



# TOWN OF CHAPEL HILL

## Historic District Commission

### Meeting Minutes

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

Chair David Schwartz  
Vice-Chair Sean Murphy  
Deputy Vice-Chair Diane Kunz  
Madhu Beriwal

Robert Epting  
Jennifer Hoffman  
Nancy McCormick  
Angela Stiefbold

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**Tuesday, December 10, 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**                7 - Chair David Schwartz, Vice-Chair Sean Murphy, Deputy Vice-Chair Diane Kunz, Madhu Beriwal, Robert Epting, Jennifer Hoffman, and Nancy McCormick

**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**

*Presentation in honor of Council Member Nancy Oates*

Chair Schwartz and Commissioner Epting thanked Council Person Nancy Oates for her service and time spent as the Council liaison to the Historic District Commission. They presented her with a copy of the book, "North Carolina Architecture," published by UNC press.

#### **Closed Session**

A motion was made by Epting, seconded by Kunz, to go into closed session. The motion carried by a unanimous vote.

Brian Farrell, counsel to the Commission, and the commissioners discussed recent decisions by the BOA to overturn the Commission's denial of Certificate of

Appropriateness (COA) applications because of due process and quasi-judicial procedures.

A motion was made by Epting, seconded by Kunz, to return to the open meeting.

## **Petitions**

### **Approval of Minutes**

1. November 12, 2019 Meeting Minutes

[\[19-1003\]](#)

The commission moved to continue the minutes until the January 14, 2020 meeting in order for staff to make corrections to the minutes regarding the case at 707 Gimghoul Road.

### **Old Business**

2. 707 Gimghoul Road

[\[19-0897\]](#)

Chair Schwartz asked if new Commissioners Hoffman and Beriwal had familiarized themselves with the application and the minutes of the previous meetings. Commissioner Beriwal recused herself as she had not reviewed the previous meeting minutes; however, Commissioner Hoffman was prepared to vote as she had reviewed the previous meeting materials.

Ken Shelton, property owner, described the poor condition of the house and design challenges they had faced. He explained his intent to construct a three-car garage with habitable space above to allow for greater flexibility. He discussed his intent to preserve the green space and tree canopy around the house.

Ben Johnson, designer, reviewed the feedback he had heard from the Commission during the November meeting. He reviewed the 1932 and 1959 Sanborn Fire Insurance Maps to explain the history of the existing two-car garage. He found that the existing garage was built between 1932 and 1959, likely after World War II. He explained that the garage structure that existed today was not constructed in c.1920 and was not the structure depicted on the 1932 Sanborn Fire Insurance Map. He discussed the hardship of maintaining the existing garage as his client did not find it was a useable structure, they were not able to relocate the garage, and they did not believe they could successfully construct an addition to the garage. He reviewed alternatives to the location of the garage that they had considered but had found not feasible due to site and design constraints.

Johnson presented renderings of the proposed garage and discussed its setting. He spoke to the proposed setback and location of the garage. He explained how the garage would be obscured from view with landscaping, and their intent to maintain the existing trees and vegetation. He presented the dimensions of the garage and the steps taken to limit the mass of the building. He also described the design of the garage as it related to the house, with special consideration to replicating the house's form and materials. He also presented images showing the proposed footprint and how it could not be successfully rearranged without impacting the site's setting. He also presented renderings showing the cupola removed, the third bay further recessed from the facade of the garage, as well as limiting the trellis to only the third bay. He asked for the Commission to consent to the demolition of the existing garage without delay as it was not historically significant to the district.

Anya Grahn, staff liaison, provided an overview of the history of the two-car garage. She walked through the history of the garage structure, as depicted on the Sanborn Fire Insurance Maps. She also clarified how National Register for Historic Places surveys were completed and how errors could occur. She did not believe the present garage existed c.1920.

Patrick Long, neighbor, spoke in support of the proposed design. He discussed the tree canopy as it contributed to the neighborhood's historic character and his appreciation that the owner would maintain the trees. He also discussed the relationship of the garage and its placement on the site, set back significantly from the street to minimize its visibility.

A motion was made by Epting, seconded by Kunz, to close the public hearing. The motion carried by a unanimous vote.

The Commission's discussion focused on the proposed construction of a three-car garage. They discussed that there was only one other three-car garage in the Gimghoul neighborhood, and they found that one- and two-car garages were more prevalent. They supported the applicant's proposal to remove the cupola and trellis as the Commission found it simplified the garage's design and made it appear more like an auxiliary structure. They found that the garage was congruous with the existing house as it mimicked its form and materials. They discussed the steps the designer had taken to minimize the massing of the structure and they believed recessing the third bay reduced the massing. They referenced the Design Guidelines' discussion

of one and two-car garages oriented toward the street.

The Commission found that the proposed garage structure was not incongruous with the district because the double lot size allowed for a larger structure and the unusually large front setbacks reduced the visual impact of the structure as viewed from the street. They spoke to the proportion and scale of the garage as it related to the large lot size and existing structures. They did not believe a three-car garage would be appropriate on a smaller lot, but that this lot could accommodate a larger structure. Further, the apparent mass of the garage was reduced by recessing the third bay.

A motion was made by Epting, seconded by Hoffman, to approve the demolition of the garage without delay as it was constructed outside of the period of historical significance. The motion carried by a unanimous vote.

A motion was made by Epting, seconded by Hoffman, to approve the proposed renovation of the house, site improvements, and construction of the garage with the recessed third bay, trellis above the third bay garage door, and removal of the cupola. The commission found that as the existing lot is a combination of two separate lots, the peculiar large size and significant distance of the house and garage from the Gimghoul Road property line creates extraordinary setbacks from the street and neighboring properties.

**Aye:** 6 - Chair Schwartz, Vice-Chair Murphy, Deputy Vice-Chair Kunz, Epting, Hoffman, and McCormick

**Recused:** 1 - Beriwal

### **New Business**

**3. 1 Mint Springs**

[\[19-1004\]](#)

A motion was made by Epting, seconded by Kunz, to continue this item to the January 14, 2020 meeting. The motion carried by a unanimous vote.

**4. 201 E Franklin Street - Unit A**

[\[19-1005\]](#)

Anya Grahn, staff liaison, explained that the applicant had asked to continue this item to the January HDC meeting. A motion was made by Epting, seconded by Kunz, to continue the item to the January 14, 2020 meeting. The motion carried by a unanimous vote.

### **Staff Update**

Anya Grahn, staff liaison, explained that the mayor had asked each advisory board to identify three goals or priorities for the next five years. The Commission

discussed the need to better align the existing LUMO with the state model preservation ordinance, their need for a full-time staff liaison, and their interest in creating a more transparent process for the community.

*Adjournment*

Next Meeting - DATE

*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.*