

NEW BUSINESS

COA Application 08-02 (2909 Memorial Drive)

Ms. Pearce: The first COA application is for 2909 Memorial Drive. Mr. Michael Barberio is requesting to revise the proposal pertaining to previous replacement of windows (cover over exterior vinyl window frames with wood paneling).

The Notary Public, Sandy Gale Edmundson, swore in Michael Barberio, Les Everett and Tom Wisemiller.

Mr. Wisemiller: The subject property is one of Greenville's better examples of twentieth century Colonial Revival architecture, the 2.3-acre Oakmont property is representative of early exurban growth trends in the area, especially around the Greenville Country Club. Designed by the architectural firm of Benton & Benton of Wilson, NC, the two-story brick house, built in 1930, was the second home of Albion Dunn (1883 – 1968). Sited about 200-feet from the Memorial Drive, the house is screened behind the trees and shrubs of the well landscaped front lot.

In reference to the original windows, the Survey & Research Report commented: "All windows have brick sills, soldier arches, and double-hung sash, most with twelve-over-twelve lights. Louvered shutters incised with a single acorn motif flank each window on the west, south, and north elevations . . . [the] west elevation [of the sun porch] has distinctive paired casement windows flanking a central door opening onto the porch. All other sun room windows are twelve-light single casement ones surmounted by three-light transoms."

Other architectural features mentioned in the Survey & Research Report include: "Georgian elements highlight the exterior of the dwelling with symmetrical fenestration. A gable roof protects the house's five bay main block and hip roof . . . an impressive Georgian central entrance with fluted pilasters capped by Corinthian capitals, a broken ogee pediment, and a pineapple finial. Its recessed doorway has raised-panel soffits, transom with fanlight, and six-panel door."

The subject property is located on the east side of Memorial Drive, within a short distance of the Greenville Country Club. Oakmont is a Local Landmark and is individually listed on the National Register of Historic Places.

The applicant requests approval to cover over vinyl window framing from previous replacement of original windows using wood panels.

Considerations

The original windows, which were mostly 12-over-12 divided light wood windows, were replaced by vinyl efficiency, double-hung, double-pane windows with 12-over-12 artificial muntins inside the panes (not true divided light). The applicant has preserved

the original windows, which he keeps in storage on the property.

In October 2007, the HPC heard the applicant's initial request to retain the aforementioned vinyl replacement windows. In that hearing, the applicant stated that the original windows had been painted shut, were warped & rotted from water damage, and that many of the panes were falling out as a result. The applicant was concerned that the windows had once been coated with lead-based paint; that the condition of the windows contributed to exorbitantly high utility bills; and that they were a safety hazard to his family. The HPC continued the COA application for 60-days after finding that the replacement windows were not congruent with the *Design Guidelines*.

Since that time, the applicant has consulted with the Pitt County Environmental Health Department (PCEHD). He claims that PCEHD advised him that high levels of lead contamination are present on the original outer wood frames of the windows, should not be exposed, and that the only way to permanently eliminate the problem, without removing the frames, is to encapsulate the frames with vinyl. Applicant states that tests have indicated that his three year old daughter was exposed to unsafe levels of lead and that since the windows were encapsulated in vinyl, her condition has improved.

In light of the above considerations, the applicant proposes to retain the previously installed vinyl replacement windows and frames, covering over the vinyl frames with wood panels – the specific design characteristics of which he would leave to the discretion of the HPC.

<u>Chapter</u>	<u>Title</u>	<u>Pages</u>
2	Windows and Doors	17-19

1. Retain and preserve original windows and doors.
2. Retain and preserve openings and details of windows and doors, such as trim, sash, glass, lintels, sills, thresholds, shutters, and hardware.
4. Repair original windows, doors, and frames by patching, splicing, consolidating, or otherwise reinforcing deteriorated sections.
5. If replacement of a window or door element is necessary, replace only the deteriorated element to match the original in size, scale, proportion, pane or panel division, materials, and detail.
11. It is not appropriate to replace windows and doors with stock items that do not fill the original openings **or duplicate the unit in size, material, and design. Snap-in muntins are not appropriate replacements for true divided-light window panes.**
14. **It is not appropriate to fill existing window or door openings if it would diminish the historic character of the building.** It is not appropriate to replace or cover glazing with plywood.
15. It is not appropriate to introduce new windows or doors if they would diminish the original design of the building or damage historic materials and features. Keep new windows and doors compatible with existing units

in proportion, shape, positioning, location, pattern, size, materials, and details.

Ms. Pearce: Would the applicant like to speak?

Dr. Chestnut: I have a question. Is there some kind of timeframe for presentations? Is there some way to set a structure to it?

Ms. Pearce: The information presented must pertain to the guidelines. Those speaking tonight should make pertinent and concise comments that relate to the guidelines.

Mr. Barberio: Ladies and gentlemen that probably ties my hands, because what is pertinent to me may not be pertinent to you. I was introduced to the Senate Bill that was recently passed, so I am not sure what the merits of that are, so I am going to need more time. I would like to continue this if at all possible. The house is on the National Register and I do not know how it got there. We would not be here if there was not so much miscommunication in the earlier stages.

Ms. Pearce: The Commission has already been through that and none of that is pertinent to the guidelines.

Mr. Barberio: Is the lead information pertinent to the case?

Ms. Pearce: The lead information may be pertinent, but the fact that you did or do not discuss it with the Commission is already in the record. Are you requesting a continuance?

Mr. Barberio: Yes.

Ms. Pearce: Mr. Little, when do our compliance and fines come in?

Mr. Little: If the Commission decides that they want to grant that continuance, you can also consider whether or not to continue tolling the application of the fines. Since tonight he had been placed on the schedule and was ready to go on the schedule and had been noticed for hearing for the time periods required by the ordinance. It would be up to the Commission whether or not to grant the continuance and whether the continuance is granted whether to continue to toll the imposition of the civil penalties as provided by the ordinance.

Mr. Barberio: I would respectfully request that no fines be placed or imposed until the merits of the case have been determined and I can reflect on the information that Tom gave me today on the Senate Bill as well as the other information from the Health Department. The lead issue did not come up until later. I need time. I am not financially in a situation that I could do anything right now.

Ms. Pearce: What is Staff's recommendation?

Mr. Wisemiller: Staff recommends that the Historic Preservation Commission *deny* the Certificate of Appropriateness to revise proposal pertaining to previous replacement of windows (cover over exterior vinyl window frames with wood panels), based on the following findings:

- The revised proposal will not rectify the inappropriateness of existing replacement windows, which do not duplicate the original units in material and design, and include the use of artificial muntins. The replacement windows diminish the original design of the building and damage the historic openings. The replacement windows are not compatible with existing units in terms of materials and details.
- Moreover, the application of wood paneling over vinyl frames would only compound the negative impacts from the replacement windows by further diminishing the window openings.
- The public health, energy conservation, and financial hardship issues raised by the applicant are not relevant to how previously completed and/or proposed work will visually impact the designated structure.

Recommended Motion: Deny request for approval to revise proposal pertaining to previous replacement of windows (cover over exterior vinyl window frames with wood paneling). Staff recommends that the HPC instruct the applicant that he will be expected to immediately proceed with efforts to remedy the violation and will continue to be issued weekly fines on an escalating basis until the property is brought back into compliance. As an alternative to reinstalling the original windows – which would be the most desirable and direct route to remedying the violation – the applicant still has the option of applying for a COA to install historically appropriate replacement windows; however, fines will continue to accrue even as the COA is being processed and until such time as staff and the HPC Design Review Committee is satisfied that the violation has been remedied (i.e., reinstallation of original windows; or, installation of appropriate window replacements based on an approved COA). The applicant can file an appeal of the decision of the HPC with the Board of Adjustment within five (5) working days after the HPC's decision and/or pursue other legal channels better suited to addressing the ulterior health, energy conservation, and financial hardship issues raised by the applicant. If so, enforcement measures may be temporarily suspended until all appeals are resolved. Nevertheless, staff and the HPC have exercised great patience in this case and can tolerate no further delay in rectifying the violation.

Ms. Pearce: Can the Commission grant an extension? If an extension is granted, are we going to leave him compliant or is he going to be continually fined until he becomes compliant?

Ms. Rees: I move to grant Mr. Barberio an extension.

Mr. Jarrell: Is the extension to replace the windows with wooden windows, to put the old windows back in?

Ms. Pearce: The extension is for time to present the COA, because he believes he has not had time to digest the information regarding the energy efficient item or the time for money.

Mr. Barberio: I would invite the Commission to come to my house to give suggestions and see the work that has been done.

Ms. Pearce: We are not in a position to go out to the property. Decisions have to be made based on the guidelines.

Dr. Chestnut: In good conscience from the Commission, this is so reminiscence of that night in October. I raised a point with Staff as to how this would be tracked. I do not see anything new about this COA from October other than information. There is always an option of not taking the tax break and moving on. At no point would I consider continuing this and ignoring the fines.

Mr. Little: Since there was no second to the motion by Ms. Rees to grant an extension, the motion died.

Dr. Chestnut: In trying to be helpful, I could make a motion that the fines stay in place if he requests a continuance that the fines continue and then we give him the continuance with the fines accrue.

Ms. Pearce: Is there a second to the motion? The motion died.

Motion was made by Dr. Dennis Chestnut and seconded by Mr. Greg Jarrell to deny a continuance of COA 08-02: 2909 Memorial Drive by Michael Barberio. Motion carried unanimously.

Ms. Pearce: I would like to ask Mr. Les Everett, Chief Building Inspector, if he has ever heard of covering vinyl with wood panels?

Mr. Everett: No, I have not. I would have to defer that to a design manufacturer.

Ms. Pearce: I believe that would be cost prohibitive.

Mr. Jarrell: What would be the process for removing the property from the National Register of Historic Places?

Mr. Wisemiller: The process has to reverse itself. City Council would have to de-designate the property. It is a lengthy process.

Ms. Pearce: Tax credits have to be refunded up to three years back. Also, the City paid for the research report to put the property on the National Register.

Ms. Pearce: The public hearing is closed. If not, is there a motion to the Findings of Fact?

Motion was made by Mr. Greg Jarrell and seconded by Ms. Franceine Rees that the Findings of Fact are not congruent with the Design Guidelines. Motion carried unanimously.

Motion was made by Ms. N. Yaprak Savut and Mr. Greg Jarrell to deny the application as revised by the applicant for COA 08-02: 2909 Memorial Drive by Michael Barberio. Motion carried unanimously.

Mr. Barberio: Do I have a right to appeal?

Mr. Wisemiller: You may appeal to the Board of Adjustment. I will send you a letter about the process.

Mr. Barberio: Is the Commission imposing fines?

Ms. Pearce: The property is not in compliance.

Mr. Barberio: I have no means.

Ms. Pearce: Thank you for coming before the Commission.

COA Application 08-03 (407 S. Holly Street)

Ms. Pearce: The second COA application is for 407 South Holly Street. Mr. Tim Ferruzzi has requested to revise the proposal for creating a new exterior doorway to provide resident access per City code requirements.

The Notary Public, Sandy Gale Edmundson, swore in Les Everett, Tim Ferruzzi and Tom Wisemiller.

Mr. Wisemiller: The subject property is located on Holly Street in the College View Historic District. This one-and-a-half-story frame Craftsman Bungalow, built for original owner J.S. Willard, has a side-gable roof with a centrally located shed dormer. The front porch has been enclosed and modern two-over-two windows installed on the porch, dormer, and side elevations. The house is covered with vinyl siding.

The applicant requests approval to revise previous proposal for the construction of a new doorway to provide resident access in order to comply with City Code.

Considerations

In June 2007, the applicant applied to the HPC for COA 07-06 to replace a window on the southwest elevation of the dwelling with a door that was intended to match the existing two (2) doorways on the same elevation in size, style, material, trim, and color. Applicant also proposed to install a white awning above the new door to match the two (2) existing awnings above the two (2) existing doors on the same elevation in size, style, material, and color. According to applicant, the dwelling was converted into a five unit dwelling some years ago and that, to meet City Code, it was necessary for each of the units in the building to have their own separate entries. To accommodate the replacement of the window with a door, the existing utility meters below that window were to have been relocated to another location. *The HPC denied this application* after it was determined that the applicant presented insufficient evidence that the additional outside doorway was necessary and/or required by City Code and not a convenience for the owner of the property (before a proposed project to alter the exterior of a residence within the historic district can be approved, the first finding of fact requires that such work is mandated by code or is a matter of public safety and welfare).

Also, during the hearing for COA 07-06, evidence was presented that the work had already proceeded without prior approval. This work included creating a new opening directly adjacent (approximately abutting) one of two existing doorways on the south elevation of the main house; relocating a window that was in the way of the new opening about 1-2 feet to the left; installation of a temporary wooden staircase to access the new opening. Utility meters were also relocated to a more inconspicuous rear location of the house exterior.

More recently, the applicant has already installed the new door described in this proposal. He claims that, once he was required to create the new opening to grant access to one of the dwelling units, it then became necessary to enclose that opening – even if only temporarily – as this matter was resolved.

The applicant is herewith revising his previous application for a COA to create a new doorway to provide resident access to one of the units in the building in order to comply with City Code. The applicant has stated that he is first prepared to demonstrate that the creation of an additional opening is necessary to provide access to a residential unit in the building and to comply with City Code.

Secondly, he proposes to provide that additional access via a new exterior doorway that is in keeping with the *Design Guidelines*:

- Install new raised metal panel door in the aforementioned opening to match existing doors on the south elevation of the house, which has low visibility

from the street and sidewalk. The project will involve the removal of some additional vinyl siding to make room for the door. The applicant proposes to forego installing a storm door like the ones on adjacent doorways, since a storm door would not be code compliant in combination with the proposed stairway leading up to the door. For someone entering the doorway at the top of the stairs, the storm door would swing into his/her space, which is a safety hazard; consequently, building codes now require that a landing space be provided where exterior doors open outwardly (the existing storm doors and concrete stairways were installed prior to the adoption of this requirement). The applicant would consider removing the storm doors from the other doorways on the south elevation to maintain continuity.

- Install concrete stairway leading up to the doorway to match existing concrete stairways on the south elevation of the house.
- Remove light metal awnings from existing doorways on the south elevation of the house. These awnings were installed within the last few decades and do not contribute significantly to the character of the property.
- The applicant states that all of the above work items are reversible and will not harm any of the (underlying) historic features of the house.

Note: the house at 407 S. Rotary Street has been modified on numerous occasions and is a non-contributing property in the College View National Register Historic District. As per the Survey & Research Report: “the front porch has been enclosed and modern two-over-two windows were installed on the porch, dormer, and side elevations.” Many of these changes reflect the past and current status of the house as a multi-unit rental property. The proposed alterations described above will not unduly detract from the character of the property given its evolved condition. On the other hand, when deciding cases involving non-contributing properties, the HPC must still be sensitive to how precedents might apply to other properties in the district.

Moreover, the property could be restored as a contributing property in the future. The applicant has expressed his intention to remove the vinyl siding on the house and make other improvements to the property. The work items proposed by the applicant are all reversible, assuming that a significant investment were made to renovate the property in a historically appropriate manner, which would probably necessitate the property being refitted to accommodate no more than two dwelling units (preferably an owner-occupied SFR)

Chapter	Title	Pages
2	Windows & Doors	16 – 18

1. Retain and preserve original windows and doors.
2. Retain and preserve openings and details of windows and doors, such as trim, sash, glass, lintels, sills, thresholds, shutters, and hardware.
5. If a replacement window or door is necessary, replace only the deteriorated element to match the original in size, scale, proportion, pane or panel division,

materials, and detail.

8. Select storm or screen doors that are painted to match the building or trim. Incorporate full glazed panels in storm doors to maximize the view of the existing door. Install storm or screen doors so that the existing door and frame are not damaged or obscured.
9. If fabric awnings are historically appropriate, install them in porch, door, or window openings so that architectural features are not concealed and historic materials are not damaged. Select colors appropriate to the color of the building.
10. It is not appropriate to install aluminum awnings over porch, door, or window openings.
11. It is not appropriate to replace windows and doors with stock items that do not fill the original openings or duplicate the unit in size, material, and design. Snap-in muntins are not appropriate replacements for true divided-light windowpanes.
14. It is not appropriate to fill existing window or door openings if it would diminish the historic character of the building. It is not appropriate to replace or cover glazing with plywood.
15. It is not appropriate to introduce new windows or door openings if they would diminish the original design of the building or damage historic materials and features. Keep new windows and doors compatible with existing units in proportion, shape, positioning, location, pattern, size, and details.

Ms. Pearce: Would the applicant like to speak?

Mr. Ferruzzi: The house was converted into a triplex decades ago. Unit B's kitchen was across a common hallway for both Unit B and C. Les Everett visited the site and confirmed the violations. Conversation was started on how to modify the exterior. The exterior required an additional door for Unit C. The original proposal involved elimination of a window in placement of a door. Once construction started it appeared that the window could be salvaged but slightly moved approximately two feet to the left. The original door for B and C's hallway became Unit B's sole entry door. The time constraints of trying to rent the two units required immediate construction in order not to miss the rental cycle of 12 months. The proposal is to add a door (access) for North Carolina Code reasons. The door construction is to match other five existing doors on the property which is a metal insulated raised panel "Stanley" door unit. The meters will be moved to accommodate the new door. The vinyl siding on the whole building will eventually be removed to restore the original materials and quality craftsmanship. For now, we are removing the siding (vinyl) on one portion of the home's planes at the new door openings area. Let it be known that this entire property has been modified over many years and that anything we are doing now is easily reversible and/or will compliment future renovation as a multi-family historical home.

Ms. Pearce: Would anyone like to speak in favor or in opposition to the COA application? What is Staff's recommendation?

Mr. Wisemiller: Staff recommends that the Historic Preservation Commission *approve* the request to create a new doorway to provide resident access in order to comply with City Code at 407 S. Holly Street, based on the following findings:

1. The creation of the new doorway is necessary to provide access to one of the units in the building and is a reasonable means by which to meet City Code requirements that all dwelling units be provided with their own separate entryways.
2. The new doorway will be painted to match the building and trim; it will be compatible with existing units in proportion, shape, positioning, location, pattern, size, and details; it will incorporate the same paneling as existing doorways on the same elevation; the introduction of the new door opening will not significantly damage historic materials and features of the non-contributing property, especially on the southwest elevation, which has limited visibility from the street; the introduction of the new door opening will not diminish the original design of the building significantly beyond the modifications already completed on the south elevation of the house.
3. The lack of a storm door on the new doorway will not detract from the character of the property, nor would the removal of the light weight metal awnings, which are not considered appropriate for the district. Ideally, in the future all of the vinyl siding on the house would be removed and fabric awnings would be installed above the doorways.
4. In general, the design proposal described above represents a less than perfect solution to operating the property in its current rental configuration without significantly detracting from the historic character of the property or the district; the property had been modified in the past to the extent that is a non-contributing structure in the district; the alterations described above are reversible; the alterations will be made on an elevation of the house that has relatively low visibility from the street.

Recommended Motion: Staff would recommend approval to install new doorway as proposed.

Ms. Pearce: What the Commission is trying to decide is this door that has been placed there to access the unit that was already in existence and is grandfathered in because the code that said we could not make anymore duplexes is about two years old and this was approximately a ten year old divided into five separate units according to Greenville Utilities. Mr. Everett, did you in fact tell him that he had to have a door there?

Mr. Everett: I did meet with Mr. Ferruzzi. The whole conversation focused around having that kitchen unit separated from the other tenant coming in and it would be a complete unit.

Ms. Pearce: Is there any further discussion? If not, I will close the public hearing. Is there a motion as to the Findings of Fact?

Mr. Little: The Commission should make a motion to approve the Findings of Fact which include the code requirements are outside of the Design Guidelines, a motion whether or not the guidelines are congruent or not congruent, and then based upon the fact that they are not congruent because the Design Guidelines are outside the regulations make a motion for a variance to the Design Guidelines to approve the COA to comply with the Housing Code.

Motion was made by Mr. Jeremy Jordan and seconded by Mr. Richard Weir that the COA is not congruent with the Design Guidelines and that we recognize that the Building Code oversteps the Design Guidelines and therefore, I move that the Commission grants a variance to allow the COA, because it brings the property into compliance with the Building Code.

COA 08-04: 401 South Jarvis Street: Approved with fines

Ms. Pearce: The third COA application is for 401 South Jarvis Street. Mr. Ferruzzi is requesting to revise the proposal to screen previously installed exterior HVAC system and ductwork. The Commission is being asked to eliminate the previous COA and replace it with this COA for 401 South Jarvis Street.

The Notary Public, Sandy Gale Edmundson, swore in Les Everett, Tim Ferruzzi, Artemis Kares, Chris Mansfield and Tom Wisemiller.

Mr. Wisemiller: The subject property is located on the southeast corner of Jarvis & Fourth streets in the College View Historic District. The circa 1920 dwelling is a large side-gable Craftsman Bungalow seven bays wide with wraparound porch. A shed dormer rests just above the hip-roof porch and a large two-story addition is located to the rear of the house. The scale and fenestration pattern of the front façade suggest the house was constructed as a multiplex building.

The applicant requests approval to construct two framed, wood-sided faux bays, elevated above ground, to screen the previously installed ductwork; to erect two wood fences not to exceed three feet to screen the previously installed HV/AC unit; and to plant vegetative cover to further screen the fences and faux bays.

Considerations

Without prior COA or Minor Works Certificate of Appropriateness (MWCOA) approval, a gas pack//HVAC system and ductwork were installed on the highly visible north elevation of 401 Jarvis Street. According to the applicant, the north elevation was the only practicable location on which to install the HV/AC system, the installation of which was necessary to bring the property into compliance with City Code. In its current condition, the presence of the unsightly gas pack/HVAC system and associated ductwork on such a highly visible location of the property significantly harms that

property's historic character. In February 2007, the HPC approved the applicant's request for COA 07-01 to construct a bay addition to house the gas pack/HVAC unit and ductwork; the purpose of the proposal was to mitigate negative impacts caused by the aforementioned mechanical equipment, thereby bringing the property back into compliance.

According to the applicant, however, the inspections department would not have allowed the project as proposed because it would have resulted in a code violation due to inaccessibility of the gas pack/HVAC system. To mitigate the negative impacts from the mechanical equipment in a way that also satisfies Inspection Department requirements, the applicant proposes to do the following:

Construct two framed, wood-sided faux bays, elevated above ground, to screen the previously installed ductwork on the north elevation and (east) rear of the house. The bay on the visible north elevation would be intended to echo the existing bay addition on the north elevation; however, it would be designed to screen only the ductwork, while not interfering with access to the gas pack/HVAC system. As such, it would extend vertically from the roof line down to just above the top of the gas pack/HVAC system (total of 80 inches in height), with only its structural posts extending to the ground level. Horizontally, it would need to be about 65 inches wide to encapsulate the ductwork. In terms of depth, the bay would need to jut out from the existing wall by about 2.5 feet. To accommodate this outward extension, the applicant proposes to construct a smaller low hipped shingle roof with exposed rafter tails designed to echo the larger hipped roof on the north bay addition. The additional faux bay to be constructed on the rear elevation of the house will be a similar, smaller version of the one proposed for the more visible north elevation, except that it will not have a hipped roof. Instead, the roof slope/line and rafter tails will drop down to accommodate the bay extension; although this feature will interrupt the rhythm of the roof line, it will be on the rear of the house, where such mechanical equipment is frequently left exposed.

Erect a one-sided wood picket fence on the more visible north elevation, the only section of which would run parallel to the north wall of the house (total length = 11 feet). Painted to match the trim of the house, the straight-style pickets (not scalloped) would extend vertically from the ground level to just above the top of the gas pack/HVAC system, not to exceed three feet in height (the gas pack/HVAC unit is 36 inches in height). The spacing between fence slats would be narrow (1-inch), as the purpose of the fence is to provide additional screening for the gas pack/HVAC unit (in essence, the fence would take over where the faux bay leaves off), yet still provide ample ventilation as well as easy access to perform maintenance and repairs to the unit. Likewise, erect a similar fence to screen the gas pack/HVAC system on the rear elevation. Unlike the other fence, however, the rear fence/screen will wrap around on one side to abut a back corner of the house.

Plant vegetative cover around the perimeter of the fence to minimize the distinction between the fence and faux bay and to mitigate the lack of continuity along the foundation line.

<u>Chapter</u>	<u>Title</u>	<u>Pages</u>
2	Exterior Walls & Trim	15

8. It is not appropriate to introduce new wall features, such as vents, bays, and door or window openings, if they would diminish the original design of the wall or damage historic wall materials.

<u>Chapter</u>	<u>Title</u>	<u>Pages</u>
2	Utilities & Energy Retrofit	37-38

12. Locate vents and mechanical connections through historic foundations or walls on non-character defining elevations or inconspicuously on side or rear walls where they will not be visible from the street.
13. Install mechanical equipment such as heating and air conditioning units in areas and spaces requiring the amount of alteration to the appearance and the materials of the building. Screen the equipment from view.

<u>Chapter</u>	<u>Title</u>	<u>Pages</u>
3	Additions	47

1. Construct additions so that there is the least possible loss of historic fabric. Also, ensure that character-defining features of the historic building are not obscured, damaged, or destroyed.
2. Limit the size and the scale of additions so that they do not visually overpower historic buildings.
3. Locate additions as inconspicuously as possible, on the rear or least character-defining elevation of historic buildings.
4. Design additions so that they are differentiated from the historic building. It is not appropriate to duplicate the form, the material, the style, and the detail of the historic building so closely that the integrity of the original building is lost or compromised.
5. Design additions so that they are compatible with the historic building in mass, materials, color, and proportion and spacing of windows and doors. Either reference design motifs from the historic building, or introduce a contemporary design that is compatible with the historic building.
6. For the predominant material of the addition, select a historic material, such as brick, stone, stucco, or wooden siding that is compatible with the historic materials of the original building. Contemporary substitute materials, such as synthetic siding, are not acceptable.
7. Design the roof form to be compatible with the historic building and consistent with contributing roof forms in the historic district.

8. Design the foundation height and eave lines of additions generally to align with those of the historic building.
9. Design additions so that they can be removed in the future without damaging the historic building.

Ms. Pearce: Would the applicant like to speak?

Mr. Ferruzzi: The preview proposal, COA 07-01, turned out to be a code violation due to inaccessibility to gas pack/ HVAC system. If proposed and approved project had been installed according to specifications of COA, then the Inspections Division would have disallowed. The new alternative proposal aims to achieve the same mitigation goals while also satisfying code requirements. The proposal would be to construct a separate framed and sided (wood) housing structure for the ductwork only. This housing will be smaller, but similar to the original proposal (COA07-01) will enable just the ductwork to be concealed while allowing the actual gas pack unit to be accessed for servicing and airflow. The actual unit (gas pack) proposal is to install an appropriate fence and vegetation component around perimeter of said unit.

Ms. Pearce: Would anyone else like to speak in favor or opposition to the COA application?

Mr. Mansfield: I walk by this property every time I go to Church. I was wondering if the ductwork was going to be enclosed and why was it on the outside of the building to begin with. There were other ways to put a heating and cooling system in that house. I know that the ductwork could be placed under the house. I would think that this would have been one of the things that the Commission would have ruled out instead of putting the unit on the outside. If it could have been done another way and in keeping with the guidelines, I would have hoped that the Commission would have it done that way. Now I speak as a President of the Neighborhood association that has concern about the quality of the neighborhood and as to whether or not the Historic Preservation Commission and its work is really helping to work towards improving the historic character of the neighborhood. I was wondering if this should be approved. It seems like it was the easy and inexpensive way to get some rent out of building. I would ask the Commission to take a look deeply at this and find out if you followed the procedures and whether or not there would have been an alternative if it had come before the Commission properly.

Ms. Rees: Mr. Mansfield, it did not come before us. It was a done deal.

Mr. Mansfield: That concerns me a lot.

Ms. Rees: It happens a lot.

Mr. Mansfield: It is a larger issue for the City.

Mr. Rees: It is a problem.

Ms. Pearce: One thing that would help the Historic Preservation Commission is for letters to be written by members of the Tar River neighborhood association requesting more Staff support for the Commission. One of the reasons that we look at these things after they have already been installed is unless a report is made of construction by Commission members or concerned residents, the Staff does not have enough time to examine the neighborhood to make recommendations.

Mr. Mansfield: Perhaps, Mr. Everett needs more Staff. If it is an issue of coordination and units of the City that ought to be working together aren't communicating then it is a management issue and we need to put the resources where they need to be to make the process work.

Mr. Wisemiller: Just to clarify, Mr. Ferruzzi did come before the Commission with a COA

previously and it was approved. He decided it was not feasible.

Mr. Jordan: It was an after the fact COA.

Ms. Rees: The ductwork went up.

Mr. Mansfield: The Commission gave him permission for something and he did something else.

Ms. Pearce: Mr. Ferruzzi reworked the building and decided that he was going to put that type of heating and air conditioning unit in regardless of what reasons he came up with. The process that is supposed to happen is when they make an application for a building permit to install that which I do not believe that actually happened because Mr. Everett's office has become extremely good at telling Planning as to when a permit has been requested in that district. However, what happened was Mr. Ferruzzi installed the heating and air conditioning unit and he installed the ductwork on the side of the house for whatever reason he deemed was necessary. It did not go through the permitting office, so we were not notified. We were only notified, because someone in the neighborhood called about the ductwork on the side of the house and it looks really bad that is visible on Fourth Street and it is detracting from the character of the neighborhood. Mr. Wisemiller wrote Mr. Ferruzzi a letter saying that you cannot do that without a COA application. Mr. Ferruzzi applied for a COA after the fact. The Commission approved what Mr. Ferruzzi said he was going to do, and he did not do it. Now he is bringing a whole new COA to the Commission. The Commission would have stopped that if it had been brought to us before the work was done. Mr. Ferruzzi has brought a new COA application before the Commission tonight. The Commission would have stopped that had it been before us to start with. When people bring their COA application after they have done it, it is difficult for the Commission to do anything which is why fines are being instituted for \$50.00 per day.

Mr. Wisemiller: Once it is done it is hard to undo it. We can fine.

Ms. Pearce: We can fine as long as the property is not compliant. If you do something that is not compliant, the City can issue a \$50.00 per day fine until in compliance by our original ordinance in 1988. This Commission has tried for the past ten years to be friendly and encourage people to ask us for help and suggestions, and we are moving away from that and we are interested in enforcing the guidelines.

Mr. Mansfield: The only recourse is a penalty. If there is no penalty, there is no reason to have a rule.

Mr. Wisemiller: We have discussed in the past as to whether or not to fine people automatically for doing work without a COA and up to this point decided that was not such a good idea, because you get some new homeowners who move into the district and do something, so we give them the benefit of the doubt. The point to stress there is that is going to be felt by everybody across the board. There are pros and cons to fining people.

Ms. Pearce: We have tried it the other way. That is on the agenda for tonight. It is our intention to enforce these guidelines as strictly as possible and fine to the maximum, so that people will quit refusing to come to us in the beginning. If an application was submitted, a great deal of the problems could be worked out before anything is built. In the past ten years, the character defining architecture in that neighborhood has been decreased.

Mr. Mansfield: Thank you for hearing my comments.

Ms. Pearce: Would anyone else like to speak?

Ms. Artemis Kares: I live near the historic district. I would like to endorse everything that Chris Mansfield has said. I would like for the Commission to work something into your procedure, so that the Building Inspector takes a look at the COA before the Commission approves them. I don't think there is anything to keep this particular COA that is before you from being just like the one that got approved. It was approved in February 2007 and it is now March 2008. It really should not take that long to determine that this was not going to work. I do not understand the timeline. Why didn't it get done sooner? Are you going to put any time limit as to when he has to complete this work? When exactly did the ductwork get there to begin with?

Mr. Jordan: The Commission did not know until someone reported it.

Ms. Kares: It was before February 2007. This was going on for a year and a half to two years. When were the fines begun? I think there should be something in place for repeat offenders.

Ms. Pearce: The way this works is the Building Inspections Division would review the plans that the owner or contractor submitted if the owner or contractor would submit a plan and if the Building Inspections Division does not get a plan or a permit request, then they can't tell us. Since the Commission does have less Staff that is necessary to support the Commission and that neighborhood, we have suggested that if anyone notices building going on to report it to Staff or Commission members, so that someone can go out and take a look at the property.

Ms. Kares: I do think we did that and we did do that some time in 2006, and it is now 2008. Couldn't you add to your procedure that the Building Inspector has to look at the one that is proposed today to see if it is going to function before the Commission approves it? It sounds like last time that didn't happen, and it has taken a year to find out it is not going to work.

Mr. Wisemiller: This property is noncompliant and if there is not fast action not just an approved COA normally a COA is an optional thing where somebody can propose to build an addition to their house and if it is appropriate, then it is approved. In this case, it is not compliant if he does not get an approved COA or complete the work or rectify the situation, the enforcement is ongoing.

Ms. Kares: This Commission did approve the last COA, because you listened to what was presented and you thought it was going to work, and then you found out that it wouldn't. Wouldn't getting the Building Inspector to review the COA ahead of time let the Commission know that it was not going to work?

Ms. Pearce: Each month the Commission asks Staff the status of COAs and the response from Staff is that there is not enough Staff to do what is necessary to enforce the COAs that this Commission produces. Until we get enough Staff to support this Commission, we are coming up with a stronger fining, because if we go back to the original ordinance it is 72 hours and then it is \$50.00 from then on.

Mr. Kares: I believe you would see results through the fines.

Ms. Pearce: Mr. Ferruzzi, would you like to comment?

Mr. Ferruzzi: A couple of things that I would make comments about is this property was a triplex and it was vacant when I bought it. I improved it. I tore the vinyl siding off of the house and I got a MWCOA for that. Unit A and B are on the first floor. Unit C is on the second floor. I did not know you had to have a COA to install a heating and air unit outside.

Ms. Pearce: If you impact the character or the exterior of the building in the district, you are required to get a COA or a MWCOA. Has everyone said everything they would like to say about this COA? What is staff's recommendation?

Mr. Wisemiller: Staff recommends that the Historic Preservation Commission approve the request to construct bay addition to house previously installed HV/AC system and ductwork, based on the following findings:

1. The previous introduction of the new wall vents and mechanical equipment through the walls of the north elevation of the rear addition is highly visible and in its current condition diminishes the original design and appearance of rear addition that otherwise blends into the historic main house; however, it is assumed that applicant had no other alternative location through which to route the HVAC connections and hardware given City code requirements.
2. The proposed bay addition will help to screen the equipment from view; it will not result in the loss of historic fabric and will not unduly obscure or harm character-defining features of the historic building; the size and the scale of the bay addition will not visually overpower the historic building.
3. The location of the addition will not be inconspicuous and will be located on a highly visible elevation; however, the purpose of the addition is to mitigate negative impacts from the gas pack/HVAC system and ductwork on that highly visible elevation.
4. Design of the proposed bay addition to house the HV/AC is not differentiated from the historic building but nor are any of the other existing rear additions to the circa 1920s residence; the proposed addition is compatible with the historic property in mass, materials, color and will reference design motifs from the historic building.
5. The addition will be constructed of wood materials compatible with the historic materials of the original building and will not include contemporary substitute materials; the lack of brick foundation will be screened by bushes; the roof form on the proposed bay addition will be compatible with the historic building and consistent with contributing roof forms in the historic district; the foundation height and eave lines of the proposed bay addition will align with those of the historic building and existing rear addition.
6. The proposed addition would not be attached to the historic 1920s residence and furthermore could be removed without damaging the rear addition.

Recommended Motion: Approval to construct bay addition on north elevation to house previously installed HV/AC system and ductwork with the following condition: the applicant constructs a low hipped roof on the faux bay to echo the hipped roof on the north bay addition.

Ms. Pearce: I am closing the public comment period.

Ms. Pearce: Mr. Ferruzzi is requesting that the Commission eliminates the previous COA and replaces it with this COA for 401 South Jarvis Street.

Dr. Chestnut: At this point, if we were not to approve this COA, then we would be back to the original COA which was approved prior to having gone to get a building permit. It

turns out not to be feasible according to him not to work. If we go back to the original COA it would be incumbent upon Mr. Ferruzzi to bring it into compliance with code. Am I clear?

Ms. Pearce: I think that was clear. Is there a motion?

Dr. Chestnut: I move the statements that I just made as the motion for the Finding of Fact.

Ms. Rees: I second the motion.

Mr. Jarrell: For the Finding of Fact.....

Dr. Chestnut: I can restate it.

Ms. Pearce: Please do.

Dr. Chestnut: The Finding of Fact that we have before us a COA which in essence asks us to hold and abate the previous COA and to approve the one in front of us. The previous COA having been approved without having had a building permit, and if we should not approve the present COA, then it would be incumbent upon the applicant to bring the original COA in compliance with the Building Code.

Ms. Pearce: That was a summary. We need a motion to determine whether these Finding of Facts are congruent or not congruent.

Mr. Jarrell: I make a motion that the Findings of Fact are accepted and that if we do this COA with the way it is it is in compliance with the guidelines. The Findings of Fact show that.

Dr. Chestnut: If we approve the Findings of Fact, then we agree with the COA. The Findings of Fact is what we find.

Mr. Jordan: I second Mr. Jarrell's motion.

Mr. Little: One statement of fact would be that work was performed prior to obtaining a COA. Second the applicant came forward with a COA proposing to bring the work that had been done without a COA into compliance with the Design Guidelines as proposed. The third fact would be that the COA application was approved. Fourth when the applicant took that COA and attempted to implement it, it was determined by the applicant that it did not meet code. Five the applicant now submitted a revised or amended COA to encase the ductwork by another means other than what had been originally approved. Those are the five facts presented tonight.

Dr. Chestnut: And by accepting the Findings of Fact that does not speak to approval of this present COA. I call for the question on the Findings of Fact.

Motion was made by Mr. Greg Jarrell and seconded by Mr. Jeremy Jordan that the Findings of Fact are accepted. Motion carried unanimously.

Dr. Chestnut: I'd like to make a motion Madam Chair that we deny the present COA.

Mr. Little: You are one step ahead. Next is deciding if the findings are congruent with the Design Guidelines. There needs to be a motion as to whether they are or are not congruent with the guidelines. The third step depends on what happens with that one as to whether to approve or deny the COA.

Motion was made by Mr. Greg Jarrell and seconded by Mr. Jeremy Jordan that the Findings of Fact are congruent with the guidelines. Motion carried with a vote of 6 (Jarrell, Jordan, Rees, Sauter, Savut and Weir) to 1 (Chestnut).

Ms. Pearce: Now we need to determine whether we can approve or deny the COA. Is there a motion on that?

Dr. Chestnut: I move to deny the present COA.

Ms. Pearce: Is there a second?

Ms. Rees: Can we have further discussion?

Ms. Pearce: There was no second, so the motion dies.

Mr. Jarrell: I would like to make a motion that we accept the COA and keep the fines in place until the property is in compliance.

Ms. Pearce: That motion died too due to the lack of a second. There is no motion on the floor. What we are choking over here is whether the original COA is going to be thrown out as if we did not do anything about it and if the Building Inspector does not get to have an opinion as to whether it will work or not.

Ms. Rees: What we are stumbling around is after he did the ductwork his COA should have been for doing the ductwork his first one not when Chris Mansfield went by and saw it and reported it and we approved the COA for him to enclose it. The first step should have been for the ductwork. Is there anyone who disagrees with that? Approval for that ductwork should have been the original COA.

Mr. Jarrell: If it was not for the ductwork, we would not be here discussing this. I think the first COA that he submitted on this was an appropriate way to dress this up and address it and make it fit with the character of the house. I think this one does too. The

difference was that he did not do his legwork in the beginning. I am not convinced that he has done his legwork now as far as getting the right permits to get it done. The best system we have in place for that is to slap fines on him until he gets it done which we have done and what we can continue to do until the property is brought into compliance of what we agreed to with the first COA. If the building inspector says he has to have that unit open, then the second one is a legitimate answer to that and it is exactly the same except for the unit is outside of the structure that he is going to build. In order to screen it, they are going to put a fence up. As long as the fence is in compliance with the guidelines, it works for me.

Ms. Rees: What doesn't work for me is that the Commission did not have the chance to rule on the ductwork.

Ms. Pearce: We cannot go back that far.

Ms. Rees: I think we need to.

Ms. Pearce: We do not have the power.

Ms. Rees: We need to institute a policy to remedy the situation.

Mr. Jarrell: Let's talk about that after we resolve this.

Ms. Pearce: We cannot do this at this time. What happens next Bill?

Dr. Chestnut: One of my difficulties Madam Chair was that we said that this is in compliance with the guidelines. I see here several items that this pertains to in the guidelines. We did not go through those items. I would almost question how many of us really know each of those items.

Mr. Jordan: The guidelines were in the packet sent to Commission members prior to the meeting for review.

Dr. Chestnut: I do not need to be reprimanded by Jeremy.

Ms. Pearce: Please do not do this.

Dr. Chestnut: I was speaking Madam Chair, and I have a right to complete my statement. My problem and difficulty with saying whether these met each of the guideline items because there were so many that is why I said I would not approve something that I was not sure that we were in compliance with the guidelines. Given where we are I will submit a motion that we approve it with the fines as Greg submitted and that the fines will continue until it comes into compliance.

Greg Jarrell: I second the motion.

Motion carried unanimously.

Ms. Pearce: Tom, will you write a letter to Mr. Ferruzzi stating that? Is that accurate Tom?

Mr. Wisemiller: Yes.

Ms. Pearce: Thank you.

COMMITTEE REPORTS

Dr. Chestnut excused himself from the meeting due to another obligation.

Design Review Committee

The Design Review Committee met.

Selection Committee

The Selection Committee did not meet.

Publicity Committee

The Publicity Committee did not meet.

NEW BUSINESS

2008 Historic Preservation Commission Awards

Ms. Pearce: The Commission will move into Closed Session to discuss the 2008 Historic Preservation Commission Awards.

CLOSED SESSION

Mr. Little: I have been asked to make a motion for the Commission. It is moved that the Historic Preservation Commission go into Closed Session. The statutes of the State of North Carolina permit a public body to enter Closed Session for the expressed purposes set forth in that statute which the current motion is to prevent the premature disclosure of an honorary degree, scholarship, prize or similar award. Is there a second to that motion?

Mr. Weir: I second the motion.

Motion carried unanimously.

Discussion of Change in Rules of Procedure

Ms. Pearce: We are now resuming Open Session, and we will be discussing the Change in the Rules of Procedure.

Mr. Little discussed the change in the Rules of Procedure. The first reading of the changes is tonight.

Current: VI. C. Minor Works. Except as noted in Section VI. Subsection A. above, the Secretary may issue a Certificate of Appropriateness for minor works, on behalf of the Commission, for the following types of applications, provided that the Secretary determines that the application is congruent with the adopted design guidelines:

1. Removal of asbestos, aluminum, vinyl or other artificial siding not belonging to the original structure;
2. Removal of storm doors and windows;
3. Removal of dead, diseased or dangerous trees;
4. Removal of accessory buildings which are not architecturally or historically significant;
5. Removal of metal flues;
6. Repair or replacement of exposed foundation walls, including installation of vents;
7. Repair or replacement of asphalt or fiberglass shingle roofs or other roof coverings where there is no change in materials;
8. Repair or replacement of flat roofs;
9. Reconstruction or repair of fences of wood, stone, brick or cast iron under four (4) feet;
10. Replacement, repair or installation of patios and decks, not visible from the street;
11. Installation or replacement of storm windows and doors which are finished to match the structure's trim;
12. Installation of exterior residential lighting fixtures;

13. Installation of mechanical equipment such as heating and air conditioning units not visible from the street;
14. Installation of identification signs, including address numbers, in accordance with the City's sign regulations;
15. Review of material samples and dimensions for projects which have received approval in concept or a Certificate of Appropriateness from the Commission;
16. Renewal of expired Certificates of Appropriateness where no change to approved plans is being proposed and where there is no change in the circumstances under which the Certificate was granted;
17. Removal of non-historic fabric when removal does not alter historic structure;
18. Installation of satellite dishes not visible from the street, less than 5 feet tall, and less than 2 feet in diameter;
19. Replacement of missing or deteriorated siding and trim, porch floors, ceilings, columns, and balustrades, or architectural details, with new materials that are identical to the original;
20. Installing of gutters and downspouts painted to match the house or trim color, as long as no significant architectural features are damaged or removed;
21. Installation window air-conditioning units (not central units);
22. Installation of roof and basement ventilators (only if roof vents are on back slopes);
23. Installation of normal size television and radio antennas (does not include C.B. and ham radio equipment);
24. Installation and repair of sidewalks and patios constructed of common stone or red brick and bricked in area on the side or rear of the structure at ground level and not abutting a right-of-way, when the height does not exceed six inches above adjacent ground level;
25. Repainting of a structure in colors identical to that existing on the structure;

26. Painting of structure in new color scheme provided paint samples are similar to appropriate paint colors as approved by the State Historic Preservation Office. If staff can not make a determination, request shall be forwarded to the Commission for review;
27. Installation, alteration, or removal of temporary features which are constructed of wood that are medically necessary to ease difficulties associated with a medical condition but which do not permanently alter exterior features;
28. Repair or replacement of an existing driveway, provided location and dimensions remain the same;

D. Referral for Design Review. Unless specified in Section VI. Subsection C. above, the Secretary shall refer all applications to the Design Review Committee. The Design Review Committee may:

1. Find, by unanimous vote of those present, that the application is congruent with the adopted Design Guidelines consistent with Section 9-10-19;
2. Fail to find, by unanimous vote of those present, that the application is congruent with the adopted Design Guidelines;

The Design Review Committee may make recommendations to the Commission as to whether the application is congruent with the adopted design guidelines, or whether circumstances exist that may justify a variance from the adopted design guidelines or conditions under Section 9-10-19(c) are recommended as part of the approval.

Proposed: VI. C. Minor Works. Except as noted in Section VI. Subsection A. above, the Secretary may issue a Certificate of Appropriateness for **completed applications for** minor works, on behalf of the Commission, **after consultation with and approval by the Design Review Committee** for the following types of applications, ~~provided that the Secretary determines that the application is congruent with the adopted design guidelines:~~

1. Removal of asbestos, aluminum, vinyl or other artificial siding not belonging to the original structure;
2. Removal of storm doors and windows;
3. Removal of dead, diseased or dangerous trees;

4. Removal of accessory buildings which are not architecturally or historically significant;
5. Removal of metal flues;
6. Repair or replacement of exposed foundation walls, including installation of vents;
7. Repair or replacement of asphalt or fiberglass shingle roofs or other roof coverings where there is no change in materials;
8. Repair or replacement of flat roofs;
9. Reconstruction or repair of fences of wood, stone, brick or cast iron under four (4) feet;
10. Replacement, repair or installation of patios and decks, not visible from the street;
11. Installation or replacement of storm windows and doors which are finished to match the structure's trim;
12. Installation of exterior residential lighting fixtures;
13. Installation of mechanical equipment such as heating and air conditioning units not visible from the street;
14. Installation of identification signs, including address numbers, in accordance with the City's sign regulations;
15. Review of material samples and dimensions for projects which have received approval in concept or a Certificate of Appropriateness from the Commission;
16. Renewal of expired Certificates of Appropriateness where no change to approved plans is being proposed and where there is no change in the circumstances under which the Certificate was granted;
17. Removal of non-historic fabric when removal does not alter historic structure;
18. Installation of satellite dishes not visible from the street, less than 5 feet tall, and less than 2 feet in diameter;

19. Replacement of missing or deteriorated siding and trim, porch floors, ceilings, columns, and balustrades, or architectural details, with new materials that are identical to the original;
20. Installing of gutters and downspouts painted to match the house or trim color, as long as no significant architectural features are damaged or removed;
21. Installation window air-conditioning units (not central units);
22. Installation of roof and basement ventilators (only if roof vents are on back slopes);
23. Installation of normal size television and radio antennas (does not include C.B. and ham radio equipment);
24. Installation and repair of sidewalks and patios constructed of common stone or red brick and bricked in area on the side or rear of the structure at ground level and not abutting a right-of-way, when the height does not exceed six inches above adjacent ground level;
25. Repainting of a structure in colors identical to that existing on the structure;
26. Painting of structure in new color scheme provided paint samples are similar to appropriate paint colors as approved by the State Historic Preservation Office. If staff can not make a determination, request shall be forwarded to the Commission for review;
27. Installation, alteration, or removal of temporary features which are constructed of wood that are medically necessary to ease difficulties associated with a medical condition but which do not permanently alter exterior features;
28. Repair or replacement of an existing driveway, provided location and dimensions remain the same;

D. Referral for Design Review. **All completed applications for minor works that the Secretary shall be referred to the Design Review Committee for consultation, review and approval.** The Design Review Committee may:

1. Find, by unanimous vote of those present, that the application is congruent with the adopted Design Guidelines consistent with Section 9-10-19;
2. Fail to find, by unanimous vote of those present, that the application is congruent with the adopted Design Guidelines;
3. **Find, by unanimous vote of those present that the application complies with the Design Guidelines and these rules for minor works.**
4. **Fail to find, by unanimous vote of those present, that the application is congruent with the Design Guidelines and these rules for minor works.**

If the Design Review Committee fails to find by unanimous vote that the application is congruent with the Design Guidelines and that the application complies with the rules relating to minor works, then, the Design Review Committee shall forward the application, their findings and recommendations to the Commission to conduct a public hearing on the application to determine if a Certificate of Appropriateness may be issued consistent with these rules and the ordinance establishing the Commission or Design Review Committee may make recommendations to the Commission as to whether the application is congruent with the adopted design guidelines, or whether circumstances exist that may justify a variance from the adopted design guidelines or conditions under Section 9-10-19(c) are recommended as part of the approval.

Mr. Little: The second reading and adoption will be on Tuesday, April 22, 2008 unless continued by majority vote. Approval is by majority vote. Changes may be made tonight.

Ms. Pearce: Please read this information and be ready to vote on these changes at the April meeting.

Mr. Wisemiller: I would recommend that everybody on the Design Review Committee should have e-mail.

Ms. Pearce: I think everybody on the Commission should have e-mail.

Façade Improvement Grant Program

Mr. Wisemiller: The Historic Preservation Commission's Design Review Committee will be invited to attend the workshop of the Façade Improvement Grant program. The date

of the workshop will be determined soon for mid-April. It will be on a weekday during work hours.

Update on Non-Compliant Historic Properties

Mr. Wisemiller: The list is getting smaller. There are a couple of new cases that I will update the Commission on in April.

Ms. Pearce: This is not a procedural change this is a general practice change. Originally, the ordinance stated that the fine would be \$50.00 for the first day after 72 hours of being in noncompliance and \$50.00 per day thereafter which is \$350.00 per week.

Mr. Little: The Commission can ask Staff to address the customary practice that has been in place for some time and request that Staff speak with the Director of Community Development to modify the civil penalties are assessed according to the ordinance and not customary practice. That would be the easiest way to do it to make a request instead of a motion.

The Commission is asking Mr. Wisemiller to make that request.

ANNOUNCEMENTS/OTHER

Discussion of State Historic Preservation Office (SHPO) Regional Training In Greenville, North Carolina

Mr. Wisemiller: The Commission agreed that the State Historic Preservation Office (SHPO) Regional Training in Greenville, North Carolina should occur in June. The two dates that are being looked at are June 13 and June 20, 2008.

Ms. Pearce: Commission members may request what may be addressed in the training.

ADJOURNMENT

There being no further business, the meeting was adjourned.

Respectfully submitted,

Tom Wisemiller
Planner

