



CITY OF ALLENTOWN

No. 30743

RESOLUTION

R180 - 2023

Introduced by the Administration on October 18, 2023

Denial of a Certificate of Appropriateness – 316 N. 8th Street

Resolved by the Council of the City of Allentown, That

WHEREAS a Certificate of Appropriateness is required under the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania No.167, June 13, 1961 (P.L.282) known as the Pennsylvania Historic District Act; and City of Allentown has adopted a Historic District Ordinance, Article 1391, under the provisions allowed in the Pennsylvania Historic District Act; and

WHEREAS the owner, K&C Investment Properties LLC, applied to the Historical Architectural Review Board (HARB) for a Certificate of Appropriateness to legalize the installation of an asphalt shingle roof, as described in the attached final report; and

WHEREAS the HARB held a meeting on said matter on October 2, 2023, where a representative for the applicant was in attendance via a computing device; and

WHEREAS based on the statements and evidence presented, the HARB made the following findings of fact, as detailed in the attached case report:

1. The roof was replaced without a building permit or HARB approval.
2. A notice of violation was issued to the property owner on August 10, 2023.
3. No historic roofing material was lost as a result of the replacement.
4. The roofing shingles installed differ from the previous shingles and do not meet the Design Guidelines; the shingles are inappropriate in color, shape, and dimension.
5. A range of appropriate replacement materials for non-historic roofs is allowed by the Guidelines.

WHEREAS, based on the above findings of fact, the HARB agreed on the motion not to legalize the installation of asphalt shingles as proposed, and recommended to City Council denial of a Certificate of Appropriateness as detailed in the attached case report.

NOW, THEREFORE, BE IT RESOLVED by the Council of the City of Allentown that a Certificate of Appropriateness is hereby denied for the above referenced exterior alteration.

	Yea	Nay
Candida Affa	X	
Ce-Ce Gerlach	X	
Cynthia Y. Mota	X	
Santo Napoli	X	
Natalie Santos	X	
Ed Zucal	X	
Daryl Hendricks, President	X	
TOTAL	7	0

THIS IS TO CERTIFY, That the above copy of Resolution No. 30743 was adopted by the City Council of Allentown on the 15th day of November 15, 2023, and is on file in the City Clerk's Office.

Shenequa F. Hamlin

City Clerk

**Historical Architectural Review Board
COA Final Review Sheet**

HDC-2023-00073

Address: 316 N. 8th Street

District: Old Allentown Historic District

Applicant: Richard Smith, Lehigh Valley 4 Rent

Proposal: Legalize asphalt shingles (violation correction)

Building Description:

This 2½-story painted brick row Federal/Victorian with Italianate influence, c. 1869, is in good condition. The asphalt shingle gable roof has a single chimney, a dormer and a dentilated cornice. The windows are 2/2 sash with Italianate eyebrow lintels. It has wide projecting moldings. The main entry is a paneled single door with a transom, there is a small concrete porch that is protected by an Allentown Porch Roof and has pipe railings. The slatted grocer's alley door has a transom and an Italianate lintel. There is a basement window visible. The Allentown Porch Roof has asphalt shingles, a concave profile that stands alone with closed ends and simple brackets.

Project Description:

On August 10, 2023, staff issued a notice of violation for the reroofing of the building at 316 N. 8th Street without a Certificate of Appropriateness. This application proposes to legalize the asphalt shingles that were installed without permits or a COA. The applicant did not provide information on the shingle that was installed, though staff notes it is brown in color and has a variegated shape.



**Front façade of 316 N. 8th Street before reroofing, 2019.
(Google StreetView)**



**Dormer of 316 N. 8th Street before refoofing, 2019.
(Google StreetView)**

**Historical Architectural Review Board
COA Final Review Sheet**



**Front Roof Aerial of 213 N. 11th Street, 2023.
(HARB files)**



**Back Roof Aerial of 213 N. 11th Street, 2023.
(HARB files)**

Applicable Guidelines:

Chapter 3.1 – Roofs

3.1.5 Preserve architectural features that give the roof its unique and building-specific character—such as dormers, turrets, chimneys, cornices, rolled ridge flashing, cresting, and finials. Repair and restore features; replace in-kind only when necessary.

3.1.7 If in-kind replacement is not feasible, replace historic roofing materials with alternate materials that resemble the original as closely as possible. Roof replacement should be sensitive to the original appearance. Replacement materials should match roof slopes or shape.

3.1.8 Replace non-historic roofing materials in-kind or with recommended alternates. If the original material is documented, restoration of the original material is also an appropriate option but is not required. Original roofs may have been replaced long ago, yet asphalt shingles and similar alterations are still considered impacts to the overall appearance. Replacement materials should match the existing in color, pattern, shape, and profile. Greater flexibility is possible with non-historic roofing and using durable high-quality replacements is recommended.

Observations & Comments:

In June 2023, Building Standards forwarded a building permit application for review by staff for the reroofing of the building at 316 N. 8th Street. Staff had received a complaint that a contractor installed brown asphalt shingles with an inappropriate shape. At the time, staff contacted the applicant and requested that they complete an application for a Certificate of Appropriateness, noting that the application would have to be forwarded to the HARB, because the work did not comply with the historic district guidelines.

The previous roofing material was asphalt, but it appeared to be a 3-tab shingle in a gray color, which was clearly visible on the dormer cheek walls, gable roof, and porch roof at the front entry. While Guideline 3.1.8 allows non-historic roofing materials to be replaced in-kind, staff notes that the new asphalt shingles are different in dimension, shape, profile, color, pattern, exposure, and overall appearance and do not constitute an in-kind replacement. The guideline further allows for recommended alternates or the restoration of the original roofing material. In this case, the historic roofing was slate, and

Historical Architectural Review Board COA Final Review Sheet

an asphalt shingle that more closely replicates slate in dimension, shape, profile, color, pattern, exposure, and overall appearance would be more appropriate. The guidelines explicitly note that tapered shingles and those with variegated random width are not appropriate alternatives to slate shingles (p. 41)

Staff Recommendation:

Denial, pursuant to Chapter 3, Section 3.1 Roofs.

HARB Discussion:

Mr. Smith contended that an asphalt shingle roof was replaced with asphalt shingles and that the only difference is the color. He stated he received a permit for the work. Mr. Huber countered that the new shingle is not a 3-tab shingle and does not match the previous roof. Ms. Keller clarified that the applicant has not received a permit from Building Standards and that the permit cannot be issued until the applicant receives a Certificate of Appropriateness.

Mr. Jordan stated that the HARB may need to recommend denial, unless the applicant is willing to change the roofing to a shingle that would meet the guidelines. Mr. Smith again argued that the only difference is the color of the shingle. Mr. Huber clarified that the new shingle is brown in color rather than gray, but is also very clearly a random width shape and is not appropriate. Mr. Jordan noted that the previous shingle was even in width and was a 3-tab shingle.

Action:

Mr. Jordan moved to deny the application presented on 10/2/2023 to legalize the installation of asphalt shingles at 316 N. 8th Street, pursuant to Chapter 3, Section 3.1 Roofs. Mr. Huber seconded the motion, which carried with unanimous support.