



APPROVED FEBRUARY 13

HISTORIC DISTRICT COMMISSION
January 16, 2019

MINUTES

MEMBERS PRESENT: Mr. James Haden, Chair
Ms. Jessica Hindman, Vice-Chair
Ms. Kim Parati
Mr. John Phares
Mr. Damon Rumsch
Ms. Tamara Titus, 2nd Vice-Chair
Ms. Jill Walker

MEMBERS ABSENT: Ms. Jana Hartenstine
Mr. PJ Henningson
Mr. James Jordan
Ms. Mattie Marshall

OTHERS PRESENT: Ms. Kristi Harpst, Administrator of the Historic District Commission
Ms. Candice Leite, Staff of the Historic District Commission
Ms. Linda Keich, Clerk to Historic District Commission
Ms. Andrea Leslie-Fite, Assistant City Attorney
Ms. Candy Thomas, Adkins Court Reporter

With a quorum present, Mr. Haden called the regular January meeting of the Historic District Commission meeting to order at 1:05 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 each proposed project to the Commission. The 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 **Charlotte Historic District 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. 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.

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NEW APPLICATIONS

HDC 2018-391	224-236 W. Kingston Avenue	Wilmore
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HDC 2019-005	1545 Thomas Avenue	Plaza Midwood
HDC 2018-704	228 E. Kingston Avenue	Dilworth
HDC 2019-003	601 Berkeley Avenue	Dilworth
HDC 2019-004	1768 Merriman Avenue	Wilmore
HDC 2019-007	1119 Belgrave Place	Dilworth
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APPLICATION: HDC 2018-663, 1917 EUCLID AVENUE - ADDITION

EXISTING CONDITIONS

The existing structure is a one-story Bungalow style house constructed in 1910. Notable features include the full-width engaged front porch supported by unpainted square brick columns, an attached carport, lap wood siding, shake siding in the gable ends, and a front door with full length sidelights that were in-filled at some point. The chimney stack above the roof was removed sometime between July 2011 and August 2012.

PROPOSAL

The proposal is the restoration of the missing chimney stack and a new front dormer with details and materials to match existing. A rear addition was approved by the Commission on December 16, 2018.

STAFF RECOMMENDATION

1. The Commission will determine if the proposed addition of a front dormer meets the guidelines.
2. Minor revisions may be reviewed by staff.

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

MOTION: Based on compliance with *Charlotte Historic District Design Guidelines*, Ms. Hindman made a **MOTION to APPROVE** this application for the chimney and dormer, with the understanding that the chimney is to match the original chimney inside the house.
Ms. Parati Secinded.

VOTE: 5/1 **AYES:** HADEN, HINDMAN, PARATI, RUMSCH, WALKER
NAYS: TITUS

DECISION: APPLICATION APPROVED FOR THE CHIMNEY AND DORMER. THE CHIMNEY IS TO MATCH THE ORIGINAL CHIMNEY.

APPLICATION: HDC 2018-663, 224-236 WEST KINGSTON AVENUE – NEW CONSTRUCTION

The application was denied June 13 for the following items: Item 6.2, setback. Being 16 feet closer to the street than the adjacent historic properties on this block on this side of the street does not make it within 10 percent of the historic setback of the adjacent structures. Item 6.4, orientation. The orientation of the front entrances does not face the street. Item 6.6, height. At the proposed 38 to 43 feet in height from grade, this does not meet the historic height of 241 West Kingston Avenue across the street which is the historic multifamily building that this per our guidelines may be compared to. That building is 32 feet from grade; therefore, this project must not exceed 32 feet in height at any portion. Item 6.7, scale. The rear of the buildings does not relate to the surrounding structures. Item 6.9, foundations. The foundation height of the proposal is 2 feet, and it does not reflect the historic foundation height of the two historic homes which are adjacent to the property.

EXISTING CONDITIONS

The four properties are one story structures that were re-used for a day care; existing zoning is R-22 Multi-Family. The buildings are connected with heated space. 236 West Kingston Ave. was constructed in 1923 and connected to 232, 228 and 224 were also connected to make one building. They were constructed in 1936 and 1940 respectively. A 365-Day Stay of Demolition was approved by the HDC September 13, 2017. Adjacent structures are commercial and single family (one story) on the block. Across the street are single and multi-family buildings. The historic multi-family building at 241 West Kingston Avenue was constructed in 1949, the height is approximately 32' measured from grade. Its adjacent single-family house (245 West Kingston Avenue) was constructed in 1954, approximate height is 33'. The single-family house at 251 West Kingston Avenue was constructed in 1936 with a pre-Historic District rear addition height of approximately 40'.

PROPOSAL

The proposal is new construction of townhouses on the four parcels. The project is in the rezoning process to a more urban residential district. Front setback of the project is approximately 53' from back of curb to the 6' deep front stoop. Front setback to the heated living space is approximately 59' from back of curb. Site features include an 8' side yard and brick pillar/wood fence along the single-family side, and either a 15-foot landscaped buffer or 11.25' buffer with wood fence behind the alley easement in the rear yard. Existing and proposed trees are noted on the site plan.

Height of Buildings A + B in the front are approximately 32'-0" from grade. Height of Buildings C + D in the rear are approximately 32'-6". Materials include cementitious siding and trim, wood lap siding, brick walls and foundation, wood porch rails, wood garage doors. Fenestration patterns and material palette vary per individual townhouse unit on the front elevations.

STAFF RECOMMENDATION

1. The scale/height relationship between the historic single-family houses at 244 and 240 W. Kingston and Building A.
2. Contextual criteria of massing, roof form, cornices and trim, window materials, stoops/porches (particularly on Buildings A + B), and rhythm.

FOR/AGAINST: Mr. Grant Babich, neighborhood resident, spoke in opposition of this application.
Mr. Dennis Mayo, adjacent property, owner spoke in opposition of this application.

MOTION: Based on non-compliance with *Charlotte Historic District Design Guidelines*, Ms. Hindman made a **MOTION** to **DENY** the project, because the proposal does not comply with our

guidelines for context, setback, height and width, scale, foundation, porches and it is incongruous with the character of the district and it is the gateway to Wilmore.

Guideline 6.6 number 3 – Design new buildings to respect the existing width of original structures in the district.

Mr. Rumsch seconded.

VOTE: 6/0 **AYES:** HADEN, HINDMAN, PARATI RUMSCH, TITUS, WALKER

NAYS: NONE

DECISION: **APPLICATION FOR NEW CONSTRUCTION OF TOWNHOMES DENIED.**

JOHN PHARES ARRIVED AT THE MEETING AT 1:10PM

APPLICATION: HDC 2019-008, 1101 MYRTLE AVENUE – NEW CONSTRUCTION

EXISTING CONDITIONS

The existing structure is a two-story multi-family apartment building constructed in 1980. Adjacent structures are a mix of single-family, multi-family, and commercial uses. The residential structures are a mix of one-story, one-and-one half story, and two-story heights. On December 16, 2018, the HDC voted to approve the demolition which make take place upon the approval of new construction plans and to waive the 90-day waiting period for the review of new construction plans.

PROPOSAL

The proposal is a new four-unit townhome project. Front setback of the project is approximately 20' – 1 ¼" from back of the existing city sidewalk on Myrtle Avenue and 13'-9" from the back of the city sidewalk on Lexington Avenue. Proposed trees are noted on the site plan.

Building height ranges from 42'-9 ½" to 43'-9 ½" from grade. Materials include Hardie Artisan siding and trim, brick walls, aluminum clad Simulated True Divided Light (STDL) windows, wood doors, metal porch rails, wood shutters, painted aluminum garage doors with applied 1x battens. Fenestration patterns and material palette vary per individual townhouse unit on the front elevations.

STAFF CONCERNS

1. The scale/height relationship between the proposed project and the historic single-family houses at 808 Lexington Avenue and 728 Lexington.

FOR/AGAINST: Mr. Robert Lesnick, adjacent property, owner spoke in opposition of this application.
Mr. Stan Smith, adjacent property owner, spoke in opposition of this application.
Ms. Danielle Burger, adjacent property owner, spoke in opposition of this application.

MOTION: Based on non-compliance with *Charlotte Historic District Design Guidelines Ms. Titus* made a **MOTION to DENY** this application for its failure to meet our guidelines for the following:

- 6.6. item 2, Height – The height of a proposed building should be no taller than the tallest historic building on the block within a 360-degree range. The proposed elevation on Lexington Avenue is 42 feet, nine inches between these two historic single-family homes. This exceeds what is appropriate for the historic structures surrounding.

- Setback – the proposed building does not respect the historic setback on the 800 block of Lexington Avenue and actually pulls the new construction forward or proud of the single-family homes on this block and the 700 block. The existing building matches the setback of the adjacent neighbor. See page 2 of the applicant’s handout which shows the violation of the historic established setback along Lexington Avenue.
- Scale – the proposed does not respect the scale of the single-family houses on Lexington or the multifamily Myrtle Square historic complex.
- Width – at 128 feet, the proposed construction does not meet our guideline, because the applicant has failed to show any evidence of how this complies with 6.6 item 3: design new buildings to respect the width of original structures in the district, of being within ten percent of the average spacing of historic homes on Myrtle Avenue.
- Ms. Hindman friendly amendment the numbers are a little bit different than yours. For 728 22.2 feet, for 808, 19.1 feet based on the spot elevation on that side of the house, Myrtle Square 24.3 feet that’s based on the spot elevation at the building foundation because it varies. That is the grade at the building.
- Ms. Titus and Ms. Walker accepted Ms. Hindman’s friendly amendment.
- Ms. Titus this motion does not indicate that we’ve considered any of our other criteria, that we are denying the application based on these four items. We reserve all other criteria to be evaluated in the future.

Ms. Walker seconded.

VOTE: 7/0 **AYES:** HADEN, HINDMAN, PARATI, PHARES, RUMSCH, **TITUS, WALKER**
NAYS: NONE

DECISION: APPLICATION FOR NEW CONSTRUCTION DENIED

APPLICATION: HDC 2019-005, 1545 THOMAS AVENUE – NEW CONSTRUCTION

EXISTING CONDITIONS

The site is a vacant lot located at the edge of the Plaza Midwood local historic district. The lot is zoned for multi-family, R-22 MF.

PROPOSAL

The proposal is the construction of a new duplex structure. Per covenants on the property, the front setback is required to be a minimum of 20’. Height as measured from grade to ridge is +/- 32’-8”. Materials include brick siding and columns, Hardie Artisan lap siding, Hardie boxing and soffit, and wood windows. Post construction the rear yard will have 51% permeable open space. The removal of a tree along the right property line is requested.

STAFF RECOMMENDATION

1. The proposal for the new construction is not incongruous with the District and meets all guidelines for New Construction, Chapter 6.
2. Minor revisions may be reviewed by staff.

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. **Parati** made a **MOTION** to **CONTINUE** this application for a survey including five houses to the left of subject property on Thomas, landscaping plan, and site plan with subject property and three houses to the left with setback reference. Front elevation showing difference in grade.

Mr. Rumsch seconded.

VOTE: 5/2 **AYES:** HADEN, PARATI, PHARES, RUMSCH, TITUS
NAYS: HINDMAN, WALKER

DECISION: APPLICATION FOR NEW CONSTRUCTION CONTINUED

JESSICA HINDMAN RECUSED FOR THE NEXT CASE

APPLICATION: HDC 2018-704, 228 E KINGSTON AVENUE – ADDITION

EXISTING CONDITIONS

The existing structures are a two-story building constructed in 1962 and a one-story masonry building constructed in 1971. The 1962 structure has a hipped roof with deep overhangs, replacement windows, and painted masonry. The 1971 front façade has a natural brick façade and deep roof overhang. The side elevations are painted concrete block with glass block windows.

PROPOSAL

The proposal is a new one-story rear addition that will connect both buildings. The addition will tie in beneath the existing ridge. Materials include an EFIS wall system to coordinate with the painted concrete block finish of the 1971 building, aluminum storefront doors to match existing, and a fabric canopy to match existing. The site's parking and landscaping require reconfiguration, including changes to the driveway entrance on Kingston, and the removal of parking fronting Cleveland Avenue and replacement with an enclosed playground, grass, and trees. Existing trees to be removed and new trees are noted on the site plan.

STAFF RECOMMENDATION

1. The proposal for the rear addition is not incongruous with the District and meets all guidelines for Additions 7.2, and is consistent with Secretary of the Interior's Standards, # 1, 2, 3, 5, 9 and 10.
2. Minor revisions may be reviewed by staff.

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

MOTION: Based on compliance with *Charlotte Historic District Design Guidelines – Ms. Titus* made a **MOTION** to **APPROVE** this application as drawn.
Ms. Parati seconded.

VOTE: 6/0 **AYES:** HADEN, PARATI, PHARES, RUMSCH, TITUS, WALKER
NAYS: NONE

DECISION: APPLICATION APPROVED AS DRAWN

JOHN PAHARES RECUSED FOR THE NEXT CASE

APPLICATION: HDC 2019-003, 601 BERKELEY AVENUE – ADDITION

EXISTING CONDITIONS

The existing property is a corner lot with a one story single family house constructed in 1951. Lot dimensions are 65' wide in front, 55' wide in rear and 148' in length. There are three large mature trees on the property. The house is a one-story brick ranch style home with a hipped roof. A 365-day delay of demolition was approved by the HDC on May 9, 2018.

PROPOSAL

The proposal is a hybrid New Construction/Addition project due to the zoning setback constraints on this lot and the active demolition approval for the property. The existing ridge height is 16’-3” and the proposed ridge height 27’. Materials include brick to match existing, wood shake siding, wood trim and wood windows with Simulated True Divided Lights (STDL). The garage shown on the proposed site plan is not for approval at this time.

Note: Due to current Zoning requirements, the applicant is in the process of requesting a variance from the ZBA. ZBA staff is in support of the variance request.

STAFF CONCERNS

1. Staff recommends evaluating the project as New Construction due to the zoning and setback constraints on the lot, similar to a previous case at 700 Templeton Avenue.
2. Scale/height and massing compared to the other houses on Berkeley Avenue.
3. Additional details needed about window trim for the windows in wood siding.
4. Rear porch rail design is not compliant.
5. Gutters are run down the front elevation of the house.
6. Rake-to-eave triangular detail.
7. Tree protection plan for the 54” oak in the rear yard needed.
8. Minor revisions may be reviewed by staff.

FOR/AGAINST: Mr. John Phares, adjacent property owner spoke in opposition of this application.

MOTION: Based on the need for additional information, **Ms. Walker** made a **MOTION** to **CONTINUE** this application for the following items:

- Applicant to provide a tree save plan for the oak in the backyard;
- Site plan reference the two trees in the front yard as well as their fate;
- The coplanar and/or appearance of a two-story house be addressed;
- The height of the tallest historic building on the block be included;
- Rearrangement of the three cluster windows on both the first and second story;
- Applicant to provide an alternate design detail to what is referred to as pork chops;
- Applicant to provide a study of the windows on the right side of the house

Ms. Hindman seconded.

VOTE: 6/0 **AYES:** HADEN, **HINDMAN**, PARATI, RUMSCH, TITUS, **WALKER**
NAYS: NONE

DECISION: APPLICATION CONTINUED

APPLICATION: HDC 2019-004, 1768 MERRIMAN AVENUE – ADDITION

EXISTING CONDITIONS

The existing structure is a one-story American Small house with Tudor/Colonial Revival elements constructed in 1940. Previous alterations to the building occurred prior to Wilmore’s designation as a local district; these alterations include replacement windows, an enclosed side porch, and a rear dormer addition.

PROPOSAL

The proposal is changes to an existing dormer addition and a new accessory structure. The dormer height will increase by 9 ½ inches. Materials include wood lap siding, double-hung wood windows with Simulated True Divided Lights (STDL), and wood trim. The new one-story garage accessory structure has a footprint of 20’-6” x 24’-0”, and its design is inspired by the main house. Materials include wood lap siding, wood corner boards, wood windows, and doors.

STAFF RECOMMENDATION

1. The dormer ridge is secondary to the main ridge and the addition is easily reversible. The changes to the dormer addition meet guidelines 7.2, #1-5.
2. The garage is not incongruous with the district and meets guidelines for Accessory Buildings, page 8.9.
3. Minor revisions may be reviewed by staff.

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

MOTION: Based on compliance with *Charlotte Historic District Design Guidelines* Mr. Rumsch made a **MOTION** to **APPROVE** raising the roof dormer, staff reviewing and approving the window selection, the window trim detail and corner board detail and siding and materials.
Ms. Hindman seconded.

VOTE: 7/0 **AYES:** HADEN, HINDMAN, PARATI, PHARES, RUMSCH, TITUS, WALKER

NAYS: NONE

DECISION: **ADDITION APPROVED**

MOTION: Based on the need for additional information Mr. Rumsch made a **MOTION** to **CONTINUE** the garage and fence. Applicant to provide an accurate site plan, showing the garage, fence, gate and landscaping showing precedent for a privacy fence on the side yard.
Ms. Titus seconded.

VOTE: 7/0 **AYES:** HADEN, HINDMAN, PARATI, PHARES, RUMSCH, TITUS, WALKER

NAYS: NONE

DECISION: **GARAGE, FENCE CONTINUED**

MOTION: Based on the non-compliance with *Charlotte Historic Design Guidelines* Mr. Rumsch made a **MOTION** to **DENY** the front yard fence for not including three sides of the front yard.
Ms. Walker seconded.

VOTE: 7/0 **AYES:** HADEN, HINDMAN, PARATI, PHARES, RUMSCH, TITUS, WALKER,

NAYS: NONE

DECISION: **FRONT YARD FENCE DENIED**

JOHN PAHARES LEFT THE MEETING AT 6:37PM. HE DID NOT RETURN.

APPLICATION: HDC 2019-001, 1817 WILMORE DRIVE- NON-TRADITIONAL MATERIAL

EXISTING CONDITIONS

The existing structure is a one-story Craftsman bungalow constructed in 1933. The original siding material is wood lap with wood trim. During the fall 2018 storms, a neighbor's tree fell on the left corner of the house causing damage to the roof. Staff issued an Emergency Certificate of Appropriateness (COA) for repairs to match existing,

which allowed for the replacement of any damaged vinyl siding on the front left corner of the house. The project contractors removed all the vinyl siding on the house, exposing the original wood siding. Total replacement of the vinyl siding on all four sides of the house exceeds the repairs staff is authorized to approve under an Emergency COA.

PROPOSAL

The applicant is requesting approval to install new vinyl siding over the entire house.

STAFF RECOMMENDATION

1. The commission will determine if the re-installation of non-traditional material meets the guidelines.

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

MOTION: Based on compliance with *Charlotte Historic District Design Guidelines* Ms. Titus made a **MOTION** to **APPROVE** this application as drawn for the following reasons: the repair is necessary due to the storm damage, and there were emergency repairs required to the existing vinyl. The contractor exceeded his purview and removed all the vinyl siding without homeowner approval. The condition of the original wood siding is severely deteriorated, and the home should be restored to its pre-storm condition. The vinyl was installed circa 1980, prior to the establishment of the Wilmore Historic District and this is an act of god that precipitated an emergency COA at the state level. This as presented is the best solution for returning the house to its pre-storm condition.

Ms. Parati seconded.

VOTE: 6/0 **AYES:** HADEN, HINDMAN, **PARATI**, RUMSCH, **TITUS**, WALKER

NAYS: NONE

DECISION: **APPLICATION FOR NON-TRADITIONAL MATERIAL APPROVED.**

APPLICATION: HDC 2019-007, 1119 BELGRAVE PLACE – WINDOW CHANGES

EXISTING CONDITIONS

The existing structure is a one-story Colonial Revival-style house constructed in 1951. Notable features include a slate roof, engaged front entry, and metal windows. Previously approved projects include a detached garage and a sunroom addition on the rear.

PROPOSAL

The proposal is to change an existing casement window on the left elevation to a bay window. Materials include brick foundation, wood trim, metal Simulated True Divided Lights (STDL) to match existing, and a copper roof. Window header height will match existing.

STAFF RECOMMENDATION

1. Bay windows are not-incongruous with the Colonial Revival style of architecture.
2. The proposed project meets guidelines for Materials 6.15.
3. The Commission will determine if the proposed window change meets guidelines and is not incongruous with the district.
4. Minor revisions may be reviewed by staff

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

MOTION: Based on compliance with *Charlotte Historic District Design Guidelines* – Ms. Hindman made a **MOTION** to **APPROVE** the addition of the bay as drawn.
Mr. Rumsch seconded.

VOTE: 6/0 **AYES:** HADEN, HINDMAN, PARATI, RUMSCH, TITUS, WALKER
NAYS: NONE

DECISION: **APPLICATION FOR ADDITION OF THE BAY APPROVED.**

APPLICATION: HDC 2018-122, 2222 WILMORE DRIVE – WINDOW CHANGES

EXISTING CONDITIONS

The existing structure is a one story American Small House constructed in 1938. Features include a small front porch deck, brick exterior and a small canopy over the front door. Existing windows are vinyl. The HDC approved the construction of a hip roof over the front door and changes to windows on the right elevation in April 2018.

PROPOSAL

The proposal is additional changes to the windows on the left and right elevations. A small window on the left elevation will be removed and filled with brick to match existing. The windows on the right elevation would be changed to upper sash only and the bottom portions of the windows filled in with new brick to match existing.

The project is before the Commission for review due to the windows on the left and right elevations being substantially visible from the street and not viable for Administrative approval per page 2.6, 1.C. Replacement Windows & Doors.

STAFF RECOMMENDATION

1. The commission will determine if the proposed window changes are not incongruous with the district and meet the guidelines.
2. Minor revisions may be reviewed by staff.

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

MOTION: Based on compliance with *Charlotte Historic District Design Guidelines* –Mr. Rumsch made **MOTION** to **APPROVE** the filling in of the left elevation window in the center of the gable, the lower window, in one of two methods. One is to in-fill it with brick, set in a half inch with brick and the window sill remaining. Second would be to leave the existing window there or the new window there and back paint it or blacken it so it appears like it’s still a window.
Ms. Titus seconded.

VOTE: 6/0 **AYES:** HADEN, HINDMAN, PARATI, RUMSCH, TITUS, WALKER
NAYS: NONE

DECISION: **WINDOW CHANGES APPROVED**
