



# 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  
Woodrow Burns

Kimberly Kyser  
David Schwartz  
Susan Smith  
James White

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**Tuesday, April 9, 2019**

**6:30 PM**

**RM 110 | Council Chamber**

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### Opening

#### *Roll Call*

Staff present: Jake Lowman, Staff Liaison, Becky McDonnell, Staff Liaison, Anya Grahm, Staff Liaison, Brian Ferrell, Counsel to Commission

**Present**            8 - Chair Robert Epting, Vice-Chair Sean Murphy, Deputy Vice-Chair James Locke, Woodrow Burns, Kimberly Kyser, David Schwartz, Susan Smith, and James White

*Commission Chair Epting read public charge*

*Secretary Anya Grahm read procedures into the record.*

*Secretary Anya Grahm swore in members of the public.*

### Approval of Agenda

Without objections, the Commission approved the agenda and added a discussion item for the Land Use Management Ordinance Text Amendment to the end of the agenda.

### Announcements

Chair Epting invited the public and commissioners to attend a brief informational gathering at the site of a deteriorated tree, slated for removal, at the corner of the Rosemary and Boundary Streets.

Commission received an update that the Raynor case was dismissed without prejudice which does afford the refiling of the suit within the year.

Staff provided an update on the appeal at 412-417 W. Patterson Place. The Commission unanimously voted to appoint Attorney Brian Ferrell as counsel for the

appeal to the Board of Adjustment.

## **Petitions**

### **Approval of Minutes**

1. March 12, 2019 Meeting Minutes [\[19-0288\]](#)

A motion was made by Commissioner White, seconded by Smith, to approve the March 12, 2019 meeting minutes as amended. The motion carried by a unanimous vote.

### **Consent Agenda**

A motion was made by Vice-Chair Murphy and seconded by Burns to approve the consent agenda. The motion carried by a unanimous vote.

2. 500 North Street [\[19-0286\]](#)
3. 214 W. Cameron Avenue [\[19-0287\]](#)

### **Old Business**

4. 723 Gimghoul Road [\[19-0090\]](#)

Commission member White was recused from this agenda item.

The applicant, Peggy Britt, and her architect, Phil Szostak, presented the plan to construct a two-story addition to the rear elevation of the Sisters' House at 732 Gimghoul Road. Szostak explained that existing additions would be removed from the house and replaced by the new addition. They discussed the steps they took to design the new addition so as not to damage the existing gardens that contribute to the significance of the site. He emphasized how the addition responded to the existing historic house by incorporating fenestration patterns, roof forms, and materials similar to those found on the historic house.

The Commission discussed the massing and the size of the addition in relation to the historic house. The Commission also expressed concern about the fenestration pattern and details of the windows proposed on the new addition.

Members of the public spoke, including James White, Bill Camp, and Benjamin Brody. Comments were made regarding the bulk and mass of the addition being hidden behind the historic house when viewed from the facade; window and fenestration patterns; and the historic significance of the house.

A motion was made by Burns, seconded by Murphy to close the public hearing.

A motion was made by Burns, seconded by Murphy to approve the COA for 732 Gimghoul Road as conditioned to require that the applicant utilize the fenestration pattern for the west elevation depicted in Option D, as presented during the meeting. The motion carried by the following vote.

**Aye:** 7 - Chair Epting, Vice-Chair Murphy, Deputy Vice-Chair Locke, Burns, Schwartz, Smith, and White

**Nay:** 1 - Kyser

5. 410 & 412 North Street

[\[19-0089\]](#)

Ricky May, applicant, presented his plans to construct a new single family house and an accessory garage building. The Commissioners discussed the proposed 1.5-story height of this house in comparison to neighboring houses.

The applicant presented the design for the garage which would include an office space on the second floor. The Commission expressed concerns that the architectural style and character of the garage was not consistent with that of the proposed house. The Commission discussed that the size, proportion, detailing, and fenestration pattern of the garage was not congruous with the proposed design for the house. The Commission also discussed the age and significance of the existing rock wall; they asked for more detail about the wall.

The Commission also requested more details regarding the design of the house. The applicant indicated that the chimney shown in the designs from Southern Living would not be built. There was concerns that the proposed house and garage consumed a significant portion of the site.

The Commission directed the applicant to provide additional documentation to determine the age of the rock walls; updated drawings of the house calling out materials, dimensions, and removing the chimney if it is not to be built; documentation that two-story garages are characteristic of the street at the time the historic district was established; footprint of the proposed lot coverage of the house and garage in relationship to its lot size compared to neighboring properties; and the size of the proposed house's footprint in comparison to neighboring properties.

A motion was made by Smith, seconded by Locke, to continue the item to the May 14, 2019 meeting for further Commission discussion. The motion carried by a unanimous vote.

6. 306 N Boundary Street

[\[19-0007\]](#)

Commission members Epting and Burns were recused from this agenda item.

Vice-Chair Murphy emphasized that the Commission should focus the discussion on the applicant's proposal that was focused on three parts: additions on the eastern and southern elevations as well as a new accessory garage building. The Commission spoke to the changes that had occurred to the formal gardens in the photos from 1920 and 1938. They recognized the tremendous amount of concern about the horticultural legacy of the Cokers.

The Commissioners determined that it would be helpful to review each proposal separately--the eastern elevation addition; new entrance on the southern elevation; and the proposed garage.

A motion by Commissioner White and seconded by Commissioner Kyser was made to approve the proposed additions to the south and east elevations based on LUMO criteria A, C, E, F, G, and H and the Design Guidelines. Commissioner White proposed that the design for the additions were congruent with the Historic District in that the proposed roof shapes, forms and proportions, fenestration patterns, materials, and significant site features complimented the existing house and site. The motion failed with a vote of 4-2.

**Aye:** 4 - Vice-Chair Murphy, Kyser, Smith, and White

**Nay:** 2 - Deputy Vice-Chair Locke, and Schwartz

**Recused:** 2 - Chair Epting, and Burns

A motion was made by Commissioner Locke, seconded by Commissioner Smith, to approve the proposed addition on the south elevation based on previously stated findings of fact. The motion carried by the following vote:

**Aye:** 5 - Deputy Vice-Chair Locke, Kyser, Schwartz, Smith, and White

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

**Recused:** 2 - Chair Epting, and Burns

A motion was made by Kyser, seconded by Smith, to continue the item to a special meeting on April 22, 2019 meeting for further Commission discussion. The motion carried by a unanimous vote.

### **Staff Update**

Chair Epting reviewed a memo he had drafted to Town Council, summarizing the Commission's work on amending Section 3.6.2 of the Land Use Management Ordinance. A motion was made by Kyser, seconded by Burns, to approve and forward the memo to Town Council. The motion carried unanimously.

#### *Adjournment*

Next regularly scheduled meeting - May 14, 2019

Special meeting to continue discussion on 306 N Boundary - April 22, 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.*