

# Historic District Commission

May 24, 2018

## Minutes

Chairman William Blackwelder called the meeting of the Historic District to order at 6:08 p.m. on Thursday, May 24, 2018 at City Hall in the Council Chambers.

Present: Commissioners Ben Brackett, Andi Eddlemon, William Blackwelder (Chair), Ed Starr, and Carol Hauer

Absent: Lynn Stepp

Staff present: Kim Wallis, Planner; and Chrystal Howard, Secretary

### **ITEM 1a. Roll Call / Sound Check**

Chairman Blackwelder opened the meeting and declared a quorum.

### **ITEM 1b. Adoption of the Agenda**

Commissioner Brackett made the motion to accept the agenda as presented and Commissioner Starr seconded the motion. The motion was approved unanimously (5-0).

### **ITEM 1c. Approval of Minutes**

Commissioner Starr made the motion to approve the March 22, 2018 minutes and Commissioner Brackett seconded the motion. The motion was approved unanimously (5-0).

Chairman Blackwelder stated that 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, and asked all speakers to come forward to be sworn in or affirmed. Oaths of speakers were administered by Ms. Chrystal Howard.

Chairman Blackwelder provided an explanation for public hearings on Certificate of Appropriateness (COA) applications and the order of business.

### **ITEM 2. Public Hearing – Certificate of Appropriateness (File # 9003)**

- Dick and Sue Ruhlman
- 613 S Lee Street
- Side yard fence extension

Chairman Blackwelder recognized Ms. Kim Wallis, Planner for the purpose of staff presentation.

Ms. Wallis stated the applicant is requesting to extend a pre-existing section of the side yard fence on the south side of their property. According to the York Chester Register inventory, the property was built ca. 1929 and is a two-story, Colonial Revival, it is located in a RS-8 residential zoning district, and it is considered contributing to the district. The side yard currently has a small portion of 8 ft. side yard lattice fencing with climbing vine built 20 years ago. The hedge row that existed previously which contributed to side yard privacy was cut down by the neighbor property owners, leaving a gap in privacy. Ms. Wallis read the key elements on of the design and the excerpts from the Design Guidelines provided on the staff report in the agenda packet. Ms. Wallis displayed various images of the property.

Commissioner Starr asked if the existing fence is 8 ft. and would it remain and Ms. Wallis answered that it is 8 ft. and it will remain. Commissioner Blackwelder inquired about the lattice and Ms. Wallis stated that the 8 ft. lattice was built 20 years ago. Commissioner Starr asked if the fence that is along the adjacent property was 6 ft. and Ms. Wallis answered that it was 6 ft. and is fairly new. Brief discussion ensued. Commissioner Eddlemon asked if the existing white style fence would be continued and Ms. Wallis answered that the fence would be the wood lattice. Commissioner Brackett stated that he did not have a problem with it. Discussion ensued on fencing height and the existing fencing heights. Commissioner Eddlemon asked if the fence is installed above the elevation or is it full gardening beside it. Ms. Wallis referred this question to the applicant.

No further questions were asked by the Commissioners.

Chairman Blackwelder recognized Mr. Dick Ruhlman, 613 S Lee Street of Gastonia, NC. Mr. Ruhlman, applicant, stated that the fence has been there for 20 years and is 8 ft. tall. Mr. Ruhlman explained the 8 ft. hedge that existed on the property was for privacy. The elevation may require an additional 2 ft. above the 6 ft. fence height. Otherwise, the homeowner stated he felt that they will need to replace the existing fence to 6 ft. from the existing 8 ft. tall fencing. Mr. Ruhlman stated that they are requesting an extension of the pre-existing fence and commented that it will not be

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visible from the street. Mr. Ruhlman stated that the property is elevated providing a need to elevate the fence.

Brief discussion ensued amongst the Commissioners.

Commissioner Blackwelder and Ms. Wallis briefly discussed a previous case approved.

Commissioner Blackwelder asked if there was anyone who wished to speak and received no feedback; therefore, he moved forward with entertaining a motion.

Commissioner Brackett made the motion to approve the request as presented and Commissioner Starr seconded the motion. The motion was approved unanimously (5-0).

Commissioner Blackwelder noted that this was an exception to the guidelines for this particular case.

### **ITEM 3. Public Hearing – Certificate of Appropriateness (File # 9006)**

- Chlarissa Harrison / Xcite's Sweet Connection
- 1206 S. York Street
- 8'x4' oval wall sign on building
- 2'x6' sign in window
- door accent graphic stripe with logo/ hours
- feather sign 2.5'x12' in yard Side yard fence extension

Chairman Blackwelder recognized Ms. Kim Wallis, Planner for the purpose of staff presentation.

Ms. Wallis stated the applicant is requesting to install a new signage. The property is located in the Brookwood Historic District and it is a flat roof brick structure with large pane glass windows. The property is located in a C-1 (Neighborhood Commercial) zoning district and is considered non-contributing to the district. The building was built in 1968 according to the parcel data. Ms. Wallis stated that the applicant would like to install signage for her business for either option 1 or 2. Ms. Wallis displayed and explained each option to the Commissioners as included in the agenda packet.

Chairman Blackwelder asked if the feather sign will be in the ground and Ms. Wallis answered that it would. Brief discussion ensued on feather signs. Commissioner Blackwelder stated his concern regarding the placement of the sign and obstruction to traffic view. Commissioner Brackett also agreed and commented that it could be a safety concern. Ms. Wallis read the excerpts from the design guidelines provided in the staff report on agenda 3-1. Ms. Wallis stated that Ms. Chlarissa Harrison was not present this evening, but Ms. Cameron Dennis was present to answer any questions. No questions were asked by the Commissioners.

Chairman Blackwelder recognized Ms. Cameron Dennis, Supervisor and representative for Xcite's Sweet Connection. Ms. Dennis expressed her passion and explained the business. Commissioner Brackett stated his concern was with the feather banner and creating obstruction for traffic. Ms. Dennis explained that the location of the feather will be located in the grassy section next to the parking area the length of the structure off to the side. Commissioner Brackett stated he liked option 1 the best. Commissioner Starr stated he liked option 1 as it complements the architecture of the building. Ms. Dennis continued explaining the possibilities of the business and their sister company. Discussion ensued regarding the sign placements and store location. No questions were asked by the Commissioners.

Chairman Brackett made the motion to approve the request as presented for option 1 and Commissioner Starr seconded the motion. Discussion ensued clarifying the both options. The motion was approved unanimously. (5-0)

Due to traffic safety concerns, discussion occurred on the feather banner location. Ms. Wallis used google maps to display the parcel. Ms. Dennis stated that the sign will be displayed during business hours. Ms. Wallis stated that feather signs cannot be placed in the right-of-way planting strips.

Chairman Blackwelder entertained a motion recommending the feather sign be located 4 ft. away from the sidewalk adjacent to the road and inside the grassy section beside the parking lot, as well as, meet zoning requirements.

Further discussion ensued on the feather sign placement.

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Ms. Dennis acknowledged and accepted the Commissioners recommendation. Ms. Wallis stated that the maximum size cannot exceed 25 sq. ft. total and the maximum height was 10 ft. Ms. Wallis reminded the Commission that they can approve the design.

Commissioner Brackett accepted the motion and Commissioner Hauer seconded the motion. The motion was approved unanimously. (5-0)

### **ITEM 4. Other Business**

Chairman Blackwelder recognized Mr. Jason Thompson, Planning Director for the purpose of staff's presentation. Mr. Thompson briefly explained the text amendment to the UDO, HD Historic District Overlay, Chapter 7 Section 6.2. Mr. Thompson stated the some of the language in this section of the ordinance spells out specifically what types of projects are presented to the commission, subcommittee, staff level or no approval level. Mr. Thompson continued that recent issues received from complaints have occurred acknowledging homeowners moving forward with projects without required prior approval. Staff's responsibility is to administer the zoning ordinance by investigating the complaint. If the issue is in violation, staff is to notify the owner of the violation to achieve compliance with the ordinance. Mr. Thompson stated the goal is not to fine the violator but to achieve compliance. In response to help with this situation, a change to the ordinance to require someone who has been found to be in violation regardless of the required approval level, all situations will be presented to the Historic District Commission. Mr. Thompson stated that staff has not drafted any specific language to this effect and asked the Commissioners to share their thoughts prior to staff presenting a draft to the Gastonia Planning Commission for recommendation and City Council for final approval. Mr. Thompson asked the Commission if they had any questions. No questions were asked. Commissioners Hauer, Starr and Blackwelder stated that this is an excellent idea.

Commissioner Brackett made the motion to support the text amendment to the UDO, HD Historic District Overlay, Chapter 7 Section 6.2 for any item in violation to go before the Historic District Commission and Commissioner Starr seconded the motion. The motion was approved unanimously. (5-0)

Commissioner Brackett announced his resignation effective this evening as a Historic District Commissioner as he no longer has the time to devote to it, as well as other obligations. Commissioner Brackett stated he would attend one more meeting per Chairman Blackwelder's request. Commissioners thanked him for his service.

Ms. Wallis stated that a subcommittee meeting is needed afterwards and Commissioners Blackwelder, Starr and Eddlemon stated they will participate.

### **ITEM 5. Adjournment**

There being no other business, Chairman Blackwelder adjourned the meeting at 6:57 p.m.

Respectfully submitted:

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Crystal Howard, Secretary

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William Blackwelder, Chairman