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HISTORIC DISTRICT COMMISSION  
October 9, 2024 | Room 267

MINUTES

MEMBERS PRESENT:	Nichelle Hawkins (Chair) Kim Parati (Vice Chair) Chris Barth (Second Vice Chair) Shauna Bell Sarah Curme Cameron Holtz Christa Lineberger Sean Sullivan Heather Wojick Scott Whitlock
MEMBERS ABSENT:	Brett Taylor Vacant, Resident-Owner Hermitage Court Vacant, Resident-Owner Oaklawn Park Vacant, Resident-Owner Wilmore
OTHERS PRESENT:	Candice Leite, HDC Staff Elizabeth Lamy, HDC Staff Jen Baehr, HDC Staff Marilyn Drath, HDC Staff JT Faucette, HDC Staff Erin Chantry, Design and Preservation Division Manager Jill Sanchez-Myers, Senior Assistant City Attorney Nicole Hewett, Assistant City Attorney

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With a quorum present, Chair Hawkins called the October meeting of the Historic District Commission (Commission) meeting to order at 1:13 p.m. Chair Hawkins began the meeting by introducing the Staff and Commissioners and explaining the meeting procedure. All interested parties planning to give testimony – FOR or AGAINST – must submit a form to speak and must be sworn in. Staff will present a description of each proposed project to the Commission. The Commissioners and the Applicants will then discuss the project. Audience members signed up to speak either FOR or AGAINST will be called to the podium for each agenda item. Presentations by the Applicants and audience members must be concise and focused on the **Charlotte Historic District Design Standards**. The Commission and Staff may question the Applicant. The Applicant may present sworn witnesses who will be subject to questioning by the Commission and Staff. The Applicant will be given an opportunity to respond to comments by interested parties. After hearing each application, the Commission will review, discuss, and consider the information that has been gathered and presented. During discussion and deliberation, only the Commission and Staff may speak. The Commission may vote to

reopen this part of the meeting for questions, comments, or clarification. Once the review is completed, a MOTION will be made to Approve, Deny, or Continue the review of the application at a future meeting. A majority vote of the Commission members present is required for a decision to be reached. All exhibits remain with the Commission. If an Applicant feels there is a conflict of interest of any Commissioner, or there is an association that would be prejudicial, that should be revealed at the beginning of the hearing of a particular case. The Commission is quasi-judicial body and can accept only sworn testimony. Staff will report any additional comments received and while the Commission will not specifically exclude hearsay evidence, it is only given limited weight. Chair Hawkins asked that everyone please silence any electronic devices. Commissioners are asked to announce, for the record, if one leaves or arrives during the meeting. Chair Hawkins requested that those in the audience remain quiet during the hearings. An audience member will be asked once to be quiet and the need for a second request will require removal from the room. Chair Hawkins swore in all Applicants and Staff and continued to swear in people as they arrived for the duration of the meeting. In accordance with N.C.G.S. § 160D-947(e), subsections (4) and (5), and UDO Article 14.1.M.1, an appeal of quasi-judicial decisions may be made to the Mecklenburg County Superior Court as provided in N.C.G.S. § 160D-1402 within the time specified in N.C.G.S. § 160D-1405(d).

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HDCRMIA-2023-01195, 928 Ideal Wy	Dilworth
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HDCCMA-2023-01193, 1921 Charlotte Dr	Dilworth
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##### **NEW CASES**

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## CONSENT

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### **ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: TAYLOR

### **APPLICATION:**

**HDCRMI-2024-00796, 1838 MERRIMAN AV (PID: 11909208) – ADDITION – REAFFIRMATION**

### **EXISTING CONDITIONS:**

The existing structure is one-story, American Small House with Colonial Revival elements constructed c. 1948. Architectural features include an asymmetrical façade with a projecting front gable, a partial width front porch supported by simple square columns, round wood vent, and gable end exterior chimney. The original paneled front door with fan light, front door surround with fluted engaged pilasters, and original 8/8 and 6/6 windows remain intact. Adjacent structures include 1-story American Small Houses. The lot size is approximately 50' x 236'.

### **PROPOSAL:**

The proposed project is the reaffirmation of a project previously approved with conditions by the HDC on January 12, 2022, under application #HDCRMI-2021-00837. The approval letter is attached. Final plans were not submitted within the required timeframe and the COA was not issued.

The proposed project is for a rear addition that appears to tie in beneath the original ridge. The applicant is also requesting to replace the trim on the front columns and replace the front entry door. All original windows are to remain. Material of the new addition is brick to match existing unpainted brick. The small patio and fire pit in the rear yard are eligible for Administrative review.

*There are three minor changes to the originally approved project:*

1. Fenestration changes on the right elevation.
2. Skylights added to the rear elevation.
3. Windows are specified to be Pella Lifestyle, instead of Windsor.

### **STAFF RECOMMENDATIONS:**

Staff has the following comments about the proposal:

1. The project is not incongruous with the district and meets the Secretary of the Interior's Standards for Rehabilitation, and the City of Charlotte Design Standards for Rehabilitation of Building Elements, Chapter 4 and New Construction for Residential Buildings, Chapter 6.
2. Per 10.4.1 of the Rules for Procedure, Staff recommends Approval of the project for meeting the Standards and that this item be heard as a Consent Agenda item, with permit-ready construction drawings submitted to Staff for final review, with the following conditions:
  - a. All brick is to remain unpainted.
  - b. Pella Lifestyle windows are not approvable because the frame is too thin. Work with Staff on an approvable window for the addition.
  - c. Provide rear yard permeability calculations.
  - d. Fenestration, specifically the proportion of the windowpanes should be consistent with the existing windows on the original structure.
  - e. Front porch columns appear to be original and should remain as is with any new column trim and/or front porch trim to match existing, per Standard 4.11, number 2.
  - f. Fenestration rhythm changes are needed on the right elevation. The spacing between the windows, window size/proportion, and number of windows all need to be revisited. Staff may approve changes to the fenestration on the right elevation.

3. If requested by a Commission member, or if an interested party has signed up to speak in opposition, then the HDC shall open the application for a full hearing.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION: APPROVE WITH CONDITIONS**

**1<sup>st</sup>: SULLIVAN      2<sup>nd</sup>: BARTH**

Mr. Sullivan moved to approve the application because it is not incongruous with the district and meets the Secretary of the Interior's Standards as well as the HDC Standards for rehabilitation of building elements, Chapter 4, and for new construction of residential buildings, Chapter 6. He added the conditions that the applicant follow items A-F found in the Staff Recommendations.

Mr. Barth seconded the motion and then suggested the amendment that the applicant ensure the skylights are not rounded and are flush mounted units.

Mr. Sullivan accepted the amendment.

**VOTE: 10/0**

**AYES: BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER, PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS: NONE**

**DECISION: APPLICATION FOR ADDITION – REAFFIRMATION – APPROVED WITH CONDITIONS.**

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: TAYLOR

RECUSED: WHITLOCK

**APPLICATION:**

**HDCRMI-2024-00795, 333 W 9<sup>th</sup> ST (PID: 07803601) – REAR ADDITION – REAFFIRMATION**

**EXISTING CONDITIONS:**

The existing building is a 2-story Victorian constructed c. 1910. The building has very few distinctive architectural features besides the front door and trim, and what it once had has either been replaced (for example, the original 2/2 windows) or covered up (for example, the original wood siding and trim band between the siding and the gables). Adjacent structures are 1.5 and 2-story single-family and commercial buildings.

**PROPOSAL:**

The proposed project is the reaffirmation of a previously approved rear addition by HDC on September 9, 2020, under application #HDCRMI-2020-00264. Final plans were not submitted within the required timeframe and the COA was not issued. The denial letter for the addition of second story front porch and siding changes is attached. Meeting minutes for the approval of the rear addition are attached.

The reaffirmation is for the previously approved rear addition. An inset area will be filled in with a two-story porch. No changes have been made to the previously approved porch addition. Additional changes to the area also being proposed, include:

1. Rear entry door and existing transom to be removed and replaced with a new entry door and transom.
2. Shutters added to the front elevation windows.
3. Removal of the aluminum siding and trim and replacement with new beveled wood siding and trim.
4. All non-original windows to be replaced with 2/2 windows. This may be Staff approved.

**STAFF RECOMMENDATIONS:**

Staff has the following comments about the proposal:

1. The project is not incongruous with the district and meets the Secretary of the Interior's Standards for Rehabilitation, and the City of Charlotte Design Standards for Building Materials, Chapter 5, and New Construction for Residential Buildings, Chapter 6.
2. Per 10.4.1 of the Rules for Procedure, Staff recommends Approval of the project for meeting the Standards and that this item be heard as a Consent Agenda item, with permit-ready construction drawings submitted to Staff for final review, with the following conditions:
  - a. Shutters should not be added to the front elevation windows because there is not enough space to add shutters to all windows equally.
  - b. Removal of the aluminum siding/trim is encouraged; however, the original wood siding should be retained and repaired, rather than replaced, per the Secretary of the Interior's Standards numbers 1, 2, 3, 5, 6, 9, and 10.
3. If requested by a Commission member, or if an interested party has signed up to speak in opposition, then the HDC shall open the application for a full hearing.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION: APPROVE WITH CONDITIONS**

**1<sup>st</sup>:     PARATI                    2<sup>nd</sup>:     BARTH**

Ms. Parati moved to approve the application. She cited the following: The Secretary of the Interior's Standards for Rehabilitation numbers 1, 2, 3, 5, 6, 9, & 10; HDC Design Standards for materials, 5.2 numbers 1, 2, 3, & 7; and HDC Design Standards for residential new construction, Chapter 6. She added the condition that the removal of the aluminum siding and trim is encouraged and that the original wood siding should be retained and repaired rather than replaced.

Mr. Barth seconded the motion.

**VOTE: 9/0**

**AYES:   BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER,  
PARATI, SULLIVAN, WOJICK**

**NAYS:   NONE**

**DECISION: APPLICATION FOR REAR ADDITION – AFFIRMATION – APPROVED WITH CONDITIONS.**

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: TAYLOR

RETURNED: WHITLOCK

*This case was removed from the consent agenda by the Commission.*

**APPLICATION:**

**HDCRMA-2024-00666, 1838 MERRIMAN AV (PID: 11909208) – ACCESSORY DWELLING UNIT**

**EXISTING CONDITIONS:**

The existing structure is one-story, American Small House with Colonial Revival elements constructed c. 1948. Architectural features include an asymmetrical façade with a projecting front gable, a partial width front porch supported by simple square columns, round wood vent, and gable end exterior chimney. The original paneled front door

with fan light, front door surround with fluted engaged pilasters, and original 8/8 and 6/6 windows remain intact. Adjacent structures are 1-story American Small Houses. The lot size is approximately 50' x 236'.

**PROPOSAL:**

- The proposed project is for a one-story Accessory Dwelling Unit (ADU).
- The proposed ADU footprint is wider than the main house and 5'- 11 ¼" shorter than the main house, as shown on Sheet A-050.
- Proposed materials include unpainted brick to match existing on the main house and wood lap siding.
- There are two siding design alternatives provided for the front elevation 1.) fiber cement, smooth finish, board and batten siding, or 2.) wood lap siding. The board and batten precedence shown on Sheet A203 is not located within the Wilmore Local Historic District, and the buildings shown are new construction.
- Windows are proposed to be Windsor and Pella Reserve with 4/4 Simulated True Divided Lights (STDL) and wood trim. Window material is not specified. Skylights are proposed to be flush-mounted Velux.
- Doors proposed to be Jeld-Wen. Material not specified.

**STAFF RECOMMENDATIONS:**

Staff has the following comments about the proposal:

1. The project is not incongruous with the district and meets the Secretary of the Interior's Standards for Rehabilitation, and the City of Charlotte Design Standards for New Construction for Residential Buildings, Chapter 6 and Accessory Buildings, 8.10.
2. Per 10.4.1 of the Rules for Procedure, Staff recommends Approval of the project for meeting the Standards and that this item be heard as a Consent Agenda item, with permit-ready construction drawings submitted to Staff for final review, with the following conditions:
  - a. The alternative elevation with lap siding as shown on Sheet A-202 is approved.
  - b. A brick foundation is needed; work with Staff.
  - c. Window and door trim should be sized for fields of siding, should not be picture frame, and worked out with Staff.
  - d. Provide window, door, and skylight specifications that meet HDC requirements to Staff.
3. If requested by a Commission member, or if an interested party has signed up to speak in opposition, then the HDC shall open the application for a full hearing.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION: CONTINUE**

**1<sup>st</sup>:     BELL                      2<sup>nd</sup>:     HOLTZ**

Ms. Bell moved to continue the application because it does not meet the Standards for accessory buildings, 8.10 number 3. She specified that the proposed ADU is 11 feet too wide, so it does not seem to be secondary to the principal building.

Ms. Holtz seconded the motion.

Mr. Barth added a friendly amendment to cite Standard 8.10, number 7.

Ms. Bell and Ms. Holtz accepted the amendment.

**VOTE: 10/0**

**AYES:   BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER,  
PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS:   NONE**

**DECISION: APPLICATION FOR ACCESSORY DWELLING UNIT – CONTINUED.**

**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: TAYLOR

*This case was removed from the consent agenda by the Commission.*

**APPLICATION:**

**HDCRMA-2024-00491, 1534 THOMAS AV (PID: 08118718) – ACCESSORY DWELLING UNIT**

**EXISTING CONDITIONS:**

The existing structure is 1.5-story Craftsman bungalow constructed c.1930. Architectural features include a shallow front dormer, partial-width front porch with a flat roof supported by wood tapered columns and stone piers, 6/1 windows, exposed rafter tails, brackets, wood shake shingle siding, and a stone foundation. The front door is a replacement. The lot size is irregular, measuring approximately 100' x 83' x 98' x 64'. Adjacent structures are 1 and 1.5-story residential buildings.

**PROPOSAL:**

- The proposed project is for the removal of the existing dilapidated accessory structure and the construction of a new a 1.5-story Accessory Dwelling Unit (ADU) in a design that mimics the existing accessory structure.
- The proposed ADU footprint measures approximately 15'- 10 ¾" x 19'-0" as shown on sheet A101.
- The proposed ADU is approximately 2'-0" shorter than the main house, as shown on sheet A101.
- Most proposed materials are to match existing on the main house including wood individually applied shake shingles; wood trim, brackets, and exposed rafter tails. The only difference is the ADU foundation is proposed to be unpainted brick.
- Windows are proposed to be aluminum clad 7/8" putty glaze, Simulated True Divided Lights (STDL) in a 6/1 pattern to match the main house. Skylights are proposed to be flush-mounted Velux.
- The proposed project requires Commission review due to visibility.

**STAFF RECOMMENDATIONS:**

Staff has the following comments about the proposal:

1. The project is not incongruous with the district and meets the Secretary of the Interior's Standards for Rehabilitation, and the City of Charlotte Design Standards for New Construction for Residential Buildings, Chapter 6, and Accessory Buildings, 8.10.
2. Per 10.4.1 of the Rules for Procedure, Staff recommends Approval of the project for meeting the Standards and that this item be heard as a Consent Agenda item, with permit-ready construction drawings submitted to Staff for final review, with the following conditions:
  - a. Approving due to the unique conditions of the lot and that this is where the existing accessory structure is located and the only location where an accessory structure can be constructed.
  - b. Pergola approved to match photograph 2 shown on Sheet 404, with a steel cantilevered base and wood slatted roof.
  - c. Left elevation roof should be squared off, not angled, to match the right elevation roof.
  - d. Provide window, door, and skylight specifications that meet HDC requirements to Staff.
3. If requested by a Commission member, or if an interested party has signed up to speak in opposition, then the HDC shall open the application for a full hearing.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION 1: APPROVE WITH CONDITIONS**

**1<sup>st</sup>:     BARTH                      2<sup>nd</sup>:     PARATI**

Mr. Barth moved to approve the accessory dwelling unit as designed as it is not incongruous with the district and meets the Standards for new construction of residential buildings, Chapter 6 and accessory buildings, 8.10. He added that the

applicant must square the roof, provide window and door specifications, and ensure that the skylight is flush mounted instead of curved. He also referenced Staff Recommendation, 2a.

Ms. Parati seconded the motion.

**VOTE 1: 10/0**

**AYES:** BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER, PARATI, SULLIVAN, WHITLOCK, WOJICK

**NAYS:** NONE

**DECISION 1: APPLICATION FOR ACCESSORY DWELLING UNIT – APPROVED WITH CONDITIONS.**

**MOTION 2: CONTINUE**

**1<sup>st</sup>:** BARTH      **2<sup>nd</sup>:** PARATI

Mr. Barth moved to continue to the pergola structure for a restudy of the roof form, architectural design, and building materials as it relates to the existing historic structure and context. He cited the Standard for accessory buildings 8.10, number 3.

Ms. Parati seconded the motion.

**VOTE 2: 10/0**

**AYES:** BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER, PARATI, SULLIVAN, WHITLOCK, WOJICK

**NAYS:** NONE

**DECISION 2: APPLICATION FOR PERGOLA – CONTINUED.**

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NOT HEARD AT THE SEPTEMBER 11 MEETING

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: TAYLOR

**APPLICATION:**

**HDCRMIA-2023-01195, 928 IDEAL WY (PID: 12112201) – SITE CHANGES & SIDE PORCH ENCLOSURE – AFTER THE FACT**

**EXISTING CONDITIONS:**

The existing structure is a 2-story English Cottage constructed c. 1920. Architectural features include a prominent central brick chimney, asymmetrical façade with projecting right side entry bay with steep gable roof, steeply pitched gable roof with catslide on the left, and shed roofing over the second story that ties into the central steep gable. Windows are predominately 6/6 double-hung with a large second-story arched window on the front facing Sarah Marks Avenue, and an 8/8 double-hung and 8/8 casement window on the front façade to the left of the chimney. The rear of the home also has a protruding entry bay with a steep gable roof extending from the ridge of the right-side shed roof. The exterior is painted wood lap siding. The gabled portico over the front entry has standing seam metal roofing. The lot size is irregularly shaped with an angled street frontage of approximately 68' x 116' x 50' x 161'. Surrounding structures are 1, 1.5, and 2-story residential buildings.

**PROPOSAL:**

The proposed project requiring Commission review includes several parts:

1. Widening the driveway closest to the house. The gravel driveway in the front yard will be widened approximately 10' to the right to create a gravel motor court wide enough for two cars. The original driveway is



approximately 76' long and 12' wide.

2. Walkway changes. The existing brick-lined stone walkway that curves from front stoop to driveway will be removed following construction of motor court. A new steppingstone walkway set in a bed of mulch will be installed, leading from the front stoop to the public sidewalk at the corner of Ideal Way and Sarah Marks Avenue.
3. Side Porch Enclosure. The existing wood screen (60-square with a center decorative element) was replaced with a fixed 16-pane window on the front elevation. The change occurred between May 2021 and August 2022 per Google imaging. The window change may be due to an addition being built sometime between May 2021 and August 2022. The space appears to have been converted to finished interior space in photos from Zillow dated from November 2021.

The remaining parts of the proposed project do not require Commission review and may be approved by HDC Staff:

- Installation of artificial turf in the rear yard behind an existing fence.
- Re-positioning of (4) fence panels to provide better access to parking and shared driveway at the rear of the property that opens onto Sarah Marks Avenue.
- Change of material to shared driveway located along rear property line.
- New patio in rear yard.
- Front portico metal roof replacement because it is a like-for-like material change.

The application is an After-The-Fact review, with the Commission reviewing the project on its merits as if the work has not yet occurred.

#### **STAFF ANALYSIS:**

Staff has the following comments about the proposal:

1. Side Porch
  - a. The applicant has not provided enough information to evaluate the proposed side porch changes.
  - b. As-built drawings, before and after photos, a materials list and window and door specifications are needed for the front and left elevations.
  - c. The new window on the front elevation does not have the same proportions as the replaced decorative wood screen. The window design and proportions should either match the decorative wood screen or be plate glass with no muntins, so the area still reads as a side porch.
2. Staff recommends the Commission Deny the widening of the driveway and walkway changes because:
  - a. Widening the driveway is incongruous with Design Standards 8.2 for Parking, numbers 5 and 6.
    - i. The widened driveway creates additional front yard parking, expanding an existing non-conformity.
  - b. The front yard parking is also incongruous with Design Standard 8.4 for Landscaping and Lawns, number 6.
    - i. The widened driveway replaces grass in the front yard with gravel.
  - c. Re-routing the walkway and material change is incongruous with Design Standards 8.2 for Sidewalks, number 1 and 2.
    - i. The historic walkway led from the front door and made almost an immediate turn to the public sidewalk along Sarah Marks Avenue.
    - ii. The new walkway leads from the front door, diagonally across the yard to the corner curb-cut at Ideal Way and Sarah Marks.
    - iii. The materials for the walkway have changed from original brick and stone to a steppingstone path. Adjacent properties primarily have concrete or brick walkways.

#### **SPEAKERS [FOR | AGAINST]:**

One member of the public spoke against the project.

#### **MOTION 1: APPROVE**

**1<sup>st</sup>:      PARATI      2<sup>nd</sup>:      BELL**

Ms. Parati moved to approve the side porch enclosure as it is now a legal nonconformity, has been enclosed for more than 20 years, and is past the period of enforcement.

Ms. Bell seconded the motion.

**VOTE 1: 10/0**

**AYES:** BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER, PARATI, SULLIVAN, WHITLOCK, WOJICK

**NAYS:** NONE

**DECISION 1: APPLICATION FOR SIDE PORCH ENCLOSURE – AFTER THE FACT – APPROVED.**

**MOTION 2: DENY**

**1<sup>st</sup>:** PARATI **2<sup>nd</sup>:** BELL

Ms. Parati moved to deny both the widening of the front driveway and the walkway materials, citing the Standards for parking, 8.2, numbers 5 and 6 as well as the Standards for materials, 8.4, numbers 6, 5, 9, and 10.

Ms. Bell seconded the motion.

Ms. Hewett requested that Ms. Parati provide additional information to support the decision to deny the application.

Ms. Parati specified that the Standards do not allow for the replacement of grass with gravel in the front yard to create front yard parking and that the materials for the walkway are incongruous with the district. She added that the expansion of the driveway is also incongruous with the district.

**VOTE 2: 10/0**

**AYES:** BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER, PARATI, SULLIVAN, WHITLOCK, WOJICK

**NAYS:** NONE

**DECISION 2: APPLICATION FOR WALKWAY AND DRIVEWAY EXPANSION – AFTER THE FACT – DENIED.**

**MOTION 3: CONTINUE**

**1<sup>st</sup>:** PARATI **2<sup>nd</sup>:** SULLIVAN

Ms. Parati moved to continue the application for the window on the front elevation. She required the applicant provide context for the style of window being used. She cited Standard 4.14, number 1, for windows as well as the Secretary of the Interior's Standards, number 2.5.

Mr. Sullivan seconded the motion.

**VOTE 3: 10/0**

**AYES:** BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER, PARATI, SULLIVAN, WHITLOCK, WOJICK

**NAYS:** NONE

**DECISION 3: APPLICATION FOR FENESTRATION ON THE FRONT ELEVATION – AFTER THE FACT – CONTINUED.**

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: TAYLOR

**APPLICATION:**

**HDCCMIA-2024-00063, 1513 S MINT ST (PID: 11908315) – FENCE & RETAINING WALL – AFTER THE FACT**

### **EXISTING CONDITIONS:**

The existing structure at 1513 South Mint Street was built in 1927. The building is a 1-story brick commercial structure with storefront along South Mint Street. The lot size is approximately 50' x 147'. The building shares a partial right wall with 1515 South Mint Street, which is another 1-story commercial building built in 1947. Adjacent structures are 1-story commercial buildings. The Commission previously approved fenestration changes, painted brick, restoration, parking area improvements, and the demolition of a non-historic rear addition in September 2019 (COA# HDCCMA-2019-00367). Modifications were made to the original 2019 plans, thus the Commission reviewed fenestration changes, restoration, and site work, including lighting and awnings, in October 2020 (COA# HDCCMI-2020-00324). Staff approved a rear addition (COA# HDCADMC-2022-00191) in April 2022.

### **PROPOSAL:**

The proposal consists of two parts.

1. **Retaining wall.** At the rear of the property, 10 linear feet of curb will be removed and replaced with a block retaining wall. An additional length of 13 feet of block wall is proposed to tie into an existing block wall and match the existing height up to the patio. The wall's maximum proposed height is 3'-4". The area behind the retaining wall will be backfilled to allow water to drain towards an existing flume behind the patio, which will be stabilized with stone to match the existing.
2. **Fence.** The installation of an 8' tall wood stockade privacy fence is proposed around the back patio of the building on top of the 3'-4' retaining wall, for a total height of 11'-12'. The 8' fence height is proposed by the applicant to deter unauthorized entry onto the property from over the fence. The solid stockade style is proposed to prevent as much sound pollution as possible from neighboring businesses.

The application is an After-The-Fact review, with the Commission reviewing the project on its merits as if the work has not yet occurred.

### **STAFF ANALYSIS:**

Staff has the following comments about the proposal:

1. Staff recommends the Commission to Deny this application because it is incongruous with Design Standards for Fences and Walls, 8.6, numbers 4 through 6, 8, 9, 11, and 12.
  - a. The total height of the fence and retaining wall ranges between 11'-12'. The tallest fence the Commission has previously approved as a buffer between residential and commercial use is an 8' tall fence at 2144 Park Road.
  - b. The fence is stockade style, which is not permitted by the Design Standards for Fencing 8.6, number 9.
  - c. The structural members of the fence face do not face inward toward the property being enclosed (the patio), which is not permitted by the Design Standards for Fencing 8.6, number 6.
  - d. The block wall that delineates the rear patio is at grade and not a true retaining wall, which is not permitted by the Design Standards for Walls 8.6, number 11.
  - e. Bare concrete block is not allowed per Design Standard 8.6, number 12 (b).

### **SPEAKERS [FOR | AGAINST]:**

Several members of the public spoke against the project.

### **MOTION: APPROVE WITH CONDITIONS**

**1<sup>st</sup>:      WOJICK      2<sup>nd</sup>:      BARTH**

Ms. Wojick moved to approve the application as it is not incongruous with the district, and it meets the Standards for retaining walls in terms of function. She added that the extension of the retaining wall, and the existing CMU retaining wall, should be finished with smooth-coat stucco to meet Standards 8.7, numbers 11 & 12. She also specified that the 8-foot fence was being approved because of the specific site requirements, including the transition between commercial and residential uses and as a security element, if the design was adapted to meet the Standards 8.6, number 5 and 6. She asked that the applicant work with Staff to finalize approvable design details.

Mr. Barth seconded the motion.

**VOTE:** 8/2

**AYES:** BARTH, BELL, CURME, HAWKINS, LINEBERGER,  
SULLIVAN, WHITLOCK, WOJICK

**NAYS:** HOLTZ, PARATI

**DECISION:** APPLICATION FOR FENCE & RETAINING WALL – AFTER THE FACT – APPROVED WITH CONDITIONS.

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: WOJICK

**APPLICATION:**

**HDCRMIA-2024-00068, 221 Grandin Rd (PID: 07101512) – TREE REMOVAL & REPLANTING – AFTER THE FACT**

**EXISTING CONDITIONS:**

The existing structure is a 1-story Craftsman Bungalow with basement, constructed in 1933. The home was later converted to a duplex at an unknown date, but sometime after 1950 per Sanborn Maps records. Architectural features include a gable roof with a full-width front gabled symmetrical front porch with standing-seam metal roofing over the porch. An entry door for one of the duplex units is located on the left side where a double bay of windows was likely in place originally. Both entry doors appear to be Mid-Century Modern replacements with diagonal 3-lites. The front porch features four (4) square columns with brick bases. There is a prominent brick chimney on the front right corner of the home that faces West 4th Street Extension. The front porch gable and rear gable ends feature decorative brackets, while the rest of the home has exposed rafter tails. The front gable has a square 4-lite window flanked on either side by two square louvered gable vents. A single matching louvered vent is in the center of the rear gable end. The windows are predominantly 4/1 double-hung wood windows, with a triple bay of larger windows on the right façade facing West 4th Street Extension. The basement walls feature 3/3 square casement windows. The exterior is painted German lap siding with traditional red brick foundation. The rear of the home has had a covered landing bump out added on at an unknown date that is supported by brick piers and has a standing seam metal roof. The lot size is approximately 50' x 185'. Surrounding structures are 1 and 1.5-story residential buildings.

**PROPOSAL:**

The proposal includes two parts.

1. Removal of a large canopy tree. The tree is a large Willow Oak tree, located in the center of the rear yard, approximately 25 feet away from the house. Dead limbs have fallen and damaged the home's roof and fascia. The diameter at breast height (DBH) of the tree is not provided. A Certified Arborist letter has not been provided. A replanting plan has not been provided; however, the applicant plans to plant one or two Red Maples in the rear yard.
2. Roof replacement and fascia repairs. The shed roof over the rear landing will be replaced and changed from an asphalt shingle to a standing seam metal roof. The roof material change on a rear landing would typically be staff approved. The corner lot and visibility of the change requires Commission review. Staff may approve the fascia repairs.

The application is an After-The-Fact review, with the Commission reviewing the project on its merits as if the work has not yet occurred.

**STAFF ANALYSIS:**

Staff has the following comments about the proposal:

1. A letter from a Certified Arborist, Diameter Breast Height (DBH), and tree replanting plan were not provided by the applicant.
2. Staff recommends the Commission Deny the removal of the large canopy tree because it is incongruous with

Design Standards for Trees 8.5, numbers 1 and 2.

- a. A certified arborist letter documenting that removal is needed due to disease, documented damage to a historic structure, or other reasons was not provided, and tree removal occurred without prior approval by the Commission.
  - b. Per the Design Standards for Trees 8.5, number 6, the applicant should provide a replanting plan to Staff that includes the replanting of at least one large, maturing canopy tree on the property.
  - c. New tree(s) to be selected from the approved plant species, large maturing canopy tree list as outlined in the Charlotte Land Development Standards Manual (CLDSM). The replacement tree should be approximately 2"-3" caliper in size and planted during the next replanting season.
3. Staff recommends the Commission Approve the rear landing roof because the work is not incongruous with Design Standard for Rehabilitation for Building Elements for Roofs 4.5, numbers 2, 3 and 8.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION 1: DENY**

**1<sup>st</sup>: LINEBERGER 2<sup>nd</sup>: HOLTZ**

Ms. Lineberger moved to deny the removal of the large canopy tree as it does not meet the Standards for trees, 8.5, numbers 1 and 2. She specified that the denial was a result of the failure of the applicant to bring a letter from a certified arborist designating the tree as unhealthy as well as the failure to bring the application before the Commission before removal. Citing the Standard for trees, 8.5, number 6, Ms. Lineberger required that the applicant replant two canopy trees on the property. She specified that that they must be approved species from the Charlotte Land Development Standards Manual, they must be between two- and three-inches in caliper, and that they must be planted during the next replanting season.

Ms. Holtz seconded the motion.

**VOTE 1: 10/0**

**AYES: BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER, PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS: NONE**

**DECISION 1: APPLICATION FOR TREE REMOVAL – AFTER THE FACT – DENIED.**

**MOTION 2: APPROVE**

**1<sup>st</sup>: LINEBERGER 2<sup>nd</sup>: HOLTZ**

Ms. Lineberger moved to approve the rear landing roof because it is not incongruous with the district and meets the Standards for the rehabilitation of building elements for roofs, 4.5, numbers 2, 3, & 8.

Ms. Holtz seconded the motion.

**VOTE 2: 10/0**

**AYES: BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER, PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS: NONE**

**DECISION 2: APPLICATION FOR REAR LANDING ROOF, AFTER THE FACT – APPROVED.**

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: TAYLOR

**APPLICATION:**

**EXISTING CONDITIONS:**

The existing structure is a 1-story L-shaped Ranch constructed in 1952. Architectural features include gable roof, and an asymmetrical façade with a recessed entry with aluminum awning on the left, and a projecting right-side bay with gable roof that ties in lower than the main ridge. There are two (2) brick chimneys on the left face of the home, and a bump out with a side entry door and a gable roof directly past the first chimney. There are two sets of taller double-ganged, 1/1 double-hung windows on the front façade, with a smaller bay of double-ganged 1/1 windows in the center of the front façade, all with accompanying louvered shutters. All windows are predominantly 1/1 vinyl replacements that were installed pre-district. The exterior is traditional red brick with painted wood clapboard siding on the gable ends and painted wood frieze board. The lot size is approximately 94' x 112'. Surrounding structures are 1-story residential buildings, and Oaklawn Cemetery is directly across the street from the property.

**PROPOSAL:**

The proposal is the removal of two large canopy trees. One tree is a Magnolia located in the top left corner of the front yard. The roots of this Magnolia tree have caused heaving and cracking to the existing broken tile walkway. The second tree is a Cedar located in the central rear yard. The Cedar, covered in English Ivy, leans significantly towards the house. The sizes of the trees are not provided. A Certified Arborist letter has not been provided. A replanting plan has not been provided. Photos of the Cedar are provided.

The application is an After-The-Fact review, with the Commission reviewing the project on its merits as if the work has not yet occurred.

**STAFF ANALYSIS:**

Staff has the following comments about the proposal:

1. When letter from a Certified Arborist, Diameter Breast Height (DBH), and tree replanting plan were not provided by the applicant.
2. Staff recommends the Commission to Deny this application because removal of the large canopy trees in the front yard and rear yard is incongruous with Design Standards for Trees 8.5, numbers 1 and 2.
  - a. A certified arborist letter documenting that removal is needed due to disease, documented damage to a historic structure, or other reasons was not provided, and tree removal occurred without prior approval by the Commission.
  - b. Per the Design Standards for Trees 8.5, number 6, the applicant should provide a replanting plan to Staff that includes the replanting of at least one large, maturing canopy tree on the property.
  - c. New tree(s) will be selected from the approved plant species, large maturing canopy tree list as outlined in the Charlotte Land Development Standards Manual (CLDSM). The replacement tree should be approximately 2"-3" caliper in size and planted during the next replanting season.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION: DENY**

**1<sup>st</sup>:     WHITLOCK     2<sup>nd</sup>:     SULLIVAN**

Mr. Whitlock moved to deny the application for the removal of the large canopy trees as it does not meet the Standards for trees, 8.5, numbers 1 and 2 and is incongruous with the special character of the district as described in Chapter 3 of the Design Standards and the Secretary of the Interior's Standards, 2.5. He specified that the denial was a result of the failure of the applicant to bring a letter from a certified arborist designating the tree as unhealthy or causing damage to a historic structure as well as the failure to bring the application before the Commission before removal. Citing the Standard for trees, 8.5, number 6, Mr. Whitlock required that the applicant must provide a replanting plan that includes at least the replanting of a canopy tree in the front yard. He specified that that they must be approved species from the Charlotte Development Standards Manual, they must be between two- and three-inches caliper in size, and they must be planted during the next replanting season. He added the caveat that the applicant would not need to replant if they

could provide a letter from a certified arborist explaining that their property had lot constraints and could not support the replanting of new trees.

Mr. Sullivan seconded the motion.

**VOTE: 10/0**

**AYES: BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER, PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS: NONE**

**DECISION: APPLICATION FOR TREE REMOVAL & REPLANTING, AFTER THE FACT – DENIED.**

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: TAYLOR

**APPLICATION:**

**HDCRMA-2024-00336, 3105-3121 COLYER PL (PID: 09506133, 09506134, 09506135, 09506136, 09506137) – CHANGES TO AN APPROVED CERTIFICATE OF APPROPRIATENESS**

**EXISTING CONDITIONS:**

The property at 2010 The Plaza is the Van Landingham Estate, a designated local historic landmark. The four-acre property has two accessory buildings with fairly dense landscaping.

On May 12, 2021, the Commission approved the construction of four new buildings that comprise a total of 22 townhomes under application number HDCRMA-2020-00467. Design changes to building number one, which faces The Plaza, were approved by the Commission on April 13, 2022 under COA# HDCRMA-2022-00236. The construction of the other three buildings each have their own individual COA.

**Building 1 approval summary:**

- The tallest point of the building one is the first unit facing The Plaza at a height of 33'-6", as measured from grade to ridge.
- The building setback is approximately 55'-2" from back of curb to front thermal wall.
- Materials include Nichiha Savannah lap siding and Miratec windowsills and soffits, and corner boards that sit proud of the siding, and brick.
- The windows are Jeld-Wen 2500-series double-hung wood with traditional wide rails, 1/1 lite pattern and 3" fiber cement brick mold and brick rowlock sill.
- The entry doors are wood and the garage doors are the Wayne Dalton 9510 six light steel overlay garage doors in a carriage house style, with hardware added to the double-doors to give the appearance of separate doors.
- Roofing material is asphalt shingle with wood fascia and decorative brackets.
- On the front unit facing The Plaza, the front walkway connecting to The Plaza is pea gravel, approximately 5' wide.

**PROPOSAL:**

Staff conducted a final inspection on Building 1 on March 27, 2024 and found that the constructed project did not match the COA approved plans. This project is in the enforcement process. The deviation from approved plans is found on all 4 elevations and there are many design changes that staff is unable to approve. The applicant is proposing to come into compliance by requesting the Commission's approval of design changes to Building 1, which faces The Plaza and Colyer Place. The changes include:

Window changes, all elevations

- Style
  - Type (i.e. casement in place of double-hung)
  - Quantity (single window used where double window was indicated)
- Lite pattern
- Window size opening
- Proportion of window (vertical orientation vs horizontal orientation)

Door changes, South Elevation (facing Colyer Pl), North Elevation (facing Van Landingham Estate), and East Elevation (facing driveway)

- Front Entry door style and lite pattern different than COA

Elevation detail changes – South, East, and West Elevation (facing The Plaza)

- Paneling details (with diagonally oriented lap siding) on window bay bump-outs
  - Size of panels differs in various locations.
  - Some areas where three panels were indicated were built as two larger panels.

Elevation detail changes – North Elevation

- Misalignment of certain windows to defining eave/trim details.
- Misalignment of certain windows from third to second floor.

Elevation detail changes – South and West Elevations

- Cornice, fascia, and brick sill detail changes from approved detailing.

Elevation detail changes – North and South Elevations

- Smooth panel siding installed on dormers instead of lap siding.

Elevation detail changes – South Elevation

- Proportion of brick between top of garage door and bottom of second story window is taller than approved elevation.

Roof changes – North, South, and West Elevations

- Shallower roof pitches than approved on certain dormers.

Staff approval changes include:

- Omission of some decorative brackets
- HVAC screening change
- Handrails to one set of entry stairs as required by Building Code
- Garage door lite pattern
- Rear patio door style and lite pattern

The applicant is also requesting that if these changes are permitted, that Staff be able to approve the same changes to Building 4, as applicable.

The project is considered an After-The-Fact review, with the Commission reviewing the project on its merits as if work has not yet occurred.

#### **STAFF ANALYSIS:**

Staff has the following comments about the proposal:

1. When Staff has been requesting as-built drawings since April 25, 2024. To date, Staff has received two sets of inaccurate drawings that also lack dimensions and material notes and is at an impasse with the applicant.
  - a. Staff compiled a presentation that compares the details of the approved COA drawings, photographs of



the as-built conditions, and the applicant provided drawings.

- b. There are building elements that have changed between the approved drawings and the constructed project, but the applicant provided drawings show the previously approved elements instead of what are actually built.
2. Staff recommends the Commission to not hear this application at this time as there is insufficient information to review the proposed changes per Design Standards for New Construction for Residential Buildings, Chapter 6: Massing, 6.8; Height, 6.9; Roof Form, 6.13; Cornices and Trim, 6.14; Rhythm, 6.15-6.16. Applicant to provide the following items to the Commission for comparison of approved elevations against the as-built elevations:
  - a. Accurate as-built drawings for all elevations
  - b. Window/door specifications
3. East Elevation (facing driveway) changes:
  - a. Panel detail between first and second story details was drawn as a triple panel to line up with the triple window. The constructed project features two larger panels.
  - b. Dormer windows all are installed using different styles (1/1 lite pattern) vs approved full lite windows.
  - c. Entry door style changed from an approved wood Craftsman style door with 3-lite pattern to full lite door.
4. North Elevation (facing Van Landingham Estate) changes (Page S.2 - S.3):
  - a. All four dormers have shallower roof pitches than indicated on approved elevation.
  - b. Dormer #4 was sided with smooth siding vs approved lap siding.
  - c. Third floor of unit 3105 – the second window from the right is supposed to be a double and instead a large single window was installed.
  - d. Left-most window on third floor of unit 3121 is wider than the window next to it, when both windows were supposed to be the same per the COA. Both windows are also taller than approved.
5. West Elevation (facing The Plaza) changes (Page S.4):
  - a. Cornice/frieze detail is more complex in COA drawing along the top of the front porch. Constructed project features a wider simple flat frieze board. The tops of the brick columns also feature a trim cap in the COA, and those caps are missing.
  - b. Fascia along front of second story appears wider than approved.
  - c. Panel detail between first and second story details was drawn as a triple panel to line up with the triple window. The constructed project features two larger panels.
  - d. Both dormer roofs have a shallower pitch than in COA drawings.
    - i. This is indicated by additional space underneath the bottom of front porch dormer windows and bottom of wall, and additional space underneath bottom of brackets on left-most dormer.
  - e. Brick windowsill details do not match COA drawings.
    - i. Sill under left triple window on first floor was built with brick sill. Brick sill was not on approved elevation.
    - ii. Brick sills of second floor windows above the front porch roof are covered by first floor porch roof flashing.
  - f. Dormer windows all are installed using different styles (1/1 lite pattern) vs approved full lite windows.
6. South Elevation (facing Colyer Pl) changes (Page S.5 - S.6):
  - a. As constructed, the amount of brick between the top of the garage door and bottom of the second story windows is much larger than COA plans.
    - i. The COA plans allow for 2' to 4' of brick between the top of the garage door and bottom of the second story windows. This equals approximately 5 to 12 courses of brick. The amount varies by unit.
    - ii. The as-built dimension is not labeled on the applicant provided plans. The building units have anywhere from 15 to 23 courses of brick between the top of the garage door and the bottom of the second story windows.
    - iii. This change in elevation proportion may indicate that the first floor's height has increased.
  - b. All 4 dormers have shallower roof pitches. Eave details above second floor of entry door to unit 3117 are also lower than in the COA elevation.
    - i. Some of the shallower pitches are evident in profile where a bracket was indicated on the

approved elevation, but there was not room for the bracket in the constructed project.

- ii. The pitches may have been changed to accommodate the extra height on the first floor and maintain the approved total height of the building.
  - c. Size of panels with diagonal siding differing in height vs being uniform in size across three bays is another indication of a possible change in floor height.
  - d. Cornice/frieze detailing is missing over entrance to unit 3109.
  - e. Entry door style changed from an approved wood Craftsman style door with 3-lite pattern to full lite door.
  - f. Third floor of unit 3105 – the second window from the left is supposed to be a double and instead a large single window was installed.
    - i. The window directly below it is a double per the COA but is too narrow in proportion.
  - g. Dormer #1 was sided with a smooth panel vs approved lap siding.
  - h. Dormer #2 has too much siding revealed on each side of the windows.
  - i. Eave of gable over unit 3105 runs into top of eave that runs across the front of unit 3109 instead of them intersecting.
    - i. This indicates possible lower roof pitch with roof over unit 3109.
  - j. Gable detail over unit 3121 does not match proportion of detail drawn in COA.
    - i. Eave line across the front of top floor of unit 3119 and part of 3121 comes down lower in the built project vs approved elevation and contributes to this change.
7. Window changes, all elevations (Page S.1 - S.6):
- a. Some window changes, particularly increases in size, may be in response to meeting egress requirements.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION: DEFER**

**1<sup>st</sup>:     BARTH                      2<sup>nd</sup>:     WOJICK**

Mr. Barth moved to defer the application to a future meeting because it is incomplete. He specified that the Commission needs accurate and detailed as-built drawings referencing what has changed before reviewing the project.

Ms. Wojick seconded the motion.

**VOTE: 10/0**

**AYES:   BARTH, BELL, CURME, HAWKINS, HOLTZ, LINEBERGER,  
PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS:   NONE**

**DECISION: APPLICATION FOR CHANGES TO AN APPROVED CERTIFICATE OF APPROPRIATENESS – DEFERRED.**

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: TAYLOR

LEFT MEETING: LINEBERGER

**APPLICATION:**

**HDCCDEMO-2024-00090, 304 E WORTHINGTON AV (PID: 12105617) – DEMOLITION – COMMERCIAL**

**EXISTING CONDITIONS:**

The existing structure is a 1-story, Cottage constructed c. 1920. Architectural features include a side and front intersecting gable roof with asphalt shingles, 3/1 replacement windows, both a cinderblock and brick pier foundation, and various sidings including wood lap, aluminum lap, vinyl lap, and asbestos tile. This building also includes an addition

to the side and two additions on the rear. Lot size measures approximately 55' x 140', with a 10' alley running along the rear of the lot. Adjacent properties are 1, 1.5, and 2-story residential buildings as well as 1 and 2-story commercial buildings.

**PROPOSAL:**

The proposal is full demolition of the building. The following information is presented for the Commission's review and consideration:

1. Zoutewelle survey
2. Property survey
3. Digital photos of significant architectural details
4. Elevation drawings

**STAFF ANALYSIS:**

Staff has the following comments about the proposal:

1. The Commission will determine if the application is complete.
2. The Commission will determine whether the building has special significance to the Dilworth Local Historic District. With affirmative determination, the Commission can apply up to a 365-Day Stay of Demolition and require a 90-day waiting period to review new construction plans.
3. If the Commission determines that this property does not have any special significance to the district, then demolition may take place without a delay or upon the approval of new construction plans.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION 1: APPLICATION COMPLETE**

**1<sup>st</sup>:     BELL                      2<sup>nd</sup>:     PARATI**

Ms. Bell moved to determine the application is complete with all the required documentation provided by the applicant, which includes clear digital photos of all sides of the building; clear digital photos of significant architectural details and site features, including, but not limited to, windows, front doors, brackets, columns, trim, etcetera; a stamped and sealed property survey with setbacks and building dimensions with width and length clearly labeled; and a Zoutewelle survey to document height.

Ms. Parati seconded the motion.

**VOTE 1: 9/0**

**AYES:   BARTH, BELL, CURME, HAWKINS, HOLTZ,  
PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS:   NONE**

**DECISION 1: APPLICATION FOR DEMOLITION – COMMERCIAL – COMPLETE.**

**MOTION 2: HISTORICAL SIGNIFICANCE**

**1<sup>st</sup>:     BELL                      2<sup>nd</sup>:     PARATI**

Ms. Bell moved to determine that the building has special significance and value toward maintaining the character of the Dilworth Local Historic District because its year of construction was over 50 years ago.

Ms. Parati seconded the motion.

**VOTE 2: 9/0**

**AYES:   BARTH, BELL, CURME, HAWKINS, HOLTZ,  
PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS:   NONE**

**DECISION 2: APPLICATION FOR DEMOLITION – COMMERCIAL – DEEMED HISTORICALLY SIGNIFICANT.**

**MOTION 3: APPROVE DEMOLITION****1<sup>st</sup>: BELL****2<sup>nd</sup>: PARATI**

Ms. Bell moved to approve the project with a 365-day stay of demolition on the building due to its special significance and value towards maintaining the character of the district. She stated that receipt of accurate measured drawings of the building to be demolished is required for HDC records before plans for new construction will be considered by this Commission.

Ms. Parati seconded the motion.

**VOTE 3: 9/0****AYES: BARTH, BELL, CURME, HAWKINS, HOLTZ,  
PARATI, SULLIVAN, WHITLOCK, WOJICK****NAYS: NONE****DECISION 3: APPLICATION FOR DEMOLITION – COMMERCIAL – APPROVED WITH 365 DAY STAY.**

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: LINEBERGER, TAYLOR

**APPLICATION:**

**HDCCDEMO-2024-00091, 308 E WORTHINGTON AV (PID: 12105616) – DEMOLITION – COMMERCIAL**

**EXISTING CONDITIONS:**

The existing structure is a 1.5-story, Pyramid-roofed Bungalow constructed c. 1940. Architectural features include a front gable over a hipped front porch, 2/2 windows, Dutch lap siding, and a stucco foundation. Lot size measures approximately 50' x 140', with a 10' alley running along the rear of the lot. Adjacent properties are 1, 1.5, and 2-story residential buildings as well as 1 and 2-story commercial buildings.

**PROPOSAL:**

The proposal is full demolition of the building. The following information is presented for the Commission's review and consideration:

1. Zoutewelle survey
2. Property survey
3. Digital photos of significant architectural details
4. Elevation drawings

**STAFF ANALYSIS:**

Staff has the following comments about the proposal:

1. The Commission will determine if the application is complete.
2. The Commission will determine whether the building has special significance to the Dilworth Local Historic District. With affirmative determination, the Commission can apply up to a 365-Day Stay of Demolition and require a 90-day waiting period to review new construction plans.
3. If the Commission determines that this property does not have any special significance to the district, then demolition may take place without a delay or upon the approval of new construction plans.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION 1: APPLICATION COMPLETE****1<sup>st</sup>: SULLIVAN****2<sup>nd</sup>: PARATI**

Mr. Sullivan moved to determine the application is complete with all the required documentation provided by the applicant, which includes clear digital photos of all sides of the building; clear digital photos of significant architectural details and site features, including, but not limited to, windows, front doors, brackets, columns, trim, etcetera; a stamped and sealed property survey with setbacks and building dimensions with width and length clearly labeled; and a Zoutewelle survey to document height.

Ms. Parati seconded the motion.

**VOTE 1: 9/0**

**AYES: BARTH, BELL, CURME, HAWKINS, HOLTZ,  
PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS: NONE**

**DECISION 1: APPLICATION FOR DEMOLITION – COMMERCIAL – COMPLETE.**

**MOTION 2: HISTORICAL SIGNIFICANCE**

**1<sup>st</sup>: SULLIVAN      2<sup>nd</sup>: PARATI**

Mr. Sullivan moved to determine that the building has special significance and value toward maintaining the character of the Dilworth Local Historic District because its year of construction was over 50 years ago and its architectural style is in keeping with the streetscape and historic district.

Ms. Parati seconded the motion.

**VOTE 2: 9/0**

**AYES: BARTH, BELL, CURME, HAWKINS, HOLTZ,  
PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS: NONE**

**DECISION 2: APPLICATION FOR DEMOLITION – COMMERCIAL – DEEMED HISTORICALLY SIGNIFICANT.**

**MOTION 3: APPROVE DEMOLITION**

**1<sup>st</sup>: SULLIVAN      2<sup>nd</sup>: PARATI**

Mr. Sullivan moved to approve the project with a 365-day stay of demolition on the building due to its special significance and value towards maintaining the character of the district. He stated that receipt of accurate measured drawings of the building to be demolished is required for HDC records before plans for new construction will be considered by this Commission.

Ms. Parati seconded the motion.

**VOTE 3: 9/0**

**AYES: BARTH, BELL, CURME, HAWKINS, HOLTZ,  
PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS: NONE**

**DECISION 3: APPLICATION FOR DEMOLITION – COMMERCIAL – APPROVED WITH 365 DAY STAY.**

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CONTINUED FROM THE AUGUST 14 MEETING

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: LINEBERGER, TAYLOR

**APPLICATION:**

HDCCMA-2023-00991, 927 EAST BV (PID: 12311311) – ADDITION

*This application was continued from the August 14, 2024 meeting for the following items:*

1. **Context, 7.2-7.3, numbers 1-5.** Pay attention to how this building or buildings fit within context of it/their immediate surroundings.
2. **Setbacks, 7.4.** Provide a more detailed look at the setbacks and how this new building/these new buildings relate to the historic setbacks.
3. **Spacing, 7.5.** Whereas there are places where the building ungulates to create the sense of spacing, explore that a little further so that these buildings/this building is in keeping with the context surrounding it.
4. **Massing and Complexity of Form, 7.7 and Roof Forms, number 4.** The height and the width of these buildings need to be studied further. Some of the scale-reducing techniques being using are good but need to go further with that. Relate massing to that of existing adjacent historic buildings. Use forms for new construction that relate to the forms of the majority surrounding buildings.
5. **Height and Width, 7.8, numbers 1, 2, 3, 4, and 5.** This building should not be taller and wider than other historic commercial buildings within this context. Not only take into consideration the immediate surroundings but may look a little further out staying within the same neighborhood of Dilworth. Specifically, number 5, "On the commercial corridor of East Boulevard in the Dilworth Historic District, new construction should have similar height and width as the existing historic residential designed buildings since they help create the historic context."
6. **Scale, 7.9.** There are scale-reducing techniques that the applicant has already used; however, it's important to make sure that these buildings are lining up in terms of cornices, eaves, porches, windows, that sort of thing with neighboring properties and that the height and width which play into the scale are reworked.
7. **Directional Expression, 7.10.** Make sure that whether it be through breaking up the buildings or through continued use of architectural techniques that these buildings match the directional expression of the surrounding buildings.
8. **Parking deck and parking situation.** Provide more information on the parking deck as a response to drawings and information related to those items. Provide any sort of precedent for putting a parking deck or not conceal it.
9. The Commission has not evaluated this application on the remaining items of our application because the high-level items need to be addressed first.

**EXISTING CONDITIONS:**

The existing building is a 2-story contemporary office building constructed c. 1982. The building sits on a corner lot along East Boulevard and Dilworth Road West with the main entrance facing the rear parking lot. Materials include unpainted brick and metal windows. The lot measures approximately 199.75' x 244.90'. Adjacent structures are 1, 1.5, and 2-story residential and commercial buildings.

**PROPOSAL:**

The proposed project is a new front addition, side addition, and rear addition to the existing building. The additions change the height, length, and setbacks along East Boulevard and Dilworth Road West.

East Boulevard

Existing building height is 27'-4"

Existing building length is 89'-4"

Existing building setback is 47.3'

Proposed addition heights range from 37'-4" to 39'-0". The proposed chimney extends an additional 5'-1".

Proposed overall length is 201'-6"

Proposed building setbacks range from 20'-0" to 23'-0"

#### Dilworth Road West

Existing building height is 27'-4"

Existing building overall length is 60'-0"

Existing building setback is 20.9'

Proposed addition heights range from 35'-8" to 37'-4". The proposed chimney extends an additional 5'-1".

Proposed overall length is 167'-5.75"

Proposed building setbacks range from 21'-0" to 22'-0"

#### Additions

Proposed dimensions of *Mass A*: 71'-1" x 30'-10"

Proposed dimensions of *Mass B*: 59'-9.5" x 52'-0"

Proposed dimensions of *Mass C*: 41'-8" x 64'-3.75"

Proposed dimensions of *Mass D*: 24'-6" x 26'-7"

Proposed dimensions of *Mass E*: 48'-11" x 36'-8"

Proposed dimensions of *Courtyard Beyond* along East Bv: 20'-6" x 18'-0" and 8'-5" x 10'-0"

Proposed dimensions of *Courtyard Beyond* along Dilworth Rd W: 10'-2.5" x 9'-0" and 19'-7.25" x 19'-3.25"

Proposed materials include unpainted red brick, Hardie Artisan Smooth Lap siding, asphalt shingle roof, and wood trim. Window are proposed to be 6/1 and 6/6 STD L Jeld-Wen Sitrine double-hung, aluminum clad wood with ½" to 1' wood muntins. Doors are 6-light Craftsman. 14 trees are proposed to be removed.

#### *Revised Proposal – October 9, 2024*

The proposed project changed applicants and has been completely redesigned. On the right and rear elevations, window openings will be enlarged on the existing building with the existing brick detailing will be replicated.

The project includes additions to the front, left, and rear elevations:

- Front elevation – 25'- 0"
- Left elevation – 11'- 0"
- Rear elevation – enclosing the U-shaped area and bumping out 8'-0" from the existing rear thermal wall.

Site changes include expanding the existing surface parking lot to the left property line. The parking lot will also be aligned with the new front thermal wall of the building.

#### **STAFF ANALYSIS:**

Staff has the following comments about the proposal:

1. Rear Elevation
  - a. The infill design, bump out, and added cornice height, make the rear elevation appear like it is the front elevation. Rear elevations are typically simpler in design.
2. Materials
  - a. Brick and mortar sample needed. May be provided to Staff for probable approval.
3. Site Plan
  - a. Provide information and label location on site plan for any HVAC ground units, dumpsters, backflow preventors, and any other site features per Standards for Site Appurtenances, page 8.9.
  - b. Provide plan for permanent screening of the parking lot per Standards for Sidewalks and Parking, page

8.3.

- c. Provide additional information about mature canopy trees to be removed and replanted, including size, species, and location per Standards for Trees, page 8.5.

**SPEAKERS [FOR | AGAINST]:**

No one accepted Chair Hawkins' invitation to speak.

**MOTION: CONTINUE**

**1<sup>st</sup>: PARATI 2<sup>nd</sup>: BARTH**

Ms. Parati moved to continue the application and asked the applicant to restudy the following: context per Standards 7.2-7.3, numbers 1 through 5; setbacks, per Standard 7.4; spacing, per Standard 7.5; massing and complexity of form, per Standard 7.7; height and width, per Standard 7.8; scale, per Standard 7.9; and provide visuals and perspectives to illustrate how those elements fit within the context of the streetscape. Ms. Parati asked that the front elevation have more of a pedestrian feel, that a site plan be provided that marks the proposed HVAC units, dumpsters, backflow preventers, and any other site features per Standard 8.9, and that a plan for permanent parking screening be provided per Standards 8.3 and 8.4. She also asked that the applicant provide tree protection plans, per Standard 8.5. Ms. Parati also cited the Secretary of the Interior's Standards, 2.5.

Mr. Barth suggested the friendly amendment that the applicant be asked to provide clearer drawings showing the before and after elevations and site plan. Ms. Parati accepted the amendment.

Mr. Barth seconded the motion.

**VOTE: 9/0**

**AYES: BARTH, BELL, CURME, HAWKINS, HOLTZ,  
PARATI, SULLIVAN, WHITLOCK, WOJICK**

**NAYS: NONE**

**DECISION: APPLICATION FOR ADDITION – CONTINUED.**

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**CONTINUED FROM THE SEPTEMBER 11 MEETING**

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**ABSENT | RECUSE | LEFT MEETING | RETURNED:**

ABSENT: LINEBERGER, TAYLOR

LEFT MEETING: BARTH

**APPLICATION:**

**HDCCMA-2023-01193, 1921 CHARLOTTE DR (PID: 12111901) – NEW CONSTRUCTION – COMMERCIAL**

***This application was continued from the September 11, 2024 meeting for the following items:***

**Revisit the following:**

1. Context, 7.3.
  - a. As a general note, a lot of these things link back to it (Context). Continue looking inside the historic district at other historic examples.
2. Massing, 7.7.
  - a. Additional restudy of the connector between the two building masses.
3. Sidewalks and Parking, 8.3, numbers 9 through 13.
  - a. Explore reducing the driveway cut with zoning and come back to the HDC with an answer, because this does affect how the new construction and the parking requirements are viewed from the historic



district.

- b. Provide a vegetative screen in that location (the parking lot) as well as provide additional screening around the backflow preventer.
4. Cornices and Trim, 7.13.
  - a. Provide additional material callouts, a section cut through the box bay facing Kenilworth Avenue as well as the covered porches with attention to detail on the column-to-beam alignment.
5. Windows and Doors, 7.14.
  - a. Provide appropriate mull gaps between the box bay ganged windows.
  - b. Provide specifications for an appropriate window specification that the HDC has approved for new construction.
  - c. Study the light proportions on the connector window to be more vertically oriented for the divided sash.
  - d. Provide window sample due to the fact that the Commission has not previously approved this window.
6. Lighting, 8.11.
  - a. Provide lighting in entrances and exits as well as vertical circulation.
  - b. No lighting shall be placed as ornamental features on non-pedestrian sides of the building.
  - c. Lights should be lowered to more of a pedestrian level.
7. Materials, 7.16.
  - a. Provide additional information on what materials are, more than just the siding. Frieze board, fascia, columns, box beams, and the panelized box bay. More information on what the material is and dimensions.
8. Orientation, 7.6, numbers 1 and 2.
  - a. Reestablish the Charlotte sidewalks and entrances to the existing building so that we are reinforcing the primary entrance to this property and realizing that the entrances along Ideal Way and Kenilworth should be looked at as secondary and designed as such.
9. Fences and Walls, 8.6-8.7.
  - a. Provide additional information on the connector piece/gate stating its material and dimensions.
10. Shutters look great, appear to be operable and use the appropriate hardware. Add note to plans to indicate "the shutters are operational and will have appropriate hardware."
11. The Commission prefers the red brick sample as shown on the documents. Work with Staff on exact spec and colors.
12. Review trash can enclosure fence detail to be more in keeping with the Standards and work with Staff for that.

#### **EXISTING CONDITIONS:**

The property is a 2-story office/multi-family building constructed in 1992. Architectural features include a complex roof form, a recessed off-center entry on Charlotte Drive, and two centrally located arched metal vents on the roof. Lot size measures approximately 128.55' x 164.46' x 144.09' x 180'. Adjacent structures are 1, 1.5, and 2-story single family houses and 2-story multi-family and office buildings. A replacement retaining wall on the Ideal Way side and rear patio expansion were approved administratively under COA# HDCADMRM-2018-00518; and parking, landscaping, and site work were approved administratively under COA# HDCADMRM-2020-00416. The HDC approved the replacement of vinyl siding with cementitious board and batten siding, and entry door changes on the front and left elevations in June 2021 under COA# HDCRMI-2021-00149.

#### **PROPOSAL:**

The proposed project is new construction. An existing boutique hotel, the Kasa Edison House, will be expanded with the construction of a new building between the existing structure and Kenilworth Avenue. Proposed height is approximately 27'-9" as measured from first floor to ridge. At the front elevation along Charlotte Drive, the existing building height is 26'-9 1/4" at the left and approximately 25'-11" on the right (Ideal Way). The proposed building footprint is 97'-6" x 31'-4", slightly longer than the existing structure which measures approximately 94'-6" x 53'-5". Proposed materials are brick and cementitious wood grain lap siding and board and batten siding to match the existing structure. Railings are proposed to be metal. Windows are proposed to be single-hung wood in 6/1 and 4/1 patterns; muntin dimensions are not noted. Doors are proposed to be wood. Window trim proposed to be wood. Door trim materials are not noted. The

project includes the removal of three (3) mature canopy trees; two Willow Oaks which measure 38" and 36" DBH and a 21" DBH Ash Tree. A certified arborist letter is provided for the Ash and one of the Willow Oaks.

Revised Proposal – September 11, 2024

1. Height is 29'-9" as measured from grade at the Ideal Way elevation.
2. Cornices and trim details provided; shown on A-400.
3. Window specs provided for Sierra Pacific H3 double-hung; shown on HDC-402.
4. Mullion trim revised to be 6" between most paired windows.
5. Lighting details unchanged; shown on A-401.
6. Plans updated to specify Hardie Artisan, non-grained, siding.
7. Courtyard elevation. Stair and handrail design changed. Changes also visible on Ideal Way elevation and parking lot elevation.
8. Courtyard elevation. Windows added on first and second levels.
9. Parking lot elevation. Chimney added.
10. Kenilworth elevation. Bump-out design changed from siding to paneling. Windows appear to be factory-mulled.
11. Window detail updated.
12. Kenilworth foundation height lowered. At Ideal Way, the corner foundation changed from 2'-6" to 1'-6". At stairs, foundation changed from 5'-0" to 4'-5". No measurement provided for parking lot elevation.
13. Backflow preventer relocated next to trash receptacles; shown on Site Plan, A-001. The design narrative specifies that the existing mechanical condenser is being relocated to a screened area on the roof.
14. The design narrative specifies that the low retaining walls will be 8" wide brick with a header course on top; shown on A-400.

Revised Proposal – October 9, 2024

1. New structure redesigned to be two separate buildings connected by an elevated walkway.
2. Parking lot design changes include the elimination of one parking space and the entrance drive reduced to 20' in width and straightened.
3. Backflow screening provided.
4. Gate detail provided.
5. Lighting height changed.

**STAFF ANALYSIS:**

Staff has the following comments about the proposal:

1. Building Connector:
  - a. Why is the elevated connector required?
  - b. What do the connector elevations look like?
2. Parking Lot Elevation:
  - a. Height dimensions not provided.
  - b. Massing and complexity of form.
  - c. Roof forms.
  - d. Beam/column alignment.
  - e. Fenestration location and rhythm.
3. Courtyard Elevation:
  - a. Massing and complexity of form.
  - b. Height dimension shown as measured from first floor, not grade, to lower roof, not to the ridge.
  - c. Beam/column alignment.
  - d. Fenestration
    - i. Window and door placement.
    - ii. What are the blank green and tan squares above the window boxes?
    - iii. 4/1 window proportions on triple window.
4. Ideal Way Elevation:
  - a. Height dimension shown as measured from first floor, not grade, to lower roof, not to the ridge.

- b. Beam/column alignment.
- 5. Kenilworth Elevation:
  - a. Height dimension not provided on parking lot side.

**SPEAKERS [FOR | AGAINST]:**

There was one speaker against the project.

**MOTION: CONTINUE**

**1<sup>st</sup>: SULLIVAN      2<sup>nd</sup>: WHITLOCK**

Mr. Sullivan moved to continue the application and asked that the applicant restudy the massing and complexity of the project, specifically the right elevation dormer projection on Kenilworth Avenue, per Standard 7.7, and for more information on the column/beam alignment details, per Standard 7.13.

Ms. Parati suggested the amendment that the Commission ask for clarification on the height dimensions as measured from grade to ridge and window proportions on the courtyard side. Mr. Sullivan accepted the amendment.

Mr. Whitlock seconded the motion.

**VOTE: 8/0**

**AYES: BELL, CURME, HAWKINS, HOLTZ, PARATI,  
SULLIVAN, WHITLOCK, WOJICK**

**NAYS: NONE**

**DECISION: APPLICATION FOR NEW CONSTRUCTION – COMMERCIAL – CONTINUED.**

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Due to time constraints the following cases will be heard at the October 30, 2024 meeting:

- HDCRMIA-2022-01157 for 317 Westwood Av
- HDCRMA-2023-01199 for 1433 The Plaza
- HDCRMA-2024-00201 for 1712 Winthrop Av
- HDCRMI-2024-00210 for 1901 Thomas Av
- HDCCMA-2024-00211 for 424-428 West Bv

With no further business to discuss, Chair Hawkins recessed the meeting at 8:02 p.m.