



# TOWN OF CHAPEL HILL

## Historic District Commission

### Meeting Minutes

Town Hall  
405 Martin Luther King Jr.  
Boulevard  
Chapel Hill, NC 27514

Chair Robert Epting  
Vice-Chair Sean Murphy  
Deputy Vice-Chair James Locke  
David Schwartz

Diane Kunz  
Nancy McCormick  
Angela Stiefbold

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**Tuesday, July 9, 2019**

**6:30 PM**

**RM 110 | Council Chamber**

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### Opening

#### *Roll Call*

Staff Present: Anya Grahn, Liaison to Commission, Becky McDonnell, Liaison to Commission, Brian Ferrell, Counsel to Commission

**Present**            6 - Chair Robert Epting, Vice-Chair Sean Murphy, Deputy Vice-Chair James Locke, Diane Kunz, Nancy McCormick, and David Schwartz

**Absent**             1 - Angela Stiefbold

*Commission Chair reads public charge*

*Secretary reads procedures into the record*

*Secretary swears in members of the public*

### Approval of Agenda

### Announcements

### Petitions

Renuka Soll spoke about the University of North Carolina releasing a master plan that intends to demolish large portions of Franklin Street, and she explained that members of the community wished to see the historic commercial buildings preserved. She asked the Commission to take action.

Wood Burns presented additional information to support the petition, summarizing the history of William C. Coker and the architecture firm of McKim, Mead, and White's contributions to the University's design.

### Approval of Minutes

1. June 11, 2019 Meeting Minutes

[\[TMP-1760\]](#)

A motion was made by Schwartz, seconded by Murphy, to approve the June 11, 2019, minutes. The motion carried by a unanimous vote.

### **Consent**

A motion was made by Murphy, seconded by Kunz, to approve the applications shown on the consent agenda based upon the findings of fact and conclusions of law proposed by the staff. The motion carried by a unanimous vote.

2. 114 S Columbia Street [\[19-0640\]](#)
3. 304 Hillsborough Street [\[19-0641\]](#)
4. 308-310 Ransom Street [\[19-0642\]](#)

### **Old Business**

5. 410-412 North Street [\[19-0643\]](#)

Staff Liaison Grahn introduced the application, explaining that it was a request to construct a single family house and detached two-car garage on the site. She explained that the Land Use Management Ordinance requires the Commission to take action on an item within 180 days and that this deadline fell on July 23, 2019.

Chair Epting requested assurance from the new members that they had familiarized themselves with the application and the minutes of any past meetings at which the application was discussed. Commissioners Kunz and McCormick confirmed that they had reviewed the past meeting materials and were prepared to vote on the item.

Ricky May, applicant and owner, presented information regarding the rock wall bordering the driveway, dimensions of the house's footprint, and his analysis of how the application complied with Land Use Management Ordinance Criteria A through J as well as the Design Guidelines.

Without objection, the Commission reopened the public hearing. Several members of the public spoke regarding the rock wall, the completeness of the application, and congruity with the neighborhood.

A motion was made by Locke, seconded by Murphy, to close the public hearing. The Commissioners discussed the mass of the new building within the context of the neighborhood, the application's compliance with the Design

Guidelines, and the applicant's submittal of additional information requested by the Commission. They discussed the appropriateness of 1.5- and 2-story garages based on the Design Guidelines and the traditional development of accessory buildings in the district.

A motion was made by Vice-Chair Murphy, seconded by Schwartz, to approve only the house, and not the garage, as submitted and as located on the original site plan included in the original application materials, based on Land Use Management Ordinance Criteria C and E, as supported by Design Guideline #6 on page 53. The motion passed by the following vote:

**Aye:** 5 - Chair Epting, Vice-Chair Murphy, Kunz, McCormick, and Schwartz

**Nay:** 1 - Deputy Vice-Chair Locke

A motion was made by Schwartz, seconded by Kunz, to deny the garage based on its incongruity with the character of the district based on Land Use Management Ordinance Criterion B, as supported by Design Guideline #1 on page 52, as well as Land Use Management Ordinance Criteria G and J, as supported by Design Guideline #7 on page 21. The Commission found that the proposed one-and-one-half story height of the garage was inconsistent with the character of the district as traditionally garages were only one-story in height. The motion carried by the following vote:

**Aye:** 5 - Chair Epting, Deputy Vice-Chair Locke, Kunz, McCormick, and Schwartz

**Nay:** 1 - Vice-Chair Murphy

6. 412 E Rosemary Street

[\[19-0644\]](#)

Staff Liaison Grahn explained that the applicant had revised his application since the June meeting. The applicant was no longer seeking approval to construct an accessory building in the backyard, and the application was limited to the construction of a new fence.

Amir Barzin, owner and applicant, explained the location, design, and the height of the fence in relation to the existing driveway, alleyway, and the location of his neighbors' fences. The Commission discussed the height, location, and visibility of the fence on the northeast corner of the house.

A motion was made by McCormick, seconded by Kunz, to approve the application. The motion passed unanimously.

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**7. 203 Battle Lane**[\[19-0522\]](#)

Staff Liaison Grahn provided an overview of the applicant's proposal to restore portions of the historic house, renovate a circa 1968 addition, construct a new terrace on the east elevation of the historic house, and make accessibility upgrades to the site.

Bret Horton, applicant and architect on the project, reviewed the history of the site and previous renovations. David Swanson, landscape architect on the project, discussed the site plan and proposed changes including the construction of new additions, modifications to create accessible pathways, vehicular and bicycle parking on the site, a new screened garbage storage area, as well as construction of a new shed. The Commission expressed an interest in preserving the existing shed, and the applicant committed to doing so. Horton presented the lighting plan and explained restoration efforts for the house. He summarized how he believed the application complied with Land Use Management Ordinance Requirements A through J and the Design Guidelines.

The Commission found that the proposed ADA ramp created a very large switchback that made the terrace appear oversized and detracted from the building's residential feel. The Commission and applicant discussed opportunities for relocating the ADA ramp to the rear (east) elevation. They also considered the proposed changes to the circa 1968 addition's roofline, cost constraints of restoring the building to the original Italianate style, and the condition of the existing windows.

A motion was made by Murphy, seconded by Schwartz, to approve the application with the condition that the existing shed be maintained and restored as necessary, that the ADA ramp be relocated and approved at a later meeting, and that seven of the eight historic windows would be restored; the commission found that one of the eight windows was beyond repair and should be replaced in kind. The motion carried by a unanimous vote.

**New Business****8. 229 E Franklin Street**[\[19-0645\]](#)

Staff liaison Grahn explained that this was an after-the-fact Certificate of Appropriateness to reconstruct a historic porch. She explained the steps the Planning and Inspections Departments were taking in an effort to prevent after-the-fact approval of projects in the Historic Districts.

Ryan Smith, contractor and applicant, presented photos of the removed porch and explained structural deficiencies, including detached structural supports and insufficient structural members to carry loads. He explained his plans for reconstructing the porch based on existing ghost lines, measurements taken on site prior to the demolition, as well as measurements taken from salvaged architectural features that were being stored on site. He requested approval for the installation of new white ceiling fans and can lights in the porch ceiling.

The Commission discussed the proposed ceiling fans and their visibility beneath the box beam. A motion was made by Murphy, seconded by Schwartz, to approve the application without the proposed ceiling fans on the porch. The motion carried by a unanimous vote.

9. 412 W. Patterson Place

[\[19-0646\]](#)

Chair Epting reminded the Commission that the applications to construct new houses at 412 and 417 Patterson Place had been denied by the Commission in the past. He explained that the applicant could present evidence supporting their request for reconsideration by showing that there had been a substantial change in the facts, evidence, or conditions relating to the application. Keith Shaw, applicant and architect for the project, summarized the changes made to reduce the design from 2-stories to 1.5-stories in height and alter the architectural style of the houses from Craftsman to Bungalow styles to be more congruent with the neighborhood. A motion was made by Murphy, seconded by Kunz, that there had been a substantial change from the previous application and that the Commission should proceed to consider the application as amended. The motion carried with a unanimous vote.

Keith Shaw, architect and applicant on the project, described the prominence of twentieth century Craftsman bungalow and Tudor Revival styles in the neighborhood. He explained how key building features such as porches, tapered square columns, trim work, materials, building forms, and orientation were the character defining features of the neighborhood's context. He also described the challenges of developing the lots at the end of West Patterson Place due to the topography, the location of sewer and joint driveway easements, and parking locations. The Commission discussed the design of the porch, house width, and location of doors and windows.

The Commission opened the public hearing. A member of the public discussed the visibility of the new house's massing from across the ravine.

The Commission discussed that architectural detailing was limited to the facade, and the side and rear elevations were very utilitarian in design. A motion was made by Murphy, seconded by Schwartz, to approve the application based on the proposed findings of fact outlined in the staff report; the motion carried by a unanimous vote.

**10. 417 W. Patterson Place**

[\[19-0647\]](#)

Keith Shaw, applicant and architect on the project, explained the differences between the design for 412 and 417 West Patterson Place. The Commission discussed the size of the dormer, the slope of the roof, and the congruity of the design with neighboring bungalow houses.

A motion was made by Murphy, seconded by Schwartz to approve the application. The motion passed with a vote of 5-1 based on the following vote:

**Aye:** 5 - Chair Epting, Vice-Chair Murphy, Kunz, McCormick, and Schwartz

**Nay:** 1 - Deputy Vice-Chair Locke

**11. 428 W Cameron**

[\[19-0648\]](#)

Staff liaison Grahn explained that the applicant has received approval for a subdivision to separate the existing garage building from the house. The applicant was now proposing to make alterations to the garage facade.

Kyle Arnold, applicant and owner, reviewed the proposed elevations and his plans to convert the garage to habitable space. The Commission discussed the door and sidelight not being consistent with the character of entrances in the district and asked about the parking; the applicant informed them that there would be no changes to the existing parking configuration.

A motion as made by McCormick, seconded by Kunz, to approve the application with the condition that the applicant simplify the front entrance by removing the side light so that there would be only a single door, centering the door beneath the roof overhang, and reducing the scale of the roof overhang proportionally. The motion carried with a unanimous vote.

### **Staff Update**

*Liaison for Policy Committee for the North South Bus Rapid Transit (NSBRT)*

The Commission elected Commission Schwartz to represent them at the NSBRT meetings; Chair Epting would fill-in as a backup.

*Historic District Survey Results*

*Closed Session*

Counsel to the Commission provided an update on pending appeals of previous Commission decisions. Without objection, the Commission elected for their counsel to represent them during the Board of Adjustment's hearing on the 306 North Boundary Street appeal.

Without objection, the Commission elected for their counsel to represent them during the Board of Adjustment's hearing of the 306 North Boundary Street appeal.

*Adjournment*

Next Meeting - September 10, 2019

*Order of Consideration of Agenda Items:*

1. *Staff Presentation*
2. *Applicant's Presentation*
3. *Public Comment*
4. *Board Discussion*
5. *Motion*
6. *Restatement of Motion by Chair*
7. *Vote*
8. *Announcement of Vote by Chair*

*Public Charge: The Advisory Body pledges its respect to the public. The Body asks the public to conduct themselves in a respectful, courteous manner, both with the Body and with fellow members of the public. Should any member of the Body or any member of the public fail to observe this charge at any time, the Chair will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the Chair will recess the meeting until a genuine commitment to this public charge is observed.*

*Unless otherwise noted, please contact the Planning and Development Services Department at 919-969-5066; [planning@townofchapelhill.org](mailto:planning@townofchapelhill.org) for more information on the above referenced applications.*

*See the Advisory Boards page <http://www.townofchapelhill.org/boards> for background information on this Board.*

