



Approved March 10, 2010

HISTORIC DISTRICT COMMISSION

MINUTES

February 10, 2010

MEMBERS PRESENT: Mr. Jonathan Crotty, Chair
Ms. Mary Ellen George, Vice Chair
Ms. Debra Glennon
Ms. Lucia Griffith
Mr. Greg Grueneich
Mr. Jeff Koenig
Mr. John Phares
Mr. Dominick Ristaino
Mr. Damon Rumsch

MEMBERS ABSENT: Ms. Barbara Highfill
Ms. Karen Rush

OTHERS PRESENT: Mr. John Rogers, Administrator
Historic District Commission
Ms. Wanda Birmingham, Secretary to the
Historic District Commission
Mr. Mujeeb Shah-Khan, Assistant City Attorney

With a quorum present, Chairman Crotty called the regular February meeting of the HDC to order at 3:09 pm. He began the meeting with a welcome to all in attendance and by swearing in those present (and continued to do so throughout the meeting as others arrived). Due to the quasi judicial nature of the Commission, staff and others who may speak are sworn in at every meeting. (Commissioners are sworn in by the City Clerk for the length of the appointment at the beginning of each term.) Mr. Crotty asked that everyone in attendance please sign in and when addressing the Commission to please state name and address for the record. Mr. Crotty explained the meeting process. The review of each application consists of two parts. The first is the presentation portion. Staff presents the application then Commissioners and those speaking on behalf of the application will discuss the project. Next, members of the audience will be asked if anyone present wishes to speak either FOR or AGAINST the application. Again, there will be an opportunity for comments and questions from the Commission and the applicant. The second part is the discussion and deliberation portion of the meeting. At this point, discussion of the application is limited to the Commission members and staff only. Unless the Commission votes to re-open the meeting to ask additional

questions or for clarification of some issue, the applicant and audience members do not participate in this portion of the discussion. Once discussion is complete, a MOTION will be made to APPROVE, DENY or DEFER and a vote will be taken. A simple majority vote of those Commissioners present is required for a decision. Mr. Crotty asked that all cell phones and any other electronic devices either turned off completely, or set to silent operation. He also asked that any Commissioner announce, for the record, their arrival and/or departure when this takes place during the meeting.

Index of Addresses:	1465 Haywood Court 928 East Park Avenue 303 Settlers Lane 1404 Pecan Avenue 1156 Linganore Place 1416/1418 4 th Street 1420/1422 4 th Street	Plaza Midwood Dilworth Fourth Ward Plaza Midwood Dilworth Wesley Heights Wesley Heights
---------------------	--	---

Application: 1465 Haywood Court – Demolition.

This mission style house is located at the dead end of Haywood Court on a large lot at the very edge of the Plaza Midwood Local Historic District. New owners purchased with the thought of renovating but have realized serious, long term water intrusion from the flat roof and run off not directed away from the house, heavy infestation of dangerous, toxic mold, and outdated construction methods.

FOR/AGAINST: Adjacent Property Owner John Kelly, said the remote location is prized. He did not necessarily want to speak in opposition of demolition but was more concerned about future development and the possible connection of this site to a new townhome development one street over.

Neighborhood Resident Donald Walker questioned the impact on the alley system.

MOTION: Based on location, execution of style, siting, and condition, Mr. Rumsch made a MOTION that this house is NOT a contributing structure to the Plaza Midwood Local Historic District.

VOTE: 5/4 AYES: CROTTY, GRUENEICH, GRIFFITH, KOENIG, RUMSCH
 NAYS: GEORGE, GLENNON, PHARES, RISTAINO

MOTION: Based on the determination that the house is Non Contributing, Mr. Rumsch made a MOTION to APPROVE DEMOLITION. Ms. Griffith seconded.

VOTE: 8/1 AYES: CROTTY, GEORGE, GLENNON, GRIFFITH, GRUENEICH, KOENIG, RISTAINO, RUMSCH

NAYS: PHARES

DECISION: HOUSE DETERMINED TO BE NON-CONTRIBUTING AND DEMOLITION APPROVED.

Application: 928 East Park Avenue – New Construction.

The architect is snowed in but the contractor, Mr. Harry Weibler, and the owner, Mrs. Jaime Rentch are present. This lot is vacant and until recently was the expansive side yard of the first house facing Dilworth Road West. Two additional legal lots were created by taking off a past addition to the house and then subdividing the entire parcel into three. A plan for new construction has recently been seen by the Commission and reaction, conversation, suggestions, and recommendations were shared with the project architect. Last month the MOTION specified a number of points. The result is that the revised plan shows: a smaller house, squared off porch, gate system over drive eliminated, two entrances – one on Dilworth Road West and one on East Park Avenue, simplified palette of materials, less roof, back loaded mass.

Applicant Comments: Contractor Harry Weibler said they will use high quality materials. Windows will be a combination of glass block, cottage style double hung, and casement. A question has arisen on the garage location possibility relative to property lines.

FOR/AGAINST: Adjacent Property Owner Jonathan Oesterle had points of concern and/or objection: (1) the garage is not located directly behind the house, (2) another arts & crafts house is too many, (3) the owners of the house promised to maintain the house after they moved away, (4) he wants the project halted on the grounds of deed restrictions.

Adjacent Property Owner Martin Bounds asked about the garage location and the possibility of mandating 'no garage'.

Adjacent Property Owner Diane bounds said they will see two very big new houses from their porch. A number of large trees will be removed.

MOTION: Based on the need for further information, Ms. Griffith made a MOTION to DEFER the application for revised plans which show: (1) tree mitigation, (2) accurate drawings, (3) a lower foundation, (4) a breaking up of the Dilworth Road West elevation with architectural features added, (5) relocation of two windows on side elevation, (6) break-up of side elevation, (7) increased overhang dimension, (8) all details, (9) beefed up entry element on primary entrance, (10) accurate cross section re tree roots, (11) exact garage location, (12) East Park Avenue elevation corrected, (13) window simplification, (14) streetscape exhibit with the

new house plugged in from both streets, (15) an exhibit of adjacent house footprints with the new one added – include both streets. Mr. Phares seconded.

VOTE: 9/0 AYES: CROTTY, GEORGE, GLENNON, GRIFFITH, GRUENEICH, KOENIG,
PHARES, RISTAINO, RUMSCH

NAYS: NONE

DECISION: NEW CONSTRUCTION APPLICATION DEFERRED FOR MORE
INFORMATION.

Mr. Koenig declared a conflict of interest as an Adjacent Property Owner and removed himself from the Commission for the following application.

Application: 303 Settlers Lane – Addition of Planter Box and Pergola.

A wooden flower/planter box has been added to the leading edge of the past approved carport of one unit of this c. 1980 condominium development. A wooden pergola frame to hold climbing vines has been attached with brackets in front of the planter box. The Commission has never thought it necessary to review planter/flower boxes as long as they are not something plastic attached to the house. But since this came to the attention of staff from a neighbor, it was put on the agenda for the protection of all.

FOR/AGAINST: Two letters of opposition were received in reply to Adjacent Property Owner Notification.

Adjacent Property Owner Jeff Koenig complimented Ms. Clark on the execution of the carport which was justified by this unit which was always different from the others. His only concern was that every homeowner would want to attach a window box to their units.

Applicant Comments: Property Owner and former HDC Member Amy Clark said she made a mistake about starting before getting approval but was under the assumption that no approval or review was necessary. The pergola frame is to grow vines to soften the front edge of the carport and the planter box will be much neater than looking at a number of flower pots.

MOTION: Based on compliance with ***Policy & Design Guidelines – Landscaping*** and the ***Secretary of the Interior's Standards for Rehabilitation – I, J***, Ms. Griffith made a MOTION to APPROVE the planter box and bracketed pergola (with no membrane) as landscape features. Mr. Phares seconded.

VOTE: 8/0 AYES: CROTTY, GEORGE, GLENNON, GRIFFITH, GRUENEICH, PHARES, RISTAINO, RUMSCH

NAYS: NONE

DECISION: PLANTER BOX AND PERGOLA APPROVED.

Application: 1401 Pecan Avenue – Addition.

This is an early house with two front facing gables. The proposed second floor addition neither increases the house footprint nor changes the front. The addition will be beyond the ridge. The hip will be extended to the rear. A shed dormer with a peaked gable element will be added to the right elevation with casement windows. A small shed will be on the left. All materials will match.

Applicant Comments: Angie Lauer said they propose to add a band between colors. Shingles will be added to front gables. New windows will match existing.

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

MOTION: Based on compliance with ***Policy & Design Guidelines – Additions***, Ms. George made a MOTION to APPROVE revised plans for staff to see which include: (1) elimination of peak on shed dormer, leaving a simple shed, (2) lowered plate height, (3) window change. Mr. Ristaino seconded.

VOTE: 8/1 AYES: CROTTY, GEORGE, GLENNON, GRIFFITH, KOENIG, PHARES, RISTAINO, RUMSCH

NAYS: GRIFFITH

DECISION: ADDITION APPROVED WITH STAFF TO SEE REVISIONS.

Application: 1156 Linganore Place – Addition.

This house sits high on a hill at the intersection of Linganore Place and Romany Road. It is a contemporary infill house built in the 1960s. In the gable facing Romany Road, a single upper window is off center. The plan is to replace the single window with a centered set of three to match others on the house. A rear entry roof element will be hinged to the house at a lower attachment point, creating the space above the door for a band of windows in the roof upstairs. All materials will match existing.

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

MOTION: Based on compliance with ***Policy & Design Guidelines – Additions***, Mr. Rumsch made a MOTION to APPROVE the changes as submitted with the understanding that the new windows on the rear will be centered over the rear door.

Mr. Phares left at 5:40 pm and was not present for the remainder of the meeting.

VOTE: 8/0 AYES: CROTTY, GEORGE, GLENNON, GRIFFITH, GRUENEICH,
KOENIG, RISTAINO, RUMSCH

NAYS: NONE

DECISION: CHANGES APPROVED.

Mr. Grueneich declared a conflict of interest as an Adjacent Property Owner and removed himself from the Commission for the next two applications.

Application: 1416/1418 4th Street – Demolition.

This is a c. 1939 brick duplex which is under Code Enforcement with the City due to deteriorated condition of the structure. The owners say they will tear the building down and have no problem with waiting a year.

MOTION: Based on the National Register determination of Contributing for this property, Ms. George made a MOTION to recognize this structure as Contributing to the Wesley Heights Local Historic District. Mr. Koenig seconded.

VOTE: 7/0 AYES: CROTTY, GEORGE, GLENNON, GRIFFITH, KOENIG ,
RISTAINO, RUMSCH

NAYS: NONE

FOR/AGAINST: Adjacent Property Owner Greg Grueneich said he certainly thinks the building should remain and maintained but the owners have no interest in doing that. Remaining empty for a year may be a bigger detriment to the neighborhood than tearing the duplexes down.

MOTION: Based on the structure being determined to be Contributing, Mr. Koenig made a MOTION to do the maximum that HDC can do to save a structure and that is to impose a 365 day Stay of Demolition. Staff is instructed to contact all preservation bodies in case there is an opportunity to move the house to another lot. Mr. Ristaino seconded.

VOTE: 5/1/1 AYES: GEORGE, GLENNON, KOENIG, RISTAINO, RUMSCH

NAYS: GRIFFITH

ABSTAIN: CROTTY

DECISION: STRUCTURE DETERMINED TO BE CONTRIBUTING AND DEMOLITION DELAYED WITH DIRECTION TO STAFF.

Application: 1420/1422 4th Street – Demolition

This duplex is owned by the same owner but is not under Code Enforcement by the City yet. The owners are seeking approval for DEMOLITION for the reason or ‘risk reduction’.

MOTION: Based on the National Register determination of Contributing for this property, Ms. George made a MOTION to recognize this structure as Contributing to the Wesley Heights Local Historic District. Mr. Rumsch seconded.

VOTE: 7/0 AYES: CROTTY, GEORGE, GLENNON, GRIFFITH, KOENIG, RISTAINO, RUMSCH

NAYS: NONE

MOTION: Based on the structure being determined to be Contributing, Mr. Koenig made a MOTION to do the maximum that HDC can do to save a structure and that is to impose a 365 day Stay of Demolition. Staff is instructed to contact all preservation bodies in case there is an opportunity to move the house to another lot. Mr. Ristaino seconded.

VOTE: 6/1 AYES: CROTTY, GEORGE, GLENNON, KOENIG, RISTAINO, RUMSCH

NAYS: GRIFFITH

DECISION: STRUCTURE DETERMINED TO BE CONTRIBUTING AND DEMOLITION DELAYED WITH DIRECTION TO STAFF.

Mr. Rogers reported that the proposed Wilmore Local Historic District will be in front of the Commission in March for a recommendation to the State. If the Commission votes affirmation, then the recommendation will be sent to SHPO who will then have 30 days to respond that it qualifies or other comments. The issue will proceed to City Council in April for a May decision. Under State law, once the Commission votes to endorse, no DEMOLITION can take place for 180 days or until a decision on the designation process is had. The neighborhood and Greater Galilee are working together for mutual support.

Ms. Griffith shared two issues that have come up: (1) open space in rear yards, and (2) Guidelines revisions. A Planning Commission member has questioned the lack of neighborhood input in the ***Policy & Design Guidelines*** creation/revision process. A meeting has been set up to clarify that a requirement for neighborhood input will not be created. It is not a stakeholder process but a clear direction to a quasi judicial body to create guidelines.

Mr. Rogers reported that the possibility of Conservation Districts is being explored and the process will start in the summer.

Minutes were unanimously approved with direction to report any changes that need to be made to Mrs. Birmingham.

The meeting adjourned at 6:30 pm with a meeting length of 3 hours and 21 minutes.

Wanda Birmingham, Secretary to the Historic District Commission