



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 Kimberly Kyser
Deputy Vice-Chair John Sweet
Woodrow Burns
Craig Carbrey

James Locke
Sean Murphy
Susan Smith
Mary Frances Vogler
James White

Tuesday, October 9, 2018

6:30 PM

RM 110 | Council Chamber

Call to Order

Chair, Bob Epting, read the public charge into the record.

Roll Call

Jake Lowman (Staff Liaison)
Becky McDonnell (Staff Liaison)
Brian Ferrell (Commission Counsel)

Present 8 - Chair Robert Epting, Vice-Chair Kimberly Kyser, Craig Carbrey, James Locke, Sean Murphy, Susan Smith, Mary Frances Vogler, and James White

Absent 1 - Woodrow Burns

Secretary read procedures into the record

Approval of Agenda

Announcements

Petitions

Consent

1. 517 Hooper Lane

[\[18-0777\]](#)

A motion was made by Carbrey, seconded by Vogler, to approve the Certificate of Appropriateness to relocate a generator and clad a retaining wall in stone with a bluestone cap, based on consistency with the Design Guidelines and congruency with the Historic District. The motion carried by a unanimous vote.

Old Business

2. 1 Mint Springs**[18-0778]**

A motion was made by Murphy, seconded by Smith, to approve the portion of the application pertaining to the removal of an exterior door and replacing with matching siding. The motion carried by the following vote:

Aye: 7 - Chair Epting, Vice-Chair Kyser, Carbrej, Murphy, Smith, Vogler, and White

Nay: 1 - Locke

The Commission chose to reopen the public hearing for the garage addition portion of the application. Marcie Ferris, owner, presented the application. Four neighbors spoke in support of the application. The Commission expressed concern over the congruity of the garage addition with the historic character of the district, including the asphalt turnaround, the preservation of a tree, the location of the new addition, and the compromising of the structural integrity of the existing structure. James Morgan, architect, and Marcie Ferris spoke in response to these comments.

A motion was made by Kyser, seconded by Locke, to close the public hearing. The motion carried unanimously.

Commissioner White, not having attended the previous meetings on this item, recused himself from the vote.

A motion was made by Carbrej, seconded by Vogler, to approve Option 1 for the garage addition elevation with the asphalt turnaround, based on consistency with guideline 2 on page 55 and guideline 7 on page 21 of the Design Guidelines pertaining to Additions and Garages & Accessory Structures, respectively. The motion failed by the following vote:

Aye: 3 - Chair Epting, Carbrej, and Vogler

Nay: 4 - Vice-Chair Kyser, Locke, Murphy, and Smith

Recused: 1 - White

A motion was made by Vice-Chair Kyser, seconded by Locke, to deny the garage addition with the asphalt turnaround, based on inconsistency with guidelines 2, and 3 on page 55 of the Design Guidelines pertaining to Additions. Friendly amendments to the motion were made by Locke to include guideline 9 on page 21 of the Design Guidelines pertaining to Garages &

Accessory Structures, by Murphy to include guideline 1 on page 55 of the Design Guidelines pertaining to Additions, and by Smith to include both elevation options in the motion. The amendments were accepted by Kyser, and the motion failed by the following vote:

Aye: 4 - Vice-Chair Kyser, Locke, Murphy, and Smith

Nay: 3 - Chair Epting, Carbreay, and Vogler

Recused: 1 - White

A motion was made by Locke, seconded by Vogler, to deny the porch extension element of the garage addition. The motion carried by the following vote:

Aye: 5 - Vice-Chair Kyser, Locke, Murphy, Smith, and Vogler

Nay: 2 - Chair Epting, and Carbreay

Recused: 1 - White

Brian Ferrell, Counsel to the Commission, informed the Commission that in order to have a passing motion, there must be 5 affirmative votes, therefore no action has been taken on the garage portion of the application. The Land Use Management Ordinance deems that if no action is taken on an application, it will be automatically approved 180 days after acceptance. Because no action was taken on the garage element of this application, the Commission informed the applicant that upon written consent, the 180 day window may be extended. The applicant provided a written statement to extend the deadline.

Near the end of the meeting, the Commission was informed that the applicant had rescinded their agreement to extend the deadline, in writing. The Commission chose to continue the meeting to October 16, 2018, in order to take action on this application and give the applicant opportunity to attend the meeting.

New Business

3. 415 W Patterson Place

[\[18-0779\]](#)

Jim Kitchen, owner, presented the application. A motion was made by Vice-Chair Kyser, seconded by Vogler, that the after-the-fact application for approval of a Certificate of Appropriateness for an 8 foot tall fence, turned inward, be approved, based on consistency with guideline 9 on page 17 of the Design Guidelines pertaining to Walls & Fences. The motion carried by a

unanimous vote.

4. 220 E Franklin Street [\[18-0780\]](#)

George Sipek, engineer, presented the application. The Commission chose to defer to the November 13, 2018 meeting in order for the applicant to obtain additional information on the tree replanting plan on Franklin Street and obtain feedback from the University on potential impacts of the fibertech pole.

5. 205 Friendly Lane - WITHDRAWN [\[18-0781\]](#)

6. Election of Officers [\[18-0782\]](#)

The Commission decided to defer the Election of Officers until Town Council appoints new members to the Commission.

Reports and Updates

7. Staff Update on Design Guidelines Rewrite [\[18-0783\]](#)

Jake Lowman, staff, provided an update to the Commission on the Design Guidelines Rewrite project.

Adjournment

The meeting adjourned at 9:25 pm.

Special Meeting - October 16, 2018

Next Regularly Scheduled Meeting - November 13, 2018