

MINUTES
FORSYTH COUNTY HISTORIC RESOURCES COMMISSION
MARCH 4, 2009
4:00 P.M.
BRYCE A. STUART MUNICIPAL BUILDING
PUBLIC MEETING ROOM, ROOM 530
100 EAST FIRST STREET, WINSTON-SALEM

MEMBERS PRESENT: Seth Brown, Jeff Harbinson, Mark Maxwell, Rick Pender, Laura Phillips, Michael Phillips, Julie Poplin, Sharon Richmond, Jeff Sowers

MEMBERS ABSENT: Janet Banzhof, Norris Hutchins, Jamie Moore

STAFF PRESENT: Kelly Bennett, Michelle McCullough, LeAnn Pegram

PRESIDING: Michael Phillips, Chairman

Mr. Phillips called the meeting to order. Commission members stated their names for the record. Mr. Phillips welcomed those present.

I. APPROVAL OF JANUARY 7, 2009 MINUTES

Motion: Ms. Phillips
Second: Mr. Brown
Vote: Unanimous

II. CERTIFICATE OF APPROPRIATENESS APPLICATIONS

A. West End Historic Overlay District

1. Heather MacKenzie, Applicant
House – Noncontributing (Inventory #103)
409 Summit Street
Request: Installation of Signage
Case #: W002-09

Ms. Pegram was sworn for testimony and presented the staff report, describing the application in detail. She presented a map showing the location of the property and photographs of the property.

Staff Comments: Staff found that the application was not incongruous with the character of the District because:

- 1) The proposed signage was compatible in material (wood), size (approximately 4' high with proportional width), scale (residential), and character with the building and the District.
- 2) As previously stated, the proposed new signage would be constructed of a traditional material (wood), which was in keeping with the character of the building and District.
- 3) The proposed new signage reflected elements of the District through its overall massing, the use of wood and simple detailing.
- 4) The proposed new signage would not cover large portions of the building's façade, any significant architectural features, and would not interrupt pedestrian views along Summit Street. The signage would not be attached to the building and would be removable.
- 5) The proposed signage was free-standing, located near the front walk and the public right-of-way.

Staff Recommendation: Based on the preceding comments, staff recommended that the Commission grant a COA to Heather MacKenzie for the installation of signage at 409 Summit Street in the West End Historic Overlay District, with the following condition:

- 1) that Commission staff review and approve any revisions or deviations to any portion of the as-submitted work prior to commencement of that portion of the project.

Regulations

- 1) If a Certificate of Appropriateness (COA) was issued for the application, it would expire March 4, 2010. If a building permit was required to perform the approved work, such permit had to be obtained within one year from the date of COA issuance. Failure to comply with the one-year time limit would expire the COA. Commission staff could renew the COA within twelve months of original issuance. All other renewals of an expired COA could only be made by the Commission.
- 2) The applicant had to note that the scope of work for the project had to meet all other applicable building codes and ordinances. Any additional approvals or permits from the City had to be obtained prior to initiating work. The applicant needed to consult with the City Inspections Division at 336-727-2628 prior to beginning the project.
- 3) It was the applicant's responsibility to contact Commission staff regarding any and all conditions to which a COA was subject. That was a requirement of COA issuance. Additionally, the applicant had to contact Commission staff if, in the process of commencing the project, unknown circumstances arose which could result in changes, alterations, or modifications.

Public Comment

Speaking in Favor of the Application: None

Speaking in Opposition to the Application: None

Commission Discussion

The Commission then discussed the application.

Finding of Fact

Ms. Phillips moved that based upon the evidence that had been presented in the application and during the public meeting, the Commission find that the application was not incongruous with the character of the West End Historic Overlay District for the reasons stated in the staff report.

Second: Ms. Poplin
Vote: Unanimous

Certificate of Appropriateness

Mr. Maxwell moved that based on the preceding Finding of Fact, the Commission grant a COA to Heather MacKenzie, for the installation of signage at the House-Noncontributing (Inventory #103), located at 409 Summit Street in the West End Historic Overlay District, subject to the condition specified in the Finding of Fact made previously.

Second: Mr. Harbinson
Vote: Unanimous

2. Bill Mastoras, Applicant
House (Inventory #484)
1251 West Fourth Street
Request: Window Replacement (After-the-Fact)
Case #: W003-09

Ms. Pegram remained sworn for testimony and presented the staff report, describing the application in detail. She presented a map showing the location of the property and photographs of the property.

Staff Comments: In February, Commission staff received several calls stating that work was in progress replacing the windows at the subject property. City/County Inspections Division staff was dispatched to the site and issued a stop work order. The applicant/owner contacted Commission staff, who informed him that an After-the-Fact COA application must be submitted. Commission staff met with the applicant/owner, who submitted a COA application for replacement of all the windows at the property with vinyl replacement windows. The applicant would be charged, and would be required to pay, the initial After-the-Fact violation fee of \$75.00 prior to the issuance of any COA or permit.

Staff Recommendation: The Commission had several options to consider with regard to the application.

- 1) Approve the application as submitted.
- 2) Approve with application with a condition to re-install the original windows (if remaining on site) on all or a portion of the building (particularly the front elevation).
- 3) Deny the application, thereby requiring that the replacement windows be removed and replaced with windows as specified by the Commission.

Staff Notes: Staff believed it was highly important to note that any alterations of a certain nature as described in the *West End Historic Overlay District Design Review Guidelines*, must, by local ordinance, be reviewed and approved by the Historic Resources Commission prior to any work. The applicant needed to become familiar with the *Guidelines* in order to determine how to appropriately proceed in the future.

Beginning July 2005, the Commission instituted a fee for processing After-the-Fact applications. Commission staff contacted the property owner about the *After-the-Fact* nature of the work. In response, the property owner submitted an *After-the-Fact* COA application. Additionally, the applicant would be charged, and would be required to pay, the initial After-the-Fact violation fee of \$75.00 prior to the issuance of any COA or permit.

Regulations

- 1) If a Certificate of Appropriateness (COA) was issued for the application, it would expire March 4, 2010. If a building permit was required to perform the approved work, such permit had to be obtained within one year from the date of COA issuance. Failure to comply with the one-year time limit would expire the COA. Commission staff could renew the COA within twelve months of original issuance. All other renewals of an expired COA could only be made by the Commission.
- 2) The applicant had to note that the scope of work for the project had to meet all other applicable building codes and ordinances. Any additional approvals or permits from the City had to be obtained prior to initiating work. The applicant needed to consult with the City Inspections Division at 336-727-2628 prior to beginning the project.
- 3) It was the applicant's responsibility to contact Commission staff regarding any and all conditions to which a COA was subject. That was a requirement of COA issuance. Additionally, the applicant had to contact Commission staff if, in the process of commencing the project, unknown circumstances arose which could result in changes, alterations, or modifications.

Public Comment

Speaking in Favor of the Application: Bill Mastoras, Winston-Salem, was sworn for testimony, and spoke in favor of the application.

Speaking in Opposition to the Application: Toni Phillips, Winston-Salem, was sworn for testimony, and spoke against the application. David Poythress, Winston-Salem, was sworn for testimony, and spoke against the application.

Commission Discussion

The Commission then discussed the application.

Finding of Fact

Jeff Harbinson moved that based upon the evidence that had been presented in the application and during the public meeting, the Commission find that the application was incongruous with the character of the District for the reasons stated in the staff report.

Second: Ms. Richmond

Discussion: The Commission and staff then discussed the motion. It was determined that the motion needed to be remade to include specific reasons as to why the application was incongruous with the character of the District. Mr. Harbinson and Ms. Richmond were in agreement to an amendment to the motion.

Mr. Harbinson then amended the motion to move that based upon the evidence presented in the application and during the public meeting, the Commission find that the application was incongruous with the character of the District because it did not conform to the relevant *Guidelines* stated in the Staff Report, specifically under Fenestration - Windows and Doors, numbers one, four, five, and seven.

Second: Ms. Richmond

Vote: Unanimous

Certificate of Appropriateness

Mr. Maxwell moved that based on the preceding Finding of Fact, the Commission deny a COA to Bill Mastoras, for the property located at 1251 West Fourth Street for the reasons specified in the Finding of Fact made previously.

Second: Mr. Brown

Vote: Unanimous

III. MINOR WORK COA APPROVALS

A. West End Historic Overlay District

1. David Smitherman & Amy Stevens, Applicants
Clifton K. Hauser House (Inventory #224)
633 Jersey Avenue

Request: Renewal of COA Granted 2/28/08 with Revisions (addition of 32"x54" curved retaining wall; crape myrtle tree; brick paver path)
Case #: MWW001-09

2. Bill Allen & Rebecca Ann Wall, Applicants
Clifford S. Hopkins House (Inventory #243)
820 Carolina Avenue
Request: Front Porch Repair with Matching Materials; Retaining Wall Repair with Matching Materials; Front Walk Repair; Side Yard Partial Walkway Removal
Case #: MWW002-09

B. Old Salem Historic District

1. Charles F. Stone, III, Applicant
Eberhardt House
921 South Main Street
Request: Removal of Maple Tree in Rear Yard
Case #: MWS001-09

C. Local Historic Landmarks

1. R. Michael Leonard, Applicant
Hauser-Reich-Butner House (Landmark #78)
5575 Main Street, Bethania
Request: Shed Construction
Case #: MWL001-09

IV. COMMITTEE REPORTS

A. Education Committee

Ms. McCullough explained that activities for Historic Preservation Month would begin in March. On March 31, 2009, Lawrence Griffith would be coming to Winston-Salem to present two talks. Ms. McCullough asked the Commission to please pass that information on to anyone who might be interested.

Ms. McCullough added that there were several events in May including Salem's Lunch and Learn series. She also stated that there would be three lectures at the Children's Home.

Ms. McCullough noted that members were needed for the Education Committee.

Ms. McCullough also stated that in April volunteers would be needed to present resolutions to City Council, County Commissioners, Clemmons, and Kernersville.

B. Historic Marker Committee

Mr. Maxwell noted that the committee met late, but would be on schedule. He stated that the Committee would meet next in the fall and that it could always use additional members. Mr. Maxwell stated that the Committee recommended the following sites for 2009 markers: the West Salem Historic District and the Happy Hill neighborhood.

After discussion, Mr. Maxwell made a motion that the Commission approve markers for the West Salem Historic District and the Happy Hill neighborhood.

Second: Ms. Phillips
Vote: Unanimous

C. Old Salem/Bethabara Design Review Guidelines Revision Committee

Mr. Bennett provided an update on the Committee.

V. UNFINISHED BUSINESS

A. Proposed Bethania Historic Overlay District Update & Presentation of Draft Design Review Guidelines & Boundaries – Abigaile Pittman, Consultant

Ms. Pittman presented the Draft Design Review Guidelines and Boundaries for the potential historic overlay district for Bethania. Mr. Phillips asked if anyone was present to speak on the item. Mr. Charlie Wolff, Commissioner of Town of Bethania, spoke about this item, voicing concern. Mayor Deborah Thompson, Town of Bethania, spoke supporting the concept of an historic overlay district for Bethania. Ms. Willa Lash, Commissioner of Town of Bethania, spoke about the agenda item, also voicing concern.

Ms. Pegram stated that the Commission would need adequate time to review and make comments on the draft presented.

B. COA Violation, 1224 West First Street

Ms. Pegram updated the Commission on the situation with the stone wall. She stated that it was specified in writing that an application be submitted for review at the Commission's March meeting. Ms. Pegram stated that staff had not heard anything from the applicant. Therefore, she stated that staff would be sending them a certified letter stating as much and that dependent on the outcome of that communication, the City would then proceed with enforcement.

VI. NEW BUSINESS

1. March City-County Planning Board Rezoning Petitions

Docket #: W-3028

Petitioner: Steven Cole for property owned by Lee C. Dietz & Carolyn A. Dietz

Location: Northeast Corner of Sunnyside Avenue & Monmouth Street, Winston-Salem

Existing Zoning: NB-L

Proposed Zoning: LB-S

Impact: Crotts Service Station, located in Sunnyside/Central Terrace National Register Historic District

Ms. Pegram presented information on the site and the proposed rezoning. After discussion, Ms. Phillips moved that a letter be written to the City-County Planning Board in support of the rezoning petition.

Second: Mr. Maxwell

Vote: Unanimous

VII. OTHER BUSINESS

Ms. Pegram updated the Commission on discussions regarding the River John Conrad House situation.

Ms. McCullough noted that a group from the Downtown Winston-Salem Partnership would be meeting about the Holly Avenue area. With everything that was going on downtown (new downtown growth, new urban boulevard, and new ballpark, etc.), the Urban Land Institute was being invited to a meeting on March 26 and 27 to discuss these and other issues relating to the neighborhood. Mr. Norby, the Planning Director suggested that one or two Commission members attend the meeting.

Mr. Phillips noted that he had received a letter from Congresswoman Foxx's office in response to the Commission's letter to President Obama about increased funding for tax credits and preservation funds.

There being no further business, the meeting was adjourned.