



CHARLOTTE

HISTORIC DISTRICT COMMISSION MINUTES

June 11, 2014

MEMBERS PRESENT: Dr. Lili Corbus
Mr. Don Duffy
Mr. Tom Egan, Chair
Ms. Karen Labovitz
Mr. Rodric Lenhart
Ms. Mattie Marshall
Mr. Dominick Ristaino, Vice Chair
Ms. Tamara Titus

MEMBERS ABSENT: Mr. Tim Bender
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 June 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. An HDC Staff member 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 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. 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 and: consider and adopt a Motion for Approval, Deferral, or Denial. 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, 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.

Index of Addresses:

CONTINUED APPLICATIONS

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812 Lexington Avenue	Dilworth

NEW APPLICATIONS

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131 Grandin Road	Wesley Heights
525 East Boulevard	Dilworth
1432 Pecan Avenue	Plaza Midwood
400 Hermitage Court	Hermitage Court

APPLICATION: 812 Lexington Avenue – Addition.

Based on the need for additional information this application was Continued from the May 21st meeting due to the need for additional information: a streetscape exhibit, the addition of boxing details on the plans, and a show of handrails if they are required by Code.

The existing structure is a one and one half story home constructed in 1929 and listed as a Contributing structure in the Dilworth National Register survey. The home has a large front gable roof.

The proposal is a second floor addition within the existing footprint, including a second floor balcony over a new rear porch. The second floor will be accomplished with a new cross gable roof and new rear shed dormer. The height is approximately 24'-7" from finished floor the ridge. A new set of paired windows will replace the existing window in the front gable. New windows will match existing. Siding will be wood and the gable will be stucco and board and batten.

STAFF RECOMMENDATION: The project meets the guidelines for additions.

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 – Addition* Mr. Duffy made a MOTION to APPROVE as submitted. Mr. Lenhart seconded.

VOTE: 8/0 AYES: CORBUS, DUFFY, EGAN, LABOVITZ, LENHART, MARSHALL RISTAINO, TITUS

NAYS: NONE

DECISION: APPLICATION APPROVED.

APPLICATION: 311 East Boulevard – Roof Replacement.

Based on the need for additional information this application was Continued from the May 21st meeting due to the need for additional information: missing dimensions will be added to revised plans, a sample of the existing slate will be submitted, a photograph of how the material will be completed will be submitted.

The property is a one and one half story Colonial Revival building which has been in a business use for many years (restaurant). The original roof is slate and is failing and in need of replacement. The building is listed as a Contributing structure in the Dilworth National Register Survey. It is also a designated Local Historic Landmark. The Historic Landmarks Commission and the State Historic Preservation Office has signed off on the installation of the artificial slate product proposed.

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.

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

FOR/AGAINST: None

MOTION: Based on the need for additional information Ms. Titus made a MOTION to CONTINUE this application for revised plans which show more details of the proposed ridge and valley treatment and show photos of installation in full. Ms. Labovitz seconded.

VOTE: 8/0 AYES: CORBUS, DUFFY, EGAN, LABOVITZ, LENHART, MARSHALL RISTAINO, TITUS

NAYS: NONE

DECISION: APPLICATION OF SYNTHETIC SLATE CONTINUED FOR ADDITIONAL INFORMATION.

DR. CORBUS WAS OUT OF THE ROOM FOR THE NEXT APPLICATION.

APPLICATION: 910 E Worthington Avenue – Addition

The existing property is a single family home built in 1920 and 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 the front door but removes the side vents. Hand rails are added to the porch. The second story features materials, brackets, window design and other details to 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 removes the center chimney and existing dormer. The right elevation has similar design and impacts as the left elevation with a different window arrangement. The approximate height is 29'-3". The foot print has not increased.

STAFF RECOMMENDATION: The guidelines for scale, massing, fenestration and rhythm should be discussed by the Commission. The guidelines for materials and context appear to have been met. The footprint has not expanded, therefore size and setback are not applicable.

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

MOTION: Based on the need for additional information Mr. Duffy made a MOTION to CONTINUE this application for further design study regarding (1) massing, (2) fenestration, (3) rhythm. Ms. Marshall seconded.

VOTE: 7/1 **AYES:** BENDER, DUFFY, EGAN, GLENNON, LENHART, LUKE, RISTAINO

NAYS: TITUS

DECISION: APPLICATION CONTINUED FOR ADDITIONAL INFORMATION.

APPLICATION: 1830 Ewing Avenue – Painted Brick

The existing home is a two story Colonial Revival brick home listed as a Contributing structure in the Dilworth National Register survey. It is on the corner of Ewing Avenue and Worthington Avenue and was once a duplex that has been converted to a single family residence.

The owner painted the home in April and was issued a Notice of Violation April 23rd. The applicant has submitted photographs of the home prior to painting.

Applicant Comments: Owner William Foster said he did not know that painting was an issue than needed approval. He pointed out past bad renovations and horrible mortar work. He had completed ½ of the house when he became aware. He said added brick did not match in color, texture, as well as mortar. He was not informed when he bought the house and asked that all new owners somehow get a copy of the *Policy & Design Guidelines*.

STAFF RECOMMENDATION: The Commission shall discuss appropriate solutions to mitigate the act without further damaging the structure and/or pursue other remedies, including those outlined in the Notice of Violation.

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

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

VOTE: 8/0 **AYES:** CORBUS, DUFFY, EGAN, LABOVITZ, LENHART,
MARSHALL RISTAINO, TITUS

NAYS: NONE

DECISION: PAINTING OF BRICK HOUSE DENIED.

MR. RISTAINO DECLARED A CONFLICT OF INTEREST AND REMOVED HIMSELF FROM THE COMMISSION FOR THE NEXT APPLICATION/.

APPLICATION: 131 Grandin Road – Demolition

The existing structure is a brick two story quadruplex c. 1939 anchoring the corner. Adjacent duplexes were demolished several years ago leaving a large 2.7 acre vacant piece of land but for the subject quad. It is listed as a Contributing structure in the Wesley Heights National Register. The four-unit building has a hipped roof which extends over two story porches supported by brick piers. Across the street is the former Bethel AME Church (c. 1927), an assortment of older single family homes, and Walnut Hill (c. 2007), a town house development. The exterior of the structure appears to be in good condition.

The proposal is to demolish the quadruplex. A plan is being developed for a multi-family venture. They will look at saving and incorporating the existing quad but for now are requesting Demolition to get the clock ticking. The building seems to be structurally sound.

STAFF RECOMMENDATION: The Commission should determine if the 365-day delay shall be placed on the structure. Staff recommends the 365 day delay.

FOR/AGAINST: Marcia Rouse neighborhood resident spoke in opposition of Demolition.
John Phares neighborhood resident spoke in opposition of Demolition.

MOTION: Based on the age, style, and condition of the building, Mr. Duffy made a MOTION to recognize this as a Contributing structure to the Wesley Heights Local Historic District. Ms. Titus seconded.

VOTE: 7/0 **AYES:** CORBUS, DUFFY, EGAN, LABOVITZ, LENHART,
MARSHALL, TITUS

NAYS: NONE

MOTION: Based on *Policy & Design Guidelines – Demolition*, Mr. Duffy made a MOTION to impose the maximum 365 Day Stay of Demolition. Mr. Lenhart seconded

VOTE: **AYES:** CORBUS, DUFFY, EGAN, LABOVITZ, LENHART,
MARSHALL, TITUS

NAYS: NONE

DECISION: PROPERTY DETERMINED TO BE CONTRIBUTING AND THE 365 DAY STAY OF DEMOLITION IS IMPOSED.

APPLICATION: 525 East Boulevard – New Construction.

The existing site is a vacant parcel at the corner of East Boulevard and Winthrop Avenue. The previously existing building was a two-story stucco multi-family building c.1911 with a hipped roof and one story porches. The structure was destroyed by fire in 2006. The block currently consists of two story buildings facing East Boulevard and story and one half homes on Winthrop Avenue. Across the street is a mix of uses including churches, office, and retail of varying heights and setbacks. The setback along the block face of East Boulevard and Winthrop Avenue is relatively consistent.

The proposal is a 3.5 story townhouse development with two separate buildings joined by a center courtyard. Front doors will face three sides. The exterior materials will be pebble dash,

stucco, heavy textured brick, and wood. Units facing East Boulevard will have porches on the street level and above. Winthrop Avenue porches will be recessed. The building height is approximately 39'-9" from grade. The three facades feature a balanced fenestration pattern, a series of hipped roofs, and design elements salvaged from the original building. Each unit will have a rear entry garage.

Applicant Comments: Owner Richard Bartlett explained that the HVAC units will be located behind a screen wall on the upper floor. This new building is probably shorter than original. The setbacks have been pulled in from the line of the original building. The new building is ten feet shorter on the alley side. Four less units are being proposed. CDOT has said the alley must be left as is.

STAFF RECOMMENDATION: The commission shall determine if the proposal meets the guidelines for new construction.

FOR/AGAINST: Neighborhood Resident Peter Bove spoke in opposition.
Neighborhood Resident Sara Spencer spoke in opposition.
Adjacent Property Owner Carly West spoke in opposition.
Neighborhood Resident George Sistrunk spoke in opposition.
Neighborhood Resident Marcia Rouse spoke in opposition.
Neighborhood Resident Elizabeth Davant spoke in opposition.
Neighborhood Resident Joe Davant spoke in opposition.
Neighborhood Resident Jamie Brown in opposition.
Neighborhood Resident Shelley Wayful spoke in opposition.
Neighborhood Resident Jeff Tonidandel spoke in opposition.

MOTION: Based on non-compliance with *Policy & Design Guidelines – New Construction* Ms. Titus made a MOTION to DENY the new construction as inappropriate in the areas of Size, Scale, Massing, Setback, and Context. Ms. Labovitz seconded.

VOTE: 8/0 AYES: CORBUS, DUFFY, EGAN, LABOVITZ, LENHART,
MARSHALL RISTAINO, TITUS

NAYS: NONE

DECISION: NEW CONSTRUCTION PROPOSAL DENIED.

APPLICATION: 1432 Pecan Avenue – Accessory Structure

The existing residence is a 1.5 story bungalow constructed in 1929 at the corner of Pecan Avenue and School Street. The adjacent dwelling is a two story structure constructed in 1925. The subject property has a rear yard with a depth of approximately 19 feet, creating a legally non-conforming condition (the minimum rear yard in the R-5 zoning district is 35 feet). *Policy*

& Design Guidelines do not support an outbuilding in the side yard therefore a request for an exception comes to the full HDC.

The applicant is requesting an exception to the guidelines for accessory buildings. The proposal is a detached 6’x6’ accessory building in the right side yard. The building must have a minimum building separation of 4 feet. The proposed building is 10 feet in height. Siding is proposed to be T 111, and roofing to be asphalt shingles to match the home. The door would face the right side.

STAFF RECOMMENDATION: The Commission shall determine if an exception should be granted for the accessory building location.

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

MOTION: Based on no exception warranted to *Policy & Design Guidelines – Accessory Structures*, Ms. Marshall made a MOTION to DENY the outbuilding being placed in the side yard.

VOTE: 7/1 AYES: CORBUS, EGAN, LABOVITZ, LENHART,
MARSHALL RISTAINO, TITUS

NAYS: DUFFY

DECISION: ACCESSORY STRUCTURE TO BE LOCATED IN SIDE YARD DENIED.

APPLICATION: 400 Hermitage Court –New Construction

The existing parcel is a combination of lots creating the proposed site at the corner of Hermitage Court and Providence Road. There is an existing two story structure on the corner facing Hermitage Court that will remain. All of the site is not in the Hermitage Court Local Historic District. The house on the corner and the proposed addition to it are in, the lot to the rear adjacent to the multi-story nursing home is on partially in. Another house facing Providence is not in. Adjacent properties along Hermitage Court are a mix of one and two story dwellings, to the rear is the nursing home, across the street are tennis courts. The site is slightly elevated above the street. To the rear is a three story institutional use.

The proposal is a renovation/addition of the existing two story structure and the construction of homes and garages behind it. The new structures include two story single family detached and attached structures. Proposed details include front porches, gabled roofs, roof brackets, wide eaves, and other historic details. A drive off Hermitage Court and down through the middle of the site provides access to all the homes and garages.

STAFF RECOMMENDATION: The Commission shall determine if the proposal meets the guidelines for new construction.

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

MOTION: Based on the need for additional information Dr. Corbus made a MOTION to CONTINUE this application based on the need for further design study regarding (1) massing of the connector vs. the existing house and the new addition, (2) side fenestration of the proposed house. Mr. Lenhart seconded.

VOTE: 8/0 **AYES:** CORBUS, DUFFY, EGAN, LABOVITZ, LENHART, MARSHALL, RISTAINO, TITUS

NAYS: NONE

DECISION: APPLICATION CONTINUED FOR FURTHER DESIGN STUDY.

The meeting adjourned at 8:50 pm with a meeting length of five hours and forty seven minutes.

Linda Keich, Clerk to the Historic District Commission