

**DRAFT OF MINUTES PROPOSED FOR ADOPTION BY THE  
GREENVILLE HISTORIC PRESERVATION COMMISSION**

January 27, 2009  
Greenville, NC

The Greenville Historic Preservation Commission held a meeting on the above date at 7:00 p.m. in the City Council Chambers of City Hall located at 200 West Fifth Street.

**COMMISSION MEMBERS PRESENT:**

Candace Pearce, Chair	Minnie Anderson	Jeremy Jordan	Ryan Webb
Dennis Chestnut	N. Yaprak Savut	Christy Koren	Dale Sauter
Rick Smiley	Ashley Wetherington		

**COMMISSION MEMBERS ABSENT:**

None

**STAFF MEMBERS PRESENT:** Sandy Gale Edmundson, Secretary; Jonathan Edwards, Communications Technician; Bill Little, Assistant City Attorney; Carl Rees, Senior Planner; Dru York, Consultant; Seth Laughlin, Planner; Sarah Radcliff, Secretary; Harry Hamilton, Chief Planner

**OTHERS PRESENT:** Francine Rees, Stuart Sanderson, Nancy Hobgood, Charles Ewen

**ADDITIONS/DELETIONS TO THE AGENDA**

Mr. Rees stated they had omitted the Election of Officers from the agenda and recommended adding that as item #6. He said the commission members had requested a resolution be prepared regarding Third Street School. He recommended that item be added under new business as item D. Motion was made by Mr. Rick Smiley and seconded by Ms. N. Yaprak Savut to approve the amended agenda. Motion carried unanimously.

**APPROVAL OF MINUTES OF NOVEMBER 25, 2008**

Ms. Pearce said there were minor corrections to the minutes. She said on page 3 of the numbered pages, Procopio Sabarro is S-E-R-R-A-N-O. Motion was made by Mr. Jeremy Jordan and seconded by Mr. Dale Sauter to approve the November minutes. Motion carried unanimously.

## **APPRECIATION CEREMONY FOR OUTGOING HISTORIC PRESERVATION COMMISSIONERS**

Ms. Pearce stated the commission was grateful for the amount of service, time and energy the members had put into the commission. Calvin Mercer, Councilmember, presented a Certificate of Appreciation to Francine Rees for volunteer service to the Greenville Historic Preservation Commission. Greg Jarrell, who was not present, also received a Certificate of Appreciation from the Board.

### **PUBLIC COMMENT PERIOD**

Mr. Rees shared the Public Comment Period guidelines with the Commission.

1. The Public Comment Period shall not exceed a total of thirty minutes, unless the Commission, by majority vote, extends this limit.
2. Each individual will be allowed no more than three minutes for comments, unless the Commission, by a majority vote, extends this time.
3. An individual wishing to address the Commission during the Public Comment Period shall register with the Secretary of the Commission prior to the opening of the meeting by signing his or her name, address and short description of his or her topic on a sign up sheet provided by the Secretary to the Commission.
4. Any item which is the subject of a public hearing conducted at the same meeting shall not be discussed during the Public Comment Period.
5. If the thirty minutes allocated to the Public Comment Period has not expired after the individuals who have registered have spoken, individuals who have failed to register before the meeting may speak during this comment period and will speak following those who have registered in advance. If time remains, the Chair will ask if any other individuals desire to address the Commission during this comment period. An individual wishing to speak shall raise his or her hand to ask to be recognized by the Chair. After being recognized by the Chair, the individual shall state his or her name, address and the topic to be addressed. If permitted to speak, the individual shall limit his or her comments to the same three minutes limit.
6. The Chair shall act as official timekeeper. When an individual has thirty seconds left in their time to speak, the Chair will state "Thirty Seconds." The individual will need to bring their comments to a close. When time expires, the Chair will announce "Time Up." At that point, the individual must stop talking and return to their seat or leave the meeting room. No additional comments will be permitted or accepted once time has expired.

7. No action will be taken on matters raised during the Public Comment Period. If matters discussed require action by the Commission, the Chair will request staff to review and provide a recommendation at the next meeting.

There was no public comment.

## **CONSIDERATION OF APPLICATION FOR CERTIFICATE OF APPROPRIATENESS**

### **COA 08-11: 405 S. Eastern Street**

The Notary Public, Sandy Gale Edmundson, swore in Nancy Hobgood, Stuart Sanderson, Carl Rees and Dru York.

Mr. Rees: This Certificate of Appropriateness application is for 405 South Eastern Street. This is one of the types of Certificates of Appropriateness that we refer to as “after the fact”, in that the work has already been completed and the applicant is now coming before the Historic Preservation Commission to be heard on the appropriateness of that work. They completed the Certificate of Appropriateness on November 14 2008, the applicant being Stuart Sanderson. This property at 405 South Eastern Street is located within the College View Historic District. The applicant is requesting approval for prior installation of crushed brick parking pad in the front yard area. I will show you some diagrams and pictures of that later and this public hearing, as required to go along with this Certificate of Appropriateness was published as required by North Carolina General Statutes in The Daily Reflector. Just for reference, the College View Historic District is a district established by Ordinance number 94-23 in 1994 and has been recorded with the Register of Deeds. A little bit more about the property; it’s also known as the William J. Bundy House. It’s a Modest Tudor Revival dwelling and is located midway between Fourth and Fifth Street. You can see it here highlighted, its number 405 with the blue line around it; this being Fifth Street, this being Fourth Street, Uptown Commercial District this way and the University back this way. It’s a deep lot. It has a relatively small front yard with garage and deeper back yard area and there are some original small concrete retaining curbs in the yard area as you’ll see in the photo here. You can also see it in this photo and I think they’ll be some close-ups later on, but you can see the crushed brick material there, the original driveway here and the grassy yard on the other side, which we assume is how this side once was. The photo from our aerial Geographical Information System coverage gives you an idea of how the structure sits on the lot with the garage and more room at the rear. Back in the late fall of 2008, staff was informed that there had been this parking pad installed in the front yard and staff informed the property owner that they would be required to go through the Certificate of Appropriateness process. There are a number of considerations related to the Design Guidelines. The crushed brick pad covers about half of the front lawn area. You remember there were two sides to it and there’s a shrub border adjacent to the dwelling that stands into that parking area. There are also other city regulations that speak to this case. Section 9-4-248(d) of the City Code says that you should not use more than thirty percent of any front yard area of a single family

dwelling for parking. The crushed brick is red, in contrast with the brown tones of the brick on the house, and I'm sure you saw it in the photos and can see it here again. A little bit of difference there. A little bit of contrast in the color between the paving material and the brick of the house.

Mr. Smiley: When were those photos taken?

Mr. Rees: They were taken in advance of this case, I don't know the exact day, but I'd say...

Mr. Smiley: the last few weeks.

Mr. Rees: Yes, in the last few weeks. The College View Historic District is predominantly residential. Large scale off street parking is not typical in this district, an older district at a time when there weren't as many single family vehicles at home, so less parking area. So, introduction of additional off street parking must be weighed carefully and should only be considered if the following conditions are met: the parking is located unobtrusively in the rear or rear side yard, there is a way to visually screen from the street and adjoining landscape features or a substantial portion of the rear yard. Proposals for new driveways or off-street parking must provide the Commission with scaled site plans, including all landscape and groundcover changes. Additional considerations from the Design Guidelines – this is how the Design Guidelines speak to this particular application. Retain and maintain historic configuration and materials of existing driveways and alleys whenever possible; locate new parking areas as unobtrusively as possible in rear yards whenever possible; it is not appropriate to locate offstreet parking in front yards; for new parking areas, use paving material that is compatible with traditional paving materials for driveways in the district, and I think you saw a visual illustration of what existed at that location earlier; screen all new parking areas from adjoining properties with fencing or shrubbery; and it is not appropriate to abut new driveways or parking areas directly to the principal structure. Additional information; preserve both proportion of green area to building mass and formal or informal character of the landscaping. It is not appropriate to alter the residential character of the historic district by significantly reducing proportion of green area to built area on an individual lot through additions, new construction or surface paving. So the staff recommendation in this case is denial of the Certificate of Appropriateness based on the following findings: the parking pad is not inconspicuous; creating new off-street parking in the front yard is inappropriate; the parking pad replaces approximately half of the front lawn and shrub border, abuts the dwelling, greatly reduces proportion of green area to the built area; in an effort to compliment brick driveway, crushed red brick was used to pave the surface of the parking pad. So, again, they were using crushed brick although there is some difference between the color of the structure and that brick. So, staff recommended motion of deny approval of the parking pad addition. Any questions?

Ms. Pearce: Okay, would the applicant like to speak?

Mr. Sanderson: Certainly. May I first state that I stand in violation of all that stuff up

there and it was quite frankly because we didn't know we were in a historic district. We came to this town and bought property here in August of 2007 from William Castell, an owner that owned the house for some years, his daughter stayed there by herself. I bought the house from him, approached him, he sold it to me, never aware I was in the historic district at that time. Those photos that you see there are indeed quite new. The property to the right of me, which is now in our possession, 407 South Eastern Street, I've also bought that property, it was absolutely overgrown. I don't know of any other way to say it because that may come up in future meetings with this body. What happened there was, the driveways are shared for both properties in between the houses, which are quite close together, and they're not to code, as far as width, so they exist for you to get through there, but it's the best you can do. When cars are in there a driver cannot get out and a passenger cannot get out, but that's just how it is, how it exists and its been that way for a long time. So, water off of 407, the roof of that structure, came in and would make a pond in the area. You could go up the street, but as you go downward the water would stand and stand. When we bought the property, we had one gentleman living there. The guy had no problem. He would just pull in as far as he could and most dry times during the summer it did not pose a problem. When my son moved in there to go to college at East Carolina with his roommates, that real wet area there made a lot of difference, increasingly got worse. So what I did was I put a French drain down the side of the lot and actually took up bushes, put that crushed red brick there and told Brownie, my son, to park there on that pad to alleviate tightness of the area and to keep us off that muddy area back there. Which, if you go on over the driveway a little bit farther to the fence, there is a utility building back there too, an existing utility building. There was also an air conditioner unit, a big...

Mr. Smiley: Sir, I'm sure staff can make arrangements for you to have the overhead if you want to make reference to that.

Mr. Sanderson: It's fine, if it's available we could.

Mr. Rees: I'm sorry. We've got most everything else working, but we do not have our overhead working.

Mr. Smiley: It was right there on the...

Mr. Rees: Oh, I'm sorry, just the previous slide?

Mr. Smiley: Yes.

Mr. Rees: Here?

Mr. Sanderson: Yes, that's fine. Do you see in the picture with the blue outline around it, that's obviously an older picture, do you see the great big air conditioning unit? It is in view there, it's actually in the driveway. Do you see it? Do you know what I'm talking about Board? I hope you do.

Ms. Pearce: It's white, right?

Mr. Sanderson: Yes, its white, kind of a metal box, there it is, and it was quite obtrusive also, so that a car either had to go past that to the fence or stop in front of that to open up the door. The house keeps you from opening up the door all the way to the front corner of the house. It was just a very, very tight area, that's all. And we were just living with it. The air conditioning unit failed in the summer of 08. So I contacted Air Care, a fellow by the name of Tom Edwards, who came over and did an evaluation and we put in a brand new very expensive air conditioning system. When we were going to replace it, he was going to move it to behind the house so it gets out of the way of the view of the road and he calls me and says, "Stuart, we have a problem. You are in a historic district. We have to go before the Historic Commission and get this approved." I said "do what?" He said "Yea, you're in a historic district." I said fine and he said he could take care of it. Well, he got it approved and now the air conditioner is in the back of the house. The big part that's outside is now behind that fence and it's moved away from there. So, anyway, the crushed red brick is not ideal and it is not actually a tasteful thing, nor is it in regulations of what this body set apart for parking. It was a Band-Aid and it was trying to get us through a tough spot, also not knowing what we were doing. So when Tom Wisemiller wrote me a letter in October of 08 and said I need to come before the board with a COA and all this, I thought wow, now it's all coming to fruition. So I just filled out very meagerly the paperwork he sent me and now I stand before you. I understand that the parking pad as it exists is a detriment to the property and I also say, so I can have full disclosures to this Commission, my wife and I are members of Preservation North Carolina. We own the Main Street Inn in Tarboro, North Carolina in the 42 Block Historic District. It is a beautiful home, a gorgeous home and I would encourage any of you to come and see it. We have been written up in Our State magazine. We are in lots of different things where we are actually applauded for our work of preservation and using old windows, and you know just lots of different things going above and beyond, over and above. We know this is not ideal and when we found out we were in the Historic District we were pretty much shocked. In the future, we may meet again to talk with you about 407 South Eastern Street where we have had to actually take vines that were growing literally six feet into the house out. So that house was in tremendous disrepair and we are fixing that yard up now as well, but we know this is not ideal and we know now by owning both properties that we can make the parking much better by putting it like is recommended behind the home on 407. And, hopefully, at that time, coming before you and proposing to put in a gravel parking behind the house there, where you can drive in and leave that thoroughfare between the houses open and more appealing to the view. Any questions?

Ms. Pearce: When you applied, did we get an application for this heating and air conditioning system anywhere?

Mr. Smiley: I thought I remembered that. It was a minor work, wasn't it?

Ms. Savut: Yea, that was a minor work.

Mr. Smiley: When was the parking pad installed?

Mr. Sanderson: The parking pad, it was installed 8/07. We bought the property in August of 07 and it was very soon thereafter, well maybe not.

Mr. Smiley: Fall 2007 is fine.

Ms. Pearce: So, it's your intention to come back to the Design Review Committee with a plan that is going to accomplish your parking and repair your current parking pad in the front of the house.

Mr. Sanderson: Yes.

Ms. Pearce: And then bring a Certificate of Appropriateness to this Commission for repairing what you've already done and then putting a parking pad that will work for you in the back according to the guidelines.

Mr. Sanderson: Yes, ma'am.

Ms. Pearce: Okay.

Mr. Sanderson: It's a very expensive way to get parking, you have to buy another house to do it, but we had to get it done. And the thing is, what I am proposing to you, Ms. Pearce, is that we remove that brick, actually put back topsoil, sod it with centipede grass, put like kind shrubbery that was in front of that house, so that it is a very pretty house.

Ms. Pearce: Oh, it's beautiful.

Mr. Sanderson: It's the prettiest house on the street, quite frankly. It was so close to the University that we just felt real fortunate to get it. We are also trying our best to take away the, well, that's another meeting. But anyway...

Mr. Chestnut: I have a question.

Mr. Sanderson: Yes, sir.

Mr. Chestnut: How many parking spaces are you trying to get to accommodate this residence?

Mr. Sanderson: Three.

Ms. Pearce: Okay, thank you. I believe you are getting ready to do the right thing.

Would you like to speak now? Okay.

Mr. Smiley: Is she speaking in favor or?

Ms. Hobgood: In opposition. My name is Nancy Hobgood and I live adjacent to his house at 403. We have lived there since 1990. My husband accepted a call to Saint Timothy's Episcopal Church and whereas it would have been much more convenient for us to live in Cherry Oaks next to the church, we were thrilled to be able to buy a home in the University Area. I grew up in downtown Wilmington. We have lived in the suburbs since I was probably 8 years old and I came home. That's how I have felt about it. The parking the Sanderson's are requesting tonight has actually been in use for many months and I felt like, and I guess I can say this to you and to Dennis, I was in great hopes when I realized they had bought the home because I knew since they lived in Tarboro in a historic home they would do good by the neighborhood. Well, I was wrong. We have lived with the parking pad, in fact, as of this afternoon, I have a picture that shows not only the car in the driveway, the car in the parking pad, the car with the rear wheels on the sidewalk and the front wheels on the parking pad. So, this is not good. What they have done has really impacted the value of our home. It has emotionally impacted me terrifically, but you don't need to hear that. The fact they have now cut down all the trees in front of 405 and 407 also impacts our value of our home and the look of it. I think it needs to be said that the county's assessment of the value of our home is one thing, the market value of our home, even though we plan to stay there until our dying breath if possible, the market value has been quite compromised by their activity. Say you have two homes for sale in the same neighborhood. One is on a tree lined street, which we bought on with no parking pad, that would be my preference. Now we have a house that is on a street next to a parking pad, trees are gone. If you were buying one house like that, or one house that had all those things back, which one would you, or people buy? I would not buy if I had an alternative, that was just like what we had, but had all this. When the Sanderson's bought this home, we were walking down the street, and we saw that they were taking down all the shrubs. We were told it was because the exterminator had told them they had bugs and this was a way of getting rid of their bugs. But, they were cutting them down, they would come back. We were gone a couple of hours and when we got back the root balls and the bushes were out on the street. That's not a real good feeling to live next to people who say one thing and something else. I'm sure they're good people; I'm not trying to down you on that. But, if this was in Tarboro, would you like it, in other words, next to your place?

Ms. Pearce: Ms. Hobgood, speak to us please.

Ms. Hobgood: I'm sorry, it gets emotional. I'm sorry.

Ms. Pearce: That's okay.

Ms. Hobgood: I can't say anything else.



Ms. Pearce: We appreciate what you've said and I believe that Mr. Sanderson by his own statement and by these guidelines is going to be a good neighbor and put this back the way it was.

Ms. Hobgood: Do I come back again to have, or who do I go to, maybe you can help me.

Ms. Pearce: When he comes in front of this Board again, when we have a decision on this, he will then be contacted and we will encourage him to come to Design Review Committee so that we can talk to him about what his plans are. Then he will come before this Commission and give a presentation, just like he did before, only instead of saying he was sorry, he'll be saying, this is what we are going to do. And if that meets our guidelines, that would be the time for you to come back and say "I like what he's getting ready to do", or "I don't like what he's getting ready to do", or...

Ms. Hobgood: It sounds like he's going to do the right thing.

Ms. Pearce: And that would be the time for you and any of your neighbors to come and make a comment about it, the next time, because he will be trying to get a Certificate of Appropriateness for his new plans. And we'll let you know.

Ms. Hobgood: May I ask you one question?

Ms. Pearce: You may.

Ms. Hobgood: Who do I go to or approach about the trees which were cut down?

Mr. Smiley: I actually have a question about that. When were the trees cut down?

Ms. Hobgood: In the last couple of weeks.

Mr. Smiley: So January 09.

Ms. Pearce: The staff has already addressed the tree issue because they are covered under our guidelines and the property owner will be required to make a presentation to the Design Review Committee based on the guidelines, what he's planning to do about the trees. Then he'll do a Certificate of Appropriateness and when he has, in front of us all, just like this, this is what I'm going to do, these are the kind of trees I'm going to put in, they meet the guidelines, that would be the perfect time to come and say that. And, any time you have a question about anything in the district, if you will call the office, right now its Seth Laughlin, or me personally, or anyone on this commission, that's how to do it.

Mr. Rees: Madame Chair, just want to point out additional information if I may, both for Ms. Hobgood as well as for those who may watch this tonight or at other times on GTV.

The city is required by North Carolina General Statute, and therefore is in the custom of sending out letters to adjoining property owners, so that when we have meetings, such as tonight when we review Certificates of Appropriateness, the neighbors know that it's going to take place. We also advertise them in the City Page.

Ms. Pearce: And you can always call any member of this board.

Ms. Hobgood: Thank you.

Mr. Smiley: And did you get that letter, ma'am?

Ms. Hobgood: Yes, I did. I'm not always that good about reading the City Page, so I appreciate that letter.

Mr. Chestnut: I had a question about the trees, its irrelevant maybe, but were they on the property or on the run?

Ms. Pearce: They were in the easement between the sidewalk and the street and that is being addressed by the arborist and the staff.

Mr. Smiley: I don't think it was in the easement. I think it was actually on the Public Right of Way.

Mr. Little: Well, the tree issue, if I might interject, is not before you tonight. It's not a part of tonight's discussion. There are two departments in the city that are involved in that particular issue. Tonight the only issue is the parking pad and what to do with the parking pad. We've heard the applicant make his suggestions and what he is going to do to rectify that and that may be something that the commission would like to make a further inquiry as to time frame or setting some suggested deadlines.

Ms. Pearce: I believe he is out of compliance at this time. Is that true? He flatly stated it.

Mr. Little: Well, that's up to the commission. The staff has made a recommendation. The Commission has to make a finding and then once it makes the finding, its recommendations can follow from there.

Ms. Pearce: So we're glad to have you any time and any time you have a question, we're volunteers and we'd love to help you.

Ms. Hobgood: Thank you very much. I appreciate that.

Ms. Pearce: Thank you for coming. Okay, now I'm going to see if I can get the findings of fact. We've got them sort of semi-prepared. As provided in the rules of the Historic Preservation Commission, the chair proposes the following findings of fact. At the conclusion, the Commission may propose additional (inaudible – technical difficulties).

The findings of fact are nothing more than a statement of what I think you said, we said and everybody said. The applicant, Stuart Sanderson, submitted an application for a Certificate of Appropriateness on November 19, 2008 to seek ratification of previously unauthorized work on the grounds of the property located at 405 South Eastern Street. The applicant seeks approval of a previously installed crushed brick parking pad in the southwest portion of the front yard. The house and grounds are known as the Judge Sam Bundy House. The crushed brick pad that the applicant installed covers approximately 50% of the small front yard. Greenville City Code 9-4-248(d) limits front parking pads to 30% or less of the front yard. The dimensions of the lot note the side yards are minimal, the front yard is small and the rear yard is deeper and a side driveway exists to the rear of the yard. Chapter 4 of the Design Guidelines establishes the parameters for which driveways and off-street parking are repaired or installed. These guidelines are adopted and incorporated by reference into these findings. Notice of hearing was placed in The Daily Reflector on January 16<sup>th</sup> and January 19<sup>th</sup>, 2009. The hearing was conducted on January 27<sup>th</sup> 2009 in front of the Historic Preservation Commission of the City of Greenville. Carl Rees of the Community Development Department of the City of Greenville presented on behalf of the City of Greenville and Stuart Sanderson presented on behalf of the applicant. He is the applicant. The property, 405 South Eastern Street, is located within the College View Historic District. The district was established by Ordinance 94-23 of the City of Greenville on February 10<sup>th</sup>, 1994 and recorded in the Register of Deeds office of Pitt County on February 18<sup>th</sup>, 1994 and listed in Deed Book 494, Page 633. The applicant's Certificate of Appropriateness proposes to keep the front crushed brick parking pad. The applicant did not meet with the Design Review Committee concerning the proposed work. The proposed work does not contribute to the historic structure in design or materials. The project does not comply with the Design Guidelines. This is just the findings of fact.

Mr. Smiley: I move we also note that the applicant acknowledged the lack of compliance in his testimony.

Ms. Pearce: Okay, can you add that Sandy?

Ms. Edmundson: Yes, ma'am.

Ms. Pearce: We are amending that to the applicant is working towards compliance. Okay, can I hear a motion to approve the findings of fact?

Ms. Savut: I move.

Mr. Jordan: Second.

Ms. Pearce: All in favor?

All members: I.

Ms. Pearce: Opposed? Okay we've approved the findings of fact. Does the Design Review Committee have a report?

Mr. Jordan: The Design Review Committee did meet and discuss the COA. We recommended denial based on the fact that we believe it's not in congruence with our Design Guidelines and it also does not meet the City's 30% front yard parking rule.

Ms. Pearce: Okay, so the Design Review Committee recommends denial and the staff recommends denial. Can I hear a motion?

Mr. Smiley: I move we deny this COA.

Mr. Chestnut: I second.

Ms. Pearce: All in favor?

All members: I.

Ms. Pearce: We have denied this COA and we can't wait for you to come back and tell us what you are going to do next. We'll be very glad to meet with you.

Mr. Chestnut: I have a question Madame Chair. Is there a timeline on his coming back?

Ms. Pearce: He's not in compliance now, correct?

Mr. Little: Right, he's not in compliance now. A motion can be made. Sometimes the Commission in its decision can stay the enforcement action to give the applicant an opportunity to come back into compliance or propose an alternative which would be in compliance. You went ahead and made the decision not in compliance; however a member of the Commission can make a motion that the enforcement of the denial be stayed for x period of time, whatever the Commission decides, if it goes that far to stay the enforcement pending the submission of a corrected COA and approval and submission through the Design Review Committee and then bring that back to the Commission.

Ms. Pearce: What's the earliest date that Mr. Sanderson could submit a COA and then have it heard at the next meeting?

Mr. Little: Well, it's not going to be a COA, its going to be a revision to the current COA. That's already been disapproved. What you are going to do now really is not so much a Certificate of Appropriateness; you can stay the enforcement of the denial to have him then come back to establish compliance. So it would not require a new COA.

Ms. Pearce: But what he is suggesting though is that he needs to add another neighbor, in other words, he needs to combine his two properties, which would require a separate

COA and it would be counterproductive for us and him to separate it out so that he was just trying to fix one little thing when he has to have both properties. So what I am trying to determine is, we want him to come back as quickly as possible, and we believe that you would like to do that. I'm trying to find out when he would have to get his application in, in order for us to hear it most quickly.

Mr. Smiley: I guess the question is, are enforcement actions likely to take place prior to his next opportunity to file a COA.

Mr. Rees: That's what Mr. Little is speaking to. That's a decision you can make. In the absence of action we would send him a letter to make it formal, he's here and he knows, but still to document it, to tell him he's out of compliance, and that he's got ten days to come into compliance. If he fails to do so, he'd start to be fined. So that's the enforcement side of it.

Mr. Smiley: Will those ten days give him time to make another COA?

Mr. Rees: Remember, the first step is he's got to get with the Design Review Committee and we are very close to the deadline for next month so I think a fair answer to that is reasonably no. He's not going to have time to get before the Design Review Committee and get a new COA completed before the next month's meeting. For the one after that, I would think so.

Mr. Smiley: I move we stay the enforcement actions for 30 days to allow the applicant to file a potentially compliant COA for this property and the property next to it and to address the various issues involved that he's had discussions about.

Ms. Pearce: Until, the date?

Mr. Smiley: Thirty days from tonight.

Ms. Pearce: Okay.

Mr. Jordan: I second that.

Ms. Pearce: All in favor?

Mr. Chestnut: Discussion.

Ms. Pearce: Excuse me, discussion.

Mr. Chestnut: I don't know how to make a motion about the next property.

Ms. Pearce: We can't.

Mr. Chestnut: But his motion did do that. He said he had 30 days to bring this property

in compliance with the one next door.

Mr. Smiley: I'm sorry. I withdraw the clause referring to the adjacent property.

Mr. Chestnut: I make an amendment to the motion that we give him 30 days to bring this property in compliance.

Mr. Smiley: Gratefully, thank you.

Mr. Jordan: I'll still second.

Ms. Pearce: All in favor.

All members: I.

Ms. Pearce: Okay, what that means is we would like for you to come to the Design Review Committee as quickly as you reasonably can.

Mr. Sanderson: Who do I speak to?

Ms. Pearce: It's Seth Laughlin. I have his business card right here.

Mr. Sanderson: I met him earlier.

Ms. Pearce: Okay, and if you will tell him that you've got your pieces of paper, documents, pictures, whatever it is you're going to use, and your papers filled out and ask him for them, in other words, he'll get in contact with you. Then, come to us as soon as possible, we will not start a fining process for 30 days. If however you do not do that, then the fine will start accruing because you are out of compliance and you're doing nothing to fix it. We believe you're going to do something to fix it so we'd like for this to work as easily as possible, so the faster you can get it done, the easier it is for us to help you do it. Anyone have any problems with that? Good. Thank you.

### **COA 08-12: 401 E. Fourth Street**

Mr. Rees stated the Certificate of Appropriateness application was completed on December 5, 2008. He said the property was located in the College View Historic District. The applicant requests approval for prior repainting of doors and the installation of an awning. Notice of the hearing was made in The Daily Reflector on January 16 and 19, 2009. The College View Historic District was established by ordinance #94-23 by City Council on Feb. 10, 1994, recorded in Register of Deeds (Deed Book 494, page 633). He stated the property was located on the north side of East Fourth Street, very close to the Uptown Commercial District. There are two properties, the smaller chapel that was built in 1930 and the larger new sanctuary that was built in 2000, with a courtyard between the two. Both buildings are brick with dominant gable-front form with

Gothic Revival details. The chapel has a small enclosed vestibule with a central front enclosed entrance that faces Fourth Street. Mr. Rees stated the church uses two principal entrances, the side entrance in the nave from the garth and the entrance at the east transept. All entrances are Gothic in form with double-leaf doors. He said a covered walkway and vestibule initially was planned for the new church, but for economic reasons, that construction has been moved to a later date. In November 2008, the church installed an awning at the main entrance of the new building and painted the doors red on both the church and the chapel. Mr. Rees stated the considerations to the case. There was deterioration to the wood doors at the primary entrance to the new church building, which precipitated the installation of the fabric awning with gable-front form and metal supports. He said the awning was red and white and the size is proportional to the entrance area and scale and design compatible with the new church. Mr. Rees said the use of red at primary entrances to the church and chapel is linked to historical traditions within the Episcopal and Anglican churches and symbolizes refuge and sanctuary. Mr. Rees gave the following information from the Design Guidelines: porches, entrances and balconies are often primary features of historic buildings and contribute to their overall architectural character; typical paint color schemes in the district repeat house trim colors on columns, balusters and soffits; the variety of architectural styles in the district provide a diversity of color palettes and treatments; exterior color in the district reflects the color of both natural materials, such as brick, granite, and slate and painted materials such as wood and metal; where they're appropriate fabrics and awning provide opportunities to introduce compatible colors that enhance the existing palette of a historic building; the color of all exterior elements and materials should be considered when selecting appropriate colors for a building, select material and paint colors appropriate to the historic building and district and for fabric awnings, select colors that are compatible in hue and intensity with the exterior colors of the historic building. Staff recommends approval of the COA based on the following findings: the awning provides needed protection doors; its contemporary appearance conforms in scale, height, proportion, & shape with design of (new) church; it is a cost-effective solution, which allows grace period until permanent entrance feature designed & funded; red doors conform to established historical precedents within the Episcopal Church; repeating red for awning helps identify the church's primary entrance and establishes it as a new and contemporary addition. Mr. Rees stated the recommended motion is to approve the previous installation of awning and red paint color for entrances.

Mr. Charles Ewen spoke in favor of the request on behalf of the applicant. Mr. Ewen stated the awning was an interim solution until they have the finances available for a permanent vestibule.

No one spoke in opposition.

Ms. Pearce read the findings of fact.

Motion was made by Ms. Savut, seconded by Mr. Webb to approve the findings of fact.

Motion carried unanimously.

Motion was made by Mr. Smiley to approve the COA, seconded by Mr. Jordan. Mr. Chestnut called for discussion. He said he would like to see a permanent entrance, yet he accepts what the Design Review Committee suggests. Motion carried unanimously.

### **Election of Officers**

Motion was made by Mr. Smiley, seconded by Mr. Jordan to amend the agenda to move the Election of Officers to number 7. Motion carried unanimously.

Ms. Savut nominated Candace Pearce as Chair for the new year. Mr. Jordan seconded the nomination. Ms. Pearce accepted the nomination and all voted in favor.

Mr. Smiley nominated Jeremy Jordan as Vice Chair, seconded by Ms. Savut. Mr. Jordan accepted the nomination. Mr. Chestnut moved the nomination be closed. All voted in favor.

### **OLD BUSINESS**

#### **CLG Grant Application**

Mr. Rees stated the deadline to submit the 2009 Historic Preservation Fund (HPF) Pass-Through Grant (also known as the CLG grant) is February 15, 2009. The City is submitting an application for this grant cycle requesting \$11,000 in total grant funds (project budget = \$18,500), which would cover approximately 60% of costs to hire a consultant to complete Phase-I of a strategic preservation plan for Greenville. Matching funds in the amount of \$7,500 available for such studies have already been budgeted to the Urban Development Division. The City would apply for federal funds to support the completion of studies, which would have no legal ramifications for property owners or other constituents in the city. We are requesting that City Council consider the grant proposal at its February 9, 2009 meeting. If the grant application turned out to be successful, the City Council would be asked whether the City wishes to accept the grant funds and pursue the project. If the City Manager's Office approves of the project approach outlined herein, and the City Council authorizes staff to move forward with the application, the application package would be sent via priority mail to the State Historic Preservation Office on February 11, 2009 to ensure timely delivery. The Historic Preservation Commission created an Ad Hoc Committee to develop the grant proposal. The Ad Hoc Committee, consisting of HPC members Yaprak Savut and Rick Smiley, proposed that the City apply to request funds to support Phase-I of the strategic preservation plan and has been working with staff on drafting the proposal and relevant materials. Mr. Rees stated the City has applied previously for the grant funds to support a similar project, and that proposal was unsuccessful. This time, however, the Ad Hoc Committee modified the proposal based on consultations with Scott Power of the Eastern Regional State Historic Preservation Office. The first phase of this project would



combine historic property identification & survey work (which the SHPO tends to preference) with other items that will set the groundwork for strategic planning efforts. With the help of the Eastern Office of Archives and History, the Ad Hoc Committee and staff have developed a preliminary “index” of un/under-surveyed historic properties in Greenville. As part of Phase-I, the City would hire a preservation consultant to complete the index after he/she conducts a “windshield” survey and takes photos of the properties. The index will equip historic property residents and owners, the Historic Preservation Commission and the City of Greenville with better data for prioritizing future preservation programs and activities. To augment the proposal, the Ad Hoc Committee also proposed that the CLG grant project include the completion of a full inventory of the highest priority district/neighborhood not yet surveyed. Later, as part of Phase-II of the strategic planning process – depending on the availability of additional grant funds - the City of Greenville would look to hire a consultant to lead public meetings, assess the capacity of local preservation resources, and create a strategic Action Plan. Overall, strategic planning would help to identify and preserve additional historic places that give the community its special character; assist in the coordination of downtown revitalization activities with historic preservation activities; suggest ways that the City and its partners can capitalize on historic/cultural resources; point out strategies for educating the community about Greenville’s unique historic assets and how to pursue preservation-related investment opportunities; indicate ways to incorporate more diversity into historic preservation initiatives; and establish frameworks/strategies for developing a Heritage Marketing Plan.

Mr. Smiley stated the focus of the Ad Hoc Committee has been making sure that the proposal ended up on frame. He said through contact with the sponsoring agency they were able to find out exactly what they wanted to fund and made sure the proposal was prepared accordingly.

Ms. Pearce stated they met with the SHPO and he gave them clear directions on what he wanted to fund and how he thought they could set it up in phases and be most successful.

Ms. Savut stated there were a series of districts to be surveyed. She said they were in need of putting the potential districts to be surveyed in an order according to some criteria. They are proposing the surveys be done by the Selection Committee so that if they receive the grant they will know which district is in the most need for it.

Mr. Smiley stated the prioritization was an important part of the proposal so it needs to happen quickly.

Ms. Pearce stated the Selection Committee had been working towards a meeting on the matter.

Mr. Sauter confirmed.

Ms. Anderson asked Ms. Savut for the names of the districts in the proposal.

Ms. Savut stated East Fifth Street District, College Heights, Colonial Heights, Brookgreen, Rockspring, Glenn Arthur, Higgs neighborhood, Lakewood Pines, Greenville Country Club and Brook Valley.

Ms. Pearce stated if anyone has any other ideas to let them so they could process it by the 15<sup>th</sup>.

Mr. Rees stated staff proposed they recommend the proposal to City Council who will consider it at their February meeting. He said the meeting would be on February 9.

Motion was made by Mr. Jordan, seconded by Mr. Webb to recommend approval of the proposal to the City Council. Motion carried unanimously.

## **NEW BUSINESS**

### **Landmark Plaque Specifications**

Mr. Rees stated there were a variety of plaques used to designate a local landmark. He said that it would be good practice to standardize the plaque to be used for the future landmarks. The plaque proposed is 11" x 13" with the text centered saying "GREENVILLE HISTORIC LANDMARK" and will include the name of the historic resource and date of construction.

Motion was made by Mr. Smiley, seconded by Mr. Sauter to approve the staff's recommendation of the plaque. Motion carried unanimously.

### **Staff Report: Update on Non-compliant Historic Properties**

At 2909 Memorial Drive (Oakmont): Court ruled in favor of the property owner after determining that not all the proper steps had been completed as part of Local Landmark designation; as a result, the property is no longer considered a landmark and is not subject to the Design Guidelines.

At 400 South Summit Street: Owner appealed HPC denial of COA to install artificial muntins to the Board of Adjustment, at its January 22, 2009 meeting; the BOA affirmed the HPC's decision; applicant would have 30-days from date of BOA decision to appeal, or enforcement would commence.

At 405 Eastern Street: Owner has submitted COA, which will be heard at the Jan. 27th, 2009 HPC meeting.

At 407 Eastern Street: This case is under investigation by staff of the CDD, PWD, and Inspections.

At 411 East Fourth Street: COA hearing January 27, 2009.

Ms. Pearce stated that because of 2909 Memorial Drive not being registered, Mr. Little had come up with a procedure so that once we say it is a landmark and the City Council signs off on it, there are steps to follow and it should not be a problem in the future.

### **Update on the Façade Improvement Grant Program**

Mr. Rees said the only notable change was one of the recent improvements by Mr. Wojciechowski was completed and paid and the four FIGS that were recently approved were under contract.

Mr. Smiley said one report had that there was \$51,856 in FIG funds available.

Mr. Rees stated he had not seen that report; however those were the dollars carried over at the first of the year and did not include recent improvements or pending contracts.

Mr. Smiley stated that was not an unobligated figure.

Mr. Rees confirmed. He said the unobligated figure at this point was around \$4,000.

Mr. Smiley stated he would like for the Board to be updated monthly if possible on the status of the funds available.

### **Third Street School Resolution**

Ms. Pearce read the resolution regarding the Third Street School.

**WHEREAS**, the Historic Preservation Commission was established to act as both a historic district and historic landmarks commission for the City of Greenville;

**WHEREAS**, City Council of the City of Greenville by ordinance #1904, dated 20 October 1988, and appearing of record in Book 199, Page 69 of the Pitt County Public Registry, designated that certain building and grounds known as the Third Street School and Grounds, located at 600-700 West Third Street, Greenville, North Carolina as a Historic Property;

**WHEREAS**, the Third Street School has statewide historic significance as defined the criteria set forth in the National Register of Historic Places;

**WHEREAS**, the Third Street School and Grounds is one of the City of Greenville's oldest schools and was constructed in 1929, and is a composition of the Northern Italian Renaissance Revival Style;

**WHEREAS**, the Third Street School was built to replace the Evans Street School which burned January 14, 1929. On January 26, the Greenville Board of Education selected the nine-acre Abeyounis property on Third Street as the site of the new school. The architect George R. Berryman, an associate of the firm Berryman and Kennedy, of Raleigh, was hired to design the new building. In April 1929, S. S. Toler and Sons of Rocky Mount were awarded the building contract with a low bid of \$38,850.00; and

**WHEREAS**, the Pitt County Board of Education has expressed a desire to sell the Third Street School and Grounds.

**NOW, THEREFORE, BE IT RESOLVED** by the Historic Preservation Commission of the City of Greenville that it does hereby request the City Council to work with the Pitt County Board of Education to save and protect the Third Street School and Grounds and find an appropriate use made of this designated historic property.

Mr. Smiley recommended they adopt the resolution as read and made a motion to amend the resolution to add a clause that says: **WHEREAS**, the existence of well-maintained historic school buildings and grounds is a characteristic of historically conscientious, progressive and engaging cities and towns around the country. Motion was seconded by Mr. Jordan.

Mr. Chestnut called for discussion. He said he thought the resolution was already there and they were just supporting it.

Ms. Pearce stated they were generating the resolution.

Motion carried unanimously.

Motion was made by Mr. Jordan, seconded by Mr. Chestnut, to approve the amended resolution.

## **COMMITTEE REPORTS**

### **Design Review Committee**

The Design Review Committee did meet.

### **Selection Committee**

The Selection Committee did not meet however did exchange numerous emails and planned to meet prior to the 15<sup>th</sup>.

## **Publicity Committee**

The Publicity Committee did not meet and lost two members.

## **ANNOUNCEMENTS/OTHER**

Mr. Rees stated there were some changes to staff and Mr. Wisemiller had been assigned other duties. He said the Historic Preservation Commission would now be served by the Planning Division under the supervision of Harry Hamilton, Chief Planner. Day to day preservation related activities will be handled by Seth Laughlin.

Mr. Laughlin stated he looked forward to working with the commission and was available anytime to speak with any of them.

Ms. Pearce stated Sarah Radcliff would be replacing Sandy Gale Edmundson as secretary for the Commission.

Ms. Pearce stated Mr. Chestnut had been reappointed for another term and Ashley Wetherington and Christy Koren are new members to the Board.

Ms. Pearce stated Mr. Chestnut would be on the Selection Committee, Ms. Wetherington would be on the Design Review Committee and Ms. Koren would be on the Publicity Committee. She said it was not required but asked if that was okay with everyone. Everyone agreed.

## **ADJOURNMENT**

There being no further business, the meeting adjourned.

Respectfully submitted,

Seth M. Laughlin  
Planner II