

**MINUTES
FORSYTH COUNTY HISTORIC RESOURCES COMMISSION
JANUARY 7, 2009
4:00 P.M.
BRYCE A. STUART MUNICIPAL BUILDING
PUBLIC MEETING ROOM, ROOM 530
100 EAST FIRST STREET, WINSTON-SALEM**

MEMBERS PRESENT: Janet Banzhof, Seth Brown, Jeff Harbinson, Mark Maxwell, Jamie Moore, Rick Pender, Laura Phillips, Michael Phillips, Julie Poplin, Jeff Sowers

MEMBERS ABSENT: Norris Hutchins, Sharon Richmond

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 DECEMBER 3, 2008 MINUTES

Motion: Mr. Brown
Second: Mr. Maxwell
Vote: Unanimous

II. CERTIFICATE OF APPROPRIATENESS APPLICATION

A. West End Historic Overlay District

1. Eduardo R. Gonzales, Applicant
Sosnik House (Inventory #434)
1224 West First Street
Request: Painting of Front Stone Retaining Wall & Concrete Walkway/Steps
(After-the-Fact)
Case #: W001-09

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: Ms. Pegram stated that based on the information gathered with the application, staff found that the proposal to paint the front stone retaining wall & concrete walkway/steps (after-the-fact) on the Sosnik House was incongruous with the character of the building and the District because:

- 1) The application of paint to the wall greatly diminished the design elements and construction methods of the stone wall by covering the unique coloration of the stone, the stone pattern, and mortar joints. The stark white paint visually overpowered the site and diminished its historic character. *Note: The West End Historic District National Register nomination's description of the property included the following sentence: "A decorative low stone retaining wall borders the front yard."*
- 2) The application of paint to the walkway and steps erased the patina that had developed with those features over time and, as with the wall, gave them a visually overpowering color.
- 3) The *Guidelines* specifically stated that the application of paint to masonry surfaces or features such as walls that were not historically covered was to be avoided.

Staff Recommendation: Based on the preceding comments, staff recommended that the Commission deny a COA to Eduardo R. Gonzales for the *After-the-Fact* Painting of the Front Stone Retaining Wall and Concrete Walkway/Steps.

If the COA request was denied, the applicant must submit a new Major Work COA application for removal of the paint finish prior to initiating any such work. The removal process must be conducted carefully and using proper removal techniques and products in order that original historic fabric not be damaged. Commission staff would consult with the State Historic Preservation Office regarding such techniques and products, and would share that information with the property owner.

Commission staff also recommended that the Commission require that the COA application for the paint removal be received no later than the February 11, 2009 deadline for the Commission's March 4, 2009 meeting.

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 must become familiar with those *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 (see correspondence included in application materials). In response,

the property owner submitted an *After-the-Fact* COA application. Additionally, the applicant was charged, and had paid, the initial *After-the-Fact* violation fee of \$75.00.

Regulations

- 1) If a Certificate of Appropriateness (COA) was issued for the application, it would expire January 7, 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: Tonya Phillips, 901 Carolina Avenue, Winston-Salem, was sworn for testimony, and spoke in opposition to the application.

Jeff Smith, 1223 West First Street, Winston-Salem, was sworn for testimony, and spoke in opposition to the application.

Heather Fearnbach, 3334 Nottingham Road, Winston-Salem, was sworn for testimony, and spoke in opposition to the application.

David Poythress, 922 West End Blvd., Winston-Salem, was sworn for testimony, and spoke in opposition to the application.

Ellis Boyle, 923 West End Blvd., was sworn for testimony, and spoke in opposition to the application.

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 incongruous with the character of the West End Historic District for the reasons stated in the staff report.

Second: Mr. Brown
Vote: Unanimous

Certificate of Appropriateness

Mr. Maxwell moved that based on the preceding Finding of Fact, the Commission deny a COA to paint the front stone retaining wall & concrete walkway/steps (after-the-fact), for the Sosnik House, located at 1224 West First Street in the West End Historic District, subject to the conditions specified in the Finding of Fact made previously.

Second: Mr. Harbinson
Vote: Unanimous

Additional Requirement

Ms. Poplin moved that if a COA to remove the paint was not filed by the February 11, 2009 deadline, the applicant would be in violation of the Unified Development Ordinance and the Inspections Division should enforce it.

Second: Mr. Brown
Vote: Unanimous

III. MINOR WORK COA APPROVALS

A. Local Historic Landmarks

1. Jerome D. & Kathleen Q. Keyser, Applicants
John Siewers House (Landmark #60)
832 South Main Street, Winston-Salem
Request: Repair & Replacement of Beams & Ceiling Under Rear Porch; Repair of Rear Porch Floor Boards; Replacement of Two Windows Under Rear Porch
Case #: MWL007-08

2. Jerome D. & Kathleen Q. Keyser, Applicants
John Siewers House (Landmark #60)
832 South Main Street, Winston-Salem
Request: Installation of Geo-Thermal Heating & Cooling System
Case #: MWL008-08
3. Jerome D. & Kathleen Q. Keyser, Applicants
John Siewers House (Landmark #60)
832 South Main Street, Winston-Salem
Request: Installation of an Underground Power Line
Case #: MWL009-08

IV. COMMITTEE REPORTS

A. Education Committee

There was no new information.

B. Historic Marker Committee

There was no new information.

C. Old Salem/Bethabara Design Review Guidelines Revision Committee

Mr. Bennett provided an update on the Committee.

V. UNFINISHED BUSINESS

VI. NEW BUSINESS

Mr. Bennett asked the Commission to send a letter to federal elected officials, including President-elect Obama, about the benefits of historic preservation and the economic impact due to the investment tax credit program. After discussion, Mr. Brown moved that the Commission to send the letter and share it with other preservation commissions within North Carolina.

Second: Mr. Maxwell
Vote: Unanimous

Ms. McCullough introduced Christina Walsh who would be an intern from Salem College during January.

Ms. McCullough also noted that Bowman Gray Stadium was planning an addition to the field house. However, the addition was minor and therefore probably did not require input from the Commission.

VII. OTHER BUSINESS**A. Briefing on Forsyth County Architectural Survey Update Project – Heather Fearnbach**

Ms. Fearnbach briefed the Commission on the Forsyth County Architectural Survey Update Project, which had just begun its third year. A copy of the report was available on the Planning Board's web site at www.cityofws.org/planweb. The Commission expressed its appreciation and thanks to Ms. Fearnbach.

Catherine Hendren, President of Preserve Historic Forsyth, invited the Commission to attend the celebration of Forsyth County's 160th birthday on January 16, 2009. A gala would be hosted by Preserve Historic Forsyth that evening.

There being no further business, the meeting was adjourned.