

**TOWN OF CHAPEL HILL
HISTORIC DISTRICT COMMISSION
WRITTEN DECISION
(HDC-23-6)**

Subject Property: 214 Glenburnie Street, Chapel Hill, NC
PIN#: 9788-69-6531
Historic District: Franklin-Rosemary Historic District
Property Owner: Benjamin J. Gilden & Victoria R. Segar
Applicant: Paul Medling, on behalf of Benjamin J. Gildin

At its regular meeting on May 14, 2024, after conducting a duly advertised quasi-judicial evidentiary hearing, and after considering the above-referenced application for certificate of appropriateness, the application materials, staff report, testimony, exhibits, and evidence presented at the hearing or otherwise appearing in the record, and the approval criteria established under N.C. Gen. Stat. § 160D-947, Section 3.6.2(e) of the Land Use Management Ordinance (the “LUMO”), and the relevant provisions of the Chapel Hill Historic Districts Design Principles & Standards (the “Principles & Standards”), the Town of Chapel Hill Historic District Commission (the “HDC”) voted 6-0 to **APPROVE** a certificate of appropriateness for all elements of the application on the basis that the proposed work is not incongruous with the special character of the historic district, subject to the condition that the steel-cable wire trellis be replaced with a copper wire trellis.

Findings:

1. The Subject Property is located at 214 Glenburnie Street, Chapel Hill, NC (PIN 9788-69-6531), is located within the Town’s Franklin-Rosemary Historic District and is zoned Residential-1 (R-1).
2. The Subject Property is owned by Benjamin J. Gilden & Victoria R. Segar (the “Owner”).
3. The certificate of appropriateness amendment application (the “Application”) was submitted by Paul Medling, on behalf of Benjamin J. Gildin (the “Applicant”) on April 22, 2024.
4. The Application sought approval to:
 - a. Build supplemental pathways constructed of Chapel Hill grit with brick curbing and 2-foot by 3-foot travertine steps.
 - b. Add a steel-cable wire trellis.
 - c. Construct a brick retaining wall to flatten out the site’s lower lawn area.
 - d. Install a four-foot tall, white painted picket-fencing and gates to match in design those approved near the side addition.
5. The Application was scheduled for hearing by the HDC at its regular meeting on May 14, 2024. Notice of the HDC’s regular meeting and evidentiary hearing was provided as required by law.

6. HDC Chair Brian Daniels and HDC Member Duncan Lascelles were absent from the May 14, 2024, meeting and evidentiary hearing. All other HDC members were present. HDC Vice-Chair Polly van de Velde acted as Chair.

7. The staff report, application materials, and presentation materials were all entered into the record.

8. At the evidentiary hearing, HDC Vice-Chair Polly van de Velde disclosed that a neighbor had commented to her that he believed many owners of property located nearby the Subject Property have concerns regarding the project. HDC Vice-Chair Polly van de Velde disclosed that she did not respond or otherwise engage in discussion with this neighbor and that she believed she could remain objective and unbiased. All other HDC Members indicated that they did not have any conflicts of interest and the Applicant did not object to participation in the evidentiary hearing, deliberation, or decision by any Member of the HDC.

9. At the evidentiary hearing, oaths were administered to:

a. Paul Medling, PLA of Myatt Landscaping Concepts, Inc.

10. At the evidentiary hearing, the Applicant presented testimony and a PowerPoint presentation describing the proposed work, and generally provided evidence that:

- a. The proposed Chapel Hill grit pathways with brick curbing are common to the district.
- b. The travertine steps and white picket fencing will be similar in all material respects to travertine pavers and white picket fencing previously approved by the HDC for this project.

11. At the evidentiary hearing, the Applicant acknowledged that the Applicant and Owner are comfortable with replacing the proposed steel-cable wire trellis with a copper wire trellis.

12. No public comment or other witness testimony was received by the HDC.

13. No evidence was presented in opposition to the Application.

Conclusions

1. Based upon the uncontroverted competent, material, and substantial evidence submitted in the record, the approval criteria described in N.C. Gen. Stat. § 160D-947, Section 3.6.2(e) of the LUMO, and in the Principles & Standards, the work proposed in the Application is not incongruous with the special character of the Cameron-McCauley Historic District, subject to the condition that the steel-cable wire trellis be replaced with a copper wire trellis.

ACCORDINGLY, based on the foregoing the Town of Chapel Hill Historic Districts Commission hereby **APPROVES** the Application proposed by the Applicant for the Subject Property and **DIRECTS** Town Staff to issue a Certificate of Occupancy to the Applicant.

This the ____ day of _____, 2024.

Brian Daniels, HDC Chair