The blue line is a fence we've already  
5 got approval for. The red is fence in question. You  
6 can see, this area is the area -- existing fence that's  
7 not been taken down yet, that's in front of that 50  
8 percent line. It does not go past the front porch line  
9 currently.

10                       Here's a better picture of the driveway  
11 side. This -- the vertical yellow line is at 50  
12 percent -- or sorry is five feet back from the front  
13 porch line. So we're asking to move that in front of  
14 the -- this gang of windows so that we're not chopping  
15 up those windows.

16                       And this fence is only an extension of this  
17 driveway fence. We're not moving the gate. There's no  
18 horizontal fence or covering here. The swinging gate  
19 is back further at the house.

20                       On the left side, we're proposing to put the  
21 fence where it is shown has been built. It is at the  
22 end of this dining room bump out. The 50 percent line  
23 is right in the middle of this set of windows. So  
24 we're asking to move it out to the edge to enclose  
25 those set of windows within their backyard.

1                   And on their block face, their direct  
2 neighbors have a fence that's within that five feet  
3 from the porch line. I don't know if this one was done  
4 with approval, and then at 704, a few houses down, the  
5 other one, this metal fence was approved by landmark a  
6 few years ago, and it is within that five feet of the  
7 front of the porch so that it encloses that window as  
8 well.

9                   And then the house directly across the  
10 street from 718 is 719, and they also have a fence  
11 that's five feet from the front of the house.

12                   So just to remind you, we're not asking to  
13 enclose the driveway here. We're just asking to extend  
14 the new fence out to this line, which is, I believe,  
15 4'3" from the edge of the porch. That's all.

16                   COMMISSIONER MONTGOMERY:     All right.  
17 Thank you. That was three minutes exactly. How  
18 perfect. Did we say we also had a second speaker?

19                   CHRISTINA PARESS:        Oh, no, actually, she  
20 was with the other one, so we have --

21                   COMMISSIONER MONTGOMERY:     Oh, okay.

22                   CHRISTINA PARESS:        -- three on the other  
23 one.

24                   COMMISSIONER MONTGOMERY:     Okay.

25                   COMMISSIONER MONTGOMERY:     All right. So

1 what questions do commissioners have about Commissioner  
2 (indiscernible) Commissioner Reaves, who wants to go  
3 (indiscernible). Okay.

4 COMMISSIONER: Correct.

5 So the fence in the picture that you just  
6 showed is that the property owner's fence, or is that  
7 the neighbor's fence?

8 LESLIE NEPVEUX: It's -- I'm not positive.  
9 It sits on the property line of both of that.

10 COMMISSIONER: So would you just put a new  
11 fence in front of it, or would you take down that fence  
12 and install the continuation of the fence further back  
13 in the property?

14 LESLIE NEPVEUX: We would take it down and  
15 replace it with the new fence that's seen back further.

16 COMMISSIONER: Okay. Thank you. Thank  
17 you.

18 CHRISTINA PARESS: Commissioner Reaves.

19 COMMISSIONER MONTGOMERY: Yes,  
20 Commissioner Reaves. Please go ahead while Marcus is  
21 distracting me.

22 COMMISSIONER REAVES: Are you going to  
23 tear down the fence that's in front of the fence that  
24 you want to replace?

25 LESLIE NEPVEUX: Yes. If we get approval

1 to extend it out to this point, we would take all of  
2 this old fence down. Yes.

3 COMMISSIONER MONTGOMERY: And what staff -  
4 - one staff member was asking is if we don't know who  
5 owns the fence, you might want to talk to your neighbor  
6 about taking the fence down.

7 LESLIE NEPVEUX: I'm just the architect.  
8 I'm not sure who the fence belongs to.

9 COMMISSIONER MONTGOMERY: Oh, yes, you  
10 are, okay. Well, everyone is confusing me right now,  
11 but yes, if we don't know who owns the fence, then that  
12 could raise an issue.

13 All right. Any other -- what other  
14 questions or concerns? Question section.

15 COMMISSIONER REAVES: Was the fence that  
16 was -- the ugly fence at the front, was it the same  
17 ugly fence at the back that you already replaced?

18 LESLIE NEPVEUX: Sorry, I don't understand  
19 the question.

20 COMMISSIONER REAVES: Well, there's a  
21 pretty fence at the back and there's an ugly fence at  
22 the front.

23 LESLIE NEPVEUX: Yes.

24 COMMISSIONER REAVES: Did you replace the  
25 ugly -- did the ugly fence go all the way to the back?



1                   LESLIE NEPVEUX:       Yes.  And they just --  
2  were doing some other construction and had the new  
3  fence that had been approved already and built to those  
4  locations.

5                   COMMISSIONER REAVES:       So whoever owned the  
6  fence on the back part of the fence too probably.

7                   LESLIE NEPVEUX:       Okay.  So it is --

8                   CHRISTINA PARESS:       That was --

9                   LESLIE NEPVEUX:       -- it is this homeowner.

10                  CHRISTINA PARESS:       Yes.  And that was  
11 approved by routine.  And I just noticed when you  
12 showed the picture for the dining room side that the  
13 fence was already built to encompass the bump out, even  
14 though it should have been only at the 50 percent mark.

15                  LESLIE NEPVEUX:       Yes.  And I just found  
16 that out today.

17                  CHRISTINA PARESS:       Got you.  Okay.  I just  
18 noticed that because they were only supposed to do up  
19 to the 50 percent mark.

20                  COMMISSIONER MONTGOMERY:     Yes.  Any other  
21 questions?

22                  COMMISSIONER:       Yes.  So my question then  
23 is for staff.  If you go back to that other picture you  
24 were just looking at.  No, the other one.  One down.

25                  COMMISSIONER MONTGOMERY:     On the front of

1 the one --

2 CHRISTINA PARESS: The one on --

3 Yes.

4 -- the side by --

5 Side --

6 -- by the (indiscernible)?

7 COMMISSIONER: -- yes.

8 CHRISTINA PARESS: So they were approved

9 that -- oh, yes.

10 COMMISSIONER: So that all is new.

11 CHRISTINA PARESS: That part down there.

12 Not the side, but the horizontal, yes that --

13 COMMISSIONER: That part is --

14 CHRISTINA PARESS: Yes. And that was

15 supposed to be at 50 percent line --

16 COMMISSIONER: Okay.

17 CHRISTINA PARESS: -- not at the end of

18 the bump out. Because --

19 COMMISSIONER: Got it.

20 CHRISTINA PARESS: -- that's what's in

21 question now. And that's why she's adding --

22 COMMISSIONER: That other part was already

23 existing.

24 CHRISTINA PARESS: It wasn't and existing

25 --

1 COMMISSIONER CUMMINGS: No, no. The fence  
2 that intersects with that was existing.

3 CHRISTINA PARESS: That's neighbor yard.  
4 Yes.

5 COMMISSIONER CUMMINGS: Yeah.

6 CHRISTINA PARESS: Yeah.

7 COMMISSIONER MONTGOMERY: All right. Then  
8 --

9 COMMISSIONER OFFUTT: I have a --

10 COMMISSIONER MONTGOMERY: -- Mr. Anderson.

11 CHRISTINA PARESS: Offutt. I believe that  
12 was Offutt.

13 COMMISSIONER MONTGOMERY: Was that  
14 Commissioner Offutt?

15 COMMISSIONER OFFUTT: Yes. But -- and  
16 this is for staff. I just want clarification again.  
17 If they take down the old fence --

18 CHRISTINA PARESS: They have -- yes they  
19 removed --

20 COMMISSIONER OFFUTT: -- they have to come  
21 current which would not allow them to put that fence  
22 back up like it is currently, but they could simply  
23 repair the current fence; is that correct?

24 CHRISTINA PARESS: If it's grandfathered  
25 in, yes, they could put it back up as it is now if it

1 was approved by commission but not by staff.

2 COMMISSIONER OFFUTT: Okay.

3 COMMISSIONER ANDERSON: I have a question.

4 The fence you want to put up, the one on the driveway  
5 side, is the purpose that the neighbors are looking at  
6 your house. I -- there's no return. So it's not a  
7 security issue, is it? What is the reason for the  
8 fence?

9 LESLIE NEPVEUX: Yes, it's a visual thing.

10 You can see -- if the fence was down you could see  
11 from this room into their room. Yes.

12 COMMISSIONER ANDERSON: Have you thought  
13 of maybe softening with landscaping that would be less  
14 than -- I mean, the fence is something not allowed,  
15 but, I mean, we could approve it, but I think  
16 landscaping would be a better answer. Has that been  
17 considered or not?

18 LESLIE NEPVEUX: We have not talked about  
19 it with the homeowner. No.

20 COMMISSIONER ANDERSON: Okay. Thank you.

21 COMMISSIONER MONTGOMERY: Okay. Well, I  
22 have a question about the other side where they went  
23 ahead and built that fence. They really don't want  
24 that bump out room to be accessible; is that their  
25 reasoning?

1                   LESLIE NEPVEUX:       Yes.  They -- the  
2 neighbors on this side, they've historically had some  
3 security issues with, and they -- so they wanted to at  
4 least enclose this dining room.

5                   COMMISSIONER MONTGOMERY:     All right,  
6 because they are particularly concerned about a break  
7 in via the dining room or for visual privacy.

8                   LESLIE NEPVEUX:       Visual privacy?

9                   COMMISSIONER MONTGOMERY:     All right.  It  
10 requires a variance to move it that far forward.  And  
11 as constructed, we didn't have to imagine how awkwardly  
12 it interacts with the bracket.

13                   This is an issue.  If we said it could hide  
14 those windows, would you be able to come up with a  
15 better way of installing it that didn't look like that?

16                   LESLIE NEPVEUX:       If it was -- I can't  
17 remember what -- how tall we've requested it to be.  If  
18 it was 8 or 9 feet.

19                   CHRISTINA PARESS:       I'll look it up right  
20 quick.

21                   LESLIE NEPVEUX:       We could, you know, lower  
22 it to be right below that bracket.

23                   COMMISSIONER MONTGOMERY:     That is one  
24 possible idea.

25                   LESLIE NEPVEUX:       At least on the front

1 face of it. Not --

2 COMMISSIONER MONTGOMERY: And how far  
3 ahead of the 50 percent mark is that piece? Is that  
4 five feet, I think?

5 LESLIE NEPVEUX: Yeah. Looks about five.

6 CHRISTINA PARESS: It's five feet, but I'm  
7 recalling an email somewhere, and I feel like it was  
8 five feet.

9 COMMISSIONER MONTGOMERY: Okay. You know,  
10 normally when we've got a fence like that forward of  
11 where it's supposed to be, we do ask them to have it  
12 open. I realize that eliminates the visual privacy  
13 thing. I'm having trouble seeing how that tiny, narrow  
14 area, you could look down it and see in the window.  
15 You'd have to really try. Or is it that people come  
16 down there and peep in the (indiscernible) windows?

17 LESLIE NEPVEUX: I don't know the  
18 specifics of there.

19 COMMISSIONER MONTGOMERY: Okay. Because  
20 I'm looking for a supporting reason to -

21 LESLIE NEPVEUX: Yeah. I would --

22 COMMISSIONER MONTGOMERY: -- make a --

23 LESLIE NEPVEUX: If they were here, they  
24 would say they would prefer a solid fence for complete  
25 privacy in that room.

1 COMMISSIONER MONTGOMERY: Okay. All  
2 right. Thank you.

3 Now, if any commissioners have any more  
4 questions, please --

5 COMMISSIONER CUMMINGS: Question.

6 COMMISSIONER MONTGOMERY: -- let me know.

7 COMMISSIONER CUMMINGS: Have they explored  
8 wood blinds, curtains, or cafe curtains?

9 LESLIE NEPVEUX: I have not asked them  
10 that.

11 COMMISSIONER MONTGOMERY: Any other  
12 questions? Because if not, we need to make a motion on  
13 this.

14 COMMISSIONER CUMMINGS: We'll make a  
15 motion.

16 COMMISSIONER MONTGOMERY: Thank you,  
17 Commissioner Cummings.

18 COMMISSIONER CUMMINGS: Someone holds my  
19 hand. Make sure I don't do this wrong.

20 I was going to make a motion to approve the  
21 staff recommendation to deny without prejudice, and  
22 it's the only thing we're talking about is this fence  
23 and its locations; right? What do I need to read into  
24 it?

25 COMMISSIONER MONTGOMERY: You need to read

1 the stuff about the address and the CA number.

2 COMMISSIONER CUMMINGS: Okay. CA on  
3 Junius Heights Historic District CA 245-008 CP. I make  
4 a motion to accept staff recommendation to deny without  
5 prejudice. The proposed work is inconsistent with the  
6 preservation criteria.

7 COMMISSIONER ANDERSON: Second.

8 COMMISSIONER MONTGOMERY: The second was.  
9 Commissioner Anderson. Thank you for that. Is there  
10 any further discussion?

11 All right, then I call for a vote. All  
12 those in favor of this motion, please say aye.

13 COMMISSIONER: Aye.

14 COMMISSIONER: Aye.

15 COMMISSIONER: Aye.

16 COMMISSIONER MONTGOMERY: Aye.

17 All -- any not in favor of this motion?

18 COMMISSIONER ROTHENBERGER: Nay.

19 COMMISSIONER MONTGOMERY: Okay. So we  
20 have two and that's Commissioner Rothenberger and  
21 Commissioner Renaud.

22 All right. So it appears that this motion  
23 carries. Ms. Nepveux, I know this is not your house.  
24 If you will please let the applicant know that they did  
25 get a denial. So for that fee to CPC, they could go



1 and challenge to see if we have erred in making this  
2 judgment.

3 They could also rethink their request or the  
4 reasons for it, and see if he wanted to come back again  
5 with a different request or a strengthened argument in  
6 favor of this one.

7 Will you pass that along to them? And of  
8 course, staff is available to consult with you or the  
9 owner at any time. Well, not any time, not night, but,  
10 you know, during working hours. All right.

11 COMMISSIONER REAVES: Since that ugly  
12 fence is there, could they nail something to the ugly  
13 fence?

14 COMMISSIONER MONTGOMERY: They might have  
15 to put in for a routine maintenance of reinforcing the  
16 ugly fence. Perhaps that's the way -- if I were them,  
17 I would go about it and see if it got past. But who  
18 knows if that would work. I don't think anybody's ever  
19 tried that.

20 COMMISSIONER REAVES: No. Just nail it.  
21 (Recording stopped.)

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/s/ Steven Thomas

Steven Thomas

Transcriber

25th, November, 2024



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