



HISTORIC DISTRICT COMMISSION  
MINUTES  
October 16, 2013

MEMBERS PRESENT: Mr. Tim Bender  
Dr. Lili Corbus  
Mr. Don Duffy  
Ms. Debra Glennon, 2<sup>nd</sup> Vice Chair  
Ms. Karen Labovitz  
Ms. Mattie Marshall  
Mr. Dominick Ristaino, Vice Chair  
Ms. Lisa Yarborough

MEMBERS ABSENT: Mr. Roger Dahnert  
Mr. Tom Egan (Chair)  
Ms. I-Mei Ervin  
Mr. Brad Norvell

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. Ristaino called to order the Special HDC meeting October 16, 2013 at 11:25 am by introducing the staff and Commissioners. 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. An 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 any 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. 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.

Index of Addresses:	801 Romany Road	Dilworth
	1611 Mimosa Avenue	Plaza Midwood

Mr. Duffy declared a conflict of interest and removed himself from the Commission for the first application.

Application: 801 Romany Road – Front Porch Addition

The two story brick dwelling was built in 1948 between Myrtle Avenue and Carlton Avenue across from Latta Park. It is bound by other single structures. There is a screened in porch on the side of the home with a terrace above. The driveway is along the porch side.

The proposal is a two-story addition that replaces the screened porch. The new addition will be to the outside the existing two story element with a front facing gable. Materials (including brick, windows, trim) and details (including quoins, window configuration,

soffit/fascia treatment, overhang, roof design) will match the existing structure. A separate application proposes a porch and second story terrace on right side of the front façade.

This was approved in concept back in July. The applicant has submitted revised porch details including a revised site plan and detailed drawings of the porch including revised elevations to show the column base design and section drawings for the column and beam connection.

Staff Recommendation: John Howard said the addition meets the Guidelines in terms of Size, Scale, Massing, Fenestration, Rhythm, Setback, Materials and Context.

MOTION: Based compliance with **Policy & Design Guidelines – Additions**, Mr. Duffy made a motion to APPROVE as drawn. Ms. Glennon seconded the motion.

VOTE: 8/0                      AYES: BENDER, CORBUS, DUFFY, GLENNON, LABOVITZ,  
MARSHALL, RISTAINO, YARBROUGH

NAY: NONE

DECISION: APPROVED AS DRAWN

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Mr. Ristaino declared a conflict of interest and removed himself from the Commission for the next application.

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Application:                      1611 Mimosa Avenue – Addition

The existing home is a 1.5 Storey Cape Cod style built in 1950. Adjacent structures are primarily 1.5 storey single family homes of various styles.

The proposal is a one storey addition to the rear and partially to the left and right side. The side extensions accommodate interior space for a mud room on the left side and bathroom on the right. The remainder of the addition will not be visible from the street.

Staff Recommendation: Mr. Howard said the addition meets the applicable Guidelines for Size, Scale, Massing, Fenestration, Rhythm, Materials and Context.

MOTION: Based on compliance with **Policy & Design Guidelines** – Mr. Duffy made a motion to approve with the following concerns to come back to staff 1) keep

dormers, 2) keep 6/6 windows, 3) maintain boxing details, 4) site plan showing sidewalk, driveway, trees and vegetation, 5) maintain style

VOTE: 6/1

AYES: CORBUS, DUFFY, GLENNON, LABOVITZ, MARSHALL, YARBROUGH

NAYS: BENDER

DECISION: APPLICATION APPROVED WITH MODIFICATIONS WHICH STAFF MAY REVIEW

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The meeting adjourned at 12:15 pm with a meeting length of 50 minutes.

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Linda Keich, Clerk to the Historic District Commission