

**From:** [Miller, Lisa](#)  
**To:** [John Hunter](#)  
**Cc:** [Smith, Grace](#); [Young, Sara](#); [Swope, Karen](#); [Medlin, Steve](#)  
**Subject:** RE: 716 Shepherd  
**Date:** Thursday, May 02, 2013 2:09:59 PM  
**Attachments:** [716 Shepherd enforcement.pdf](#)

---

Good afternoon Mr. Hunter,

The letter that was sent to the property owner at 716 Shepherd Street is attached. Since 2001 when you received a retroactive approval for work on the property at 714 Shepherd we have had many changes to the Commission's rules of procedure that determine what kinds of work can be approved administratively by staff. Under our current rules you would not be required to come before the Commission to install a rear fence or install mechanical equipment. When I began working with the Commission several years ago we identified many items to be added to the administrative approval list and continue to add items as it is determined appropriate in an effort to streamline and simplify the process for property owners. Rear decks and porches are items that are administrative reviews. If the modification to the adjacent property is actually an addition (enclosed and conditioned space) then that would require review and action by the full Commission. I am in communication now with the property owner of 716 Shepherd and will work towards compliance with them going forward. Please let me know if you have any additional questions about the enforcement/compliance process or about what types of work you can undertake within the historic district with administrative review.

Best,  
Lisa

**Lisa Miller**

*Senior Planner / Urban Designer*  
*Planning Department, City of Durham*  
101 City Hall Plaza, Ground Floor  
Durham, NC 27701  
P 919-560-4137, ext. 28270  
F 919-560-4641  
Lisa.Miller@DurhamNC.gov  
www.DurhamNC.gov

*E-mail correspondence to and from this sender may be subject to the North Carolina Public Records Law and can be disclosed to third parties.*

---

**From:** John Hunter [mailto:jhunter53@nc.rr.com]  
**Sent:** Tuesday, April 30, 2013 2:33 PM  
**To:** Miller, Lisa  
**Subject:** RE: 716 Shepherd

I would like to see a copy of this letter. I am having a problem with this retroactive COA, when I was told that I had to go to the committee to install a rear fence or lay a concrete slab for multiple air conditioning units at the rear of my house. But yet the city can do an administrative approval for an already built addition to the rear of the subject house.

Thanks

John Hunter

---

**From:** Miller, Lisa [<mailto:Lisa.Miller@durhamnc.gov>]  
**Sent:** Tuesday, April 30, 2013 11:43 AM  
**To:** [jhunter53@nc.rr.com](mailto:jhunter53@nc.rr.com)  
**Cc:** Medlin, Steve; Young, Sara  
**Subject:** RE: 716 Shepherd

Mr. Hunter,

We have issued a letter to the property owner of 716 Shepherd Street requesting that they either produce copies of approvals received for the work on the back of the structure or submit a retroactive COA application for this work.

Please let me know if you have any further questions on this issue.

Best,  
Lisa

**Lisa Miller**  
*Senior Planner / Urban Designer*  
*Planning Department, City of Durham*  
101 City Hall Plaza, Ground Floor  
Durham, NC 27701  
P 919-560-4137, ext. 28270  
F 919-560-4641  
[Lisa.Miller@DurhamNC.gov](mailto:Lisa.Miller@DurhamNC.gov)  
[www.Durham.NC.gov](http://www.Durham.NC.gov)

*E-mail correspondence to and from this sender may be subject to the North Carolina Public Records Law and can be disclosed to third parties.*

---

**From:** Miller, Lisa  
**Sent:** Friday, April 26, 2013 2:59 PM  
**To:** 'jhunter53@nc.rr.com'  
**Cc:** Medlin, Steve; Young, Sara  
**Subject:** 716 Shepherd

Mr. Hunter,

We are continuing to search our records for certificate of appropriateness (COA) approvals of the work you mentioned at 716 Shepherd Street for the deck and subsequent roof. Since this work occurred prior to 2007 when our current tracking system was implemented this takes a bit more time than searching for more recent applications and approvals. I will let you know what we determine as soon as our research is completed. If we do not find any approval for this work we will contact the property owner to find out if they can produce any approvals for the work.

If no COA approvals were obtained for this work, we would ask them to submit a retroactive administrative COA application. We would then review this application against the guidelines adopted for the historic district as if the work had not yet been completed. There is a good bit of flexibility in the guidelines for rear additions of decks and porches so it may be that whatever was constructed would be able to obtain approvals. If there are aspects of the construction that are not in keeping with the guidelines, then corrective measures to bring the construction into conformance with the guidelines will be required. If at any point the property owner is not working towards rectification of any violation, enforcement action will be taken.

Additionally, I have spoken to folks in the Inspections department and they were able to track down two permits for the work you mentioned at this address (attached). They are currently tracking down the plans that were submitted with these applications for my review as well.

&nb sp;

Please let me know if you have any additional questions prior to my getting back to you regarding whether or not a COA approval was obtained for this work.

Regards,  
Lisa

**Lisa Miller**

*Senior Planner / Urban Designer*  
*Planning Department, City of Durham*  
101 City Hall Plaza, Ground Floor  
Durham, NC 27701  
P 919-560-4137, ext. 28270  
F 919-560-4641  
[Lisa.Miller@DurhamNC.gov](mailto:Lisa.Miller@DurhamNC.gov)  
[www.DurhamNC.gov](http://www.DurhamNC.gov)

*E-mail correspondence to and from this sender may be subject to the North Carolina Public Records Law and can be disclosed to third parties.*