

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

February 22, 2011

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:**

|                 |                 |               |
|-----------------|-----------------|---------------|
| RYAN WEBB       | CHARLOTTE COHEN | JEREMY JORDAN |
| DENNIS CHESTNUT | KERRY CARLIN    | JERRY WEITZ   |
| ANN SCHWARZMANN | ROGER KAMMERER  |               |

**COMMISSION MEMBERS ABSENT:**

JORDAN KEARNEY  
BRAD INGALLS

**STAFF MEMBERS PRESENT:** SETH LAUGHLIN, PLANNER; VALERIE PAUL, SECRETARY; JONATHAN EDWARDS, COMMUNICATIONS TECHNICIAN; BILL LITTLE, CITY ATTORNEY

**ADDITIONS/DELETIONS TO AGENDA**

There were no additions or deletions to the agenda.

**APPROVAL OF MINUTES**

Motion was made by Mr. Carlin, seconded by Ms. Cohen, to approve the minutes with amendments. The motion carried unanimously.

**WELCOMING NEW HPC MEMBER: JERRY WEITZ**

Mr. Seth Laughlin, Planner, introduced Jerry Weitz to the Commission.

**NEW BUSINESS**

COA 11-01: Request by Earnest and Sara Larkin for: improvements to rear sunroom/den of home including the removal of non-contributing elements, construction of two-car garage, and the installation of a brick retaining wall at sidewalk level in the front yard located at 903 E. 5<sup>th</sup> Street, parcel number 14352.

Mr. Laughlin presented the Staff Report, pictures of the property and the Findings of Fact for the request. He said that staff's recommendation was to approve the Certificate of Appropriateness in concept with the clear understanding that all plans and modifications comply with the City of Greenville's Design Guidelines as agreed upon in the COA application, subsequent meetings and discussions.

Mr. Kammerer said that he liked the craftsman details on the overhang of the garage.

Mr. Laughlin said that was the neighbor's garage.

Mr. Chestnut said that it was a large project with three major parts and he asked if it would be possible to break down the request into those three parts— the addition, the garage, and the retaining wall, rather than have it all under one request.

Mr. Laughlin said that procedurally, it has been done both ways.

Mr. Chestnut said that he was asking that they do that for the sake of the Commission being able to move through the request because he did not have as many questions for certain parts as he did for others.

Mr. Laughlin responded that it could be broken down into three parts at the pleasure of the Commission.

Chairman Webb asked if that would break the request into three different COA's.

Attorney Little answered that it would remain one COA, but there would be three parts to it. It would be voted on collectively, but the Commission would be able to discuss it individually.

Chairman Webb asked if they would still vote altogether using the same Findings of Fact and using the same application.

Mr. Chestnut asked how the Commission would vote on it collectively if they approved one part of the COA and not another part.

Attorney Little answered that the Commission could break the COA down into three separate COA's and do a simple majority vote if they so wished or they could also keep it the way it has been proposed, which is one COA broken into three parts. He said that it is up to the Commission.

Mr. Chestnut said that he would like separate votes on the different parts.

Attorney Little said that he could make the motion to make it into three parts and if it were to go through then the Commission would be fine.

Chairman Webb asked if they would have to vote on the Findings of Fact for each of the three motions, or if they can be the same set of Findings of Fact.

Attorney Little answered that they would be the same set of Findings of Fact up to a certain point. He said that the standard information would be the same, but there would be a separate Finding of whether or not each COA is compliant or not.

Mr. Chestnut asked if they could do the Findings of the Fact collectively for the project and then have individual discussions and vote on the three aspects.

Attorney Little answered that the Commission could prove the Findings of Fact and then adopt all three parts if the Commission decides to vote individually on all three of them. The

Commission would have to adopt by reference and incorporate.

Mr. Chestnut said that they would have a collective Findings of Fact and individually discuss the three parts and vote on them separately while referencing the Findings of the Fact.

Attorney Little answered that the Commission could if they chose to.

**Mr. Chestnut made a motion to that effect.**

Mr. Jordan asked if the Commission chose not to approve one of the three parts, would it be a matter of pointing out the reasons why it was not approved.

Staff answered that it would.

**Mr. Jordan seconded Mr. Chestnut's motion and it passed unanimously.**

The speakers were sworn in and Chairman Webb called for questions.

Mr. Chestnut asked if this was just for Findings of Fact since they would have individual discussions for each part after the Findings of Fact.

Chairman Webb said that the discussion would have to be part of the Findings of Fact if they would be reasons why you would vote for or against an item. He said that this is why he thinks they need to have three separate Findings of Fact.

Mr. Chestnut said that maybe they should because he thought that they would be able to get the Findings of Fact and then go into the discussion of each aspect where he would be able to voice his concerns.

Attorney Little said that the Findings of Facts are given at the end of close of the hearing once everything is heard. Some facts are standard and the others that may arise are going to come after questions to staff and after the applicant had gone through the process step-by-step. At the end, the Commission will be able to vote on the parts individually.

Mr. Chestnut said that he would acquiesce to his way, but he did not know why they could not hear the Findings of Facts and then have discussions about each aspect of the project.

Chairman Webb said that the Findings of Fact could include things like how high a fence would be, or what color brick would be used and you would want that.

Mr. Chestnut agreed that you would want that discussion in there and he said that as long as the Commission would be able to discuss each one then he would be okay and he asked where they should start.

Mr. Laughlin suggested that they break it down into three pieces: 1). the additions and improvements to the existing sunroom, 2). the garage, and 3). the brick retaining wall. He asked if they had any questions for staff or the applicant about the sunroom.

Mr. Chestnut said that he read a section in the proposal stating that the sunroom would be set back 6 inches so it would not be seen from the street.

Mr. Kammerer said that the setback was to distinguish it as an addition.

Ms. Sara Larkin, the applicant, explained that they had applied for tax credit from the state for this project. They met with the State Historic Preservation Office (SHPO) to see what they could and could not do. SHPO said that they were fine with the addition on the rear of the house, but that it should be indented so that it would be distinct because it would not look appropriate for it to appear like it is part of the house. It will not be visible from Fifth Street, but if you come around the side of the property then you will be able to see it.

Mr. Chestnut said that he went by the project and he was familiar with the house. He said that he was happy that someone had come along to preserve it and he asked if she had done any other restorations in the area.

Ms. Larkin answered that they live in the College View area on Harding Street, but they have not done any of the restorations themselves, but this is the first time that they have been involved in the process. She said that their builder, Dan McNeil, has done many restorations in Washington, NC.

Mr. Chestnut said that he does not take it lightly that they are doing an addition.

Mr. Kammerer said that he likes it because they are keeping the fireplace and they are matching the angles and not adding another eave.

Chairman Webb said that they are also removing a non-contributing addition.

Mr. Kammerer commented that they are adding one.

Chairman Webb said that he thought that the one they are adding is a much better quality.

Mr. Kammerer said that the new addition would be much more attractive and more useful while still keeping the basic lines of the structure without adding more. He said that he liked that they thought that out. He said that he hoped that they would be mindful when choosing the width of their siding.

Chairman Webb asked if there were any other questions about the sunroom. With there being no further questions, he asked if there were any questions about the garage.

Mr. Laughlin pointed out that any new construction would have to comply with the zoning ordinances for R6S so the garage would have to meet height restrictions and the 5 ft. setbacks on the rear and side yards.

Ms. Schwarzmann asked about the ground cover on the two-car garage. She asked if the new materials, which she imagines would be concrete, would blend in with the old materials.

Ms. Larkin answered that they would not pave it with concrete. She said that they would use

pervious pavers because they are very aware of environmental impact.

Mr. Chestnut asked if she had ever considered replacing the original garage since it was only demolished in the 1990's.

Ms. Larkin said that it was her understanding from talking to Randall Martoccia, who had grown up in the house, that the structure was decrepit. She said that she was told that it was built after the house and they bulldozed it because it was becoming hazardous and they placed a storage shed there. She said that they removed the shed because it was not attractive to see from Fifth Street. She said that because Fifth Street is so difficult to come out on, they would need a way to come out front first. She said that they would need a place in the backyard to turn around and if they were to put the garage back in that same spot, then there would be no place to turn around. She said that you would have to back out of the garage directly onto Fifth Street, which is not a reasonable option. She said that if they could place their garage in the corner against the Hill's garage, then it would not be seen from Fifth Street, it would not be in anyone's way, and the side facing their house would be attractive with windows and landscaping. She said that it would give them a driveway where they could pull up and turn around so that they would be able to go onto Fifth Street front first.

Mr. Chestnut said that it will be visible from Rotary Street. He said that the Commission had just approved the changing of a drive-way and he had predicted that they would open up that side once it was approved so they could drive through. He said that they would need a privacy fence that would be at least his height and he said that it will affect the view of a street in the historic district.

Chairman Webb said it would be tucked behind another structure.

Mr. Chestnut said that it will be seen from Rotary Street and he would add that to the Findings of Fact.

Chairman Webb said that it would eliminate the problem of separating their yard from the Hill's yard. He said that it was a problem that they had discussed with the Hill application.

Mr. Chestnut said that it does not change the fact that the building will be visible from the street.

Chairman Webb made a comment to the effect to say that it would not be very visible from the street. He said that you would be able to see it if you were to stand on your tiptoes.

Mr. Jordan said that you would see it only if you were looking for it.

Chairman Webb said that they are putting up a 6 ft. privacy fence, but Mr. Chestnut's point was taken.

Ms. Larkin showed the Commission the plot plan. She showed them where the old garage was, where the Hill's garage is located, and she showed them where she would extend their privacy fence. She said that from Rotary, their garage would be hidden by the Hill's garage. She said that it's a tight space in the backyard and they have done their best to minimize driveway and

still be able to turn around and come out frontwards. She also went over the landscaping for the backyard.

Ms. Cohen said that she had their turn around space listed as existing parking and she asked if that would stay there.

Ms. Larkin answered that it would. She said that she had labeled it as turnaround space, but since it is so tight it's not an adequate turn around space that would take the place of coming in and out of a garage.

Mr. Weitz asked if the concrete pad where the shed was would remain.

Ms. Larkin answered that her builder said that they would take it up because it doesn't meet code and it couldn't be used for any structures.

Mr. Laughlin added that they would not be able to build a garage on that site because it is on the property line. He said that if it were to be knocked down and rebuilt within six months then it would be considered a non-conforming use and it is not something that would be allowed again. Anything built on it now would need to have a 5 ft. setback.

Chairman Webb asked if there were any further questions about the garage. With there being none, he asked if there were any questions about the retaining wall.

Mr. Chestnut said that he went to the site and he asked what height they wanted to make the wall. He said that he had read that they wanted to make it the same height as the one next door.

Mr. Laughlin said that the application states that it will not be higher than the adjacent wall and he believes that the Hill's wall is 24 inches. He said that it would not go higher than that.

Mr. Chestnut said that "to not exceed" does not really give him a height, it gives him a maximum.

Mr. Laughlin said that they could discuss it with the applicant and commit to 24 inches, or some other lesser number that the Commission finds fit.

Mr. Chestnut said 24 inches for a retaining wall is an anomaly in that neighborhood. He said that the only one that is that level or higher is at the Howard House, which is 30 inches tall; the next one at 905 is 24 inches. He said that most of the retaining walls in that neighborhood are 8 inches similar to the one that is already there. He said that the height of Taylor-Slaughter House's retaining wall is 15 inches and the Tri Sigma house's wall is 12 inches. He said that to him, to say that the Larkins will match their wall to their neighbor's height of 24 inches changes the streetscape. He said that the ivy beside their wall was made to cascade. He said that if they are going to do something to the wall he would ask that they look at a lower brick wall dimension. He said that they would destroy the ivy and he is worried that they are chipping away at their main street.

Chairman Webb asked to see the other corner that it up against the Hill House. He said that Mr. Chestnut's statements did not seem to take into effect the level of the ground that it's in front of.

Mr. Laughlin said he believed what he is trying to say is that the Sigma House has a much lower fence because the grade is much lower.

Chairman Webb said that it also has a lower grade and that there is a lot of erosion at that corner.

Mr. Chestnut said there is ivy and roots there and it is not unstable in there.

Chairman Webb asked if he is saying that they have added dirt to their own property.

Mr. Chestnut said that what he is saying is that the retaining wall there is adequate for the ivy to cling and cascade. He said that if the Larkins are going to do something, don't let their reason be to match the neighbor's wall.

Chairman Webb said that it is also matching the brick pillars that are there.

Mr. Chestnut said that he was not talking about matching the brick pillars.

Chairman Webb said they are taking those brick pillars into account.

Mr. Chestnut said what he is taking into account is that if you did 15 inches, it would not offset it. He said that you can put it lower and still accomplish what you want to. He asked that the Commission add into the Findings of Fact a letter that Scott Powers wrote regarding a previous decision to put in a retaining wall. He said that Mr. Powers asked that they not do it and he mentioned the height in the neighborhoods.

Chairman Webb said that the letter was in regards to a yard that had no grade whatsoever.

Mr. Chestnut said that his point is that when you start changing the streetscape, it is not a minor thing.

Chairman Webb asked Mr. Chestnut if he thinks that the current Design Guidelines take the grade of the yard into account.

Mr. Chestnut answered that he did because it is part of landscaping and landscaping is part of preservation.

Chairman Webb said that is part of their plan.

Mr. Chestnut said that he did not think that this was the place to discuss it because this is the Findings of Fact.

Chairman Webb said that when they state the Findings of Fact they need to state how high the wall will be because they cannot have the discussion after they vote on the Findings of Fact.

Mr. Chestnut said that was not true.

Mr. Laughlin said that the applicants had chosen that height to keep continuity in the neighborhood.

Mr. Chestnut said that continuity is his point and that is not continuity in the neighborhood. He said that he gave examples of existing properties and that is the only one next door and it's not adding continuity.

Mr. Laughlin said that he thinks that what Chairman Webb is saying is that the heights are directly related to the existing grade.

Chairman Webb said that his perception of continuity is to look at the wall beside it and not necessarily going house by house. He said that is streetscape.

Ms. Cohen asked why the pillar was on the corner. She asked if the concrete was original to the house and she wonders if there was a brick fence of some sort originally.

Mr. Kammerer asked if she meant the concrete runner that goes around the base.

Ms. Cohen answered that he was correct. She said that it seemed odd that there was just one pillar there.

Chairman Webb said that it matches the steps that are in the middle.

Mr. Chestnut said that is the height that is pretty much around the neighborhood with the exceptions that he listed. He said that it may look pretty, but it is not historic preservation.

Chairman Webb said that he has been on that site and he is not trying to make it pretty. He said that he has taken the grade into account and he is trying to make it continuous to the other property owners. He said that he and Mr. Chestnut are reading the same rule and looking at it in a different way.

Mr. Chestnut asked the Commission to consider that they are changing the streetscape. He said that the Commission did not do it for the University on the basis of streetscape and he wants the Commission to be equally concerned here.

Mr. Jordan said he thinks that the applicant was trying to follow guidelines that state that if a new fence or wall is to be constructed it is to be based on an accurate documentation of a historic fence or wall, but whether the height should be less or if it should even be there is another point of discussion. He asked the applicant if the brick retaining wall was to be built on top of the concrete that is there or instead of it.

Ms. Larkin answered that they had not consulted a brick mason at the time that they had written their proposal. She said that they knew that they would need a retaining wall so they had put that the wall would be of concrete and brick construction and it would not be any higher than the existing walls of the adjacent property, which is 24 inches. However, she said that they did not



have any plans to make it 24 inches tall. She said that she had brick mason look at it and the footer is cracked and unstable so you cannot build a brick wall on it. She said that it would have to be a strong wall because the property is high and there would be a lot of pressure on what would be the retaining wall and she said that there is erosion on the property. She said that they are trying to figure out what should be there.

Mr. Jordan asked if she was flexible about the height.

Ms. Larkin said that they are and if it has to be brick, it will be based on how many bricks high versus how many inches.

Chairman Webb asked if they had received any comments from the state's Historic Preservation Office about their retaining wall.

Ms. Larkin answered that they liked it.

Chairman Webb asked if they had mentioned height.

Ms. Larkin answered that they did not.

Mr. Kammerer said that they would have to match the corners.

Ms. Larkin said that it would be impossible to match the brick to the ones that are original to the house and that is the reason why they are trying to see if they can do something with concrete and brick trim or brick with concrete trim. She said that since the footer has to be removed it would be nice if they could remove the lower concrete and cap with brick all across the top so it would not look like they mismatched the bricks in the column and it would match the column.

Mr. Carlin asked if they intended to put another column at the drive to balance it.

Ms. Larkin said that there was one there but it was such a tight driveway that someone had hit it and knocked it down. She said that when they excavated for the sewer line whatever was left of that column was taken out.

Mr. Carlin asked if they intended to replace it.

Ms. Larkin answered that they did not.

Mr. Chestnut asked what they would do about the steps since they would not be able to match the bricks.

Ms. Larkin said her builder just advised her that they will have to put a brick column back where that one was so that they will be able to run the retaining walls between them. She said that she did not want to do anything to detract from the steps because they are an architectural feature of the house and they are very attractive.

Mr. Chestnut said that he was glad that she wanted to keep the steps, but he asked how they would match the ones that they cap. He said that anyway that they could do it would be a visual

change.

Ms. Larkin said that if they had to buy old bricks just for a cap, then it would not be so many brick, whereas if they were to build the wall totally out of brick then it would be prohibitively expensive.

Mr. McNeil said that if his plan is approved, then he will take the bricks from gables, clean them at the owner's expense and use them as a cap on top. He said that there are not enough bricks to build an entire wall, but at least there will be something to tie into the brick columns that are there.

Mr. Chestnut asked if there was anything salvageable about the chimney.

Mr. McNeil answered that there was not and it is not part of the original structure. He said that he hoped that he could get enough bricks from the gable to rebuild the column that had been knocked down.

Mr. Chestnut asked that a letter from Scott Powers be added into the minutes. The letter was dated on April 29, and he read:

*"On my way to work, I rode through the College View Historic District to see how prevalent retaining walls were for driveways and how they were constructed. In addition to those located on 5<sup>th</sup> Street, there are actually a good number more of them throughout the secondary streets in the district. There is great consistency in their design whereby each retaining wall comes directly up to the edge of the drive, makes a 90 degree turn, then runs parallel to the drive. Although some of them are brick and other concrete examples have rounded tops, none of them that I saw had flared openings.*

*So there are actually 2 preservation issues involved here. First, the visual change to the design, and second, the loss of original historic elements. Given the consistent design of these driveway retaining walls throughout the historic district, it is our opinion that allowing them to be opened up or flared at the entrance would be a significant change in the character of the district and therefore, an inappropriate alteration. Also, removing the original retaining walls would constitute significant loss of original fabric which would also be inappropriate.*

Mr. Chestnut said that he entered this letter into the record. He said that if the state said that they "loved it" now, then he wondered why they did not on April 29.

Chairman Webb asked Mr. Chestnut to state the address.

Mr. Chestnut said that it was sent by email to Mr. Laughlin.

Chairman Webb clarified that he meant the address of the property referenced in the letter.

Mr. Chestnut said it was in reference to the one next door, but it speaks in reference to retaining walls and driveways.

Chairman Webb said that his first point was about going up to the driveway and not having a

flare.

Mr. Chestnut said that he was only entering the information into the minutes for whatever use and he would not discuss it.

Chairman Webb said that was their opinion in regards to that one property.

Mr. Laughlin said that particular application was to potentially remove the entire existing wall

Mr. Chestnut said that he does address information about retaining walls and he felt that they needed to have all the information in the Findings of Fact.

Chairman Webb said that they would need to establish the Findings of Fact.

Attorney Little said that the Chair would need to summarize the facts and the Commission would either vote on them or add additional facts. If additional facts are added, then the Commission would decide by simple majority as to those facts. He said that the facts as to the garage that they will be the most concerned about, in addition to the standard facts, are those that deal with the Design Guidelines; then they would address the issues concerning the rear room addition where they are going to demolish the old one and add a new one; then they would address the facts as to the retaining wall that's being proposed. He said that if there is some uncertainty or if there were questions about if the applicant had thought matters through, then the Commission would be able to make a finding that there is insufficient information about one or more elements. He said that they would then be able to ask staff and the applicant to come back with additional information.

Mr. Chestnut said that Attorney Little's explanation helped make things a little clearer.

Chairman Webb asked Mr. Laughlin if he had a slide with the Findings of Fact for the Commission to refer to.

Mr. Chestnut said that he felt that specific details for the retaining wall were not provided.

Mr. Laughlin suggested that they go in order starting with the sunroom addition.

Chairman Webb asked if the Commission if they had anything to add about the sunroom addition. With there being no comments made by the Commission, he asked if there was anything to add about the garage construction.

Ms. Cohen commented that parking cars in the front yard did not seem compliant with historic preservation and she brought up the pickup truck parked in the front yard.

Mr. Laughlin said that it was his understanding that the truck was oriented in that way due to construction. He asked if she was suggesting that there be a compromise where the parking pad would be done away with so that the garage could be approved.

Ms. Cohen said that it would make sense to her.

Mr. Chestnut said that he remembered when the yard used to have grass on two sides. He said that when students started living there it became a multiple-car parking lot. He said that he has seen cars turn around and back up on that property for years and he had the same concern as Ms. Cohen that it will not look very attractive.

Chairman Webb asked if all the Commission members would have to agree on a fact before it was added to the Findings of Facts.

Attorney Little answered that once a Commission member proposes a fact then it will can be added to the Findings of Fact by a simple majority vote.

Chairman Webb asked that they take a vote on Ms. Cohen's addition to the Findings of Fact that the parking pad was not consistent with Historic Preservation.

Ms. Schwarzmann said that it could not be used as a parking pad under any circumstances because it is against the Guidelines for the Historical District to have any vehicle parked in the front.

Chairman Webb said that they would have to say "return it to the original".

Mr. Kammerer asked if they could ask Ms. Larkin for her thoughts.

Ms. Larkin said that the parking pad is an existing part of the property and it was there when they bought it. She said that it has been the parking area for the property for thirty years and she doesn't like the idea of parking in the front, but it has been there for a long time.

Mr. Chestnut said that he knows that it has not been there for thirty years because he was across the street in the Speight Building for so long. He said that if she uses that as her logic then he will use that as his logic for the retaining wall. He said buyers are aware of the rules when they buy a house in the historic district and they cannot make a lot of changes because that is not preservation.

Chairman Webb noted that she was asking to not have to change this aspect.

Mr. Chestnut asked her to not change some of the other things like the columns; he asked that they not take them down.

Ms. Larkin answered that they would not take down any of the columns in the front and they hoped to rebuild the column that had been knocked down with some of the original brick. She said that they did not want to park there but they did not want to be required to do away with the parking pad since it was there when they bought the property. She said that she did not think that anyone would have bought the property if they did not have a place to park because there was no other access to the backyard. She said that they have gone to great lengths to preserve the property both inside and out while satisfying requirements and she listed various repairs that they had done.

Mr. Weitz said that he was concerned about telling the property owner that they are not allowed

to have their front-yard parking. He said that he understood the logic of trading off in favor of having a two-car garage if there were objectives toward getting rid of parking in the front-yard parking. He asked if they knew how many in the Historic District park in their front yards and he asked if that is regulated. He said that he understands that the applicants are doing a lot and he was worried about being too oppressive by making them remove something that they want to keep.

Mr. Laughlin said that they have a guideline stating that no additional parking areas may be added, but there is no mechanism for removals or trade-offs.

Mr. Weitz asked how prevalent front-yard parking is within the Historic District already.

Mr. Laughlin answered that it was common, but he did not have any numbers on him.

Mr. Chestnut said that it has been an issue that they have tried to discourage in that neighborhood.

Mr. Jordan asked if there was a city-wide ordinance that addresses front-yard parking.

Mr. Carlin answered that the ordinance refers to parking in the grass.

Mr. Jordan asked to clarify that the parking area could be no more than 30%.

The Commission answered that it was 40%.

Mr. Laughlin said that since this refers to an existing space it would be a moot point.

Mr. McNeil asked the Commission to look at the original curbing and he asked that they note where it stops and tapers off. He said that it did not go all the way to the backyard as a driveway.

Mr. Chestnut said that it could, at one point, have had one car on it and it could have been widened.

Mr. McNeil said that his point was to show where it stops but he did know how wide it had originally been.

Mr. Chestnut said that if you were to go by the width of parking space, then where the footer stops would be a logical point.

Mr. McNeil agreed that would be a logical point.

Chairman Webb said that it does look like there are two different levels.

Mr. Chestnut said that it does have to do with the gravel on it and there are a lot of different issues with this.

Chairman Webb said that this would add to what Mr. Chestnut was saying about the parking

pad not being there for thirty years.

Mr. Chestnut said not that wide. He said that there could have been a space where a car has pulled in, but it was not a gravel parking space and he has seen as many as three cars turn in that angle in there.

Chairman Webb asked the applicant what their plans were to deal with that edge.

Ms. Larkin answered that they would move the azaleas to the back and plant them along the fence. She said that she would place a small boxwood hedge in front of the porch that will look nice and allow you to see the porch. She said that around the bay they will place three American boxwoods. She said that the ivy is a problem and it needs to be trimmed; her landscaper said that they can minimize it and not let it take over the yard. She hopes to grow some grass and she wants to plant sasanquas down the property line on the east side in the front. She said that they would keep it simple.

Mr. Weitz asked if the applicant would be willing to reduce that area to where they would still have a single parking spot in the front.

Ms. Larkin said that the important thing is to have a place to turn around and not necessarily a place to park. She said that she did not view it as a multi-parking place so much as it is a place for people to turn around.

Ms. Cohen said that her question was if the parking space was original to the property and she asked if it was historic preservation. She said that she understood the need for it, but she lives in the neighborhood and she has seen multiple cars there and she thinks that it is an eyesore. She said that she did not think that there was parking in the front of the house when it was constructed and she wanted more research on it.

Mr. McNeil asked the Commission to look at the front of the house and the concrete. He said that it was all one color so it was all built at one time.

Ms. Cohen said that she was talking about the area in the yard itself.

Mr. McNeil said that he was talking about the driveway that goes up and stops because it is original.

Ms. Cohen said that she understood that but her question is more about how it pertains to the front of the house itself. She said that it seems out of character for that type of house.

Chairman Webb asked if that was what she wanted her Findings of Fact to be.

Ms. Cohen restated her proposed Findings of Fact that the parking area is out of character for a house of that nature.

**Mr. Chestnut, Ms. Schwarzmann, Ms. Cohen, Mr. Karlin, Mr. Kammerer, and Mr. Jordan voted in favor. Mr. Weitz voted against it and the proposed fact passed.**

Ms. Larkin addressed the Commission and said that to her it would make sense that that the original owners would have had a place to park. She said that she had never thought to question it.

Mr. Chestnut said that it would be good for her to research it. He said they are trying to help her work this issue out because regardless, it is an eyesore and it is inconsistent with what she is trying to do.

Ms. Larkin said that it is hard to find out what this house originally looks like. She said that the National Historic Trust for the College View area says that the house was built circa 1925, but it was not on some maps that were dated 1926. She listed when some of the other houses in the neighborhood had been built. She said that she has been working on finding out when her house had been built.

Mr. Chestnut proposed another addition to the Findings of Fact. He said that a portion of the garage would be visible from Rotary Street.

**The Commission voted unanimously in favor of the addition and the proposed fact passed.**

Chairman Webb asked if there were any additional facts for the garage. With there being none, he called for additional facts for the retaining wall.

Mr. Chestnut said that he has not seen enough information about the retaining wall.

Mr. Kammerer said that they have asked that of other applicants.

**The Commission voted unanimously in favor of the addition and the proposed fact passed.**

With there being no further proposed facts, Chairman Webb called for a motion to approve the Findings of Fact with the additional findings.

**Mr. Chestnut made the motion to approve the addition and Ms. Cohen seconded it. Mr. Chestnut, Ms. Schwarzmans, Ms. Cohen, Mr. Karlin, Mr. Kammerer, and Mr. Jordan voted in favor. Mr. Weitz voted against it and the motion passed.**

Chairman Webb called for further discussion about the sunroom addition. With there being no further comments, **Chairman Webb called for a motion to approve the sunroom addition.**

**Mr. Jordan made the motion to approve the sunroom addition and Ms. Cohen seconded his motion.**

Mr. Chestnut said a motion had not been made and a motion would have to be made before he could begin the discussion.

Mr. Jordan clarified that he had made the motion.

Mr. Chestnut said that he saw in the application that the applicants had requested tax credits for all the projects.

Mr. Laughlin said that tax credits could be applied to the main house and to the retaining wall but not to the garage.

Mr. Chestnut said that there was a note in the packet from Mr. Powell said that the applicants were on track for tax credit.

Mr. Laughlin said that the tax credits were for the interior of the home.

Mr. Chestnut said that there was a clear statement saying that it would include the retaining wall.

Mr. Laughlin said that it should not affect the Commission's decision because it would be saying that if the applicants did spend the money on it then they would get the credit, but it's not saying that it would be approved.

Mr. Chestnut asked if there would be a separate process or if the decision of whether or not they get tax credit be based on the Commission's decisions.

Mr. Laughlin answered that the Commission has nothing to do with the tax credit and that it comes out of the Raleigh office.

Mr. Chestnut said that he wanted to be clear that he is not endorsing that they pay for a change that he does not agree with and he will not vote in favor of the recommendation as it is in the packet that they had received.

Chairman Webb read the portion of Reid Thomas's letter, from the eastern office of SHPO, stating that the project is on track to receive tax credits and that the main elements of the Certificates of Appropriateness (COA) application seem to be in compliance with the Secretary of Interior's standards.

Ms. Larkin said that the tax credit is for the interior and it is to rehabilitate the property to make it a livable property. She said that they had to bring everything up to code and they were not allowed to change anything. She said that you had to show the state office the preservation plans, rehabilitation plans, and the plot plans in order for them to consider you worthy of a tax credit. She said that the state office sent a crew out to look at the property. She said that they had no problem with the plot plan, the garage, the addition and the retaining wall.

Chairman Webb called for further discussion about the sunroom and the addition. With there being none, he called for a vote to approve that portion of the COA.

**The Commission voted unanimously in favor the sunroom and addition portion of the COA.**

**Mr. Jordan made a motion to approve the second portion of the COA dealing with the**



**garage and Mr. Weitz seconded his motion.**

Mr. Jordan asked the applicants what type of surface they would use for the parking pad in the front.

Ms. Larkin answered that they would use a permeable-stone. She said that it is a pervious surface that is environmentally approved and that would be the most that they would do. She said that otherwise it would be gravel.

Mr. Chestnut asked if they had seen a design of what the garage would look like.

Mr. Jordan said that there is a side view in the packet.

Mr. Chestnut said that they have asked other applicants for specifics. He asked Mr. Kammerer if it is consistent with the historical structure.

Mr. Laughlin said that the Commission could approve the plan as submitted with the conditions that the materials for the garage and turn-around area be approved by the Design Review Committee prior to building permits being granted.

Mr. Chestnut said that he wants to know what the garage's architectural features will be and if it will be consistent. He said that he needed more than what was provided before he could make a decision. He asked if there was a way to have the applicants come back with more detail and he brought up the case of the fraternity house and said that they had called them back in to give more details.

Attorney Little came forward to remind the Commission that they still had a motion on the floor that they needed to act on. He said that if the members believed that there was insufficient information, then they could vote to not approve it and follow it up with a motion to continue the case and specify what additional information they would like to see.

Mr. Jordan asked if he could withdraw his motion.

Mr. Chestnut asked if they could amend the motion.

Attorney Little said that they could amend the motion and he answered that it would be hard to withdraw a motion once it had been made.

Mr. Chestnut said that he would like to make a friendly amendment or substitute motion.

Attorney Little said that it would be a friendly amendment to the motion to approve and that it would state that any approval would be contingent on or the approval be continued until such time that the information is provided.

Mr. Chestnut said that was his intent and he asked if Attorney Little would state it for them.

Attorney Little asked which one did he want.

Mr. Chestnut said that he wanted to propose that their approval is contingent upon receiving detailed drawings and plans for the Commission to review.

Mr. Kammerer had to leave the meeting for personal reasons.

Attorney Little noted that Mr. Kammerer's absence would still count in the approval since it was for personal reasons and it was not a withdrawal. He said that the Commission could vote on the motion and the amendment that they would vote on would be that they continue the decision to approve the garage pending details on that garage.

Mr. Chestnut said that it seemed like it would be easier to make a motion to withdraw the original motion.

Attorney Little said that the Commission could do that as well.

**Mr. Jordan made a motion to withdraw his previous motion and Mr. Chestnut seconded it.**

Chairman Webb asked if they would need to vote on the first motion.

Attorney Little answered that motion had died and they could go ahead and vote on the motion to the withdraw the original.

**The Commission voted unanimously in favor of withdrawing the original motion to approve the portion of the COA dealing with the garage.**

**Mr. Chestnut made a motion to continue the approval of that portion of the COA until they receive detailed information about the structure of the garage.**

Chairman Webb asked if Mr. Chestnut if he wanted to tell the applicants the level of detail that the Commission would like to see.

Mr. Chestnut answered that since he was Chair then he should. He said that he didn't think that had to be part of it.

Ms. Larkin said that they could tell them because they have the drawings.

Mr. Chestnut said that her comments were out of order because she could not present input in the middle of a motion while the Commission members were trying to talk.

Attorney Little clarified that the public hearing was closed and that the Commission would have to make their decision on that particular portion. He said that they would have to be specific as to what details they are looking for.

Ms. Schwarzmann said that she was not sure if the applicant knew that garage could not be seen from Rotary Avenue since the application only addresses visibility from Fifth Street.

Ms. Larkin asked if she could be allowed to say something.

Chairman Webb said that the public hearing was closed.

Mr. Chestnut said that in the times that they have done new structures, the Commission has asked the applicants to come back with an architectural rendering of the structure. He said that rather than disapproving that part of their application, he wanted to continue their case until they came back with that architectural drawing. He said that is the motion that he wanted to make.

**The motion died due to lack of second.**

Mr. Jordan said that they have had drawings that were more detailed than the drawing that they had in their packet. He said that if they maybe did something more detailed that would tell details such as the types of moldings, how wide it would be, etc.

Mr. Chestnut said that he did not give that kind of motion because you would then have to specify each thing that you wanted to see come back to you. He said that it would be easier to ask the applicants to bring the drawings.

Chairman Webb asked for Mr. Jordan to repeat his motion.

**Mr. Jordan made a motion for the Commission to continue this portion of the COA until they received a more detailed sketch that shows things like moldings and reveals. Ms. Cohen seconded the motion.**

Mr. Weitz said that he had a few issues with this because it got through the Design Committee. He said that the applicants have put what types of materials will be used in their application and there is a drawing of what it will be. He said that he feels like the Commission is babying it.

Mr. Carlin said that he feels that he has voted in favor of it because he approved it in the Design Review Committee and that is why he has not been seconding any of the motions or asking any questions.

Mr. Chestnut said that the Design Review Committee does not have the last word; rather, they are the first line to go out and get information.

Chairman Webb said that the idea of the Design Review Committee (DRC) is to meet with the applicants before they come before the Commission.

Mr. Weitz suggested that since the DRC is a reflection of the Commission and the Commission has a history of wanting to see more details, then the DRC would be doing the Commission a favor if they would advise the applicants if they think the Commission will need more information.

Mr. Chestnut said that the Commission has been willing to continue applications until more information could be collected; he said that it does not have to be a one-shot thing.

Mr. Laughlin asked if there was still a motion on the floor.

Mr. Weitz asked if the motion could be re-stated.

Mr. Jordan restated his motion that another sketch be submitted with details such as trim, reveals of the sidings and things of that nature.

Chairman Webb asked Ms. Paul, Secretary, if she had noted who had seconded the motion.

Ms. Paul answered that Ms. Cohen had seconded the motion.

**Mr. Chestnut, Ms. Schwarzmann, Ms. Cohen, Mr. Karlin, and Mr. Jordan voted in favor. Mr. Weitz voted against it and the motion passed.**

Chairman Webb moved on to the third part, the retaining wall, landscaping and parking pad.

**Mr. Chestnut made a motion to have the applicants come back with more information about the specifics of the wall including the height and materials that will be used.**

**Mr. Jordan made a friendly amendment to say that the applicants will also come back with SHPO's recommendations for types of materials to use for the retaining wall.**

Mr. Weitz asked if the Commission was going to send the applicants to a state agency to ask for another recommendation while they already have a letter addressing retaining walls. He asked why they couldn't just extrapolate the information in that letter and give the applicants directions from that.

Chairman Webb said that letter was specifically for another project.

Mr. Jordan said that he didn't think that it would be too much of an inconvenience because the applicants are coming back anyway and they are already working so closely with SHPO.

Mr. Chestnut said that they have done this to alleviate the applicants by having them start the dialogue with SHPO. He said that this way, they will not be slowed down by coming to the Commission with their information and then have to wait on the Commission to check with SHPO. He said that Mr. Powers states at the bottom of his letters that his position is only advisory and that he usually emails staff with any information that he gives to people.

Mr. Weitz asked if they are going to address the issue of the parking in the front and where the Commission stands on it, like if they prefer that it stays the same or be narrowed. He asked if they are going to address it now or let it come back and potentially debate it again.

Ms. Cohen said that she did not think that they had any standing to address the issue.

Mr. Chestnut said that they could separate the retaining wall and parking if that would make it easier. He said that if it would help the applicant to move on to say that they will only have to come back with information about the retaining wall, then that would be fine and he would not bother with the parking.

Mr. Weitz said that he was worried about asking for a new plan and not giving the applicant enough direction. He asked if they could resolve as a Commission the features that they will approve. He said that he would hate for the applicant to be delayed for another thirty days.

Mr. Jordan said that even though he does not like the parking in the front, he would agree with Mr. Chestnut because it is already there and it will not stop him from approving another portion of the application.

Mr. Carlin commented that the Commission knows what materials will be used for the retaining wall - its brick from the demolition at the back of the house and concrete.

Mr. Chestnut said that though they do know the materials, they do not know how it will be used. He said that it is a major corner in the district and it deserves the Commission's attention.

**Mr. Chestnut called the question and the motion along with the friendly amendment was restated. The motion was voted on and was carried unanimously.**

Attorney Little came up and recapped:

- By motion the single COA was divided into three COAs
- **A single set of Findings of Fact was adopted** along with added facts as it related to each individual COA, which was the garage, the rear addition, the retaining wall/landscaping
- the Commission voted to approve that portion of the COA application as it applied to the rear demolition and new addition
- the Commission voted to continue that portion of the COA as it applied to the garage requesting that the applicant come back with more detailed drawing that would show the materials and what it would look like
- the Commission voted to continue that portion of the COA as it applies to the retaining wall and have the applicant contact SHPO for their recommendation as to height, materials, and design and then bring it back to the Commission

Mr. Laughlin said that he would approve building permits for the rear addition tomorrow morning.

Mr. Jordan said that staff and Design Review would work with the applicants in the meantime if they so desired.

Mr. Chestnut asked Attorney Little to advise them on how they could continue the rest of the items on the agenda to the next meeting.

Attorney Little said that the Commission could vote to continue the rest of the items on the agenda to the next meeting, but if it was done, then the Election of Officers, which was overdue, would have to be the first item.

**Mr. Chestnut said that he would like to do that unless there was something urgent from staff and he made the motion to continue the rest of the meeting to next month.**

Mr. Laughlin said that staff did not have anything urgent.

Mr. Weitz noted that though everything else would be deferred to the next meeting, the Public Comment Period was not being deferred.

Attorney Little acknowledged that he was correct and noted that there was not anyone present from the public for the record. He said that he had not read out the Public Comment period when he listed the items to be deferred to the following meeting.

**Ms. Cohen seconded the motion to defer items to the next meeting and it carried unanimously.**

**Mr. Jordan made the motion to adjourn, Ms. Cohen seconded and it passed unanimously.**  
The meeting adjourned at 9:20 p.m.

Respectfully Submitted,

Seth Laughlin, Planner II