



CHARLOTTE

HISTORIC DISTRICT COMMISSION MINUTES

July 9, 2014

MEMBERS PRESENT: Mr. Tim Bender
Dr. Lili Corbus
Mr. Don Duffy
Mr. Tom Egan, Chair
Ms. Mattie Marshall
Mr. Dominick Ristaino, Vice Chair
Mr. Michael Sullivan
Ms. Tamara Titus

MEMBERS ABSENT: Mr. Rodric Lenhart
Ms. Debra Glennon
Ms. Lisa Yarbrough

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
Court Reporters

Mr. Egan called to order the Regular July meeting of the Historic District Commission at 3:03 pm. He began the meeting by introducing the Staff and Commissioners and explaining the procedure. All interested parties planning to give testimony – pro or con – must have completed a blue form and must be sworn in. Mr. Howard or Mrs. Birmingham will present a description of the proposed project. HDC Staff will then make a Staff recommendation based on compliance with the *Policy & Design Guidelines*. The Commission 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. The Applicant will be given an opportunity to respond to comments by interested parties. After hearing each application, the Commission will review, discuss, and consider the information that has been gathered and presented. A Motion for Approval, Deferral, or Denial will be made. All exhibits remain with the Commission. If an Applicant feels there is a conflict of interest of any Commissioner or there is an association that

would be prejudicial, it will be revealed at the beginning of the hearing of a particular case. The Commission is a quasi-judicial body and can accept only sworn testimony. Staff will report any additional comments received. While the Commission will not specifically exclude hearsay evidence, it is only given limited weight. Appeal from the Historic District Commission is to the Zoning Board of Adjustment. One has sixty (60) days from the date of the Approval or Denial to appeal. This is in accordance with Section 10.213 of the City Zoning Ordinance. Mr. Egan asked that everyone please turn to silent operation any electronic devices. Commissioners are asked to announce, for the record, if one leaves or arrives during the meeting. Mr. Egan said that those in the audience must be quiet during the hearings. He will ask once that an audience member be quiet and the need for a second request will be removal from the room.

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CONSENT AGENDA

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CONTINUED APPLICATIONS

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NEW APPLICATIONS

1609 The Plaza	Plaza Midwood
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CONSENT AGENDA APPLICATION: 420 E. Park Avenue – Landscape Plan

Moved to the Regular agenda.

CONSENT AGENDA APPLICATION: 922 E. Park Avenue – HVAC Screening

Moved to the Regular agenda.

CONSENT AGENDA APPLICATION: HDC 2014-134 - 914 Magnolia Avenue – Addition

The existing structure is a one and one half story c. 1925 bungalow listed as a Contributing structure in the Dilworth National Register survey. It is described as a house with low massing and broad gable roof. The property description in the National Register survey includes a low shed dormer on the front which has been removed.

The proposal, for Commission review, is to enclose a front door that is perpendicular to the street, to add a canopy over the side cellar stairway, and to add a shed dormer to the front roof slope. The dormer will have materials and trim detail to match the existing home. All other work (minor repair and rear addition) will be reviewed by staff.

STAFF RECOMMENDATION: The Commission will determine if the proposal meets the relevant guidelines for additions – massing, fenestration, rhythm, materials, and context.

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

MOTION: Based on compliance with *Policy & Design Guidelines – ADDITIONS*, Ms. Titus made a MOTION to APPROVE as submitted noting that the porch floor will be wooden tongue and groove installed perpendicular to the house.

VOTE: 8/0 **AYES:** BENDER, CORBUS, DUFFY, EGAN, MARSHALL,
RISTAINO, SULLIVAN, TITUS

NAYS: NONE

DECISION: APPLICATION FOR ADDITION APPROVED

APPLICATION: HDC 2014-125 - 420 E. Park Avenue – Landscape Plan

The existing structure is a new single family home approved by the Commission in October 2013. The approved site plan did not specify the location of HVAC units which have been installed in the left side yard.

The proposal is to obtain approval for the location, and screen the units with evergreen shrubs. The area on either side of the front porch is defined as part of the side yard in the zoning ordinance.

STAFF RECOMMENDATION: The proposed landscaping plan meets the guidelines for screening mechanical units in side yards.

FOR/AGAINST: Neighborhood resident John Phares spoke in opposition.

MOTION: Based on non-compliance with *Policy & Design Guidelines – HVAC Screening* Ms. Titus made a MOTION to DENY this application. Mr. Duffy seconded.

VOTE: 3/5 AYES: DUFFY, RISTAINO, TITUS

NAYS BENDER, CORBUS, EGAN, MARSHALL, SULLIVAN

DECISION: MOTION FAILED

MOTION: Based on compliance with *Policy & Design Guidelines – Mechanical Units*, Mr. Bender made a MOTION to APPROVE the location and screening. Ms. Marshall seconded.

VOTE: 5/3 AYES: BENDER, CORBUS, EGAN, MARSHALL, SULLIVAN

NAYS DUFFY, RISTAINO, TITUS

DECISION: HVAC LOCATION AND SCREENING APPROVED.

WHEN THE APPLICANT WAS ASKED IF (DUE TO PAST STATED OPINIONS) HE WOULD LIKE FOR MS. TITUS TO RECUSE HERSELF FROM DISCUSSION AND CONSIDERATION OF THE NEXT APPLICATION, HE ANSWERED YES AND MS. TITUS RECUSED HERSELF FOM THE COMMISSION.

APPLICATION: HDC 2014-126 - 922 E. Park Avenue – HVAC Screening

The existing structure is a new single family home approved by the Commission in May 2013. The approved site plan did not specify the location of HVAC units which have been installed in the left side yard.

The proposal is to screen the units with evergreen shrubs. The area on either side of the front porch is defined as part of the side yard in the Zoning Ordinance.

STAFF RECOMMENDATION: The proposed landscaping plan meets the guidelines for screening mechanical units in side yards.

FOR/AGAINST: Neighborhood resident John Phares spoke in opposition.

MOTION: Based on compliance with *Policy & Design Guidelines – Mechanical Units*, Mr. Duffy made a MOTION to APPROVE the location and screening. Mr. Ristaino seconded.

VOTE: 7/0

AYES: BENDER, CORBUS, DUFFY, EGAN, MARSHALL,
RISTAINO, SULLIVAN

NAYS NONE

DECISION: HVAC LOCATION AND SCREENING APPROVED.

APPLICATION: HDC 2014-027 -311 East Boulevard – Roof Replacement.

Based on the need for additional information this application was continued from the May and June 11 meetings of the HDC. Revised plans show more details of the proposed ridge and valley treatment. Photographs of the synthetic product installed are included.

The property is a one and one half story Colonial Revival building used for neighborhood businesses. The existing roof is slate and in need of repair or replacement. The structure is a designated local historic landmark.

The proposal is the replacement of the existing slate roof with a synthetic material with the appearance of slate shingles. The project was approved by the Historic Landmarks Commission and the State Historic Preservation Office in Raleigh.

STAFF RECOMMENDATION: Staff recommends approval based on prior approval from the SHPO and the Historic Landmarks Commission. The replacement shingle achieves a similar look to slate meeting the guidelines for Materials and Rhythm.

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

MOTION: Based on compliance with *Policy & Design Guidelines*. Mr. Ristaino made a MOTION to APPROVE with metal flashing to match anodized valley. Ms. Titus friendly amendment we are making an EXCEPTION to our guidelines based on the SHPO’s approval of the non-traditional building material, the Charlotte-Mecklenburg Landmarks Commission’s approval of the non-traditional building material, and our own opinion that the material meets the Secretary of the Interior’s Standards for Rehabilitation. Ms. Marshall seconded.

VOTE: 8/0

AYES: BENDER, CORBUS, DUFFY, EGAN, MARSHALL,
RISTAINO, SULLIVAN, TITUS

NAYS NONE

DECISION: SYNTHETIC SLATE AND APPLICATION METHODS OF TRIM APPROVED

The c. 1930 property is a single family home listed as a Contributing structure in the Dilworth National Register survey. It is a one and one half story bungalow with roof brackets and a broad gabled porch with paired columns.

The proposal is a second story addition that begins behind the front thermal wall and extends to the rear. The front elevation introduces a new gable over the porch that centers over the front door. Sidelights will be removed. Hand rails are to be added to the porch. The second story features materials (siding, roofing, windows, etc.), and details (brackets, window configuration, soffit/fascia treatment, overhang, etc.) that match the existing home. The left elevation removes the primary gable and a small window on the lower level and shifts a window to the center of the secondary gable. A portion of the lower level is removed in the front and the porch expanded. The rear elevation features a gable with brackets and the center chimney and existing dormer will be removed. The right elevation has similar design and impact as the left elevation with a different window arrangement. The approximate height is 29'-3". The foot print has not increased.

The revised proposal addresses the comments from the Commission regarding Massing, Fenestration and Rhythm. The proposed addition retains the existing front elevation. Side elevations introduce gables on the second story to break the massing of the roof. Fenestration patterns have changed on all elevations.

STAFF RECOMMENDATION: The Commission will determine if the revised plans satisfy the guidelines for Massing, Fenestration and Rhythm. The other guidelines for additions have been met.

FOR/AGAINST: Neighborhood Resident John Phares spoke in opposition.
Neighborhood resident Rick Cohen spoke in opposition.

MOTION: Based on compliance with *Policy & Design Guidelines – Additions*, Dr. Corbus made a MOTION to APPROVE as submitted. Ms. Marshall seconded.

VOTE: 6/2 AYES: BENDER, CORBUS, DUFFY, EGAN, MARSHALL,
RISTAINO,

NAYS SULLIVAN, TITUS

DECISION: APPLICATION OF ADDITION APPROVED

APPLICATION: **HDC 2014-117 - 1609 The Plaza – Solar Panels**

The existing structure is a c. 1938 one and a half story craftsman style bungalow. It has a full width shed roofed porch supported by tapered wood pillars on brick piers.

The proposal is for solar panels to be installed on the front porch shed roof.

STAFF RECOMMENDATION: The Commission will determine if the proposed location of solar panels significantly alter the original character of the property. Staff believes the proposal is incongruous with the Plaza Midwood Local Historic District.

FOR/AGAINST: Colton Southworth neighborhood resident spoke in favor.

MOTION: Based on no exception warranted to *Policy & Design Guidelines*. – **Additions**, Ms. Titus made a MOTION to DENY. Mr. Duffy seconded.

VOTE: 7/1 AYES: BENDER, DUFFY, EGAN, MARSHALL,
RISTAINO, SULLIVAN, TITUS

NAYS CORBUS

DECISION: APPLICATION FOR SOLAR PANELS DENIED AS PRESENTED.

APPLICATION: **HDC 2014-146** – 804 E. Worthington Avenue – Tree Removal

The existing structure is a c. 1925 two story bungalow. The applicant has removed several trees without submitting an application or verifying the health of mature trees.

The proposal is a request for after-the-fact approval of the tree removal and proposed landscaping plan.

STAFF RECOMMENDATION: Staff recommends a site plan to be submitted including replacement trees.

FOR/AGAINST: Neighborhood Resident John Phares spoke in opposition.
John Phares read letter of opposition by Marcia Rouse.

MOTION: Based on non-compliance with *Policy & Design Guidelines* – **Tree Removal**, Mr. Sullivan made a MOTION to DENY the tree removal. Ms. Titus seconded.

VOTE: 8/0 AYES: BENDER, CORBUS, DUFFY, EGAN, MARSHALL,
RISTAINO, SULLIVAN, TITUS

NAYS NONE

DECISION: TREE REMOVAL DENIED

DR. CORBUS WAS NOT IN THE ROOM FOR THE NEXT APPLICATION.

VOTE: 8/0 **AYES:** BENDER, CORBUS, DUFFY, EGAN, MARSHALL,
RISTAINO, SULLIVAN, TITUS

NAYS: NONE

DECISION: APPLICATION FOR NEW CONSTRUCTION APPROVED WITH REVISIONS FOR STAFF REVIEW.

APPLICATION: **HDC 2014-142** – 316 East Boulevard – Material Change

The existing structure is a two story Non-Contributing commercial structure constructed in 1980. The original siding material is wood. The right side, the left side, and the rear elevation have been changed to HardiePlank siding. The wood siding was dilapidated and beyond repair. Before the front was begun, the owner became aware of HDC and the requirement to apply for this type of renovation. Wood siding remains on the front.

The proposal is to allow a change in siding material to HardiePlank for the entire structure.

STAFF RECOMMENDATION: The Commission will determine if the use of a non-traditional building material is appropriate for this building.

FOR/AGAINST: Neighborhood Resident John Phares spoke in opposition.

MOTION: Based on no exception warranted to *Policy & Design Guidelines – Materials*, Ms. Titus made a MOTION to DENY. Mr. Duffy seconded.

VOTE: 5/3 **AYES:** DUFFY, MARSHALL, RISTAINO, SULLIVAN, TITUS

NAYS: BENDER, CORBUS, EGAN

DECISION: APPLICATION FOR MATERIAL CHANGE DENIED.

APPLICATION: **HDC 2014-133** – 906 Magnolia Avenue - Addition

The existing c. 1925 structure is a one story bungalow listed as a contributing structure in the Dilworth National Register survey. It has a high hipped roof with a bracketed front gable dormer and a side gable over the porch. The surrounding context is one, one and one half, and two story single family homes.

The proposal is an addition to right side not to be taller than the existing structure. A portion of the addition will extend beyond the existing right thermal wall. Materials, fenestration, and other building details will be consistent with the existing home.

STAFF RECOMMENDATION: The Commission shall determine if the proposal meets the guidelines for **ADDITIONS**. The guideline for Setback is not applicable.

FOR/AGAINST: Neighborhood Resident John Phares spoke in favor.

MOTION: Based on compliance with *Policy & Design Guidelines* – **ADDITIONS**, Mr. Ristaino made a MOTION to APPROVE as submitted. Dr. Corbus seconded.

VOTE: 8/0 AYES: BENDER, CORBUS, DUFFY, EGAN, MARSHALL,
RISTAINO, SULLIVAN, TITUS

NAYS: NONE

DECISION: APPLICATION FOR ADDITON APPROVED

APPLICATION: **HDC 2014-130** – 413 E. Worthington Avenue - Addition

The existing c. 1910/1930 structure is a one story bungalow listed as a Contributing structure in the Dilworth National Register survey. It has a high hipped roof and front gabled porch on square posts. The surrounding residential context is a variety of one, one and one half, and two story homes.

The proposal, for Commission review, is a small addition to the left side, and a 1980s addition on the rear will be added onto. The left elevation includes a covered porch under the new gable. The existing windows remain on the right elevation. New windows will be consistent with existing. The rear elevation introduces a uniform wall plane of the new addition with a gabled roof. Asbestos siding will be removed and the original siding will be restored or replaced to the original 5” reveal. New porch floor will be tongue and groove wood – installed perpendicular to house.

STAFF RECOMMENDATION: The Commission shall determine if the proposal meets the guidelines for additions. The guideline for Setback is not applicable

FOR/AGAINST: Neighborhood Resident John Phares spoke in favor of the addition/renovation and complimented the project as tastefully done.

MOTION: Based on compliance with *Policy & Design Guidelines*. Mr. Duffy made a MOTION to APPROVE with the any new siding to match the existing 5” reveal. Siding will be repaired or restored where possible. Ms. Titus seconded.

VOTE: 8/0 AYES: BENDER, CORBUS, DUFFY, EGAN, MARSHALL,

RISTAINO, SULLIVAN, TITUS

NAYS: NONE

DECISION: APPLICATION FOR ADDITON APPROVED

APPLICATION: **HDC 2014-131** – 1400 Pecan Avenue – Garage

The c. 1925 existing structure is a one story home on a corner lot. The surrounding context is a mix of one, one and one half, and two story homes. The neighboring corner lot has a one car detached garage.

The proposal is a detached two car garage in the rear yard with a planned accessory dwelling on the second story. Siding and trim materials will be wood. Other details include a carriage track driveway, exposed rafter tails, and eave brackets.

STAFF RECOMMENDATION: The Commission shall determine if the applicant meets guidelines for garages.

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

MOTION: Based the need for additional information Mr. Ristaino made a MOTION to CONTINUE. New drawings will show (1) the garage smaller than the house, (2) no corner boards with shake siding, (3) no rafter tails, (4) second story pulled in from sides, (5) lower hinge point of dormer, (6) gable changed, (7) garage door drawn in. Mr. Duffy seconded

VOTE: 7/1 AYES: BENDER, CORBUS, DUFFY, EGAN, MARSHALL,
 RISTAINO, SULLIVAN

NAYS: TITUS

DECISION: APPLICATION FOR GARAGE CONTINUED

APPLICATION: **HDC 2014-132** – 600 E. Worthington Avenue – Addition

The application was denied in February for Scale, Massing, Fenestration and Rhythm.

The subject property is a c. 1915 one and one half story bungalow that is listed as a Contributing structure in the Dilworth National Register survey. The house has a low hipped roof with hipped roofed dormers and engaged porch. The site is a corner lot that slopes gently from front to rear. The surrounding residential context is a mix of one, one and one half, and two story houses. The renovation is a Preservation Tax Credit project.

The proposal is a second story addition that begins behind the front wall plane toward the middle of the house and extends into the rear yard to include a new first floor. The addition is capped with a series of hip roofs matching the existing pitch. The materials will be wood siding with details and fenestration to match or complement existing.

Applicant Comments: Architect Allen Brooks said the SHPO has given preliminary approval requiring that the ceiling height in the formal rooms be maintained but the height can be lowered in rear rooms.

Owner Brian Flynn pointed out that they have taken a simple house and are adding a modest appropriate addition.

STAFF RECOMMENDATION: The Commission shall determine if the proposal meets the *Policy & Design Guidelines* regarding Scale, Massing, Fenestration, and Rhythm.

FOR/AGAINST: Neighborhood Resident John Phares spoke in favor of the addition and complimented the proposal.

MOTION: Based on compliance with *Policy & Design Guideline - Additions*. Mr. Duffy made a MOTION to APPROVE as submitted. Ms. Marshall seconded. It was suggested that the chimney be extended to the gutter line of the second floor.

VOTE: 8/0 **AYES:** BENDER, CORBUS, DUFFY, EGAN, MARSHALL,
RISTAINO, SULLIVAN, TITUS

NAYS: NONE

DECISION: ADDITON APPROVED.

The June minutes were approved unanimously. Dr. Corbus pointed out two votes to be corrected.

The meeting adjourned at 10:03 pm with a meeting length of seven hours.

Linda Keich, Clerk to the Historic District Commission