APPROVED APRIL 9, 2014

CHARLOTTE

HISTORIC DISTRICT COMMISSION
MINUTES

March 12, 2014

MEMBERS PRESENT:
Mr. Tim Bender
Mr. Don Duffy
Mr. Tom Egan, Chair
Ms. Debra Glennon, 2nd Vice Chair
Ms. Karen Labovitz
Ms. Mattie Marshall
Mr. Dominick Ristaino, Vice Chair

MEMBERS ABSENT:
Dr. Lili Corbus
Ms. Lisa Yarbrough
Three Vacancies

OTHERS PRESENT:
Mr. John Howard, Administrator
Historic District Commission
Ms. Wanda Birmingham, Assistant Administrator
Historic District Commission
Ms. Karen Robinson, Clerk to the
Historic District Commission
Mr. Thomas Powers, Assistant City Attorney
Ms. Candy, Court Reporter

Mr. Egan called to order the Regular March meeting of the Historic District Commission at 3:08 pm. He began the meeting by introducing the Staff and Commissioners and explaining the procedure. All interested parties who planned 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:

RECOMMENDATION AGENDA ITEMS

2309 Dilworth Road W	Dilworth
2218 Charlotte Drive	Dilworth

APPLICATIONS FOR A CERTIFICATE OF APPROPRIATENESS

1923 Dilworth Road East	Dilworth
1003 Romany Road	Dilworth
2004 Charlotte Drive	Dilworth
816 Brookside Avenue	Dilworth
325 East Boulevard	Dilworth

- Mr. Howard stated that Agenda item number 8, 311 East Boulevard, is off the agenda.

- Mr. Howard stated that there is going to be a Recommendation Agenda segment on the agenda for applications responding to previous review or applications that appear to staff to be clear and approvable. The Commission can choose to hear the cases or not. This clearly meets the guidelines and it is an attempt to move meetings along quicker.

APPLICATION ON RECOMMENDATION AGENDA: 2309 Dilworth Road West – Porch Rear Addition

Based on the need for additional information this application was deferred in February for revised plans to show: (1) all details finalized, (2) 12" columns, (3) 16" piers, (4) gable detail over front door, (5) porch decking and ceiling material noted, (6) a front porch section.

The brick home is a one and one half story with a central entrance and balanced window pattern. The home was constructed in 1947 and is identified as a Contributing structure in the Dilworth National Register Survey.

The applicant has provided revised drawings in response to the Commission's request.

STAFF RECOMMENDATION: The revised plans reflect the Commission's comments from the previous meeting and meet the applicable Policy & Design Guidelines for Additions.

MOTION: Based on compliance with ***Policy & Design Guidelines*** - Additions, Mr. Duffy made a MOTION to APPROVE this application as submitted. Mr. Ristaino seconded.

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VOTE: 7/0 AYES: BENDER, DUFFY, EGAN, GLENNON, LABOVITZ, MARSHALL, RISTAINO,

NAYS: NONE

DECISION: APPLICATION APPROVED

APPLICATION ON RECOMMENDATION AGENDA: 2218 Charlotte Drive – Additions.

The home is a one and one half story house c. 1930. The house is identified as a Contributing Structure in the Dilworth National Register Survey.

An addition project was approved by the Commission in February 2011. The applicant has now submitted a smaller addition. This application is for a simplified, reduced plan than was previously approved. The front elevation remains unchanged from the past approval. Left Elevation: (1) cross gable to has been eliminated from plans, (2) a small gabled dormer is proposed, (3) window change – four full 6/1 windows will be changed to two smaller 4/1 windows to match existing. Rear Elevation: (1) change in roof form from a hip to a gable, (2) covered screened porch with four columns, (3) fenestration changes, (4) lapped wood siding will clad the second story and part of the main level (5) upper engaged screened porch. Right Elevation: (1) cross gable eliminated, (2) small gabled dormer is proposed,

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

STAFF RECOMMENDATION: Staff believes the changes from the approved plan do not negatively affect the overall design of the project and meets the applicable guidelines for additions.

MOTION: Based on compliance with ***Policy & Design Guidelines*** **– Additions**, and this being a smaller addition than past approved. Mr. Duffy made a MOTION to APPROVE as submitted. Mr. Bender seconded

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VOTE: 7/0 AYES: BENDER, DUFFY, EGAN, GLENNON, LABOVITZ, MARSHALL, RISTAINO

NAYS: NONE

DECISION: APPLICATION APPROVED

APPLICATION: 1923 Dilworth Road East – Fence/Retaining Wall.

This application was deferred in February 2014 for more information and documentation. Missing was evidence and exhibits regarding: context, photographs, changes to the fence, dimensions.

The property is located at the corner of Dilworth Road East and Ideal Way. A fence was approved by the Commission in May 2012 and is currently under construction.

The applicant is requesting approved for the fence as it is being installed which includes a stacked stone retaining wall along the back and changes to the fence: (1) Along Ideal Way, the applicant is requesting to leave the fence in its current location. The approved plans show a dimension that looks to be 12" for the fence to be offset from the City sidewalk. The fence posts are installed at 8" to center of 6"x6"from the sidewalk. (2) The grade drops in the back rear corner where five properties converge. The request is to add 10" to the height of the fence. (3) A retaining wall along the back property line will be 28" at the highest point and die out to nothing as it nears the side street.

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STAFF RECOMMENDATION: Staff believes the revised plan meets the applicable Policy and Design Guidelines for the fence design and has satisfied the unresolved issues identified by the Commission in the previous meeting. The Commission should determine if an exception should be made to the request of (1) a 6'-10" height of the fence section in the rear left corner of the site, (2) is the current fence location along Ideal Way sufficiently set back from the City sidewalk.

FOR/AGAINST: Neighborhood Resident Jessica Ruth spoke in opposition.
Neighborhood Resident Marcia Rouse spoke in opposition.
Neighborhood Resident Diane Crutchfield spoke in opposition.
Neighborhood Resident Michael Baker spoke in opposition.
Neighborhood Resident Kirk Otey spoke in opposition.
Neighborhood Resident John Phares spoke in opposition.
Neighborhood Resident Chris Hudson spoke in opposition.
Neighborhood Resident Kay Chelena spoke in opposition.
Neighborhood Resident Jessica Roof spoke in opposition.
audience member Angie Lauer spoke in favor.

MOTION: Based on compliance with ***Policy & Design Guidelines*** - Fence/Retaining Wall, Mr. Bender made a MOTION to APPROVE with the following revisions for staff approval 1) The posts along Ideal Way will be pulled back to be 12" from face of post to City sidewalk 2) 3'6" fence height along rear property line to end at the front of the thermal wall of the

neighboring house, 3) Rear yard fence height will rise to 6' from the front thermal wall of adjacent property to back corner. (4) Fence at back corner of property will not exceed 6 feet in height. Mr. Ristaino seconded

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VOTE: 7/0 AYES: BENDER, DUFFY, EGAN, GLENNON, LABOVITZ, MARSHALL, RISTAINO

NAYS: NONE

DECISION: APPLICATION APPROVED WITH REVISIONS TO STAFF.

APPLICATION: 1003 Romany Road – COA Amendment

A new single family home was approved in March 2013 and the Certificate of Appropriateness was issued June 19, 2013. The home is under construction and near completion.

The applicant is requesting approval for minor changes. Details of the changes are as follows: (1) A masonry wall at back left corner will not be added and full columns will be added instead, (2) A pair of windows will be changed out to Frence doors to access front porch from dining room, (3) Detailed as a pair of double hung windows, windows in gable will be French casement for egress, (4) Windows in front shed dormers will be resized to match others on house, (5) A front door with a decorative grill will be added, (6) A double hung window will be added beside the new French doors – this door + window arrangement replaces a triple gang of windows on previous plans.

STAFF RECOMMENDATION: The requested changes to the rear patio do not negatively impact the overall design of the home. The fenestration changes also meet the guidelines.

FOR/AGAINST: Neighborhood resident Marcia Rouse spoke in opposition.
Neighborhood resident Chris Hudson spoke in opposition.
Neighborhood resident Betty Hunter spoke in opposition.
Neighborhood resident John Phares spoke in opposition.
Neighborhood resident Kirk Otey spoke in opposition.
Neighborhood resident Jessica Beil Hindman spoke in favor
Neighborhood resident Will Phipps spoke in favor.
Neighborhood resident Keith Lehr spoke in opposition.

MOTION: Based on compliance with ***Policy & Design Guidelines*** - Mr. Ristaino made a motion to APPROVE 1) the rear covered porch change – remove wall and have full columns, 2) casement windows in lieu of double hung in front gable, 3) French door pair onto front porch. Any additional changes should be presented to staff before they are made. Mr. Bender seconded.

DECISION: SEE DETAILS OF APPROVED MOTION.

MOTION: Based on non-compliance with ***Policy & Design Guidelines***, Mr. Ristaino made a motion to DENY: (1) the lack of brick mold around the windows as installed, (2) highly decorative front door, (3) the double hung window beside the French doors. Any additional changes should be presented to staff before they are made. Mr. Bender seconded.

VOTE: 7/0 AYES: BENDER, DUFFY, EGAN, GLENNON, LABOVITZ, MARSHALL, RISTAINO

NAYS: NONE

DECISION: SEE MOTION FOR DENIED ISSUES.

APPLICATION: 2004 Charlotte Drive, - Addition.

The existing home is a one story brick ranch with a gable roof over the front porch. The house is identified as a Non-Contributing structure in the Dilworth National Register Survey.

The proposal is for an upper, low pitched roof addition that extends from the front thermal wall to the rear thermal wall. The foot print of the home will not be change. The new front and rear gable ends will have wood siding and windows in an 8/8 and 6/6 pattern. A new front gable will be added with a triple gang of windows facing the street.

STAFF RECOMMENDATION: Applicable design guidelines for the review of this project are Scale, Massing, Rhythm and Fenestration. The guidelines for Materials and Context are met (there are 1.5 story homes in the surrounding area). The guidelines for Size, Setback and Landscaping are not applicable.

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 Mr. Duffy made a MOTION to DEFER application with revised drawings to show: (1) 100% accuracy, (2) wall sections, (3) accurate detailed drawings, (4) existing vs. proposed shown in pictures and/or drawings. Mr. Ristaino seconded.

VOTE: 7/0 AYES: BENDER, DUFFY, EGAN, GLENNON, LABOVITZ, MARSHALL, RISTAINO,

NAYS: NONE

DECISION: APPLICATION DEFERRED

Ms. Glennon declared a conflict of interest due to receiving an Adjacent Property Owner Notification Letter and removed herself from the Commission for the next application.

APPLICATION: 816 Brookside Avenue – Additions.

This application was deferred at the February 2014 meeting for the following due to the need for further design study. Revised plans will include pictures and a streetscape.

The house c. 1920 is a one and one half story Bungalow listed as a Contributing structure in the Dilworth National Register Survey. This street is on the edge of the Dilworth Local Historic District.

Revised plans for a two story addition at the rear of the existing structure now show a rear facing gabled roof which allows for full height windows on the addition.

STAFF RECOMMENDATION: Based on comments from the previous meeting the applicable design guidelines for the review of this project are Massing, Fenestration, and Rhythm. The Commission should determine if the changes meet these guidelines.

FOR/AGAINST: Neighborhood resident Marcia Resident spoke in opposition.

MOTION: Based on compliance with ***Policy & Design Guidelines*** - Additions, Mr. Duffy made a motion to APPROVE with revised plans to be approved by staff which show: (1) new second story roof to align with existing middle dormer, (3) all materials and details to match the existing. Ms. Marshall seconded

VOTE: 5/1 AYES: BENDER, DUFFY, LABOVITZ, MARSHALL, RISTAINO

NAYS: EGAN

DECISION: APPLICATION APPROVED WITH REVISED PLANS TO STAFF.

APPLICATION: 325 East Boulevard – Demolition

The c. 1915 house is listed as a Contributing structure in the Dilworth National Register Survey. The structure is a two story Bungalow with a broad side gabled block with exposed rafter ends, wood shingled on second and half stories, engaged porch on square posts on piers, front gable projection with flanking shed dormers and gabled entry.

The proposal is to demolish the dilapidated structure. Reports of the structure's condition have been submitted.

Summary of Inspector's Report
Yates Structural Engineering - See attached full report
The entire house was not observed due to the potential for harm that might ensue in the probing of deteriorated wood members. The inspection was conducted by me, A. Wynn Yates, PE, and John Teates, President of Rand Structural Services. John has constructed homes in the Dilworth neighborhood and is in the business of making structural repairs to homes such as described in this report. It is our professional opinion that the cost of repairs to this home would far exceed its replacement cost.

STAFF RECOMMENDATION: The Commission will determine if a 365 day stay of demolition should be placed on the structure.

FOR/AGAINST: Neighborhood resident Tamara Titus spoke in opposition.
Neighborhood resident John Phares spoke in opposition.

MOTION: Based on compliance with ***Policy & Design Guidelines*** - Demolition, Mr. Duffy made a MOTION to identify the structure as contributing to the Dilworth Local Historic District. Mr. Ristaino seconded.

VOTE: 7/0 AYES: BENDER. DUFFY, EGAN, GLENNON, LABOVITZ MARSHALL, RISTAINO

NAYS: NONE

MOTION: Mr. Duffy made a MOTION to impose the maximum 365 day Stay of Demolition. Ms. Glennon seconded

VOTE: 7/0 AYES: BENDER. DUFFY, EGAN, GLENNON, LABOVITZ MARSHALL, RISTAINO

NAYS: NONE

DECISION: HOUSE DETERMINED TO BE CONTRIBUTING TO THE DILWORTH LOCAL HISTORIC DISTRICT. MAXIMUM DELAY IMPOSED.

The meeting adjourned at 9:00 pm with a meeting length of five hours and fifty three minutes.

Linda Keich, Clerk to the Historic District Commission