



CHARLOTTE

HISTORIC DISTRICT COMMISSION
August 9, 2017

MINUTES

MEMBERS PRESENT: Mr. James Haden, Chair
Ms. Jana Hartenstine
Mr. P. J. Henningson
Ms. Jessica Hindman, Vice-Chair
Ms. Mattie Marshall
Mr. Damon Rumsch
Ms. Tamara Titus, 2nd Vice-Chair

MEMBERS ABSENT: Ms. Jill Walker
Ms. Claire Stephens
Two Vacancies

OTHERS PRESENT: Mr. John Howard, Administrator of the Historic District Commission
Ms. Kristi Harpst, Staff of the Historic District Commission
Ms. Wanda Birmingham, Staff of the Historic District Commission
Ms. Linda Keich, Clerk to the Historic District Commission
Mr. Thomas Powers, Assistant City Attorney for the City of Charlotte
Adkins Court Reporters

Mr. Howard introduced Michelle McCullough, David Reese, and April Johnson. They are from the Historic District Commission in Winston Salem and are visiting Charlotte to observe how issues are addressed that are common to both Commissions.

With a quorum present, Mr. Haden called the regular August meeting of the Historic District Commission meeting to order at 1:03 pm. He began the meeting by introducing the Staff and Commissioners and explaining the meeting procedure. All interested parties planning to give testimony – FOR or AGAINST – must submit a form to speak and must be sworn in. Staff will present a description of the proposed project to the Commission. The Commission will first determine if there is sufficient information to proceed. If proceeding, Commissioners and the applicants will then discuss the project. Audience members signed up to speak either FOR or AGAINST will be called to the podium for each agenda item. Presentations by the applicants and audience members must be concise and focused on the **Historic District 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. 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. During discussion and deliberation, only the Commission and Staff may speak. The Commission may vote to reopen this part of the meeting for questions, comments, or clarification. Once the review is completed, a MOTION will be made to Approve, Deny, or Continue the review of the application at a future meeting. A majority vote of the Commission members present is required for a decision to be reached. 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, that should 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 and 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 decision to appeal. This is in accordance with Section 10.213 of the City Zoning Ordinance. Chairman Haden 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. Haden said that those in the audience must be quiet during the hearings. An audience member will be asked once to be quiet and the need for a second request will be removal from the room. Mr. Haden swore in all applicants and Staff, and he continued to swear in people as they arrived for the duration of the meeting.

Index of Addresses:

NOT HEARD IN JULY

HDC 2017-376	1747 Merriman Avenue	Wilmore
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NEW APPLICATIONS

HDC 2017-407	2116 Charlotte Drive	Dilworth
HDC 2017-444	300 E. Worthington Avenue	Dilworth
HDC 2017-445	514 W. Kingston Avenue	Wilmore
HDC 2017-453	615 Walnut Avenue	Wesley Heights
HDC 2017-450	319 E. Worthington Avenue	Dilworth
HDC 2017-429	804 E. Kingston Avenue	Dilworth
HDC 2017-439	301 W. Kingston Avenue	Wilmore
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APPLICATION: HDC 2017-376, 1747 MERRIMAN AVENUE – TREE REMOVAL

EXISTING CONDITIONS

The site is single family property with a gravel driveway in the front and side yard. A large tree prevents adequate access to the side yard and the rear. Another large tree is growing into the foundation of the front of the house.

Applicant Comments

The applicant stated she needs the driveway widened to be able to drive to the rear of the property.

PROPOSAL

The applicant is requesting the removal of the tree on the right side to construct a concrete one car driveway to the rear of the property for access to a future garage. The tree, in its current location, impedes access to the rear yard. The applicant is also requesting the removal of a pine tree in the front yard adjacent to the elm tree in the front yard because it is close to the house and will be damaged if the other tree is removed.

STAFF RECOMMENDATION

The Commission shall determine if tree removal is appropriate and replacement, if possible.

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

MOTION: Based on non-compliance with the *Policy & Design Guidelines – Tree Removal*, Mr. Rumsch made a **MOTION** to **DENY** this application for the removal of mature trees.
Ms. Marshall seconded.

NOTE: Additional evidence could bring this request back to the Commission.

VOTE: 7/0 **AYES:** HADEN, HARTENSTINE, HENINGSON, HINDMAN, MARSHALL, RUMSCH, TITUS

NAYS: NONE

DECISION: TREE REMOVAL DENIED

APPLICATION: HDC 2017-244-408 WALNUT AVENUE – TREE REMOVAL/LANDSCAPING SITE FEATURES

The application was continued from July for additional information and details.

EXISTING CONDITIONS

The existing home is c. 1936 one story brick Bungalow. The land falls approximately 8-10 feet from front to back. It is listed as a Contributing structure in the Wesley Heights National Register of Historic Places Survey. A COA for a detached garage and site improvements was issued in 2016. A stop work order was issued due to additional work performed without a COA.

PROPOSAL

This application is to address all unaddressed issues and the tree removal.

STAFF RECOMMENDATION

A stop work order was issued for the following:

- Retaining walls
- Fencing
- Porch column addition

Revised plans include:

- Site plan –full landscape plan, wall materials, and light fixture locations
- Elevations – Fencing and hand rail details included
- Fixtures – Spec sheet for outdoor lighting is included

FOR/AGAINST: Adjacent Property Owner Christi Derreberry stated that she had the tree on the property line evaluated by a Certified Arborist and did everything recommended. She does not want the property line tree removed.

Mark Livingston, Trak Certified Arborist with Arboguard, reported that the tree will not make it due to the construction and is in favor of the tree removal.

MOTION: Based on compliance with *Policy & Design Guidelines – Tree Removal*, Mr. Henningson made a **MOTION** to **APPROVE** the tree removal of the Pecan Tree on the property line, because of the detailed report from Arboguard, which indicates the tree is damaged and is a hazard and should be removed.

Mr. Rumsch seconded.

VOTE: 6/1 **AYES:** HADEN, HARTENSTINE, HENINGSON, HINDMAN, RUMSCH, TITUS,
NAYS: MARSHALL

DECISION: TREE REMOVAL APPROVED

MOTION: Based on compliance with *Policy & Design Guidelines – Landscaping/Site features*, Mr. Henningson made a **MOTION** to **APPROVE**

- fencing not to exceed 6 feet
 - Aluminum gates
 - Lamp posts
 - Walkway between the house and the sidewalk, provided it is made out of concrete, brick or a dimensional stone
 - Deny stone cheek walls and they should be replaced with brick that closely matches with either site cast stone caps or rowlock brick as a cap.

Ms. Titus seconded.

VOTE: 7/0 **AYES:** HADEN, HARTENSTINE, HENINGSON, HINDMAN, MARSHALL, RUMSCH, TITUS,
NAYS: NONE

DECISION: LANDSCAPE SITE FEATURES APPROVED.

APPLICATION: HDC 2017-364 – 1508 DILWORTH ROAD – ACCESSORY STRUCTURE

The application was continued from June for the following:
Further design study or alternative site options that would not require removal of the large trees in the rear yard.

EXISTING CONDITIONS

The existing house is a large c. 1927 two and one half story Colonial Revival/Georgian style home with a brick side porch, and crenellated roof line. The house is listed as a Contributing Structure in the Dilworth National Register of Historic Places Survey. The site has an expansive front yard, front terrace, a pool, and other landscape features.

PROPOSAL

The project is a proposed detached garage to be located in the right rear yard. Its approval would require the removal of two large trees. Three large trees will remain. A porch on the left side is also proposed. The detached one and one half story garage is approximately 24' in height. Exterior materials include wood lapped siding, wood trim, cedar shake roof, wooden doors. Windows and trim will match the house. The applicant has submitted additional design options that were considered, to eliminate the need to remove trees, but they do not work. The existing front terrace has some structural issues and needs to be removed. In its place would be a front door entry stoop.

Staff Recommendation

The Commission will determine if the proposal meets the guidelines for new construction of an accessory building.

FOR/AGAINST: Adjacent Property Owner Marcia Rouse stated concerns that the size of the garage is too large for the houses to the rear on Lexington Avenue. The garage needs to be downsized to fit the scale of these smaller houses.

Chris Hudson, Adjacent Property Owner stated his concern was similar. The height of the proposed garage affects back and front streets. Width affects Dilworth Road and it is the already largest house on the block.

MOTION: Based on no exception warranted to *Charlotte Historic Design Guidelines - Tree Removal*, Ms. Hindman made a **MOTION** to **DENY** the tree removal. And based on the need for additional information to **CONTINUE** the front terrace removal and the front stoop addition. A landscape plan will be included and it is suggested that reference to the grandness of the house be part of the narrative.
Mr. Henningson seconded.

VOTE: 7/0 **AYES:** HADEN, HARTENSTINE, HENNINGSON, HINDMAN, MARSHALL, RUMSCH, TITUS

NAYS: NONE

DECISION: **APPLICATION FOR TREE REMOVAL DENIED, FRONT PORCH STOOP ADDITION CONTINUED.**

APPLICATION: HDC 2017-393, 315 EAST BOULEVARD, GARAGE

The application was continued from July for the following:

- Provide an additional site plan that shows a 20' easement abutting the parking lot, revised fence and gate location
- Landscaping Plan
- Tree protection plan
- Screening for AC units
- Eliminate the window aprons
- Consider design options for the elevation facing 315 East Boulevard

EXISTING CONDITIONS

The existing site a vacant lot located in the center of a block bounded by East Boulevard, Cleveland Avenue, East Kingston Avenue, and Euclid Avenue. There are alleyways on three sides of the lot. The site is zoned B-1(PED). Primary access to the site will be provided via a driveway through the parking lot of a restaurant on East Boulevard with secondary access from adjoining alleys. There are several mature trees adjacent to the site and one mature tree on the subject property. Adjacent structures are single family and multi-family with commercial uses along East Boulevard. The HDC approved a principal residential building on the site April 8, 2015.

PROPOSAL

The proposal is a two story structure with parking on the first level and flex space on the second level. The building layout is similar to the previous approval with a smaller footprint. Mature trees will be preserved. Primary access is from East Boulevard and secondary access is from the alley easement. The front setback (facing East Boulevard) is Materials include cedar shakes on the dormers and 'Hardie Artisan' lapped siding.

PLAN REVISIONS

The additional 10' easement has been included. HVAC units show screening. Landscaping and a tree protection plan are included. The East Boulevard elevation has been revised by adding a door and windows. Window trim has been revised to eliminate the decorative aprons. A roof element has been added over doors. Carriage style wooden garage doors re specified.

STAFF RECOMMENDATION

The Commission will determine if the proposal meets the guidelines for new construction

FOR/AGAINST: Adjacent Property Owner Ellen Citarella spoke in favor of the garage.

MOTION: Based on compliance with *Policy & Design Guidelines – Garage*, Ms. Titus made a **MOTION** to **APPROVE** this application as submitted as presented.
Ms. Hindman seconded.

VOTE: 7/0 **AYES:** HADEN, HARTENSTINE, HENNINGSON, HINDMAN, MARSHALL, RUMSCH, TITUS

NAYS: NONE

DECISION: **APPLICATION FOR GARAGE APPROVED.**

APPLICATION: **HDC 2017-407-2116 CHARLOTTE DRIVE– ACCESSORY STRUCTURE**

EXISTING CONDITIONS

The main building is a c. 1930 one and one half story Colonial style brick house. It is listed as a Contributing structure in the Dilworth National Register of Historic Places Survey. It is further described as having a side gable with lower front gable and combination shed and hip roof porch (screened), one story rear ell and detached garage. The rear addition was approved in 1992.

PROPOSAL

The project is the demolition of the existing one story garage and construction of a one and one half story detached garage in the back left corner of the yard. The garage height is approximately 22'. Windows will match those on the house; exterior siding requested is cementitious lap. The front of the garage has a gabled dormer to match the rear of the house.

STAFF RECOMMENDATION

The Commission will determine if the proposal meets the guidelines for accessory buildings.

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

MOTION: Based on the need for additional information Ms. Hindman made a **MOTION** to **CONTINUE** this application for further design study. The revised drawings will show: a dormer design with brackets to reference the details of the house.
Mr. Rumsch seconded.

VOTE: 6/1 **AYES:** HADEN, HARTENSTINE, HENNINGSON, HINDMAN, MARSHALL, RUMSCH

NAYS: TITUS

DECISION: **APPLICATION FOR ACCESSORY STRUCTURE CONTINUED**

APPLICATION: HDC 2017-444 -300 E. WORTHINGTON AVENUE -

EXISTING CONDITIONS

The site is at the edge of the Dilworth Local Historic District and within the South End Transit Overlay District. The existing building is a c. 1930 one and one half story Bungalow style. Due to modifications and additions it is listed as Non-contributing in the Dilworth National Register of Historic Places Survey. A previous application for demolition was reviewed June 2017. A motion was made that this is a contributing structure to the Dilworth Local Historic District due to the year it was built, architectural style, materials and massing. A 365-Day Stay of Demolition was placed on the structure. The property is zoned B-1 which allows multi-family development.

PROPOSAL

The project is an addition to create three residential units. The front elevation would be restored to an open front porch. The building addition would start toward the middle of the existing house and continue toward the rear of the property. The roof planes are varied with the highest being approximately eight feet taller than the existing ridge. Design features include traditional materials, wood trim, and entrances oriented to both streets.

STAFF RECOMMENDATION

The HDC will determine if the project meets the guidelines for additions.

FOR/AGAINST: Scott Rea, adjacent property owner, spoke in opposition of this application.
John Fletcher, spoke in strong support.

MOTION: Based on non-compliance with *Policy & Design Guidelines – Additions, Ms. Titus* made a **MOTION to DENY** this application for its failure to meet guidelines under additions, page 7.2, item 2 limit the size of the addition so that it does not visually overpower the existing building, item 3 and item 6 that requires the new additions be compatible with the massing, roof forms, and scale of the existing.
Mr. Rumsch seconded

VOTE: 6/1 **AYES:** HADEN, HARTENSTINE, HENNINGSON, MARSHALL, RUMSCH, TITUS
NAYS: HINDMAN

DECISION: **APPLICATION FOR ADDITION DENIED**

APPLICATION: HDC 2017-445, 514 W. KINGSTON AVENUE - ADDITION

EXISTING CONTEXT

The existing structure is a full brick one story American Small House constructed in 1951. The property has mature trees in the rear yard.

PROPOSAL

The project is a proposed addition to the right side and rear. The addition is on the back corner and wraps five feet to the right side. Materials, roof trim and windows will match house.

STAFF RECOMMENDATION

The HDC will determine if the project meets the guidelines for additions.

FOR/AGAINST: No one accepted Mr. Haden'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** this application with staff to see notes that ensure the details match the existing house - materials, windows, and vents. Brick will not be painted.
Ms. Hindman seconded.

VOTE: 7/0 **AYES:** HADEN, HARTENSTINE, HINDMAN, HENNINGSON, MARSHALL, RUMSCH, TITUS

NAYS: NONE

DECISION: **APPLICATION FOR ADDITION APPROVED.**

APPLICATION: HDC 2017-453 -615 WALNUT AVENUE - ADDITION

EXISTING CONDITIONS

The existing structure is a c. 1930 one story Bungalow. It is listed as Contributing in the Wesley Heights National Register of Historic Places Survey. The house is further described as an altered side-gabled house with exterior end chimney and gabled dormer. The house has been shrouded in vinyl siding, and the porch has been filled in, obscuring the façade.

PROPOSAL

The project is a porch restoration and an upper level rear addition. The project would raise the ridge 2' and increase the pitch to accommodate the second floor. The front dormer would be replaced with a larger gabled dormer. New paired windows would be placed in the side gables. The rear addition ties into the new ridge and extends approximately 15' behind the house. New lapped siding material requested is Hardie 'Artisan'.

STAFF RECOMMENDATION

The HDC will determine if the project meets the guidelines for additions and materials

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

MOTION: Based on compliance with *Policy & Design Guidelines - Additions*, *Ms. Marshall* made a **MOTION** to **APPROVE** this application with revisions for staff to approve which will show: Dormer to tie onto roof four to six inches below ridge and wood siding.
Mr. Rumsch seconded.

VOTE: 6/1 **AYES:** HADEN, HARTENSTINE, HENNINGSON, HINDMAN, MARSHALL, RUMSCH

NAYS: TITUS

DECISION: **APPLICATION FOR ADDITION APPROVED WITH REVISED DRAWINGS TO STAFF FOR PROBABLE APPROVAL.**

APPLICATION: HDC 2017-450 319 E. WORTHINGTON AVENUE – FENESTRATION CHANGES, PORCH RESTORATION

EXISTING CONDITIONS

The existing structure is a c. 1920 one story Bungalow. It is used for commercial/office. The rear yard is a paved parking lot. Due to past changes the building is listed as a Non-contributing structure in the Dilworth National Register of Historic Places Survey. The building is further described as having a hipped roof with engaged porch which has been bricked up.

PROPOSAL

The project is the re-opening of the front porch, new windows, doors and hand rails, and removal of the brick façade for use as a single family house. The rear addition will be reviewed administratively. New materials are wood shake siding, wood trim, and masonry foundation. On the left side two windows are replaced with smaller windows, on the right elevation one window is removed and two casements proposed. The rear yard will be re-established as a residential yard with more open space and landscaping.

STAFF RECOMMENDATION

The Commission will determine if the proposal meets the guidelines for porches and fenestration changes, and whether exceptions should be given for windows.

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

MOTION: Based compliance with *Charlotte Historic District Guidelines*, Mr. Henningson made a **MOTION** to **APPROVE** as presented (opening the front porch, window changes).
Ms. Hindman seconded.

VOTE: 7/0 **AYES:** HADEN, HARTENSTINE, HINDMAN, HENNINGSON, MARSHALL, RUMSCH, TITUS

NAYS: NONE

DECISION: **APPLICATION FOR FENESTRATION CHANGES AND PORCH RESTORATION APPROVED.**

MATTIE MARSHALL WAS NOT PRESENT FOR THE NEXT APPLICATION

APPLICATION: HDC 2017-429, 804 E. KINGSTON AVENUE – TREE REMOVAL

Existing Conditions

The property is the site of a single family house with a large, mature tree in the right side yard and partially on the adjacent property. There is second large maturing tree located in the rear yard. A one car driveway apron is located on the right side to provide access to a detached garage that has been demolished. A new detached garage was approved and constructed in the rear yard.

Proposal

The project is the request to remove the large, mature tree in the side yard to provide clear access to the garage in the rear yard and the installation of a new driveway.

Staff Recommendation

The Commission shall determine if the tree should be removed and new tree(s) planted.

FOR/AGAINST: Adjacent Property Owner Josie Bulla spoke in opposition of the tree removal.
Adjacent Property Owner Henry DePew spoke in opposition of the tree removal.

Adjacent Property Owner Lisa Donovan spoke in opposition of the tree removal.

MOTION: Based on compliance with *Charlotte Historic District Guidelines* Mr. Rumsch made a **MOTION** to **APPROVE** the tree removal with staff to oversee the replacement of another tree or trees (with the input of Urban Forestry regarding species, size, and placement).
Mr. Henningson seconded.

VOTE: 6/0 **AYES:** HADEN, HARTENSTINE, HINDMAN, HENNINGSON, RUMSCH, TITUS,
NAYS: NONE

MR. HENNINGSON DECLARED A CONFLICT OF INTEREST AND RECUSED HIMSELF FROM THE COMMISSION FOR THE NEXT APPLICATION.

APPLICATION: HDC 2017-439, 301 W. KINGSTON AVENUE

EXISTING CONDITIONS

The existing structure is ac. 1948 two story house. There were additions made to the house over time including the second level and replacement windows. The HDC will review new vinyl windows and the front porch that was completed without a COA.

PROPOSAL

The applicant is requesting approval for the new windows and front porch. The front porch is a traditional Bungalow style with brick piers and tapered wood columns. Windows are full vinyl GBG.

STAFF RECOMMENDATION

The Commission will determine the appropriate course of action for the vinyl windows and porch addition, or whether exceptions should be given for windows. There was a miscommunication and now to figure out a solution.

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

MOTION: Based on non-compliance with *Charlotte Historic District Guidelines*, Ms. Hindman made a **MOTION** to **DENY** the vinyl windows. Staff will provide guidance on acceptable windows. The porch restoration is **CONTINUED** for need of a complete application.
Ms. Titus seconded.

VOTE: 6/0 **AYES:** HADEN, HARTENSTINE, HINDMAN, MARSHALL, RUMSCH, TITUS
NAYS: NONE

DECISION: **APPLICATION FOR VINYL WINDOWS DENIED AND PORCH CONTINUED.**

MS. HINDMAN DECLARED A CONFLICT OF INTEREST AND REMOVED HERSELF FROM THE COMMISSION FOR THE NEXT APPLICATION.

APPLICATION: HDC 2017-404, 723 E. WORTHINGTON AVENUE

EXISTING CONDITIONS

The existing structure is a c. 1925 one and half story house. It is listed as a Contributing structure in the Dilworth National Register of Historic Places Survey. The house is further described as having a cross gable roof with exposed rafters and decorative joists. Engaged porch with side plain frieze on short posts on high piers.

Proposal

The project is replacement windows around the house. The window type is Renewal by Andersen. The window material is described as “Fibrex, which is made of reclaimed wood fiber and PVC polymer that is fused together.” This new window material has not been reviewed by the HDC. The window patterns would be consistent with the original windows. There are 16 windows to be replaced in their original openings.

Staff Recommendation

The Commission will determine if the replacement windows meet the guidelines.

FOR/AGAINST: No one accepted Mr. Haden’s invitation to speak either FOR/AGAINST this application.

MOTION: Based on the need for additional information Ms. Hindman made a **MOTION to CONTINUE** this application. The revisions will show or include: Head jamb and sill details with the historic trim and shop drawings to show a putty profile sash.

Mr. Rumsch seconded.

VOTE: 5/1 **AYES:** HADEN, HINDMAN, HENNINGSON, RUMSCH, TITUS,

NAYS: HARTENSTINE

The meeting ended at 7:20 with a meeting length of 6 hours and 17 minutes.

Linda Keich, Clerk to Historic District Commission