

Historic District Commission

March 25, 2021

Meeting Minutes

Chairwoman Eddlemon called the meeting of the Historic District Commission to order at 6:02 p.m. on Thursday, March 25, 2021 via Zoom.

Present: Commissioners Jerry Tucker, James Henson, Carol Hauer, Camille Fox, Ed Starr, and Andi Eddlemon

Absent: None

Staff present: Charles Graham, Assistant City Attorney; Kim Wallis, Planner; Chrystal Howard, Secretary; and Robert Stroud, Municipal Arborist

ITEM 1a. Roll Call / Sound Check

Chairwoman Eddlemon opened the meeting, conducted roll call and declared a quorum.

ITEM 1b. Approval of Minutes

Commissioner Tucker made the motion to approve the January 28, 2021 meeting minutes. Commissioner Starr seconded the motion and the motion passed (5-0).

Chairwoman Eddlemon provided an explanation for public hearings on Certificate of Appropriateness (COA) applications and order of business.

Chairwoman Eddlemon stated because of the quasi-judicial format of the hearings, persons wishing to speak and offer evidence are required by North Carolina law to be sworn in or affirmed. Ms. Howard administered the affirmations.

ITEM 2. Continued Public Hearing – Certificate of Appropriateness (File # PLCA202100101)

- Joshua Brooks
- 918 S. York Street
- To remove tree in left side yard

Chairwoman Eddlemon opened the public hearing recognizing Ms. Kim Wallis, Planner for the purpose of staff presentation. Ms. Wallis stated the applicant's name, subject location, and the Certificate of Appropriateness (COA) request. She read the property description and findings provided in the staff report. A subcommittee of the Historic District Commission reviewed the application on February 24th and denied removing the tree as it was determined healthy by the Municipal Arborist. Key points were the tree measured over 8 inches in diameter at the base, was in the side yard, and close to a retaining wall, existing fence and gate. Ms. Wallis shared the applicant's statement that the tree broke through the retaining wall and caused four distinct breaks. Mildew was growing on the side of the house as a result to shade. The tree damaged the neighbor's roof, some limbs were cut back to clear his roofline, and the majority of the tree leans over his house. The applicant believes the root system is damaging the foundation. Ms. Wallis stated the Municipal Arborist's assessment of the tree was that the tree was healthy with no real concerning structural issues, but roots can grow under poured concrete in certain conditions and can over time lift concrete if in a small enough section. Ms. Wallis continued with Mr. Stroud's assessment that the tree was not causing the leaking in the basement, and the tree was not mature and not quite close enough to the house to damage/cause leaking in basement. Also noted was the potential for the tree to become an issue in the future with the restricted space. With proper care, the tree would be fine and cause minimal maintenance issues, and if neglected it could decline rapidly and become a real threat to all nearby properties. Ms. Wallis displayed photos of the retaining wall and fence, basement with water damage, tree location, and gate location. Ms. Wallis finished her presentation with excerpts from the Design Guidelines.

Referring to photos of the retaining wall, Commissioner Starr commented on the retaining wall appearing bowed around the tree and asked if it was an issue.

Applicant, Joshua Brooks, 918 S. York Street of Gastonia, NC was recognized. Mr. Brooks replied that the retaining wall shifted approximately 8 to 10 inches off-center. Mr. Brooks briefly commented on a retaining wall that collapsed by a tree in the neighbor's yard. Chairwoman Eddlemon asked what had changed to intensify the interest to have the tree removed since the recent subcommittee meeting. Mr. Brooks replied that he had two separate requests, one was the removal of the tree with the same intensity and the other was the gate and fence installation not being dependent on removal. Mr. Brooks shared two trees took out three garages and he does not want a third tree to cause additional damage to a neighbor's house.

Historic District Commission

March 25, 2021

Meeting Minutes

Commissioner Hauer inquired about the discussion between the applicant and the arborist. Mr. Brooks explained that discussion had not occurred, and staff explained that the miscommunication was on their part. Commissioner Hauer read the statement, "With proper care this one could sit happily for decades and cause very minimal maintenance issues." She inquired about what proper care would involve and if the homeowner felt capable of providing proper care. Mr. Brooks commented that part of the tree was on the property line and he would need permission to maintain his tree on another person's property. He explained that his neighbor trimmed the tree on their side as it had caused roof damage. He explained the maintenance challenges, coordinating with his neighbor, and noted that he would have to employ service, as he would not be able to maintain it himself.

Commissioner Tucker asked about the damage mentioned to the neighbor's house. Mr. Brooks replied that he was unaware if a branch broke through or was brushing across, but the neighbor had roof damage with water intrusion and had to make repairs and have limbs cut back in 2020. Commissioner Tucker asked Mr. Brooks if the pavers were existing or if he installed them. Mr. Brooks replied that to his knowledge the cinder block terracing pavers were original to the house back in 1920, as well as, his neighbors. He reiterated damage to structures from his trees. Referring to the top photo on agenda page 2-4, brief discussion ensued on the neighbor's tree causing damage to the retaining wall and his proposed request being a similar situation.

In determining the impact of removing the tree, Commissioner Starr asked the tree species and if the tree had a dense canopy. Mr. Brooks stated the leaves were approximately 8-10 inches long and 3-4 inches wide, but not a canopy tree and not in scope of historic trees. The tree was not mature and approximately 50 ft. tall.

Ms. Howard administered the affirmation to Robert Stroud, Municipal Arborist. Mr. Stroud replied that the tree was a Pecan tree and nonproducing, more than likely not planted intentionally, and maybe 20 years old. A Pecan trees' taproot goes straight down and is very resistant to blowing over. The applicant's tree splits into two predominate leaders and over time these leaders grow and become susceptible to tear, and can fail in extreme high winds. Cabling was a method for maintenance. The tree was very healthy and not an imminent hazard, approximately 6 years away from it being a nuisance tree, and it was possible to become an issue in the future with the retaining wall.

Mr. Brooks explained the property was a rental prior to him owning the home.

Commissioner Tucker asked if the neighbor was in support with removing the tree and Mr. Brooks replied that he had not discussed with the neighbor. Mr. Brooks reminded the Commission that his neighbor received a notice and could participate in the meeting. Commissioner Tucker asked if he planned to replace the tree with something else, in the same or different location. Mr. Brooks replied that at this time he did not plan to replace it with something else. Regarding the front yard, Mr. Brooks shared that he has trees with existing issues, Crape Myrtles were removed due to mold and mildew, and anything new would be fighting for sunlight.

Commissioner Fox made a motion to approve the request as presented and Commissioner Starr seconded the motion. Commissioner Starr commented that removal of trees should be avoided in the Historic District; however, he needed to be realistic and consider the future ramification of trees. In this case, the tree was not intended to be there, viewing the photos and foliage, Commissioner Starr did not see that this tree would be missed, and considered the future ramification of the tree. The motion was approved (6-0).

ITEM 3. Public Hearing – Certificate of Appropriateness (File # PLCA202100101)

- Enrique Lagos
- 501 S. Chester Street
- Renovation of exterior house including installation of new siding, new driveway, replacement of upstairs windows, replacement of window shutters, new rear yard fence, new rear yard pool, new rear deck and stairs, new front porch floor, new exterior front door and removal of two (2) trees.

Chairwoman Eddlemon opened the public hearing recognizing Ms. Kim Wallis, Planner for the purpose of staff presentation. Ms. Wallis stated the applicant's name, subject location, and the Certificate of Appropriateness (COA) request. She read the property description and findings provided in the staff report on agenda page 3-1. Ms. Wallis noted the subcommittee held a pre-application review with the applicant via zoom on February 17th and subsequent site visit on February 25th. She displayed the zoning map. Provided in agenda pages 3-1 through 3-11, Ms. Wallis read the key elements of design and displayed photos of the new house siding and roof covering, siding deterioration examples, front porch renovation, new driveway and path, window shutters, new rear yard deck, swimming pool in rear yard, rear yard fence, window replacement on second floor, front door, front house window. Ms. Wallis read and displayed the proposed front, sides and rear house

Historic District Commission

March 25, 2021

Meeting Minutes

renovation also provided in the agenda on pages 3-1 through 3-11. She displayed a sketch of plants in the back yard that will be removed. Plants considered dead or diseased by the Municipal Arborist were identified in red, and healthy plants were identified in green. Ms. Wallis summarized the excerpts from the Design Guidelines.

Chairwoman Eddlemon started discussion with the siding. Commissioner Hauer commented on the siding needing replaced and she liked that the siding will be consistent overall, and asked about the difference between the siding proposed and the siding recommended by the North Carolina State Historic Preservation Office. Ms. Wallis shared that the siding recommended was Dutch siding and similar to the German siding. The applicant preferred the 5 in. width lap siding. Commissioner Hauer asked which siding was closest to the original size and Ms. Wallis replied that the Dutch siding was close to the original profile. Commissioner Hauer preferred and suggested keeping the siding close to how it looks. Commissioner Starr agreed and commented on the current siding giving a unique look to the house. Chairwoman Eddlemon noted that the front of the house had a unique pattern and a smaller siding would be more appropriate for this house. Brief discussion ensued on considering cost of siding and it was determined that this was outside the purview of the Commission. Commissioner Starr asked if the house was undergoing renovation for owner occupancy or for resale and Ms. Wallis replied that Mr. Lagos and his family will live there.

Chairwoman Eddlemon transitioned discussion to the roof. No questions or issues addressed.

Chairwoman Eddlemon transitioned discussion to the front porch. Commissioner Tucker asked if flush mounted lights or pendant lights will be installed and Mr. Lagos replied that he was unsure. Commissioner Tucker suggested flush mounted lights.

Chairwoman Eddlemon transitioned discussion to the new driveway and path. Clarification was made that the existing driveway was not a communal driveway. Mr. Lagos stated the existing driveway was very small and tight. For his house, Mr. Lagos shared that a larger driveway to allow more parking was necessary. Commissioner Tucker agreed that the driveway on the right was very tight with single file parking, and understood the reason for wanting to move the driveway. Discussion ensued that the driveway width was for two cars side-by-side.

Chairwoman Eddlemon transitioned discussion to window shutters. Based on existing shutters, Commissioner Starr asked if the intent was to replace with functional or appear to be functional shutters. Mr. Lagos replied that there were several types of shutters on the house and he wants to have fixed (nailed) shutters. Commissioner Starr preferred that the window above the front door not have shutters. Commissioner Hauer preferred shutters on single windows to be the width as if closed. Commissioner Starr was concerned about where to put shutters on the house. He suggested having fewer shutters and only place where appropriate to show the architecture of the house. Chairwoman Eddlemon, Commissioner Hauer and Commissioner Fox agreed. Commissioner Fox suggested offering a diagram to give the applicant some advice at a later time. Several commissioners responded that it was a good idea.

Chairwoman Eddlemon transitioned discussion to the new rear yard deck. Chairwoman Eddlemon commented that the existing deck was very small for the house, and commented that she was not sure if two rocking chairs could fit on it. Commissioner Hauer understood wanting to have a back outdoor space, but requested the deck be as traditional as possible to be cohesive with the house. Commissioner Starr stated the proposed deck was a stained wooden deck and stairs with steel black railings and painted black top rail. Commissioner Starr asked if the intent was to have a metal railing with a wood cap. Mr. Lagos replied that the railings would be metal and referred the Commission to the bottom left photo on agenda page 3-10. Both Commissioner Starr and Commissioner Hauer like this photo more than the photo beside it. Commissioner Hauer requested a diagram and Mr. Lagos was willing. Commissioner Starr stated the left photo design would work for the applicant while being appropriate to the house. Chairwoman Eddlemon agreed.

Chairwoman Eddlemon transitioned discussion to the swimming pool and fence in rear yard. No questions or issues addressed.

Chairwoman Eddlemon transitioned discussion to window replacements on second floor. Chairwoman Eddlemon was glad the windows would be Simulated Divided Lite windows. Commissioner Hauer was not in favor of changing the size, adding or closing any windows on the front or sides of house. The right side of the house was displayed first to discuss. Mr. Lagos confirmed the French doors would remain. The little window to be closed was acceptable to Commissioner Hauer. The front side of the house was displayed next for discussion. Commissioner Hauer was not in favor of replacing two windows on the second floor with one single window. Commissioner Fox asked if the proposed single window was stationary and Mr. Lagos replied that it would not open. Chairwoman Eddlemon asked if the window was the same size as the current

Historic District Commission

March 25, 2021

Meeting Minutes

opening and Mr. Lagos replied that it was the same size. Commissioner Hauer asked the reason for replacing two windows for one window. Mr. Lagos replied that the upper floor would be an open setting, so no windows need to be open. Commissioner Hauer commented that the front of the house would look different. Commissioner Fox asked if there was a way to have the window manufactured to simulate wood in the middle. Mr. Lagos stated having one board in the middle would not look right. Commissioner Hauer was not in favor of the change to one window. Commissioner Fox reiterated her thought to continue the same pattern. Commissioner Tucker commented that the front would look different if the windows no longer have shutters, but also understood maintaining a post in the middle between the two windows. He continued that he could see one window the same size. Brief discussion occurred on the existing window sizes on the second floor and recognized the differences in windows. Commissioner Starr commented that one window would allow light in and be a simpler statement on the upper wall of a two-story foyer, but the exterior would look better with a double window.

Commissioner Tucker suggested resolving issues and defer. Chairwoman Eddlemon inquired about approving some of the request with conditions and referred to Attorney Graham for guidance. Attorney Graham commented on the option of continuing a hearing to allow more time to think and decide on what each person wants, not as a group, writing thoughts in a way to be read in a form of a motion. The Commission can compare notes at the next meeting in a public hearing. Other options presented were approving the request as presented, or continue the hearing and ask staff to get with owner to discuss the Commission's concerns and suggestions during this meeting, and allow the applicant time to come back with a different proposal. Brief discussion ensued amongst the Commission on how they would proceed.

After discussion, the Commission was in favor of the roof as requested. Regarding siding, the options for the Commission were 1) approve as presented or 2) approve with the condition to use Dutch siding. Regarding the front porch, the flooring was accepted. The Commission requested more information on the porch lights. Regarding the driveway and removal of tree, Commissioner Tucker shared his concern of the existing driveway being narrow and the large tree obstructing the view for backing out. Commissioner Starr agreed. Mr. Stroud shared a concern that a 24 ft. width may interfere with large the oak trees in front yard, so he will meet with Mr. Lagos on the property to discuss. Commissioner Tucker suggested making the new driveway width narrow by the street and transition wider to the back. Mr. Lagos was willing to make the driveway narrow near the street as long as two cars could fit. Briefly discussed was shutters and it was deferred to next month's meeting. The Commission accepted the metal with wood for the deck, but requested a better diagram of the size and shape of the railing choices, as well as, a stain color. Regarding pool and fence, Ms. Wallis noted that an enclosure fence was not required by the Building Department if there was a rear fence. Discussion ensued that a fence would need to encapsulate the pool. Mr. Lagos stated he would use a similar black metal gate that his neighbor has. Ms. Wallis stated that she would take a photo of the gate and redraw the areas. Regarding the rear yard fence, a color choice was requested. Mr. Lagos stated he was fine with whatever color the Commission chooses as long as it matches the house. Regarding windows and elevations, Chairwoman Eddlemon started the discussion with replacement windows chosen. Commissioner Fox stated she liked the double hung 4/4 sash and Commissioner Tucker agreed. Commissioner Hauer stated she disliked the old glass lost, but understood and accepted the request. Chairperson Eddlemon commented on concerns about the large front window over front door. Commissioner Hauer was not in favor of replacing with one window, but noted others may. With one single window simulating two double windows with a wood grid in the middle, Commissioner Hauer would be inclined to be in favor of the idea. For the exterior appearance, Commissioner Hauer commented that it should remain as it is. She understood the request for the interior purpose, but not enough to approve the change. Commissioner Fox commented that she understood the function of the window, but was in line with Commissioner Hauer. She noted that the large window would be striking against all the other windows without dividing. Commissioner Hauer added that if the door approved, it would match better. The Commission was in favor of the double door. Chairperson Eddlemon commented on preserved details of the house would shine.

Chairperson Eddlemon transitioned discussion to the rear of the house. Commissioner Starr asked if removal of windows and doors were for the function of the interior. Connection with the applicant was temporarily lost. Commissioner Tucker did not have an issue with the changes since it was on the rear of the house. Brief discussion ensued on accepting the changes and the Commissioners stated they agreed.

Chairperson Eddlemon transitioned discussion to the left of the house. Commissioner Tucker, Starr and Hauer commented that they were not in favor of the additional small window, as it did not look appropriate. Commissioner Hauer preferred the window sizes not change. Discussion ensued on the request to replace louvered vents with glass. Commissioner Hauer liked the detail of the louver and was not in favor of changing to glass. Commissioner agreed and was okay with adding glass behind the louver. Mr. Lagos replied that the attic would be finished, usable space, and the reason for wanting

Historic District Commission

March 25, 2021

Meeting Minutes

a single pane glass. Understanding the request, Commissioner Tucker commented that the area would be too narrow for a window. Commissioner Starr liked the louvers, but from a functional standpoint and overall aesthetics, he did not have an issue with changing to glass. Commissioner Hauer stated she did not mind it on the side and requested a visual. Chairperson Eddlemon agreed with Commissioner Hauer. The Commission requested a sketch of the glass windows. Ms. Wallis stated she would try to provide a visual for all elevations.

Discussion ensued on the landscaping. Trees being removed were due to the installation of deck and pool. One cedar tree was healthy but competing for sun with a Magnolia tree and the arborist approved the removal of this tree.

Chairwoman Eddlemon recapped that the roof, front porch, complete rear elevation, and right side elevation did not need further discussion and was acceptable.

The front door was discussed. The front door was not an issue for the Commission; however, a request was made that the door be included in the unified presentation. Commissioner Hauer liked the design presented and requested a visual with the upper windows. Commissioner Starr commented that he could visualize the door and large window together and being appropriate.

Discussion at the April meeting will include siding choice, porch lights, driveway width, mockup illustrating location of shutters, diagram of size and shape of railing choices, deck stain color, fence stain color, front window, and glass replacing louvers.

Commissioner Hauer made a motion to continue and Commissioner Tucker seconded the motion. The motion passed (6-0)

ITEM 4. Other Business

Subcommittee Meeting Tonight, if Needed: No subcommittee meeting needed.

ITEM 5. Adjournment

There being no other business, Chairwoman Eddlemon adjourned the meeting at 8:02 p.m.

Respectfully submitted:

Chrystal Howard, Secretary

Andi Eddlemon, Chairwoman