



CHARLOTTE™

HISTORIC DISTRICT COMMISSION

MINUTES

July 10, 2013

MEMBERS PRESENT: Mr. Don Duffy

Ms. I-Mei Ervin
Ms. Debra Glennon, Second Vice Chair
Ms. Karen Labovitz
Ms. Mattie Marshall
Mr. Brad Norvell
Mr. Dominick Ristaino, Vice Chair
Ms. Lisa Yarbrough

MEMBERS ABSENT: Mr. Timothy Bender

Dr. Lili Corbus
Mr. Roger Dahnert
Mr. Tom Egan, Chair

OTHERS PRESENT:

Mr. John Howard, Administrator
Historic District Commission
Ms. Wanda Birmingham, Assistant Administrator
Historic District Commission
Ms. Linda Keich, Clerk to the
Historic District Commission
Mr. Thomas Powers, Assistant City Attorney
Ms. Terrie Hagler-Gray, Senior Assistant City Attorney
Ms. Laura Harmon, Assistant Planning Director
Adkins Court Reporter, Verbatim Reporter

In Chairman Egan's absence Vice Chair Dominick Ristaino called to order the Regular July meeting of the HDC at 3:10 pm by introducing the staff and Commissioners introduced themselves. He explained the procedure. All interested parties who plan to give testimony – pro or con - must complete a blue form in order to speak and must be sworn in. A HDC staff member will present an outline and description of the proposal and its impact on the subject property and district's integrity. HDC Staff will then make a Staff recommendation or suggestions about the application. HDC may question the Staff member. The Applicant will present evidence and testimony in support of the Application. The Commission may question the Applicant and Staff may question the Applicant. The Applicant may present sworn witnesses who will be subject to questioning by the Commission and Staff. Other interested parties wishing to speak – pro or con – will be given reasonable time to present sworn testimony. Staff will give a synopsis of and additional comments received. The Applicant will be given an opportunity to respond to comments by interested parties. After hearing each Application, the Commission will review and discuss the information and evidence gathered in closed deliberations and: consider and adopt a Motion for Approval, Deferral, or Denial and adopt Findings of Fact and Conclusions of Law. Interested parties may remain present during the deliberations but may not address the Commission. If one does not remain a call to HDC Staff will result in knowing the decision. All exhibits remain with the Commission. If an Applicant feels there is a conflict of interest of any Commissioner or an association that would be prejudicial, let it be known at the beginning of the hearing of a particular case. The Commission is acting in a quasi-judicial capacity for purposes of this hearing and can accept only sworn testimony. While the Commission will not specifically exclude hearsay evidence, it is only given limited weight. The North Carolina State Bar has issued an Advisory Opinion that it is the unauthorized practice of law for an individual who is not an active member of the Bar to appear for another or otherwise assist or represent another at quasi-judicial hearings on zoning and land use matters. All applicants should have been provided with a copy of that Advisory Opinion at the time an Application was filed. If a property owner or a non-lawyer is present on behalf of a property owner and have not received a copy of that Opinion, one will be provided. If as a result of this Advisory Opinion, an Applicant would like to request a continuance the Commission will consider such request. Appeal from the Historic District Commission is to the Zoning Board of Adjustment. One has sixty (60) days from the date of the issuance or notification of Denial within which to appeal. This is in accordance with Section 10.213 of the City Code. In order to receive a written copy of the decision of the Board, any aggrieved party MUST FILE A WRITTEN REQUEST for a copy of the Commission's decision by completing the form. This form must be filed with the Commission's Clerk or Chairperson at the time of the hearing. Mr. Ristaino asked that everyone please turn to silent operation any electronic devices. All audience members please sign in for the record. Commissioners are asked to announce, for the record, if one leaves or arrives during the meeting.

Index of Addresses:



705 Walnut Avenue
East Tremont @ Euclid Avenue
200 Block East Boulevard
616 Mt. Vernon Avenue

Wesley Heights
Dilworth
Dilworth
Dilworth

617 Grandin Road
801 Romany Road
420 West 5th Street
1613 Wilmore Drive
224 Grandin Road
1726 The Plaza
318 Settlers Lane

Wesley Heights
Dilworth
Fourth Ward
Wilmore
Wesley Heights
Plaza Midwood
Fourth Ward

Application: 705 Walnut Avenue – Garage.

The Commission recently reviewed plans for a 3 -car garage at this c. 1929 mid-block house. The garage is to be located behind the house. The application was deferred for further design study regarding the size and scale of the proposed accessory structure. Revised plans show a dramatically reduced 2-car garage. Materials and details of the 1 ½ story garage match the house. Carriage track drive leads into rear yard. Garage is in center of the back yard so drive turns away from the side property line to enter garage doors.

Staff Recommendation: Staff opinion is that the proposed garage meets **Policy & Design Guidelines**.

Applicant Comments: Owner Rodric Lenhart said the garage cannot be seen from the street. It has been reduced in size by 20%. It lines up with the house and is located behind it but it shows a little differently on the site plan. There will be five-panel, stamped steel, carriage style, garage doors.

FOR/AGAINST: No one accepted Mr. Ristaino’s invitation to speak either FOR or AGAINST the application.

MOTION: Based on compliance with **Policy & Design Guidelines – Accessory Structures**, Mr. Duffy made a MOTION to APPROVE with revised plans to staff which show accurate location. Ms. Glennon seconded.

VOTE: 8/0 AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, MARSHALL, RISTAINO, YARBROUGH

NAYS: NONE

DECISION: GARAGE APPROVED WITH REVISED PLANS TO STAFF.

Application: East Tremont at Euclid Avenues – Redevelopment.

The Commission has recently reviewed redevelopment plans for this assemblage of six parcels. The Stay of Demolition clock is ticking for the parcels with existing structures. The 54 unit new construction has been Approved in Concept. It will be a 2-3 story apartment building with porches, gable, rear stair. Ongoing changes include pulling the building farther away from the adjacent single family home. Revised plans also show a change in the roof and the addition of dormers.

Staff Recommendation: Staff opinion is that the project meets the ***Policy & Design Guidelines***.

Applicant Comment: Architect Matt Majors pointed out the changes from last month: regarding the stair tower and end condition – stair has been internalized, height has been brought down, roof (from Euclid Avenue) has been increased to reduce view of clerestory windows, roof elements have been added. The adjacent property is now 12 feet closer to a multifamily project that with the proposed. The entire project is in a low point. Nichiha siding and wood composite siding will be used.

FOR/AGAINST: Adjacent Property Owner Rich Cohen spoke in opposition to the project.

Neighborhood Resident Jeff Gerlach spoke in opposition to the project.

Neighborhood Resident Tamara Titus spoke in opposition to the project.

Neighborhood Resident John Phares spoke in opposition to the project.

Neighborhood Resident Jack Fenlon spoke in opposition to the project.

Neighborhood Resident Marcia Rouse spoke in opposition to the project.

Neighborhood Property Owner Kirk Otey spoke in opposition to the project.

MOTION: Based on ample opportunity to meet ***Policy & Design Guidelines – New Construction***, Mr. Duffy made a MOTION to DENY the application as not meeting. Grounds of unmet points include context, setback, materials, scale. Ms. Yarbrough seconded.

VOTE: 8/0 AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, MARSHALL, RISTAINO, YARBROUGH

NAYS: NONE

DECISION: NEW CONSTRUCTION DENIED BUT MAY COME BACK TO HDC WITH A SUBSTANTIAL CHANGE.

Ms. Marshall left and was not present for the remainder of the meeting.

Application: 220, 224, 228 East Boulevard – Signage.

Three buildings are under one ownership. Two of the buildings are remaining vestiges of the historic fabric of grand houses on East Boulevard. The proposal is to do a unified signage for all the business tenants. All the mismatched signs will be removed. An exception will need to be considered due to the size of the land and the three buildings and the number of tenants.

Applicant Comments: Bill Spencer with Sign Solutions said the goal is to clean up the signage and create a branding. The rear parking lot is confusing and signage will help clarify the various destinations. One main identification sign with tenant paddles will go out front. Stone walls, parallel to the side walk, will be added for accent. The main sign will be extruded aluminum on top of a stone base.

Staff Recommendation: Mr. Howard said a complete and unified sign package is what the Commission wants to see. This application is that.

FOR/AGAINST: Neighborhood Property Owner Kirk Otey spoke in opposition to the proposed signage.

Neighborhood Resident John Phares spoke in opposition to the proposed signage.

MOTION: Based on exception to **Policy & Design Guidelines – Signage** warranted by size of property and three structures, Ms. Yarbrough made a MOTION to APPROVE with staff to review revised plans which show up to two main signs, each with a maximum size of 12 ½ square feet, no sign over six feet in height, masonry base will be pulled in from width of sign, appropriate materials. All incidental signs are approved as indicated. Ms. Labovitz seconded.

VOTE: 7/0 AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, RISTAINO, YARBROUGH

NAYS: NONE

DECISION: SIGNAGE PACKAGE APPROVED WITH STAFF TO SEE REVISED PLANS.

Application: 616 Mt. Vernon Avenue – Patio.

This house has an existing walkway from the front door to the steps at the City sidewalk. The plan is to add a paved area in front of the house between the sidewalk and the driveway. The purpose is to have front yard seating at grade.

FOR/AGAINST: No one accepted Mr. Ristaino's invitation to speak either FOR or AGAINST the application.

MOTION: Based on compliance with **Policy & Design Guidelines**, Ms. Glennon made a MOTION to APPROVE the application as presented. Ms. Yarbrough seconded.

VOTE: 7/0
YARBROUGH

AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, RISTAINO,

NAYS: NONE

DECISION: SEATING IN FRONT YARD APPROVED.

Application: 617 Grandin Road – Paint Brick.

This is a brick two-story house in Wesley Heights. Due to cracks and visible, past repair on all sides, the proposal is to make necessary repairs then paint the entire house.

Applicant Comments: Owner Jim McClincy said the visible stair-step cracks across the front indicate settling issues that will be corrected.

Staff Recommendation: Mr. Howard recommended that the Commission determine if or not the past work justifies the proposal.

FOR/AGAINST: No one accepted Mr. Ristaino's invitation to speak either FOR or AGAINST the application.

MOTION: Based on the need to clean up the poor patching, Mr. Duffy made a MOTION to DENY the house painting with the understanding that the bad workmanship looks to be correctable. This issue may come back to the full Commission if the appropriate corrective measures do not work out. Ms. Yarbrough seconded.

VOTE: 7/0
YARBROUGH

AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, RISTAINO,

NAYS: NONE

DECISION: PAINTING THE BRICK HOUSE IS DENIED.

Application: 801 Romany Road – Addition.

This two story brick c. 1951 house overlooks Latta Park. An addition to front left corner of the house is proposed. A side facing gable will tie onto existing front gabled bay. Materials and details will match existing and will be reused where possible. Existing screened porch will be removed for addition.

Staff Recommendation: Mr. Howard said his recommendation is that the proposed addition is approvable and in compliance with ***Policy & Design Guidelines***.

FOR/AGAINST: Neighborhood Resident John Phares spoke in support of the application.

Neighborhood Resident Tamara Titus spoke in support of the application.

MOTION: Based on compliance with ***Policy & Design Guidelines – Additions***, Mr. Duffy made a MOTION to APPROVE the side addition as it respects the original house, and that brick will be reused. Ms. Ervin seconded.

VOTE: 7/0 AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, RISTAINO, YARBROUGH

NAYS: NONE

DECISION: ADDITION APPROVED WITH BRICK TO BE REUSED.

Application: 801 Romany Road – Addition.

This proposal is for the same house directly above. It is for a two-story porch across the front – from the front door over to the right side of the house. A covered entry and upper porch are created. Through the previous application a screened porch will be removed and this front porch will replace the use. Windows on the second floor will change to French doors for upper access. The arched form over the front door with a copper roof repeats on the side.

Staff Recommendation: Mr. Howard said his recommendation is that the proposed addition is approvable and in compliance with ***Policy & Design Guidelines***.

FOR/AGAINST: No one accepted Mr. Ristaino's invitation to speak either FOR or AGAINST the application.

MOTION: Based on probable compliance with ***Policy & Design Guidelines – Additions***, Mr. Norvell made a MOTION to APPROVE this proposal IN CONCEPT. Revised plans to HDC will show handrails, column/base detail, brackets, material labels. Mr. Duffy seconded.

VOTE: 7/0 AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, RISTAINO, YARBROUGH

NAYS: NONE

DECISION: FRONT PORCH ADDITION APPROVED IN CONCEPT.

Application: 420 West 5th Street – Addition.

This address is the Old Fire Station in Fourth Ward. The two story brick building is unusually pristine in its condition and lack of past renovations. It has been vacant for several years. The proposal is to create neighborhood meeting spaces and a coffee shop and will house church services on Sunday. The intent is keep the fire station in tact while adding onto the right side and the rear. The front and visible side will remain unaltered (with the exception of undoing a door change). This building is adjacent to the Vue (55 stories). An addition will infill a small space between the two buildings and wrap to the rear. Coffee shop space will be where the firetrucks parked inside and also out in front of the fire truck doors. Additional outdoor space will be on the roof. To take the pressure off the existing Fire Station building, the side addition will create an elevator tower, office space, meeting/office rooms, restrooms, and storage space. This is a Landmark structure and the Historic Landmarks Commission has reviewed and approved the plans.

Applicant Comments: Architect John Burgess said the plans honor the fire station while creating a substantial differentiation between the buildings.

New Owner David Docusen explained that his ministry wants to have a building that is used seven days a week for events, Sunday morning services, and the coffee shop. The side addition takes the burden off the original building by creating space for restrooms, offices, and meeting rooms.

FOR/AGAINST: No one accepted Mr. Ristaino's invitation to speak either FOR or AGAINST the application.

MOTION: Based on probable compliance with **Policy & Design Guidelines – Additions**, Ms. Glennon made a MOTION to APPROVE IN CONCEPT the plans with staff to see revised final plans which show all notes and dimensions. This proposal represents an excellent job of preserving a historic building and supporting the Historic Landmarks Commission recent conceptual approval. Ms. Ervin seconded.

VOTE: 7/0 AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, RISTAINO,
YARBROUGH

NAYS: NONE

DECISION: ADDITIONS/RENOVATION APPROVED IN CONCEPT.

Application: 1613 Wilmore Drive – Demolition.

This c. 1936 single story house is mid-block. Demolition is being sought because of the state of the house and nothing in place to add onto or repair.

Applicant Comments: Contractor Bobby Williams said the house is in a sad state from neglect and poor workmanship. There have been multiple additions, there is a 5' deep hole filled with

water in the crawl space, nothing meets code, there is serious mold and rot, the doors are three inches out of square.

Staff Recommendation: Mr. Howard recommended that the condition of the house warrants justification for immediate demolition.

FOR/AGAINST: No one accepted Mr. Ristaino's invitation to speak FOR or AGAINST the application.

MOTION: Based on the age of the house, Mr. Duffy made a MOTION that the house IS CONTRIBUTING but the house is NOT SALVAGEABLE and DEMOLITION may proceed. Ms. Glennon seconded.

VOTE: 7/0 AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, RISTAINO, YARBROUGH

NAYS: NONE

DECISION: HOUSE MAY BE DEMOLISHED.

Application: 224 Grandin Road – Addition.

This c. 1933 story and one half brick house is at the corner of Grandin Road and Fourth Street in the Wesley Heights neighborhood. The proposal is to add front facing gables, a front porch, a new chimney, twin connected gables on the left elevation, a small gable on the right elevation, remove existing chimney. Details will match the existing house.

Staff Recommendation: Mr. Howard said the proposed does meet the ***Policy & Design Guidelines – Additions*** but there is design concern over the small gable on the right elevation, and the heft of the added columns.

Applicant Comments: Owners Joyce and Jim Smith explained that this house has two bedrooms on the second floor that need to be expanded. The proposed dormers do this. Three feet will be added to the front porch. The front door will be rotated ninety degrees. The right gable addition is for stair well access. Shingles will be introduced in the second floor.

FOR/AGAINST: No one accepted Mr. Ristaino's invitation to speak either FOR or AGAINST the application.

MOTION: Based on the need for further information, Mr. Duffy made a MOTION to DEFER. Final plans will show column/base detail, trim detail, shingle mold, soffit material, brackets, left elevation organized, organize and align rear elevation, story band, corrected drawing re concrete lentil, window trim, thought out door choices, columns match all around. Ms. Glennon seconded.

VOTE: 7/0 AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, RISTAINO, YARBROUGH

NAYS: NONE

DECISION: APPLICATION DEFERRED.

Application: 1726 The Plaza – Addition.

This two story house is located at the corner of The Plaza and Chestnut Avenue in the Plaza Midwood neighborhood. A two story rear addition is planned for the rear and three new dormers in the front roof plane.

Applicant Comments: Architect Jessica Hindman said this is a Colonial revival house with wood siding. The addition speaks to the understated style. There is a tree house in the back yard that the addition will not overwhelm. The plan is to locate a home office in the attic – that is the reason for the addition of the front dormers. A big open covered porch is part of the rear addition.

FOR/AGAINST: No one accepted Mr. Ristaino's invitation to speak either FOR or AGAINST the application.

MOTION: Based on compliance with ***Policy & Design Guidelines – Additions***, Mr. Duffy made a MOTION to APPROVE with the suggestion that plans be revised to better establish how the 1st floor related to the 2nd floor, and that the windows be revisited for the second floor. Staff may approve revised plans if any revisions are made. Mr. Norvell seconded.

VOTE: 7/0 AYES: DUFFY, ERVIN, GLENNON, LABOVITZ, NORVELL, RISTAINO,
YARBROUGH

NAYS: NONE

DECISION: APPLICATION APPROVED WITH SUGGESTED RESTUDY (NOT REQUIRED).

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- Mr. Powers reported that the case of window replacement at 318 Settlers Lane will go to the ZBA. It will be asked that the ZBA remand it back to the HDC to be reheard due to lack of notification of DENIAL to the owner. The HDC unanimously voted to rehear this application if the ZBA remands it back to the HDC.

The meeting adjourned at 9:10 pm with a meeting length of six hours.

Wanda Birmingham, Assistant Administrator of the Historic District Commission