



Approved January 19, 2011

HISTORIC DISTRICT COMMISSION  
MINUTES

December 8, 2010

MEMBERS PRESENT:

Mr. Roger Dahnert  
Mr. Don Duffy  
Mr. Tom Egan  
Ms. Mary Ellen George, Chair  
Ms. Debra Glennon, Second Vice Chair  
Mr. Greg Grueneich  
Ms. Meg Nealon  
Ms. Paula Owens  
Mr. Dominick Ristaino, Vice Chair  
Mr. Curtis Watkins

MEMBERS ABSENT:

Ms. Barbara Highfill  
Ms. Karen Rush

OTHERS PRESENT:

Mr. John Rogers, Administrator  
Historic District Commission  
Ms. Wanda Birmingham, Secretary to the  
Historic District Commission  
Ms. Terrie Hagler-Gray  
Senior Assistant City Attorney  
Mr. Thomas Powers  
Assistant City Attorney  
Mr. Mujeeb Shah Khan  
Senior Assistant City Attorney  
Ms. Laura Harmon, Assistant Director  
Planning  
Ms. Katrina Young, Zoning Program Manager

With a quorum present Ms. George called the regular December meeting to order at 3:06 pm. She began the meeting with a welcome to all in attendance and by swearing in those present (and continued to do so throughout the meeting as others arrived). Due to the quasi-judicial nature of the Commission, staff and others who may speak are sworn in at every meeting. (Commissioners are sworn in by the City Clerk for the length of the appointment at the beginning of each term.) Ms. George asked that everyone in attendance please sign in and when addressing the Commission to please state name and address for the record. Ms. George explained the meeting process. The review of each application consists of two parts. The first is the presentation portion. Staff presents the application then Commissioners and those speaking on behalf of the application will discuss the project. Next members of the audience will be asked if anyone present wishes to speak either FOR or AGAINST the application. Again there will be an opportunity for comments and questions from the Commission and the applicant. The second part is the discussion and deliberation portion of the meeting. At this point, discussion of the application is limited to the Commission members and staff only. Unless the Commission votes to re-open the meeting to ask additional questions or for clarification of some issue, the applicant and audience members do not participate in this portion of the discussion. Once discussion is complete, a MOTION will be made to APPROVE, DENY, or DEFER and a vote will be taken. A simple majority vote of those Commissioners present is required for a decision. Ms. George asked that all cell phones and any other electronic devices be turned off completely or set to silent operation. She also asked that any Commissioner announce, for the record, their arrival and/or departure when this takes place during the meeting.

Mr. Shah Khan thanked the Commission for the baby gift and took the opportunity to thank the Commission on behalf of the City for the work the members do. He said that applicants forget that Commissioners are volunteers who want to serve and make things better. He said that after eight years he leaves the HDC and staff in good legal hands with Thomas Powers and Terrie Hagler-Gray.

|                     |                         |                |
|---------------------|-------------------------|----------------|
| Index of Addresses: | 2100 Charlotte Drive    | Dilworth       |
|                     | 900 E. Worthington Ave. | Dilworth       |
|                     | 1600 Wilmore Dr.        | Wilmore        |
|                     | 433 Heathcliff St.      | Wesley Heights |

Mr. Dahnert remains recused from last month for the first application.

Application: 2100 Charlotte Drive – Addition.

A hipped roof addition was proposed last month as a correction for a leaking flat roof over the back door. The application was deferred for further design study and revised plans. New plans show a hipped roof but with a small gable over the rear door, a porch element connecting a past addition, columns compatible with existing ones on the front, siding to be replaced with appropriate siding where needed, and any replacement windows will be within policy.

Applicant Comments: Owner Mrs. Rondeau said they cannot add a window in the field of siding on the right elevation because that is where kitchen cabinets must be.

FOR/AGAINST: Neighbor Roger Dahnert said the past rear addition has always been disjointed. This proposed addition will pull everything together in a nice way.

MOTION: Based on compliance with ***Policy & Design Guidelines – Additions***, Mr. Egan made a MOTION to APPROVE the application. Mr. Grueneich seconded.

VOTE: 8/0            AYES: EGAN, GEORGE, GLENNON, GRUENEICH, NEALON, OWENS, RISTAINO, WATKINS

NAYS: NONE

DECISION: ADDITION APPROVED.

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Application: 900 East Worthington Avenue – Tree Removal.

This c. 1925 house is located at the corner of Worthington Avenue and Park Road. It has been determined that a recently approved rear addition will further impact a failing cedar tree once construction begins. As relandscaping is being considered, they would like to remove another cedar tree near the back property

line and a bayberry tree on the side. Other vegetation being removed include shrubs grown into trees and smaller brush and volunteer trees. The fence will be moved to increase the yard space once the clearing has taken place. Two large maturing canopy trees will be planted.

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Mr. Duffy arrived at 3:39 and was present for the remainder of the meeting.

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

MOTION: Based on compliance with ***Policy & Design Guidelines – Tree Removal***, and that one of the (non canopy) trees will be in the way of the approved addition, and that two large maturing canopy trees will be planted as mitigation for the lesser trees removed, Ms. Glennon made a MOTION to APPROVE the tree removal of 2 cedars and a bayberry. Mr. Watkins seconded.

VOTE: 9/0            AYES: DAHNERT, EGAN, GEORGE, GLENNON, GRUENEICH, NEALON, OWENS, RISTAINO, WATKINS

NAYS: NONE

ABSTAIN: DUFFY (not recorded due to absence for entire discussion from beginning of hearing)

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Ms. Harmon arrived and was present for the next application.

Ms. Young arrived and was present for the next application.

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Application:            1600 Wilmore Drive – Demolition.

This house was demolished on or around November 20, 2010. The HDC had recently approved a renovation and addition to the house which is on a very small lot – but a legal lot of record. In the permitting process a Demolition Permit was issued. When the house went missing, staff contacted the owner who is now applying for DEMOLITION after the fact. Due to the condition of the house, it was

determined to be Non Contributing but that could have changed to Contributing with the past approved plans. The current owners recently bought the long vacant house out of foreclosure in the midst of an unfinished renovation. As they began to do some demolition, it was discovered that the condition was much poorer than appeared. The foundation was either eaten up with termites, or resting on rubble, or consisted of timbers on the ground. They would like to rebuild the recently approved plans on a new foundation. Now that the house is gone, the 'legally non conforming – grandfathered' status has been erased. All setbacks will have to be met creating a severe challenge on the small lot. Variances will be necessary for every side if the approved plans are used.

Applicant Comments: Owners Brian and Michael Iagnemma said that he became faced with the fact that the foundation could not support the house that existed much less any additions to it. He was told in permitting that the house would have to be torn down and a permit was issued. He was surprised to find that the remaining foundation pieces did not protect the grandfathered status and allow him to rebuild once the foundation was repaired. A variance will be necessary for all sides.

NOTE: Ms. Katrina Young explained that if a structure is legally non conforming then only maintenance and repair can happen. No improvements or additions can take place.

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

MOTION: Based on all the controversy and misinformation and condition reports, Mr. Dahnert reluctantly made a MOTION to APPROVE the after-the-fact DEMOLITION. Mr. Egan seconded.

VOTE: 10/0            AYES: DAHNERT, DUFFY, EGAN, GEORGE, GLENNON, GRUENEICH, NEALON, OWENS, RISTAINO, WATKINS

NAYS: NONE

DECISION: DEMOLITION APPROVED.

NOTE: This set of circumstances has pointed to a glitch in the system which will be addressed.

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Application: 433 Heathcliff Street – Demolition.

This house is at the dead end of Heathcliff Street at the greenway. It is adjacent to several lots that are landlocked facing the greenway. Several past proposals to redevelop these lots have failed due to lack of access. New owners have now bought this lot and plan to use it for access to the lots. They will submit a redevelopment plan in the future. This is a square brick c. 1951 ranch style house.

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

MOTION: Based on age and building style, Mr. Dahnert made a MOTION to consider the house Non Contributing. Mr. Ristaino seconded.

VOTE: 10/0 AYES: DAHNERT, DUFFY, EGAN, GEORGE, GLENNON, GRUENEICH, NEALON, OWENS, RISTAINO, WATKINS

NAYS: NONE

MOTION: Based on the Non Contributing determination, Mr. Dahnert made a MOTION to approve DEMOLITION. Mr. Duffy seconded.

VOTE: 9/1 AYES: DAHNERT, DUFFY, GEORGE, GLENNON, GRUENEICH, NEALON, OWENS, RISTAINO, WATKINS

NAYS: EGAN

DECISION: HOUSE DETERMINED TO BE NON CONTRIBUTING AND DEMOLITION MAY PROCEED.

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With changes noted (spelling of Ms. Owens name) November MINUTES were unanimously approved with the direction that any further corrections or changes be reported to Ms. Birmingham.

The meeting adjourned at 5:04 pm for a meeting length of 1 hour and 58 minutes.

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Wanda Birmingham, Secretary to the Historic District Commission