

HISTORIC PRESERVATION COMMISSION

Minutes October 14, 2020

The City of Salisbury Historic Preservation Commission met in regular session at 1 p.m. Wednesday, October 14, 2020, at 217 S. Main Street in the Council Chamber. Social distancing and safety measures were used to protect staff and citizens. This date was adopted to accommodate October Tour events.

Present: Steven Cobb, Will James, Sue McHugh, Jon Planovsky, Elizabeth Trick, Andrew Walker and Acey Worthy

Absent: Eugene Goetz and Larry Richardson

Staff Present: Catherine Garner and Diana Cummings

CALL TO ORDER AND INTRODUCTIONS

The meeting was called to order by the Chair, Andrew Walker. Members introduced themselves.

PURPOSE AND PROCEDURE

The purpose and procedure of the meeting was presented by Chair, Andrew Walker. COVID 19 practices were part of the meeting explanation.

EX PARTE COMMUNICATION/ CONFLICT OF INTEREST OR APPEARANCE OF CONFLICT

Steve Cobb is a member of the Historic Salisbury Foundation and will recuse himself for H-34-2020, H-36-2020 and H-39-2020; Elizabeth Trick will recuse herself and leave during H-40-2020. Will James did not return to the dais at 3 p.m. session.

NEW CERTIFICATES OF APPROPRIATENESS

H-33-2020, 925 N. Main Street—Ephrum Asburry III Schwartz-Laubhann, owner/applicant

Request

Replace asphalt roof with dark brown metal. Replace existing vinyl gate with wood.

Catherine Garner and Ephrum Asburry III Schwartz-Laubhann were sworn in for testimony.

Identification of Property

Catherine Garner made a staff presentation.

The L. G. Hines House is a contributing structure in the North Main Street Local Historic District. It is a Craftsman Bungalow built Ca. 1919. It currently has an asphalt shingle roof.

Staff finds that the project is partially incongruous with the character of the District because:

1. No evidence has been uncovered that the original roof on the L. G. Hines House was metal in material. The Guidelines support retaining and preserving historic roofing material whenever possible, and if replacement is necessary, to use new material that matches the historic in composition, size, shape, color, pattern, and texture (Guideline 3.4.2).
2. The steeply pitched gable end roof has a high visibility due to overall pitch and orientation. A metal roof would overly emphasize the roof on the structure due to the reflectivity and sheen of the material, as well as the ribbing of the metal panels. Without documentation, the change is likely to create a false historical appearance as well as overly emphasize one portion of the house (Guideline 3.4.1, Secretary of the Interior's Standards #3 and #6).
3. While metal was a material utilized at the turn of the century, it is not an appropriate use without documentation of its existence. Modern 5V metal roofing with exposed fasteners is not an appropriate use as it does not closely replicate standing seam (Guideline 3.4.7).
4. The existing vinyl fence/gate is located at the rear corner of the main 'block' of the house, but is not at the farthest rear portion of the home, as there is a room addition on the rear of the house. The proposed wooden fence panel is of an appropriate material and style, but would extend beyond the rear corner of the house as interpreted by staff (thus not approved at the Minor Works level) (Guidelines 4.4.2, 4.4.4, 4.4.7).

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-33-2020 at the L. G. Hines House, located at 925 N. Main Street, within the North Main Street Local Historic District subject to the following conditions:

- 1) Without evidence of the use of metal roofing material on this property, the roof shall be replaced with asphalt to match existing;
- 2) The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
- 3) Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

The owner shared the desired for the longer life-span and compared cost of the proposed metal roof. The owner brought photos that were shared at the dais. The roof will have shingles removed.

Public Comment

Scott Austin recommended the homeowner look for marine strips that may still be there as evidence.

Deliberation

The fence/vinyl gate is appropriate for the Craftsman style house. The location is not an issue due to the layout of the property and is appropriate, too. It will have a dark translucent stain that will match a portion of the house.

A metal roof is not appropriate without evidence of a previously existing metal roof. Houses with big exposure of roof pitches that have been redone in the metal calls too much attention to the roof—you see a roof, not a house. Being a Craftsman style house the odds are *not* likely there was a metal roof on the house.

Findings-of-Facts

Steve Cobb made the following MOTION: “I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #H-33-2020:

1. That Ephrum Asburry III Schwartz-Laubhann, owner/applicant appeared before the Commission and sought a Certificate of Appropriateness for the property located at 925 N Main Street and designated within the North Main Street Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-4 and incorporated herein;
3. The findings are subject to the three conditions recommended by staff and incorporated herein; Scott Austin provided testimony in regard to how the owner might find what the original roof material was.

Sue McHugh seconded the MOTION with all members VOTING AYE. (7-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and Acey Worthy (AYE)

Action

Steve Cobb continued, “I, therefore, move based on the testimony presented, the adopted Findings-of-Fact and the adopted Historic District Design Guidelines that the Commission approve H-33-2020 subject to the conditions detailed in the Findings of Fact.”

Jon Planovsky seconded the MOTION with all members VOTING AYE. (7-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and Acey Worthy (AYE)

H-34-2020, 705 N. Main Street—Historic Salisbury Foundation, owner/applicant; Scott Austin, agent

Sue made a MOTION to recuse Steve Cobb. All agreed.

Scott Austin, 120 S. Milford Drive, and Steve Cobb were sworn in for testimony.

Request

Construction of period/architectural style appropriate column on front porch to replace current (temporary) column.

Identification of Property

Capel-Smith House is located in the North Main Street Local Historic District. Built Ca. 1912, it is listed as contributing—Vernacular with Dutch Colonial and Late Victorian influences.

Staff Findings

Staff finds that the project is not incongruous with the character of the District because:

1. As noted in the National Register documentation for the property, the porch has been altered several times. The current porch design appears to be of a temporary nature with a simple post column and pre-fabricated wood railing.
2. The proposed design uses appropriate wood, granite, and existing brick foundation materials. The porch will not be expanded and will thus maintain the scale of the porch to the historic structure and site. The new column and railing will surround the existing porch that is inset under the roof (Guideline 3.5.4).
3. The proposed porch flooring has not been specified by the applicant; however, a wood tongue and groove would be considered an appropriate material and design for this style structure.

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-34-2020 at the Capel-Smith House, located at 705 N. Main Street, within the North Main Street Local Historic District (Parcel ID: 011 373) subject to the following conditions:

1. The wooden elements shall be painted to match the existing color scheme of the property or new COAs submitted to staff for review;
2. The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
3. Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

Mr. Austin stated that Historic Salisbury Foundation has been in communication with him. The proposed column is similar to the one at 801 N. Main Street. The material is recycled from a house demolished on Lee Street. He does not have old pictures to show what it was originally.

Public Comment

Steve Cobb noted that Ed Clement drew a sketch that was presented.

Deliberation

The porch has been altered quite a bit over the years. The materials are appropriate.

Finding-of-Facts

Sue McHugh made the following MOTION: "I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #**H-34-2020**:

1. That Scott Austin, applicant/agent for Historic Salisbury Foundation, Inc., owner appeared before the Commission and sought a Certificate of Appropriateness for the property located at 705 N. Main Street and designated within the North Main Street Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-3 and incorporated herein; Steve Cobb provided additional evidence/testimony: the column design is appropriate.
3. The findings are subject to the three conditions recommended by staff and incorporated herein.

Jon Planovsky seconded the MOTION.

Roll Call: Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and Acey Worthy (AYE) (6-0)

Action

Sue McHugh continued, "I, therefore, move based on the testimony presented, the adopted Findings-of-Fact and the adopted Historic District Design Guidelines that the Commission approve H-34-2020 subject to the conditions detailed in the Findings-of-Fact."

Jon Planovsky seconded the MOTION.

Roll Call: Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and Acey Worthy (AYE) (6-0)

H-35-2020 - Withdrawn

H-36-2020, 226 S. Jackson Street–Historic Salisbury Foundation, owner/applicant

Steve Cobb was recused from the dais.

Request

Install three 7-ft. tall turned redwood lamp posts, topped with refurbished gas light housings, retrofitted with 4-bulb electric flicker flame candelabra bulbs.

Identification of Property

Located in the West Square Local Historic District, the contributing McNeely-Strachan (Josephus Hall) House is a Federal, Greek revival, High Victorian house built Ca. 1820, 1859, and 1911.

Staff Findings

Staff finds that the project is not incongruous with the character of the District because:

1. The three fixtures will be installed on turned wood posts which are appropriate to the district in design and material; the seven foot tall post is appropriately scaled for pedestrian lighting at the sidewalk, and the flicker flame candelabra bulbs will provide adequate lighting for safety without overly emphasizing the site or the fixture itself (Guidelines 4.3.1, 4.3.2, 4.3.4, 4.3.5)
2. The light fixtures have been installed at the front of the property close to the property line and the public sidewalk and are not detracting from the house but providing low-level, pedestrian scaled light fixtures at the public-private edge of the property (Guidelines 4.3.5, 4.3.9).

Staff Recommendation

1. Based on the preceding findings, staff recommends that the Commission approve H-36-2020 at the McNeely-Strachan (Josephus Hall) House, located at 226 S. Jackson Street, within the West Square Local Historic District (Parcel ID: 010 091) subject to the following conditions:
2. The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
3. Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

Steve Cobb brought a sample of the three refurbished, cleaned, black powder-coated head units. The redwood posts are exact replicas of the gas ones that were on the 200-300 blocks of Bank Street in the 1990s and since removed. Although the posts are in, no trenching has been done and the head units have not been installed.

“We are going to run power in an underground cable and will run through the center of the posts. (Posts are drilled out.) The electrical box will be on the backside of the post at ground level.”

Public Hearing

No one spoke in favor or opposition.

Deliberation

Everyone agreed that this is a good project.

Motion

Findings-of-Fact

Sue McHugh made the following MOTION, “I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #H-36-2020:

1. That Steve Cobb, applicant/agent for Historic Salisbury Foundation, Inc., owner appeared before the Commission and sought a Certificate of Appropriateness for the property located at 226 S. Jackson Street and designated within the West Square Local Historic District.

2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1-2 and incorporated herein; additional evidence/testimony provided states that the electric cable will be run inside the post and not visible to the public.
3. The findings are subject to the two conditions recommended by staff and incorporated herein.”

Jon Planovsky seconded the MOTION with all members VOTING AYE. (6-0)

Roll Call: Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and Acey Worthy (AYE)

Action

Sue McHugh continued, “I, therefore, move based on the testimony presented, the adopted Findings-of-Fact and the adopted Historic District Design Guidelines that the Commission approve H-36-2020 subject to the conditions detailed in the Findings-of-Fact.”

Jon Planovsky seconded the MOTION with all members VOTING AYE. (6-0)

Roll Call: Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and Acey Worthy (AYE)

Steve Cobb returned to the dais.

H-37-2020, 1218 N. Main Street–Redberg Properties, LLC, owner/applicant, Frank Redmond, agent

Frank Redmond, 15114 Arleta Circle, Charlotte, NC, was sworn in for testimony.

Request

Replacement of windows—standard white vinyl replacement windows—single pane over single pane.

Identification

The T. R. Doby House is located in the North Main Street Local Historic District. It is a contributing Colonial Revival, Bungalow built Ca. 1924. Catherine showed slide photos from the time the house was nominated to the district and Google street view images from before the windows were replaced.

Staff Findings

Staff finds that the project is incongruous with the character of the District because:

1. While the replacement windows that have been installed match the original in size, the vinyl replacement windows do not match the original in material (Guidelines 3.1.8, 3.3.3)
2. The replacement windows do not match the home’s original windows in pane/panel division. The original windows were a six-over-one Craftsman style window; the upper sash had three squares over three rectangles (Guideline 3.3.3).

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission deny H-37-2020 at the T. R. Doby House, located at 1218 N. Main Street, within the North Main Street Local Historic District (Parcel ID: 007 032).

Mr. Redmond stated that he did not know at the time of purchase that the house was in a historic district. It was in poor condition. There were a total 31 windows in the house. He is looking for a resolution; the original windows were destroyed (21), they were 6 over 1 style. He could not find a craftsman to do the work.

Public Comment

Historic Salisbury Foundation can offer information on craftsman who rebuilds windows.

Deliberation

This highlights the fact that the commission and staff need to be proactive in finding a way to communicate to buyers when they purchase a home in a local historic district.

The house is not owner-occupied so it cannot qualify for grant but it might qualify for tax credits.

The character has been removed and destroyed.

Motion

Findings-of-Facts

Sue McHugh made the following MOTION, "I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #H-37-2020:

1. That Frank Redmond, applicant/agent for Redberg Properties, LLC, (owner) appeared before the Commission and sought a Certificate of Appropriateness for the property located at 1218 N. Main Street and designated within the North Main Street Local Historic District.
2. The proposed project is incongruous as detailed in the application and staff findings numbers 1-2 and incorporated herein;

Will James seconded the MOTION with all members VOTING AYE. (7-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and Acey Worthy (AYE)

Action

Sue McHugh continued, "I, therefore, move based on the testimony presented, the adopted Findings-of-Fact and the adopted Historic District Design Guidelines that the Commission deny H-37-2020 based on the fact that it does not meet the Design Guidelines."

Will James seconded the MOTION with all members VOTING AYE. (7-0)

Roll Call: Steve Cobb (AYE), Will James (AYE), Sue McHugh (AYE), Jon Planovsky (AYE), Elizabeth Trick (AYE), Andrew Walker (AYE), and Acey Worthy (AYE)

H-38-2020, 1601 N. Main Street–Kasey Blankenship, owner/applicant Withdrawn

HISTORIC LANDMARK APPLICATIONS

124 S. Ellis Street and 619 S. Main Street have been submitted to the state. These will likely go to City Council in 2021.

APPROVAL OF MINUTES

September 10, 2020, minutes were approved as submitted.

OTHER BUSINESS

Minor Works

The minor works report was received by the commission; it was very long and included in the HPC packet for this meeting.

HPI Grants

Catherine explained the scoring system for the applications. The amount allocated by the City of Salisbury was \$15,000. The criteria was amended so the contractor can be paid directly by the city instead of a reimbursement to the homeowner.

The Committee reviewed and considered all applications for the Historic Preservation Incentive Grants and decided by consensus to award the following applications:

- 301 N. Ellis Street - \$2,500
- 309 S. Shaver Street - \$3,750
- 420 N. Ellis Street - \$2,500
- 329 E. Bank Street - \$2,500
- 124 S. Ellis Street - \$1,000
- 418 S. Ellis Street - \$1,000
- 220 S. Fulton Street - \$1,000
- 228 W. Monroe Street - \$750

Mailings

The required mailing fee for public notifications of HPC cases has been reduced by City Council from properties within 500 feet to properties within 100 feet. This makes a significant difference for applicants.

Training

Salisbury HPC has met the CLG training requirement for the year.

Legislative 160D

The new Chapter 160D of the North Carolina General Statutes consolidates current city- and county-enabling statutes for development regulations (now in Chapters 153A and 160A) into a single, unified chapter. Chapter 160D places these statutes into a more logical, coherent organization. While the new law does not make major policy changes or shifts in the scope of authority granted to local governments, it does provide many clarifying amendments and consensus reforms that will need to be incorporated into local development regulations.

- Design Guidelines are now called Designed Standards.
- An HPC appeal option may go to the Board of Adjustment or Superior Court. Salisbury chooses to go straight to Superior Court; this clears some staffing issues.

Catherine is working on the Zoning Ordinance changes. Changes at City Council may become official in January 2021.

HPC 45th birthday

October 15, 1975, the Salisbury Historic Preservation Commission was formed. It was celebrated at this meeting with cake.

The meeting was recessed at 2:15 p.m.

(HPC will enter a recess if there is time between case blocks)

BLOCK #2 (BEGINNING AT 3 PM)

Steve Cobb recused himself from the dais.

H-39-2020, 1008 N. Main Street–Ricky McSwain, owner/applicant

Request

Rebuild damage from fire.

Ricky McSwain (370 Lee Black Road, Cherryville, N.C.) and Sada Stewart (313 S. Shaver Street), Executive Director for Historic Salisbury Foundation (HSF), Steve Cobb (326 W. Bank Street) were sworn in for testimony.

Identification of Property

The C. L. Emerson House is located in the North Main Street Local Historic District. It is a Late Victorian style house built circa 1900 and listed at pivotal. A photo of the house in 1908 was provided for reference.

Staff Findings

Staff finds that the project is partially incongruous with the character of the District because:

- 1) Applicant proposes to use wood ship lap siding with wood trim custom milled to match the original siding that remains on the structure and existing decorative wood trim elements

will remain on the N. Main Street façade. The stone porch and decorative stone balustrade will also remain. Existing wood windows will be salvaged and repaired (Guidelines 3.1.1, 3.1.2, 3.1.3, 3.1.4, 3.2.1, 3.2.2, 3.2.3).

- 2) The applicant will be reconstructing the roof at the existing roof pitch utilizing asphalt shingles to match existing (Guideline 3.4.1, 3.4.2)
- 3) The windows are proposed to be custom built to match the original based on evidence from a 1908 photograph, which are five-over-one windows with a central diamond shaped pane. The National Register document notes that there were diamond shaped mullions in the upper sash of windows in the front gable and turret, and those on the south elevation along the course of the stair. More information is needed from the applicant regarding the pane and panel division, mullion type, and other window details of the windows in question prior to installation (Guidelines 3.1.1., 3.3.2, 3.3.3)
- 4) On the southern-facing façade, the applicant is proposing to relocate the existing stair windows in order to add structural stability. While that is important, it is also important to retain as many original, character defining features and spatial relationships as possible, particularly on a street-facing façade (Guidelines 3.3.1, 3.3.10, 3.2.1, 3.2.7)
- 5) The applicant is proposing to widen the dormer on the primary façade in order to change structural posts for first floor windows, though those windows are not proposed to change. No dimensions or other information indicating the extent of the change would be. The National Register notes this “five-sided turret” as a distinguishing feature and should not be widened. Any change in scale of the dormer would significantly impact the primary façade and status of the building as a pivotal structure to the district.
- 6) The applicant is proposing changes to the previously existing rear additions: a first floor re-sized shed dormer addition with a rear facing cross gable and a reconstructed dormer roof on the second floor. The size of the previous second floor dormer addition destroyed by fire is unknown. The current first floor addition does not extend the full length of the home; a shed roofed addition is inset on the southern end of the home and continues to the north but is intercepted by a westward facing gabled room addition. The wall, as existing, has one door in the gabled room addition; two windows and a door on the western facing wall of the shed roof addition and a door on the southern facing wall of the shed roof addition. The proposed reconstruction now brings the shed roofed addition all the way to the edge of the structure and retains the western facing gable roof addition. However, the shed roof is proposed to continue on the north side of the room addition to create an engaged patio on the northern end, which will be discussed in subsequent bullet points.

The first floor addition meets some of the Guidelines for additions; even as enlarged its size and scale will not visually overpower the historic building; the siding material is proposed to be wood, and the windows will be constructed to match those on the rest of the building. However, the first floor addition does not meet several Guidelines for additions. While the siding is proposed to be wood, it should be differentiated from that of the existing structure in order to visually represent the transition from historic to new construction, especially as the historic addition is to be resized. The fenestration pattern is not continued evenly along the southern façade elevation along W Miller Street. One window opening on the northern-most end of the rear wall of the historic building will be custom made to match the original opening size but the height is proposed to change, making it incongruous to the historic structure. The door in the gabled room addition will

be converted to a window, and the door on the southern facing wall along Miller Street will be removed all together. Furthermore, no information has been provided regarding the proposed new door on the rear elevation, or any handrails to the proposed rear stair. No dimensions have been provided (Guidelines 5.4.1, 5.4.2, 5.4.3, 5.4.4, 5.4.5, Secretary of the Interior's Standards #9, and #10).

- 7) On the northern end of the rear, first floor addition, the applicant is proposing a patio that is actually an engaged porch (under roof, tucked in a corner between walls) in the space of the end of the new addition and the rear wall of the historic structure. This would be accessed by a new door in an existing location, but no details have been provided regarding the door design. The patio will have wood posts, presumably to be wood, and there will be wood decking. The height of the deck has not been provided. While it meets the Guidelines for materials, it does not meet the Guidelines for design. Deck additions should be constructed so that it could be removed in the future without any loss to the historic fabric of the building. This engaged porch style is a modern design and is not appropriate for a pivotal structure (Guidelines 5.5.1, 5.5.6, 5.5.7).
- 8) The applicant is also proposing to rebuild a second floor dormer addition on the southern end of the structure. Details of the original dormer are unknown due to fire destruction. This dormer addition is also proposed to have wood siding and windows that will be constructed to match those of the rest of the building. Similar issues arise with this addition as with the first floor addition. While the addition is proposed on the rear of the structure, its size is overwhelming to the roof line. Remains of the wall framing are still in place but it is unknown where the ridge of the dormer roof was in relation to the ridge of the main body roof. The ridge of the new western-facing gable will be at the same level as the main, historic ridge line running north to south. The use of the same siding material does not distinguish this as an addition and would similarly provide a false historical look (Guidelines 5.4.1, 5.4.3, 5.4.4, 5.4.5, 5.4.7, 5.4.8).

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission approve H-37-2020 at the T. R. Doby House, located at 1218 N. Main Street, within the North Main Street Local Historic District (Parcel ID: 007 032) subject to the following conditions:

1. Applicant shall provide detailed window information to staff for approval prior to installation. The windows shall be five-over-one with the central diamond pane to match the 1908 photograph;
2. The window placement on the historic portion of the southern elevation shall not be revised; all existing window openings shall be preserved;
3. The five-sided turret on the primary, eastern elevation, shall be preserved. No dimensional changes shall be permitted;
4. Wood siding on all additions shall be a different design in order to differentiate the new additions from the historic structure;
5. Second story dormer shall be reduced in height to further differentiate the new construction from the historic building;

6. The engaged porch on the rear elevation shall be removed from the plans. The roofline shall be revised to follow the walls. The exterior door and stair may remain subject to Condition #5;
7. Door and handrail designs for both rear doors shall be provided to staff for approval;
8. The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;
9. Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project.

The owner said that the roof in the kitchen ended in the middle of a window, “When the rain runs down it ran into the window.” There was a hidden door on the side of the kitchen that has been reopened. The only thing on the back of the house is the location of this door and the roof line.

There are several additions to the house not tied together. He submitted a drawing that would make his life easier. He brought material samples.

Catherine said, “If the size is being changed at all, it should be considered new construction. When you start moving walls, changing configuration and enlarging it becomes new construction.”

Public Hearing

Sada Stewart said HSF has covenants on the property, although some of the features were destroyed by the fire. The remaining features need to stay in place, but we understand the need to be flexible to assure progress can move forward. HSF supports Mr. McSwain’s efforts in saving the remaining features.

Steve Cobb made comments on behalf of Historic Salisbury Foundation. “Mr. McSwain made significant progress on the restoration of this house prior to the tragic fire.” He is in possession of pictures taken immediately after the fire.

“HSF is absolutely thrilled that Mr. McSwain is committed to continue working on this house.” He is working closely with Andy Eller who is a well-known structural engineer. He asked the Commission to give Mr. McSwain “significant latitude” so the house can be restored. When the house was renovated in 1908 and the turret was put on the front, the house on the Miller Street side was extended by 5’6”. That allowed the staircase to be put in on that side of the house. The shed roof dormer was not sitting on the house at that time. The tiny gable dormer would have been original to the house. HSF does not feel that there is an issue with combining those two dormers.

The turret was added to the house in 1908. It was not added very well—they did not take into account any structural integrity in doing that and that is why it failed at some point. HSF has no issue extending the dimensions of that turret slightly retaining the same shape and size in order to make it structurally stable.

The porch on the northwest portico replaces a structural flaw in the house. There was a doorway on that side that was a staircase up to the second floor from the outside of the house. The roof of that was inset in a way that the water would come directly off onto the window that was on the

back of the house and rotted the window there. The porch certainly was not an original feature of the house; however, it was functional and attractive. It was not on the side of the house exposed to the street.

The 5 over 1 windows were gone by the time of the fire; they were 6 over 1 by that time.

The slight movement of the three decorative staircase windows on the south side of the house would create a better structure for the house and an insignificant move to the historic nature of the house.

The chair closed public comment.

Deliberation

Elizabeth Trick said she did not have any problem providing latitude for the back of the house. "I think the back and the side of the house is a main feature I would like to see remain as original as possible. The hip roof would not be as imposing." There are a lot of options.

The commissioners agreed that they needed more information (dimensions) to get a clear picture; a full set of drawings were not submitted. The applicant would need this information to get a building permit. He admitted that he is not working with a permit.

Are we considering this as new construction or as repair? It is clear he would have to rebuild the floors and the missing turret. Porch is OK.

Sue McHugh admitted that the neighborhood is sensitive to having the work done. The neighborhood is fragile and this is seen as a positive move. "I think that the three staircase window change is subtle enough. The reason for the change is for structural integrity. That is the preservation culture we are after."

Acey said, "There are no real headers across some of the windows." Jon Planovsky said that he saw the rhythm of the house and it did not appear "wacked out".

Andrew Walker said, "This is a unique situation. A lot has happened to this property. I don't think what is proposed is acceptable; I don't believe we are in position to say the proposal is acceptable. There is enough in the guidelines to reject everything that is being proposed. I have learned a lot today and I would choose to chew it over a bit more."

We should not wait a month to get more information. (1) Look more carefully at the second floor dormer with a different roof configuration. (2) The structural check would apply to the three small windows on the north side. (3) Get more information on the dimensions of the turret.

Another route that could be taken is to assess as new construction which gives a lot of leeway on dimensions, etc.

The house came before the commission previously as H-44-2018; HPC approved a full shed dormer across the back.

Steve Cobb returned to the lectern to state concerns about delays into the winter season that could cause further damage to the house.

Staff said that emergency action can be taken to stabilize or secure a structure.

Motion

Action

Sue McHugh made the following MOTION, "I, move that the Commission table H-39-2020 to October 22, 2020, at 5 p.m. at City Hall to gather the following additional evidence on structural stability design:

1. More information on the roof configuration for the second floor dormer
2. Three small windows structural information/stability of design to support movement of three windows on the south elevation
3. Stability calculations which could affect dimensions of the turret rebuild

Jon Planovsky seconded the MOTION with all members VOTING AYE. (5-0)

Sue made a MOTION to have Steve Cobb return to the dais and for Elizabeth Trick to be recused. All agreed.

NOTE: This proposed meeting for October 22, 2020, was later cancelled due to lack of new information.

H-40-2020, 112 E. Innes Street–Lofts on Innes, LLC, owner/applicant; Josh Barnhardt, agent

Request

Historic-themed painted exterior sign on the east wall of the building.

Identification of Property

Catherine Garner made a presentation for this contributing commercial building built circa 1890, 1931-1950 and located in the Downtown Local Historic District. Lights were submitted for the tax credit portion that were approved by SHPO.

Staff Findings

Staff finds that the project is incongruous with the character of the District because:

- 1) The signage is proposed to be painted on unpainted masonry, which should be avoided per the Guidelines (Guidelines 3.1.6).
- 2) Painted signage in the downtown has previously caused issues for other businesses seeking to remove the paint. (Queens converted to Lora Belle Baby) There is great potential to cause damage to the historic material of a contributing building, which left repaired, could cause further structural damage (Secretary of the Interior's Standards #7, Guideline 3.1.7)

Staff Recommendation

Based on the preceding findings, staff recommends that the Commission deny H-40-2020 at the Commercial Building, located at 112 E. Innes Street, within the Downtown Local Historic District (Parcel ID: 0105 506).

Josh Barnhardt, 2200 Kenmore Avenue, Charlotte, NC, was sworn in for testimony. The building is undergoing a significant renovation at this time. “We have checked our options and want to go with the painted sign.”

This is not the original brick on the side façade; it was added 10-15 years ago. Removal of the paint is not as big an issue with the newer brick.



Signage mock-up in approximate location and rough size. Actual sign would not exceed 91 square feet of total space and will be approximately 11'7" by 7'8".

“We have investigated multiple other options as requested by city staff. Three separate sign companies indicated we could use heat shrink vinyl to get the painted sign look, but we could expect about three years of life before it would need to be replaced.”

“The sign colors are part of our new jewelry store branding and will match the newly built wooden storefront. The sign will have three architectural bronze gooseneck lights above to light it at night. We will be using a local muralist to complete the work.”

“It is also our understanding, from the State of North Carolina, that we are allowed to paint the entire side of this east wall as this is not the original brick of the building, but we have chosen not to paint it at this time. All front and sides of our buildings will be pressure washed and mortar fixed where required.”

Public Hearing

No one spoke in favor or opposition.

Deliberation

Sue McHugh stated that many old ghost signs have been refurbished in Salisbury to look new. The ghost signs previously fell under the Public Art Committee. Staff said there is no way to review this sign as a mural.

This would be mimicking the historic signs. Jon Planovsky thought the scale of the historic ghost signs would be bigger. Steve Cobb agreed that the scale was not nearly the scale of a typical ghost sign. Steve questioned the intent of the sign guidelines—this is not covering a beautiful brick building and making it something different.

Andrew Walker stated that painting unpainted masonry is not acceptable according to the guidelines; although this is not original brick. A mitigating fact could be that it is a very small area.

Motion

Findings-of-Facts

Steve Cobb made the following MOTION, "I have reviewed the case and all presented testimony and facts and am familiar with the property in question and, therefore, move that the Commission find the following facts concerning HPC case #H-40-2020:

1. That Josh Barnhardt, agent for Lofts on Innes, LLC, owner/applicant appeared before the Commission and sought a Certificate of Appropriateness for the property located at 112 E. Innes Street and designated within the Downtown Local Historic District.
2. The proposed project is not incongruous as detailed in the application and staff findings numbers 1–2 and incorporated herein provided that the sign be made the maximum size allowed by Code which could be up to 25 percent bigger than it is and the sign be painted in a softened and rustic manner to make it appear less than brand new.

Sue McHugh seconded the MOTION.

Roll Call: Steve Cobb (AYE), Sue McHugh (AYE), Jon Planovsky (NAY), Andrew Walker (AYE), and Acey Worthy (NAY) (3-2)

Action

Steve Cobb continued, "I, therefore, move based on the testimony presented, the adopted Findings-of-Fact and the adopted Historic District Design Guidelines that the Commission approve H-40-2020 subject to the conditions detailed in the Findings of Fact."

Sue McHugh seconded the MOTION.

Roll Call: Steve Cobb (AYE), Sue McHugh (AYE), Jon Planovsky (NAY), Andrew Walker (AYE), and Acey Worthy (NAY) (3-2)

ADJOURNMENT

The meeting adjourned at 5:00 p.m.

Andrew Walker, Chair

Diana Cummings, Secretary