**LOCAL HISTORIC DISTRICT:** Wesley Heights

**PROPERTY ADDRESS:** 1700 Heathcliff/Westbrook

**SUMMARY OF REQUEST:** Tree Removal

**OWNER/APPLICANT:** Daimean Fludd, applicant

### Details of Proposed Request

**Existing Context**

The site is a triangular vacant lot at the end of a street and at the edge of the Wesley Heights Local Historic District. The site is approximately 10 feet above West 4th Street. There are mature trees on the site. There is not an established front setback on the street. The site has an unimproved alley on one side. The adjacent properties within the District are two story quadraplex buildings that are on a lower elevation. The adjacent single-family house is not in the District.

**Project**

The proposal is to obtain retroactive approval for tree removal. The Commission approved plans for new construction at its May 10, 2017 hearing and specifically stated in the motion that “no trees will be removed for construction.” The removed tree was not noted on the presented/approved site plan. The applicant has submitted a new site plan with all mature trees noted, including the removed tree and two large mature canopy trees located at the front of the lot.

*Note: The two mature canopy trees at the front of the lot are located within a few feet of the proposed front porch; a site condition that was not addressed during the May 10, 2017 hearing for the New Construction approval, so no tree protection plan was provided for these trees. (This is a similar condition to the 1912 S. Mint Street, New Construction, Case Number: 2016-166).*

### Design Guidelines –Trees, page 8.5

1. Retain existing trees that define the district’s character.
2. When tree removal is needed (due to disease or other reasons) or desired, a Certified Arborist must be consulted and the written recommendation must be provided to the HDC before removal is granted. This guideline includes trees in front, side, and rear yards.
3. Trees less than ten (10) inches in diameter may be removed in front, side, and rear yards with Administrative approval.
4. Identify and take care to protect significant existing trees and other plantings when constructing new buildings, additions, or site structures such as garages.
5. New construction that impacts healthy trees must be reviewed by the HDC. Mature trees that are unhealthy or causing significant structural damage to historic structures may reviewed by HDC staff. Replacement trees may be required.
6. The HDC may require the planting of additional trees to replace a mature canopy that is removed.

### Staff Recommendation

Staff has the following concerns:

1. A tree protection plan for the two mature canopy trees at the front of the lot should be provided to staff for review/approval within 30 days.
2. Minor revisions may be reviewed by staff (such as review/approval of replacement trees).
LOCAL HISTORIC DISTRICT: WESLEY HEIGHTS
PROPOSED PROJECT: TREE REMOVAL
5 MARCH 2019
Chairman Haden called to order the Regular May meeting of the Historic District Commission at 1:07 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 Policy & 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 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.

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**MR. HENINGSON DECLARED A CONFLICT OF INTEREST AND REMOVED HIMSELF FROM THE COMMISSION FOR THE FIRST APPLICATION HEARD.**

APPLICATION: HDC 2017-243, 243 W. PARK AVENUE – SUBSTITUTE MATERIAL

EXISTING CONDITIONS
The existing structure is a c. 1926 one story Queen Anne Victorian Cottage. A COA was issued September 2016 for a rear addition, windows, doors, and siding repair/replacement. A Stop Work order was issued March 2017. The siding being installed is for a siding material that cannot be approved administratively.

PROPOSAL
The applicant is applying for the use of Smartside siding, an engineered wood product with a wood grain finish that has already been installed partly.

STAFF RECOMMENDATION
The Commission will determine if the siding material is appropriate for the main structure or if another material is more appropriate or if an exception is warranted.

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

MOTION: Based on non-compliance with Policy & Design Guidelines – Materials, and no exception warranted, Mr. Rumsch made a MOTION to DENY this application per new guideline 5.2 #5,
house. The garage is setback approximately 25' from the rear property line. Two mature trees will be removed and new trees planted.

**Revised Proposal – May 10, 2017**
1. The left side elevation includes a new window pattern and second floor balcony.
2. Trees to be removed and planted are identified on the site plan.
3. The driveway width along the side street is one car wide.
4. The garage and house are both shown on the elevations.

**STAFF RECOMMENDATION**
The Commission will determine if the proposal meets the guidelines for new construction.

**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 – New Construction**, Ms. Hindman made a **MOTION** to **APPROVE** this application with revised drawings to staff for probable approval. The revised drawings will show:
- Divided lights in transom windows.
- Front elevation level 2 windows to be casements or awnings with divided lights, proportional to main windows.
- Brackets added to support balcony on W. Worthington Avenue elevation.

*Mr. Henningson seconded.*

**VOTE:** 6/0

**AYES:** HADEN, HINDMAN, HENNINGSON, RUMSCH, STEPHENS, WALKER

**NAYS:** NONE

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

**APPLICATION:** **HDC 2017-167-1700 HEATHCLIFF STREET – NEW CONSTRUCTION**

This application was continued from April because an opposing party wanted to submit documents in the absence of the applicant.

A single family house was approved by the HDC in 2014 (2014-070). The project did not begin and the Certificate of Appropriateness has expired. The applicant is requesting approval of the previous plans on this oddly shaped lot.

**EXISTING CONDITIONS**
The site is a triangular vacant lot at the end of a street and at the very edge of the Wilmore Local Historic District. The site is approximately 10 feet above West 4th Street. There are mature trees on the site. There is not an established front setback on the street. The site has an unimproved alley on one side. The adjacent property within the District is a two story quadraplex. The adjacent single family house is not in the District.

**PROPOSAL – AUGUST 13, 2014**
The proposal is a new two story single family home with a continuous gable roof from front to rear. Primary exterior materials are wood siding, brick, and a standing seam metal roof (front elevation). The height from grade is approximately 30’-8”.
**STAFF RECOMMENDATION**
The Commission will determine if the proposal meets the guidelines for new construction.

**FOR/AGAINST:**  Adjacent Property Owner Rachel Ortez spoke in opposition to the application.

**MOTION:**  Based on compliance with *Policy & Design Guidelines – New Construction*, Ms. Hindman made a MOTION to APPROVE this application and reinstate the previous approved COA based on the current guidelines. No trees will be removed for construction.

*Mr. Rumsch seconded.*

**VOTE:**  6/0  **AYES:**  HADEN, HINDMAN, HENNINGSON, RUMSCH, STEPHENS, WALKER  **NAYS:**  NONE

**DECISION:**  APPLICATION FOR NEW CONSTRUCTION APPROVED

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**APPLICATION:**  HDC 2017-162 -709 WOODRUFF PLACE – ADDITION

The project was continued for the more information on the following: 1) Historic precedent for porch roof and column design, 2) Additional material details.

**EXISTING CONDITIONS**
The existing structure is a c. 1941 one story American Small House style. Architectural features include a front facing gable and prominent chimney.

**PROPOSAL**
The project is the construction of a wood canopy over the front entrance. The applicant has submitted additional information on materials, dimensions and an example of a neighboring property that matches what the applicant intends to build.

**STAFF RECOMMENDATION**
The Commission will determine if the proposal meets the guidelines for additions. The guidelines for setback and fenestration do not apply.

**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. Stephens made a MOTION to APPROVE this application with revised drawings to staff for probable approval. The revised drawings will show:

- Face of beam aligns with neck of column on both front and side.
- Overhang on eaves will match existing.
- Rake and eave to match existing.

*Ms. Hindman seconded.*

**VOTE:**  6/0  **AYES:**  HADEN, HINDMAN, HENNINGSON, RUMSCH, STEPHENS, WALKER  **NAYS:**  NONE
CERTIFICATE NUMBER: 2017-00167
DATE: March 21, 2018
ADDRESS OF PROPERTY: 1700 Heathcliff Street
TAX PARCEL NUMBER: 07101117
HISTORIC DISTRICT: Wesley Heights
APPLICANT/OWNER(S): Daimean Fludd

DETAILS OF APPROVED PROJECT: The project is the construction of a new two story single family house. The front setback is 32' from ROW. New landscaping and tree removal are noted on the site plan, mechanical units are located in the rear yard. Primary exterior materials are wood siding, brick and a standing seam metal roof on the front elevation. Front porch deck material is tongue and groove wood. Deck boards installed perpendicular to the front wall. Windows are wood or metal clad over wood. The height from grade is approximately 30'-9".

The project was approved by the HDC May 10, 2017.

This Certificate of Appropriateness (COA) indicates that this project proposal has been determined to comply with the standards and policies of the Charlotte Historic District Commission.
- Display the blue COA placard in a visible location along with any required permits.
- No other approvals are to be inferred.
- No demolition other than that specifically indicated on any attached plans is authorized under this approval.
- All work must be completed in accordance with all other applicable state and local codes.
- Any changes from or additions or deletions to the plans referenced herein will void this Certificate, and a new application must be filed with the Historic District Commission.

This Certificate is valid for a period of twelve (12) months from the date of Issuance. Failure to obtain a building permit in that time will be considered as a failure to comply with the Certificate and the Certificate will become invalid. If a building permit is not required, then the approved work must be completed within twelve (12) months of the date of issuance of this Certificate. In either situation, the Certificate can be renewed for an additional twelve (12) months by Historic District Commission staff by written request within the first twelve (12) months from the date of issuance.

James Hagan, Chairman
Staff
Thank you for your purchase of this house plan.

These plans are designed to be built in accordance with the 2014 International Residential Code for One and Two Family Dwellings. National electrical building codes may vary with location and change from time to time. Therefore, it is recommended to consult with your local building department and an architect or the builder to adapt these plans to the requirements of the individual locality.

Structural Notes

These plans are designed for roof loads of 20 psf live load and 10 psf dead load. The chart to the left can be used to adjust for different requirements. All loads are based on 2x6" and should be modified. Roof loads can vary and there is a big impact on the live loads carried by the roof. An HVAC system should be designed for the load carried by the roof, and a registered engineer is recommended.

General Notes

- Square footages are for heated floor areas. This does not include garage projection or unheated spaces. Adders are counted on the main floor only.
- Dimensions are from face of the stud wall. Consultation on framing and details is required. Please contact the builder for details.
- All footings shall be on firm undisturbed soil of no less than 2000 psf and be below frost depth. The exact size and reinforcement of concrete footings shall be determined by soil conditions. Verify design with local engineer.
- HVAC design to be sized according to the local climate conditions including compass direction.

Energy Notes

- Caulk all exterior webs at plate and at wall crawl.
- Caulk all windows and door frames and any penetrations through walls or floors.
- Use blown-in insulation if available. If batt insulation is used, insulate behind all exterior walls.
- Seal all joints in HVAC ducts, with wageage or more than 3%. Three inch mesh tape shall be used on all exterior walls to prevent condensation and gas leaks that are 1/4" or wider. Insulate all ducts with R-9 of greater.
- Foil taped between all exterior walls and window edges and rough opening frame. Use non-expanding foam, such as polyurethane. Provide back draft damper on kitchen hood vent, dryer vent, and bath/vent.
- Insulate all hot water pipes.
- Install draft shoe on water heater.

Builder's Notes from D贲B

This one bedroom, single level, one-story house plan will be needed to build a new home in a residential area. The building codes and local regulations may vary from place to place, so be sure to consult with your local building department for specific requirements.

© Rick Thompson - 2012
I hereby certify that this schematic drawing was prepared based on field-surveyed elevation measurements of the points shown herein. This map is not intended to meet G.S. 47-30 recording requirements.

This ____ day of ____ 2014.

A.G. ZOUTEWELLE
SURVEYORS
1418 East Fifth St. Charlotte, NC 28204
Phone: 704-372-8444 Fax: 704-372-8555
Firm License Number C-1254

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Building Heights Sketch of
WESTBROOK DRIVE & WEST FOURTH STREET
at HEATHCLIFF STREET
FACING MULTIPLE DIRECTIONS AS NOTED
CHARLOTTE, MECKLENBURG COUNTY, N.C.
for Charlotte-Mecklenburg Planning Department
May 07, 2014

Scale 1" = 20'

General Notes:
1. The purpose of this Building Heights Sketch is to show existing building facade heights relative to the elevation points at the public sidewalk, front yard grade ("Grade"), 1st level, and ridge line of the houses depicted herein. No recorded or recorded measurements were made. The heights shown herein were derived from indirect measurements and are not intended for structural design.

2. The vertical datum for these elevation measurements is the North American Vertical Datum of 1988 (NAD 88, as needed). All other information and graphics are conceptual in nature and are not intended to represent accurate architectural or landscape features.