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**Approved Minutes of the
New Bern Historic Preservation Commission
January 22, 2014**

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The New Bern Historic Preservation Commission (HPC) held a regular meeting on Wednesday, January 22, 2014, in the second floor courtroom of City Hall, 300 Pollock Street.

Members Present: Tim Thompson, Chair Jim Morrison
 Tripp Eure, Vice Chair Richard Parsons
 Nancy Gray David Griffith
 Mickey Miller Jerry Walker

Members Excused (E)/Absent (A):

Staff Present: Kevin Robinson, AICP, City Planner

The meeting was opened and roll call was taken. A quorum was present.

Chair Thompson advised there were two sets of minutes to approved; for November and December 2013. Commissioner Eure moved, and motion was seconded that the reading of both sets of minutes be waived. The motion passed unanimously.

Chair Thompson noted Mr. Robinson submitted an edited version of December minutes earlier.

Commissioner Parsons moved to approve the November 2013 minutes as amended. Commissioner Gray seconded the motion. The motion passed unanimously.

Commissioner Morrison moved to approve the December 2013 minutes. Motion was seconded. The motion passed unanimously.

Witnesses were sworn in.

Chair Thompson provided a brief overview of how items will be presented and discussed, along with subsequent HPC decision.

New Business

1. Proposed amendments to CoA for 312 Johnson Street (Britt Warren-Coastal Craftsmen) to include changes to approved windows and doors on accessory building in tertiary AVC.

Staff Comments: Staff Kevin Robinson reviewed the project. He advised this is an amendment to a previously approved CoA. This is an accessory building in the tertiary portion of the property.

45 **Applicant Comments:** Applicant, Mr. Britt Warren, explained the need to change windows and
46 doors on the property due to interior issues. He noted the original CoA stated the property would
47 use composite windows, but he will be changing to a fiberglass window which remains
48 consistent with requirements.

49
50 **Public Comments:** NONE

51
52 **Staff Recommendations:** Mr. Robinson submitted the following Historic District Guidelines as
53 appropriate to the application; Site and Setting, Outbuildings and Accessory Structures, page 84,
54 Guideline 5; Residential New Construction, Form & Rhythm, page 72, Guideline 3. He noted
55 that based on the information contained in the application, it is the consensus of staff that the
56 proposed changes are congruous with the Historic District Guidelines and recommends approval.

57
58 **Discussion by the Commission:** Commissioner Gray requested clarification that the owner has
59 not decided on exact configuration which is the reason for this amendment. The applicant
60 agreed, noting that a finished plan will be submitted before obtaining a final permit and
61 documentation will be submitted for file update.

62
63 Staff Robinson advised if this change is approved, that will be the expected orientation of the
64 windows. He advised if the owner does not accept the changes, or wishes to change again, he
65 will have to present the requested change to the Board once again and go through the process.

66
67 It was suggested the applicant come back before the board after confirming with the owner. He
68 advised he would place a call to the owner immediately and advise the board prior to the end of
69 the meeting.

70
71 Board members agreed to leave this item open, proceed with additional agenda items and return
72 to this at the end of the meeting.

73
74 Applicant Mr. Britt Warren did speak with the homeowner, and determined she would like to go
75 with the original plan, and therefore would withdraw his request.

76
77 Commissioner Eure noted a formal request to withdraw the application is required. Mr.
78 Robinson advised it was staff recommendation to withdraw the application, staff will hold the
79 file if needed for future use.

80
81 Chair Thompson closed the proceedings for the CoA.

82
83 **2. Proposed major exterior alterations to 708 E. Front Street (Erick Cooper) to include**
84 **construction of a new house.**

85
86 **Staff Comments:** Staff Kevin Robinson reviewed the project. The address provided for this
87 new construction will be 740 E. Front Street.

88

89 Commissioner Parsons requested it be noted that the proposed buyers do not currently own the
90 property. The applicant advised they do, having closed on the property. Chair Thompson
91 questioned if there was written documentation of the closing. The applicant advised he did not
92 have documentation of closing. The owners were in attendance and confirmed they do own the
93 property.
94

95 **Applicant Comments:** Applicant Erick Cooper represented owners Jan and Dean Gardner, who
96 were also in attendance. Mr. Cooper explained the proposed project, citing materials to be used.
97 Construction will use Hardyboard, brick foundation with brick steps leading to porch. They will
98 use an Architectural shingle roof and windows that meet the guidelines. He advised
99 Commissioner Eure that he would provide him with information requested. Windows meet
100 guidelines and advised Commissioner Eure he had information to provide him.
101

102 The home will have a detached garage, and he has plans for both. Proposed home will have 3
103 bedrooms and 2.5 baths. He has a landscaping plan to provide along with the site plan.
104

105 The plot plan was provided via overhead for the Board to view. The member packets included
106 this information.
107

108 Mr. Cooper noted the elevation certificate was included with the application and will meet the
109 base flood requirements. The height of the existing sidewalk is approximately at 5', and to meet
110 the requirements the home will be approximately 5' above that. The overall height at the peak of
111 the structure will be 29'.
112

113 Mr. Cooper advised the finish on the deck will include tongue and groove with wood handrails
114 and balusters. The flared steps will have a metal hand rail to meet code and remain within
115 guideline requirements.
116

117 The columns proposed for the front porch will be 12" fiberglass round columns. He has pictures
118 of examples as well, which are included in the member packets.
119

120 Mr. Cooper showed a visual of the proposed home, noting the door entry on the picture is not the
121 same as the proposed structure. Staff recommended the board accept this as a minor addition to
122 the application. Chair Thompson noted the photo being shown was not provided to the Board
123 members. Mr. Cooper provided an extra copy of the photograph for the board members to view.
124

125 Commissioner Parsons questioned if there would be a handrail on the front porch. Mr. Cooper
126 noted there would be. Commissioner Parsons pointed out the drawing does not show one. Vice-
127 Chair Eure did not feel this would be considered an incomplete application, but rather could be
128 brought back before the board with the updated information. Mr. Cooper noted the handrail
129 would be made of wood but the handrail along the steps will be metal.
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131 Commissioner Gray requested additional information on height of the building. Commissioner
132 Morrison noted the garage height was not included in the packet of information.

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Chair Thompson questioned the Board members on their comfort level proceeding with the application. Commissioner Miller stated she was comfortable proceeding, noting the applicant may need to present additional information to the Board prior to issuing a CoA.

Chief Building Inspector Alton Wilson requested information regarding the setback between the house and the garage. He felt it looked very close. Mr. Cooper advised it would be at a minimum of 4'. Mr. Wilson advised fire code guides would require a minimum of 5', and the zoning requirements will be 8'. He suggested the applicant look into this prior to final plot approval.

Public Comments: *Nancy Hollows, 4438 Rivershore Drive* advised she is the President of PLAT, and this group is concerned about infill in the Historic District. She was pleased to see the new design of the property, with well-proportioned windows and doors. Ms. Hollows noted in residential new construction, this building matches what is in the Historic Guidelines. She noted the placement of the buildings on the lot and the space in the front of the property is visually pleasing. She questioned the brick foundation style and exact windows.

Amanda Sullivan, 705 East Front Street will be a few houses down from the proposed property. She noted her concern pertains to some less than desirable property across from these nice properties. She would like this property to be addressed. Ms. Sullivan pointed out an existing property in the district with a flared front stair and does not have a handrail. So feels this may not be an issue. Her largest concern is with the vacant property across from Queens Point and the proposed property.

Staff Recommendations: Mr. Robinson asked Chief Building Inspector Wilson if railings will be needed in the front. Mr. Wilson advised if it exceeds 30' it will need a railing.

Mr. Robinson submitted the following Historic District Guidelines as appropriate to the application; Residential New Construction, Placement of Structures, Page 66, Guidelines 1-6; Building Scale and Proportion, Page 67, Guidelines 1-4; Materials, Pages 68-69, Guidelines 1 & 4; Details, Page 70, Guidelines 1 & 3-5; Texture, Page 71, Guidelines 1 & 2; Form & Rhythm, Page 72, Guidelines 1-4; Site & Setting Section, Landscaping, Pages 77-80, Guidelines 5-7 & 9-10; Outbuildings & Accessory Structure, Page 84, Guideline 5; Driveways and Off-street Parking Areas, Pages 87-88, Guidelines 2, 3 & 8; Exterior Changes to Historic Buildings, (noting this is in context to texture) Page 71; Roofs, Pages 17-20, Guidelines 6 & 10; Windows and Doors, Pages 26-30, Guidelines 6 & 13.

Mr. Robinson advised based on information contained in the application, it is staff's judgment that separation between homes on the block are inconsistent, but the proposed setbacks keep within the existing range found on the block. Orientation, setbacks and placement of structures is consistent with guidelines and congruous with existing properties. Scale, width and height of the proposed structure and roof pitch are also consistent with existing properties.

177 Mr. Robinson noted window size and placement is congruous with others in the district, but
178 noted the proposed horizontal, or transom, windows are not a common feature of homes in the
179 district. There are proposed transom windows in the rear of the home. Other proposed materials
180 are congruous with the district.

181
182 Mr. Robinson noted that the applicant has not provided location of the HVAC equipment, which
183 can be approved as a minor CoA at a later time, however utility equipment elevated higher than
184 4' will require HPC approved screening.

185
186 Mr. Robinson noted shingle type has not been provided, nor have the gutters and downspouts
187 been addressed with samples provided. These will require HPC approval.

188
189 Staff suggests approval of major exterior alterations citing the aforementioned guidelines and
190 statements of reason, and with the following conditions: front of home should be a maximum of
191 5-bays wide (currently is 6-bays wide), visible side windows should be removed or repositioned
192 to make the front of the home more congruous with neighboring structures, horizontal transom
193 style windows on the rear shall be removed, and the roof shall be a dark, non-variegated color.
194 Mr. Robinson advised the applicant should provide acceptable information on windows, shutter
195 materials and walkways. The HVAC location and screening, gutters and downspouts, lighting
196 and landscaped edging will require subsequent HPC approval.

197
198 Mr. Robinson added the applicant will need to provide information on handrails and design. He
199 suggested the applicant provide at a design review meeting.

200
201 Mr. Erick Cooper at the owners request, noted they request to be allowed to maintain the transom
202 windows in the rear.

203
204 **Discussion by the Commission:** Commissioner Parsons agrees completely with Mr. Robinsons
205 recommendations.

206
207 Chair Thompson requested the board go over each requirement.

208
209 Site and Setting

210 Commissioner Miller advised other than the placement of garage being within code and HVAC
211 placement, she felt these items could be worked out at a later date. Commissioner Parsons
212 agreed.

213
214 Chair Thompson reiterated with the applicant that there is no review necessary at this time for a
215 dock. Mr. Cooper advised there wasn't. Mr. Robinson noted that would be something they
216 discussed and would be addressed with a minor application in the future.

217
218 Design Attributes

219 Commissioner Parsons noted the dormers are not congruous with other Historic District dormers.
220 He feels they are more congruous with more modern residential developments, not with this area.
221 He suggested they be modified to reflect the Historic District.

222
223 Commissioner David Griffith felt in terms of general building scale proportion, the proposal still
224 has issues that were addressed previously. He advised he drew an elevation of the street with the
225 proposed structure, and provided that example to the Commissioners. Commissioner Parsons
226 agreed with Commissioner Griffiths concerns.

227
228 Commissioner Morrison pointed out a home located on the corner of King Street that looks
229 virtually identical to the proposed home, that is a wider home and has a mansard roof with two
230 dormers. Commissioner Griffith noted there was a home across from the proposed location that
231 was similar on a smaller scale. Commissioner Parsons noted the public comment previously
232 heard regarding this particular smaller scaled home and it being objectionable for the district.
233 Commissioner Morrison advised he does not have the same problem with the rhythm of this
234 house that other Commissioner have. Commissioner Miller cautioned just looking at the street in
235 question, as they have considered a broader scale for past applications.

236
237 Commissioner Eure noted the relationship of the structure to the right of way is not as great a
238 concern for him. Significant improvement has been made regarding scale of the home. He noted
239 adjustments in scale and proportion to the front porch. He stated he is satisfied with what is
240 fronting the street and feels it's congruous with what the Guidelines ask of applicants.
241 Commissioner Eure noted there are some other issues, including the balustrade that would need
242 additional information. He felt discussion on the proposed metal railing should have been
243 discussed prior to this meeting.

244
245 Commissioner Eure confirmed with Mr. Cooper that as discussed previously, surrounds or
246 casings were important for the windows. He recalls the discussion but did not see this noted on
247 the drawings. Mr. Cooper confirmed they would have 3.5 inch flat trim around the windows.
248 Commissioner Eure asked for additional information on sills. Mr. Cooper noted the sills would
249 be 1.5 inches. Commissioner Eure stated he prefers the sills be 2 inches. Additional details were
250 discussed.

251
252 Commissioner Eure requested another look at the drawings for the right and front elevations for
253 the detached garage. Details of the drawing were discussed, including types of materials
254 suggested. Commissioner Eure suggested Mr. Cooper provide consistent details from elevation
255 drawings for the home and the garage. He feels there are some inconsistencies with the details
256 on the proposed house structure. The side elevation does not show the freeze board under the
257 eaves, for example. If there are elements the home will have, Commissioner Eure noted these
258 need to be denoted on the drawings.

259
260 Chair Thompson reminded the Commissioners that this meeting is not the time to discuss design
261 details, rather determine approval/denial of a property. Discussions on design should be
262 discussed in a Design Review meeting. He questioned if they as a Board could continue with the

263 approval process, or does the item need to be tabled until additional design information is
264 provided.

265
266 Commissioner Jerry Walker feels all details of a proposed new structure should be included on
267 the drawings, and feels what they have been given to review is incomplete. Commissioner
268 David Griffith feels the applicant needs the additional information on what he needs to provide,
269 providing him as much feedback is needed to proceed effectively.

270
271 Commissioner Parsons moved to table the application until such time as they receive adequate
272 drawings, and compile a complete list of items Commissioners would like to see from the
273 applicant. There being no second, Commissioner Miller noted she would like to continue and
274 attempt to reach a decision with appropriate contingencies.

275
276 Commissioner Parsons stated he doesn't feel he can vote any way other than denial considering
277 the lack of information provided. He doesn't feel there is enough for him to make a decision.
278 He stated all the conditions that may be provided will not satisfy him without adequate drawings.
279 Commissioner Griffith agreed the existing drawings do not provide enough information, but
280 feels a discussion is beneficial for both the Board and the applicant.

281
282 Commissioner Morrison stated as the discussion continues, he feels they are getting into design
283 issues, which may not be suitable for this meeting. Commissioner Miller stated the current
284 discussion should be held during Design Review meetings, not during the public meeting.
285 Commissioner Gray agreed.

286
287 Commissioner Gray advised she would like additional detail and dimensions provided before
288 making a decision. She feels some of these things are fundamental and shouldn't be itemized.

289
290 Commissioner Griffith pointed out specific information that should be provided in an itemized
291 manner. But agreed these items should have been discussed in a Design Review meeting.

292
293 Chair Thompson summarized discussion and stated site and setting, everyone was in agreement
294 there were no issues. Design attributes did have some issues brought forward by Commissioner
295 Griffith. Design components had issues brought forward by Commissioners Parsons and Eure.
296 Regarding materials, they haven't gotten into specifics, and suggested based on previously stated
297 concerns, they should revisit the motion made by Commissioner Parsons to table this issue until
298 additional information is provided. Commissioner Morrison agreed, as did Commissioner
299 Walker.

300
301 **Motion:** Commissioner Parsons again motioned to table the application until such time as they
302 receive adequate drawings, and compile a complete list of items Commissioners would like to
303 see from the applicant. Commissioner Eure seconded motion. Commissioners Miller and Gray
304 disagreed with the motion. All other Commissioners voted in favor. Motion passed.

305
306

307 **3. Proposed major exterior alterations to 402 S. Front Street (Erick Cooper-Bear Town**
308 **Market) to include changes to the façade and windows in the primary and new door in the**
309 **secondary AVC.**
310

311 **Staff Comments:** Staff Kevin Robinson advised upon review of this application, there are again
312 additional items that are missing. His recommendation is to table this item as well. The
313 applicant agrees. He suggested it be reviewed at the February 19th hearing. Applicant Cooper
314 advised additional changes have been made since the last Design Review meeting.
315

316 **Motion:** Commissioner Parsons moved to table this application until the next regularly
317 scheduled HPC meeting, February 19th. Commissioner Miller seconded the motion. All
318 Commissioners voted in favor of the motion. Item was tabled.
319

320
321 **4. Proposed major exterior alterations to 302 Liberty Street (New Bern Housing Authority)**
322 **to include installation of new parking lot in tertiary AVC.**
323

324 **Staff Comments:** Staff Kevin Robinson reviewed the project. He advised Tim Jedry was
325 present to review the project. What is proposed is the installation of a new parking lot, in the
326 tertiary area behind the building.
327

328 **Applicant Comments:** Applicant Mr. Tim Jedry advised the proposed parking lot would be
329 located where an old playground used to stand. The lot will be located behind the current
330 Administration Office. The parking lot will be asphalt, will hold 18 spaces and will have shrubs
331 and trees surrounding it as a buffer. It is reached via a service road, not from public City streets.
332

333 **Public Comments:** NONE
334

335 **Staff Recommendations:** Mr. Robinson submitted the following Historic District Guidelines as
336 appropriate to this application; Site and Settings, Driveways and Offstreet parking, Pages 87-88,
337 Guidelines 3 & 8-10. Based on the information contained in the application, the proposal is
338 congruous with the Guidelines and recommends approval of the application.
339

340 **Discussion by the Commission:** Commissioner Miller revealed she is working for the Housing
341 Authority at this point, so felt she should recuse herself from discussion.
342

343 Commissioner Parsons motioned to recuse Commissioner Miller from ensuing discussion.
344 Motion was seconded. All Commissioners voted in favor. Commissioner Miller was recused.
345

346 Commissioner Walker questioned if the private road access precluded requirements for
347 screening. The access road is private, therefore should not be looked at as a public road with
348 requirements for screening. The screening suggested is acceptable to the Commissioners.
349

350 **Finding(s) of Fact:** Commissioner Parsons moved to find the application congruous with the
351 Historic District Guidelines, citing Section 15-427 Certificate of Appropriateness required;
352 Section 15-429 Review Criteria, citing the following guidelines: Driveways and Off-street
353 Parking, pages 87-88, guidelines 3 & 8-10. Motion was seconded. Motion passed unanimously.
354

355 **Statement(s) of Reason:** Proposed materials and location of alterations are congruous with
356 Historic District Guidelines; and Landscaping and Screening is congruous with Historic District
357 Guidelines.
358

359 **Condition(s):** None.
360

361 **Motion:** Commissioner Gray moved to issue the COA, seconded by Commissioner Parsons.
362 All Commissioners voted in favor of the motion. Motion passed.
363
364

365 **5. Proposed major exterior alterations to 613 Broad Street (Sarah Afflerbach-Tryon Palace**
366 **Council of Friends) to include construction of garage, and sunroom, and installation of pool**
367 **and paving in the secondary and tertiary AVC's.**
368

369 **Staff Comments:** Staff Kevin Robinson reviewed the project. This is the William Hollister
370 house, was built around 1840 and is a contributing structure. She has received permission from
371 the Friends of Tryon Palace in submitting this application. Along with new construction of
372 garage in the tertiary portion of the yard, work proposed includes a workshop, a covered shelter
373 and driveway. There is a large area that if approved, would be covered with patio pavers. A
374 privacy and picket fence with a gate are proposed along with a fountain and pool. Other
375 landscaping and tree removal is also proposed. Some items reviewed during Design Review
376 have been removed from the scope of work, and include dormers, chimney and front fence and
377 wall around the Broad Street perimeter.
378

379 Chair Thompson noted a letter included in Commissioner packets from Nelson McDaniel,
380 President of the Tryon Palace Foundation and as owner, approving the proposed application.
381

382 Mr. Robinson received one ex-parte communication from Commissioner Morrison, but did not
383 feel there were any reasons for him to be precluded from the conversation.

384 Chair Thompson advised he did speak with Ms. Claudia Divinny, Preservation NC, who had
385 some procedural questions about how the Design Review and hearings worked. John Wood
386 from St. Historic Preservation Office, included Chair Thompson in an email that he has not read
387 at this time. The email provides his opinion on the project. Mr. Robinson noted it was his
388 opinion the email be included in the record. He also has an opinion from a concerned resident
389 that he will share during the Public Comment portion of the hearing.
390

391 **Applicant Comments:** Applicant Sarah Afflerbach reviewed the project. She advised the
392 prospective owners are in attendance and are interested in purchasing the property, completing
393 interior renovations as well as exterior changes.

394

395 Ms. Afflerbach advised that between the previous Design Review meeting and the HPC meeting
396 tonight, she met with the clients and made changes to the front elevation of the garage workshop.
397 They hope to receive approval to install an aggregate concrete driveway with a workshop garage,
398 covered pool area, concrete pool/fountain with a series of walkways and planters along the back
399 of the house. They are also proposing a solid painted wood gate set back from George Street.
400 She has provided the proposed materials in the application. The proposed workshop would be
401 constructed in similar style of the existing house.

402

403 The pool has been relocated around the side of the house which she feels is more appropriate and
404 provides more area between the driveway and the back of the house.

405

406 Detailing on the garage would mimic the house with 8" pilasters. There are no areas that would
407 require balustrades. A 4' picket fence would run approximately mid-way down the center of the
408 existing house to give a bit of privacy to the pool area. The area of land in question is raised
409 about 4' above the sidewalk. Previously there was a fence along this same area, which made a
410 barrier of 8'.

411

412 The prospective owner would like to remove a couple of trees, one being a holly tree which is
413 overgrown and damaging the brick wall along the front and another tree which is located where
414 the proposed garage would be built.

415

416 There was a smokehouse on the property at one time, as well as a garage. The location of the
417 original garage is the same location of the proposed new garage.

418

419 She provided information on neighboring homes in the area that also have pools and fountains in
420 their yards for comparison.

421

422 Ms. Afflerbach advised the prospective buyer has a contract on the house and will enter into an
423 easement agreement with the Friends of the Tryon Palace at the time of sale. Preservation of
424 North Carolina has an easement agreement that will be put in place that stipulates that any
425 exterior alterations or interior alterations must meet the secretary of standards for renovations.
426 They have requested a reading from John Wood on these to ensure anything proposed will be
427 allowed by PNC and SHPO. She noted John Wood has been favorable with much of the
428 application but prefers the initially proposed workshop discussed in the Design Review meeting.
429 Ms. Afflerbach noted this application will come back for review due to requested changes by
430 SHPO.

431

432 Commissioner Parsons noted that Ms. Afflerbach discussing Mr. Wood's email is heresay, and
433 feels it would be appropriate to read the email into the record. Mr. Robinson read Mr. Wood's
434 email to the Board.

435

436 Ms. Afflerbach noted with the outbuilding, they took a detail of the existing house in an attempt
437 to tie the outbuilding to the house.

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Public Comments: *Nancy Hollows, 4438 Rivershore Drive*, noticed the drawings are incomplete. She pointed out there is no cutaway or detail of the 4’ picket fence. She noted the gates being proposed for George Street, have a curvature that perhaps the proposed 6’ fence should have this same design and a step-up to soften the fence. There are no dimensions of the pickets or design of the privacy fence. She pointed out two proposed doors going into the workshop do not have details provided to explain their look. She agrees with Mr. Wood’s thoughts that the pavers be brick, and suggested they be in sand for drainage. She feels the elaborateness of the front gable of the garage seems incongruous with similar styles of outbuildings.

Mr. Robinson read an email from resident *Joe Mansfield, George Street*, regarding concerns he has on the proposed application. Mr. Mansfield’s property is directly across from this property. He noted there is not much in the proposal he disagrees with, but would like the driveway gate to be a foot or two higher, matching what appears to be a 6’ fence on other areas of the property. Two 6’ pillars would match those further up the block toward the Palace.

Applicant Response: Ms. Afflerbach noted the owner would also prefer to have a taller gate at the location as well. It was lowered due to the guidelines, but noted there are other privacy fences on Metcalf and Broad that are 6’ wood gates that are similar to what is being proposed.

Regarding Ms. Hollows concerns on lack of detail, Ms. Afflerbach point out where details of the fences can be found in the application. Regarding the pavers, Ms. Afflerbach noted it is probable that at the request of SHPO, they will at a later date, change the paving material, but the location and shape proposed.

Staff Recommendations: Mr. Robinson submitted the following Historic District Guidelines as appropriate to this application; Residential New Construction, Placement of Structures, Page 66, Guideline 5; Materials, Pages 68-69, Guidelines 1 & 4; Details, Page 70, Guidelines 1 & 3-5; Texture, Page 71, Guidelines 1 & 2; Site and Setting Section; Fences & Garden Walls, Pages 82-83, Guidelines 4-6; Landscaping, Pages 77-80, Guidelines 4-7, 10 & 12; Outbuildings & Accessory Structures, Page 84, Guidelines 4 & 5; Driveways & Off-street Parking, Pages 87-88, Guidelines 1-3, 5, 8 & 9; Archeology, Page 93, Guidelines 16. Based on the information contained in the application, the proposed outbuilding is placed in a similar location and has similar purpose as a historical garage. It is clearly secondary to the primary structure and is congruous in design and materials. The design of poolside doors and lighting isn’t clear and should be provided in greater detail. Proposed location of fencing and materials is congruous with the Guidelines. Some materials including fountain and edging are not shown in detail. Driveway is same as existing and is congruous. Alterations will occur in an area of archeological significance. This property will have an easement placed on it by the PNC.

Staff recommends approval of the application citing aforementioned statements of reason, but also with the following conditions; the applicant shall provide sample wood doors, external lighting and fountain detail prior to approval of CoA. Driveway edging materials are required

482 for approval. Submit planter landscaping species and materials for approval. All archeological
483 guidelines will need to be followed throughout the process. The applicant will also need to
484 provide a letter from Preservation North Carolina to HPC Administrators stating that the
485 proposed alterations have been approved prior to a CoA being issued. The applicant is
486 encouraged to involve SHPO and the Parks Service to remain eligible for rehab tax credits.
487

488 **Discussion by the Commission:** Chair Thompson reiterated to the applicant and potential
489 owners that by the HPC approving their application tonight does not guarantee it will be
490 approved by SHPO or the PNC. The applicant and owners acknowledged they understand this.
491

492 Chair Thompson questioned if the Commissioners felt the application was complete.
493 Commissioner Walker stated his concerns were addressed by Staff.
494

495 Commissioner Griffith requested the gate design to be provided in a drawing format.
496

497 Site & Setting

498 Commissioner Morrison noted by moving the pool to the left side it becomes more of an
499 appearance issue from Broad Street. This is in a secondary location which then brings the 4'
500 privacy fence farther forward. Commissioner Parsons noted the grade is higher in the proposed
501 pool area and doesn't feel even without a fence, visual impact would be significant.

502 Commissioner Morrison feels it could be an issue. Other pools in the area are in tertiary areas,
503 and the proposed pool is not. Applicant Ms. Afflerbach advised the pool will be small and
504 appear to be more of a fountain pool than a traditional swimming pool.
505

506 Commissioners requested more detailed information on what the pool aspect being considered
507 will be, in an attempt to define whether the pool will be more of a fountain, or an actual pool.
508 Ms. Afflerbach advised at this time she cannot define it, as the owners have not made a
509 determination at this time. The owners are considering a pool with a small fountain feature, with
510 a reflective pool feel. She suggested after closing of the property, the owners will make a
511 determination and they would return with those details for the Commissioners to review.
512

513 Commissioner Griffith questioned proposed lot coverage, noting at the Design Review meeting
514 50% of the proposed back yard would be covered with pavers. Ms. Afflerbach could not provide
515 lot coverage amounts for this area. Mr. Robinson advised this was an initial concern of staff as
516 well, but upon further review it was determined this was more for a drive type area, and the
517 pavers would keep the drive from taking on an industrial feel. Therefore staff did not have the
518 concerns about this area, and felt it would be under 50%.
519

520 Design Attributes

521 Commissioner Parsons felt John Woods concerns on the garage regarding design incongruity are
522 valid. He feels the proposed building has a more modern feel that is not congruous with the
523 surrounding district. This home is significant with the district and therefore needs to remain
524 congruous with area. Commissioner Parsons does not have any issues with the size or location
525 of the building, just the design.

526

527 Components

528 Commissioner Parsons noted details on the garage doors needs to be provided. The drawing
529 does not provide any detail. Commissioner Walker discussed the palladium windows; the round-
530 top style doesn't bother him but the palladium style seems out of context with the original home.
531 Commissioner Parsons pointed out two homes in the district that have circular windows that
532 seem to be more appropriate than the palladium windows. He noted there are two palladium
533 windows on the existing home, but they are on a small scale. Commissioner Walker noted with
534 some of the proposed molding and fascia, it appears to be in scale and while he feels it is on the
535 verge of rivaling the existing home, he has no issue with it.

536

537 Commissioner Griffith noted the freezeboard on elevations of the house does not show it being
538 continuous. Ms. Afflerbach stated it is meant to continue around the structure.

539

540 Ms. Afflerbach offered to present examples of other outbuildings to throughout the district. Mr.
541 Parsons suggested they be contributing outbuildings. Chair Thompson mentioned that there were
542 technical difficulties making the video presentation difficult.

543

544 Materials

545

546 Chair Thompson asked if HPC was comfortable with the materials proposed. Commissioner
547 Griffith inquired about whether the doors were sectional and manufactured or custom built. Ms.
548 Afflerbach responded that they were sectional, but that they did not know whether they would be
549 purchased or built. Commissioner Morrison asked about gutters and downspouts. Ms. Afflerbach
550 responded that they were not addressed at that time.

551

552 Chair Thompson asked Chief Building Inspector, Alton Wilson if he had any comments about
553 the projects. Mr. Wilson said that the swimming pool would need to meet code and be
554 completely enclosed by the fence.

555

556 Chair Thompson asked if there were any other questions or comments. There were none.

557 Chair Thompson called for a motion.

558

559 **Finding of Facts:** Commissioner Parsons moved to find the application congruous with the
560 Historic District Guidelines, citing the following sections: Residential New Construction,
561 Placement of Structures, Page 66, Guideline 5; Materials, Pages 68-69, Guidelines 1 & 4;
562 Details, Page 70, Guidelines 1 & 3-5; Texture, Page 71, Guidelines 1 & 2; Site and Setting
563 Section; Fences & Garden Walls, Pages 82-83, Guidelines 4-6; Landscaping, Pages 77-80,
564 Guidelines 4-7, 10 & 12; Outbuildings & Accessory Structures, Page 84, Guidelines 4 & 5;
565 Driveways & Off-street Parking, Pages 87-88, Guidelines 1-3, 5, 8 & 9; Archeology, Page 93,
566 Guidelines 16. Based on the information contained in the application, the proposed outbuilding
567 is placed in a similar location and has similar purpose as a historical garage. It is clearly
568 secondary to the primary structure and is congruous in design and materials. The design of
569 poolside doors and lighting isn't clear and should be provided in greater detail. Proposed

570 location of fencing and materials is congruous with the Guidelines. Some materials including
571 fountain and edging are not shown in detail. Driveway is same as existing and is congruous.
572 Alterations will occur in an area of archeological significance. This property will have an
573 easement placed on it by the PNC.

574
575 **Statements of Reason:** The proposed outbuilding is placed in a similar location and has similar
576 purpose as a historical garage. It is clearly secondary to the primary structure and is congruous
577 in design and materials. The design of poolside doors and lighting isn't clear and should be
578 provided in greater detail. Proposed location of fencing and materials is congruous with the
579 Guidelines. Some materials including fountain and edging are not shown in detail. Driveway is
580 same as existing and is congruous. Alterations will occur in an area of archeological
581 significance. This property will have an easement placed on it by the PNC.

582
583 **Conditions:** The applicant shall provide sample wood doors, external lighting and fountain
584 detail prior to approval of CoA. Driveway edging materials are required for approval. Submit
585 planter landscaping species and materials for approval. All archeological guidelines will need to
586 be followed throughout the process. The applicant will also need to provide a letter from
587 Preservation North Carolina to HPC Administrators stating that the proposed alterations have
588 been approved prior to a CoA being issued The applicant shall change the palladium style
589 window to a simpler design such as a half round windows and that no alterations are approved to
590 the existing primary structure.

591
592 Staff suggested that many items could be brought back as minors and that the doors should
593 probably be brought back. Commissioner Parsons agreed.

594
595 Commissioner Morrison seconded.

596
597 Chair Thompson asked if there was any discussion needed. Commissioner Gray asked for
598 clarification about the approval of the window in the motion. Commissioner Parsons revised the
599 motion that the drawing of the window, without palladium design be submitted to Staff, before
600 issuance of CoA

601
602 Chairman Thompson called for a vote. Motion was approved unanimously.

603
604 Commission discussed whether or not a motion to issue the CoA was necessary. Staff
605 recommended that a motion be made since the applicant could not make the changes without
606 subsequent approval from the easement holders.

607
608 Sarah Afflerbach requested that Commission approve the issuance of CoA according to Staff's
609 recommendations.

610
611 Commissioner Parsons suggested a change to the motion to the original motion such that the
612 CoA would not be "approved" versus "released" by Staff. His concerns were that the CoA

613 would not be able to be transferred. Mr. Robinson stated that the CoA could be transferred from
614 own owner to another.

615
616 Commissioner Parsons recommended a motion be made to issue the CoA.

617
618 Chairman Thompson asked if there was a second to Commissioner Parsons original motion not
619 to issue the CoA. Commissioner Parsons then asked Staff about the procedure for issuing a CoA.

620
621 Commissioner Parsons withdrew his motion to deny issuance of CoA.

622
623 Chairman Thompson entertained a motion.

624
625 Commissioner Gray asked who the CoA should be issued to. Mr. Robinson stated it would be to
626 the property owner at the time of approval, Tryon Palace Foundation.

627
628 **Motion: Commissioner** Gray moved to issue a CoA. Commissioner Miller seconded. Motion
629 passed unanimously.

630
631
632 **6. Proposed major exterior alterations to 408 Middle Street (Sarah Afflerbach-Church of**
633 **Christ Scientist) to include installation of accessibility ramps in the primary AVC.**

634
635 **Staff Comments:** Staff Kevin Robinson reviewed the project. This is the First Church of Christ
636 Scientist. They proposed an accessibility ramp in the front of the structure.

637
638 **Applicant Comments:** Sarah Afflerbach presented the project. Ramp would go from reading
639 room to sanctuary. It would be a wood ramp with aluminum handrailing to match existing
640 railings. Designed to be inconspicuous and removable and the wood and aluminum would not be
641 attached to the structure. Sign would need to be moved and a small, few inch concrete ramp on
642 the landing would need to be installed.

643
644 **Public Comments:** *Nancy Hollows, 4438 Rivershore Drive*, asked about the type and color of
645 aluminum proposed. She wanted it to fit the building and she was concerned about the visual
646 impact in the primary AVC. Mr. Parsons asked her about what guideline she was referring to.

647
648 **Applicant Response:** Ms. Afflerbach showed examples of the existing black aluminum railings
649 as what would be done on the new project. Sarah also showed the sample railings in the back of
650 the application.

651
652 Commissioner Parsons stated that the sample railing was not shown in the final application. Mr.
653 Robinson said that they were shown at design review and were part of the original application,
654 but were omitted from the final.

655

656 Staff distributed the sample page provided by the applicant to Commissioners. There were no
657 issues with the change to the application to include the page.

658
659 **Staff Recommendations:** Staff cited the following guidelines as appropriate for the proposed
660 alterations: Exterior Changes to Historic Buildings, Accessibility and Life Safety pages 45-46
661 guidelines 3-5. Based on the information contained in the application Staff's judgments are that
662 the proposed alterations are in the primary area of visual concern. While the secondary or tertiary
663 AVC's are preferable, the layout of the building and orientation to other buildings, the street and
664 parking make this location more desirable. The proposed design and materials are congruous
665 with guidelines, will not detract from the historic features of the structure and are removable.

666
667 Staff recommended that the Commission approve the application for major exterior alterations
668 citing the aforementioned guidelines and statements of reason.

669
670 **Discussion by the Commission:** Commissioner Parsons cited guideline 5, page 75 Decks on
671 Historic Buildings that the wood be stained or painted. Mr. Robinson stated that the railings were
672 intended to replicate those already existing. Commissioner Morrison cited guideline 4 that
673 wheelchair railings may replicate those existing.

674
675 There were no concerns from the Chief Building Inspector.

676
677 Commission was satisfied with the completeness of the application.

678
679 **Finding(s) of Fact:** Commissioner Miller moved to find the application congruous with the
680 Historic District Guidelines, citing the following sections: Exterior Changes to Historic
681 Buildings, Accessibility and Life Safety pages 45-46 guidelines 3-5.

682
683 **Statement(s) of Reason:** Based on the information contained in the application Staff's
684 judgments are that the proposed alterations are in the primary area of visual concern. While the
685 secondary or tertiary AVC's are preferable, the layout of the building and orientation to other
686 buildings, the street and parking make this location more desirable. The proposed design and
687 materials are congruous with guidelines, will not detract from the historic features of the
688 structure and are removable.

689
690 **Condition(s):** None.

691
692 Commissioner Parsons seconded. The motion passed unanimously.

693
694 **Motion:** Commissioner Gray moved to issue CoA. Motion passed unanimously.

695
696
697 **General Public Comments:** None

698
699 **Other business:**

700

701 **Demolition by Neglect Update:** Chief Building Inspector, Alton Wilson went over a few
702 Demolition by Neglect items, such as the pending expiration dates of 1118 N Craven St and 402
703 Queen St. Mr. Wilson said the owners were attempting to sell these properties. 217 Hancock would
704 require another review by Staff and Commission to determine how to deal with fines. 221 E Front St
705 has been turned over to the City Attorney who will be going to court for a decision.

706
707 Commissioner Parsons asked about the Fenner House at 217 Hancock. Mr. Robinson said he had
708 issued a CoA extension, but did not remove it from demolition by neglect. He also recommended that
709 Commission have another look at it. Chair Thompson clarified what the initial proposed alterations
710 were. Mr. Wilson said the removal of the back portion of the property is necessary under demolition
711 by neglect work orders, which has not been done. Otherwise property is in good shape.

712
713 Chair Thompson asked about the Albert Hotel on Middle St. and asked if there were any concerns
714 from Inspections. Mr. Wilson said that the file had been turned over to the City Attorney for past due
715 fines. Original applicant for property Sarah Afflerbach said that it was approved in summer of 2013.
716 Mr. Robinson stated that owner needed to update in summer of this year. Mr. Wilson said the fines
717 were not from demolition by neglect, but something else.

718
719 Chair Thompson recommended the demolition by neglect committee reconvene with Staff input.

720
721 Mr. Robinson stated that the Elks Building would also need to provide an update soon.

722
723 Chair Thompson asked about what the next steps were for 402 Queen St. Mr. Robinson and Mr.
724 Wilson stated that fines would start accruing.

725
726 Chair Thompson asked about 312 C Ave. Mr. Wilson said they had agreed to begin work soon.

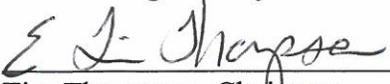
727
728 Staff had no other items.

729
730 Chair Thompson went over the special called meeting on January 29th. Staff clarified items to be
731 discussed.

732
733

734 **Adjourn**

735
736 The meeting was adjourned.

737
738 
739 Tim Thompson, Chairman

740


Kevin Robinson, AICP
City Planner