

HISTORIC DISTRICT COMMISSION MEETING



Monday, September 14, 2020– 6:30 P.M.
Conference Room – City Hall
300 West Crowell Street - Monroe, NC

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- Item 1.** **Call to Order – Roll Call**
- Item 2.** **Approval of Minutes –July 13, 2020**
- Item 3.** **Conflicts of Interest**
- Item 4.** **COA 21-15000002 Certificate of Appropriateness – The Historic District Commission is requested to consider a Certificate of Appropriateness request from Stacey Grooms to install a wood shed in the rear yard for the property located at 403 E. Talleyrand Avenue (Tax ID# 09-231-200)**
- Item 5.** **COA 21-15000007 Certificate of Appropriateness – The Historic District Commission is requested to consider a Certificate of Appropriateness request from Mike’s Fine Home Remodeling, LLC to construct a new home at 401 E. Talleyrand Avenue (Tax ID# 09-231-199)**
- Item 6.** **Next Meeting: October 12, 2020**
- Item 7.** **Adjournment**

ATTENTION BOARD MEMBERS: Please contact Maryann Brown at 704.282.4527 to confirm your attendance.

HISTORIC DISTRICT COMMISSION MINUTES
MONDAY, JULY 13, 2020 AT 6:30 PM
CONFERENCE ROOM - CITY HALL
300 West Crowell Street, Monroe, North Carolina

To be Approved at the August 2020 Meeting
Attendees to Sheri Laney on 7-14-20

ITEM 1: Call to Order.

Richard F. Ali, Chairman, called the meeting to order at 6:30 p.m. Lisa Stiwinter called the roll.

Members Present: Richard F. Ali, Bob Bullard, Jennifer Smith, Susan Sganga (alternate) and Archie Morgan (alternate)

Members Absent: James Kerr, Philip Millward and Megan Woazeah

Staff Present: Lisa Stiwinter, Planning Director; Keri Mendler, Planner, Ashley Britt, Assistant City Attorney (on Zoom) and Maryann Brown, Administrative Assistant (Zoom)

Guests: Angela McMillian-Orr and Donna Thrasher

Susan Sganga (alternate) and Archie Morgan (alternate) were seated in the audience. Chairman asked Susan Sganga and Archie Morgan to sit on the dais with the Commission to fill in for two absent members.

Chairman said this Commission is a quasi-judicial body and our process and proceedings are governed by the North Carolina State Law. He said tonight's proceedings are quasi-judicial evidentiary hearings. He said therefore all witnesses must be sworn in. He said our discretion in these matters are limited. He said we are obligated to base our decisions solely upon factual evidence and not on personal opinion. He said this applies to all those testifying and also to all Commission Members.

Keri Mendler said she and Ashley discussed this after the agenda had been posted. She said she wanted to take a moment and go through the pieces of a staff report so that everyone understands each section and how to use it during the meeting, as well as where staff gets some of the information. She used one of tonight's staff reports as an example and described each section.

Keri said the first section is a Summary Statement or what the case is about, who is requesting the COA, etc. She said the next is the Site Data which is general information about the property. She said the General Information is usually a history of the house and is taken from the National Register of Historic Places or the Sweet Union book that was done in the early 1990s. She said it gives an overview of the architecture and history of the house.

Keri said next is the Relevant Design Guidelines. She said these are guidelines which staff believes are relevant to the case and what is being proposed. She said typically staff will provide a comment of how the proposal is or is not congruous with what the guidelines state. She said this is the italicized section. She said when you are making a motion and have to relate it back to the guidelines, staff has already done this for you a little bit to assist you through that process. She said you do not have to use staff's opinion or thoughts, but it is there for your reference if you need it.

Keri said the Findings is where staff introduces all of your exhibits. She said these are the findings or basically the facts of the case: where it is, what is being proposed, and exhibits that go along with it. She said the Conclusion section contains the guidelines again, without staff comments. She said you should all have a copy of the guideline books at home and there is also a guideline copy here at the meeting. She said you can use staff's guidelines as a guideline or if you don't feel that staff chose appropriate ones or maybe feel that we have missed some, you can certainly use the guideline book when making motions. She said these are to help you through motions for each of the cases.

Keri said in your motion cheat sheet, you do have some example motions. She distributed some additional examples which she said takes you through the whole process. She said these were actually done in past cases with specific details taken out.

Keri said this is really important because if a decision was ever appealed, the only thing the court will look at is the minutes. She said the motion has to be reflected in the minutes how it is or is not congruous with the guidelines.

ITEM 2: Approval of Minutes.

Chairman asked the Board if there were any questions, additions or deletions to the minutes of the June 8, 2020 meeting. He called for a motion to adopt the minutes of the meeting.

Motion: Susan Sganga moved to approve the minutes of the June 8, 2020 meeting.

Second: Archie Morgan

Action: The motion to approve the minutes passed unanimously.

ITEM 3: Conflicts of Interest.

There were no conflicts of interest.

ITEM 4: COA 20-15000042 Certificate of Appropriateness – The Historic District Commission is requested to consider a Certificate of Appropriateness request from Angela McMillian-Orr to install a wood pavilion with a cupola and to install brick stairs leading up to the porch for the property located at 607 S. Church Street (Tax ID# 09-234-117)

Chairman asked any parties offering testimony to come forward and be sworn. Keri Mendler and Angela McMillian-Orr came forward and were sworn.

Keri Mendler, Planner, introduced this item and said this is a COA request from Angela McMillian-Orr to install a wood pavilion with a cupola and install brick stairs where a wooden ramp was once located. She said the findings are as follows:

Findings:

1. The subject property located at 607 S. Church Street is owned by Angela McMillian-Orr and is zoned R-10 (Residential-High Density). (Exhibit 1-2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On June 5, 2020 the applicant applied for a COA to construct a wood pavilion with a cupola in the rear yard; the applicant has submitted 2 styles of cupolas. One is a composite vinyl material with an aluminum roof and the other is a wood material with a copper roof. The applicant is also requesting to construct brick stairs where a wooden ramp was previously located. This request was approved in 2015 but has since expired due to inactivity on the approval. At the time the commission approved the request with the condition that the stairs be located at the back section of the porch adjacent to the driveway and noted the preference of the existing bannister being utilized as a hinged gate. (Exhibit 4-9)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 10)

Keri said staff has provided the appropriate guidelines and conclusions in the staff report. She said she would be happy to answer any questions and the applicant is here as well to answer any questions.

Chairman asked if there were any questions.

Archie Morgan asked Keri how it was determined who gets on the APO list. Keri said it is everybody within 150 feet. She said it is absent of right-of-way so we use addresses across the road as well.

Archie Morgan said there is something about metal buildings in the Historic District and this is not a metal building obviously but does it cross into that territory at all. Bob Bullard said it has a vinyl cupola. Keri said the applicant is proposing either the composite PVC vinyl one or a wood cupola. She said she believes that this is not a prefab structure and it is basically a do it yourself project. Ms. Orr said that is correct.

Archie Morgan asked Ms. Orr if she had a preference. Ms. Orr said the only reason she chose the wood and copper cupola because she knows that the house is wood. She said, however, that rot is what she is concerned about. She said that is why she looked at the vinyl cupola. She said she knows it will never rot. She said it would also be more matching because the shingles are going to be black and the top of that will be black. She said the whole thing with the patio, pavers, etc., is costing her about \$5,000.00. She said it is not a cheap project.

Archie Morgan said from a homeowner's standpoint, he would want that because it is vinyl, low maintenance. Jennifer Smith said she did not think the guidelines allow vinyl.

Chairman asked Ms. Orr how big is it [the cupola]. Ms. Orr said she thinks that about 20 inches by 20...she said it is not huge. Chairman said obviously it is not as big as it looks in the picture. Ms. Orr said it is about 2-feet tall; it is not a big structure.

Archie Morgan asked Keri where the Historic District stands with vinyl. Keri said the guidelines do not address cupolas specifically, but regarding vinyl siding and vinyl windows, typically the guidelines recommend against that. She said ultimately it is up to the Commission to make that decision. She said it is reviewed on a case-by-case basis.

Jennifer Smith asked if the wood would be treated wood. Ms. Orr said she believes that it is treated wood but she said she knows when it rains it will hit that wood and so eventually she is going to have to get that fixed. She said she is not a young lady right now and she is getting older. She said the expense is going to be the thing. She said she does not know how much money she will be making down the road, but she is trying to be cost-effective. She said she would like to get her windows done at some point in time and that in itself will be expensive. She said it will not cost that much monetarily to have the vinyl or the wood but she would really prefer to have vinyl just because it will be easier to maintain and she will not have to replace it.

Chairman asked Ms. Orr what is the price difference between the two. It was determined that it was about \$100.00. Chairman said that the guidelines do not address vinyl cupolas or other applications. He said there are structures in the ground in the Historic District that are visible. He said as it sits it does not violate the guidelines.

Archie Morgan said we will be opening a Pandora's box if we allow this vinyl. Keri said the Historic District Commission reviews an application case-by-case and just because you approve vinyl for this case doesn't necessarily mean that you are setting a precedent. She said you would relate it back to the guidelines specifically why you did this.

Bob Bullard said the reason why you would approve this is because the vinyl would be less maintenance and lasts longer. He said, however, in every application when somebody comes in with vinyl windows vs. wood, vinyl will last longer. He said he did not think we could legitimately use that unless we want to open up a door to vinyl on virtually everything.

Archie Morgan said the other one is treated wood and once it is seasoned, it can be painted and still be treated under the paint. He said it should last a long time itself. He said as long as vinyl, probably not. Jennifer Smith said vinyl molds too.

Jennifer Smith said the other question she has if there would be metal roofing or shingles on the pavilion. Ms. Orr said architectural shingles. She said it would match the shingles on her house. She said the wood be cedar.

Chairman asked if there were any further questions. There were none.

Chairman asked if someone would like to make a motion on the Findings of Fact for COA 20-15000042.

Keri said as a reminder the relevant design guidelines are in the staff report and you have a sample motion sheet.

Motion: Bob Bullard moved that the Historic District Commission find as fact that the proposed project COA application #20-15000042 as presented by staff...

Chairman asked if the motion could be more relatable to the guidelines.

Keri said the examples for motions of findings of fact are on the cheat sheet. She said you would need to relate how the proposal is or is not congruous with the character of the district. She said because the guidelines state...and then relate it back to the guidelines.

Motion: Bob Bullard moved that the Historic District Commission find as fact that the proposed project COA application #20-15000042 is congruous with the character of the district because the guidelines state that a structure of this type is congruent with our guidelines.

Keri said we need it to be more specific like how is it congruous. She said in the staff report, the back of Page 2, there are guidelines for garages and accessory structures and additions. She said under each guideline staff has provided some italicized information about how it is or is not congruous. She said this would also be the time, if you have a preference for the vinyl or wood cupola, to put that in here as well.

Motion: Bob Bullard moved that the Historic District Commission find as fact that the proposed project COA application #20-15000042 is congruous with the character of the district because the applicant is proposing to install a 100% cedar pavilion with asphalt shingle roofing and that meets the guidelines. He said the cupola needs to be a wooden cupola with a copper roof which would be congruent with our guidelines. He said the proposed brick steps are congruent with the steps on the rest of the house and that the bannister be used as a gate.

Second: Susan Sganga

Action: The motion to approve passed unanimously.

Motion: Archie Morgan made a motion to approve Certificate of Appropriateness #20-15000042 to include the wooden cupola with copper roof and brick stairs with matching railing and maintaining that bannister as a gate.

Second: Richard Ali

Action: The motion to approve passed unanimously.

**ITEM 5. COA 20-15000044 Certificate of Appropriateness – The Historic District
Commission is requested to consider a Certificate of Appropriateness request from Donna Thrasher to install a wood pergola for the property located at 504 S. Hayne Street (Tax ID# 09-235-038)**

Chairman asked any parties offering testimony to come forward and be sworn. Keri Mendler and Donna Thrasher came forward and were sworn.

Keri Mendler, Planner, introduced this item and said this is a COA request from Donna Thrasher to install a wooden pergola at 504 S. Hayne Street. She said the findings are as follows:

Findings:

1. The subject property located at 504 S. Hayne Street is owned by Donna Thrasher and is zoned R-10 (Residential-High Density). (Exhibit 1-2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On June 15, 2020 the applicant applied for a COA to construct a wood pergola in the rear yard at 504 S. Hayne Street. (Exhibit 4-7)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 8)

Keri said staff has provided the appropriate guidelines and conclusions in the staff report. She said she would be happy to answer any questions and the applicant is here as well to answer any questions.

Chairman asked if there were any questions.

Archie Morgan asked Ms. Thrasher if this would be attached to the existing deck. Ms. Thrasher said no, it will not be attached to the existing deck, nor the existing garage.

Archie Morgan asked Ms. Thrasher if pressure treated lumber would be used. Ms. Thrasher said yes. She said the existing deck, the privacy fence and the picket fence are also pressure treated lumber.

Archie Morgan asked Ms. Thrasher if she knew if it would be secured to the concrete pad. Ms. Thrasher said with lag bolts.

Jennifer Smith asked if it will have a lattice top. Ms. Thrasher said it would have the rafters and [could not hear].

Chairman asked if there were any further questions. There were none.

Chairman asked if someone would like to make a motion on the Findings of Fact for COA 20-15000044.

Motion: Jennifer Smith moved that the Historic District Commission find as fact the proposed project COA application #20-15000044, the materials proposed with the lattice top, pressure treated wood, is congruous with the character of the district because the guidelines state to use wood. Applicant will use select materials and finishes for proposed garages and accessory buildings that are compatible with the primary building or other historic garages and accessory structures in the district in terms of the scale, module, composition, pattern, detail finish, texture, and color. Therefore, the application is generally in harmony with the special character of the neighboring properties and/or the historic district as a whole.

Second: Archie Morgan

Action: The motion to approve passed unanimously.

Motion: Archie Morgan said based on the preceding findings of fact, he moves that the Historic District Commission approve the Certificate of Appropriateness to Donna Thrasher for application #20-15000044 and approves this Certificate of Appropriateness regarding the proposals as shown in the application.

Second: Richard Ali

Action: The motion to approve passed unanimously.

ITEM 6. **COA Log**

Keri had distributed to the Commission for review an updated Certificate of Appropriateness log, a copy of which is attached to these minutes. She said these are the COA applications that have taken place since around April 2020. She said staff was requested to provide this log a few years ago.

ITEM 7. **FY 2020 COA Statistics**

Keri had distributed to the Commission for review FY 2020 Certificate of Appropriateness statistics, a copy of which is attached to these minutes.

Keri said that we have had quite a few COA applications but overall 2020 wasn't quite as busy as previous years. She said this may also mean that people got a lot of projects done in previous years and that things will eventually slow down.

Keri said we had 44 total COAs for the 2020 fiscal year; 29 were staff approved and 15 were Commission approved. She said we did not have any Landmarks in this fiscal year. She said we only had 3 after-the-fact COAs which is better than the last couple of years. Chairman said this is probably because Keri has been more proactive, sending out postcards the beginning of the year. Keri said the first year we started we had a lot of after-the-fact COAs so she thinks the postcards helped because people did not know to apply for a COA. She said at least the people came into the office to do so.

Archie Morgan asked Keri what is an after-the-fact COA. Keri said it is when the work is done and we either catch them or a neighbor calls about the work. She said they then come into the office.

Keri said the top fiscal years were 2018 (61 applications), 2017 (51 applications) and 2016 (50 applications). She said this is for fiscal years, July 1 to June 30.

Keri said the top staff approved COA years were 2018 (36 applications), 2017 (30 applications) and 2020 (29 applications).

Keri said the top Commission approved COA years were 2018 (23 applications), 2019 (22 applications) and 2017 (20 applications).

Keri said there were only 3 after-the-fact COAs. She said 1 was staff level and 2 came before the Commission.

Keri said if there anything else you would like to see, just let her know.

Susan Sganga said she noticed on Donna Thrasher's map that she shares a garage with a property next door. She asked if this was common because she has noticed this in a couple of other places where the garage is on the boundary line. Keri said there are only 2 that she knows of.

ITEM 8. **Code Enforcement Discussion**

Lisa Stiwinter, Director of Planning and Development introduced herself and said she appreciated the opportunity to come before the Commission tonight. She said she is here to discuss Code Enforcement matters that were raised at the June 8, 2020 meeting.

Lisa distributed a memorandum on previous Historic District Commission concerns regarding Code Enforcement, a copy of which is attached to these minutes. She said this memo provides lots of information regarding Code Enforcement, Planning, Historic District purview and initiatives that have taken place within the district within five (5) years.

Lisa gave a PowerPoint presentation on Code Enforcement responsibilities, a copy of which is attached to these minutes. She said this will address everything in the memo.

Topics Discussed in Presentation:

- Code Enforcement Responsibilities; non-violations and violations
- How to submit a complaint
- Historic District authority and power
- Specific property concerns
- Planning Department initiatives

Specific Topics Reviewed:

- Background history
- Code Enforcement Mission and Goal
- Public Health Nuisances
- Public Health Nuisance Violations
- Minimum Housing Standards and Violations

- Parking in the Yard
- Violations not enforced by Code Enforcement
- How to submit an anonymous complaint
- Code Enforcement – proactive or complaints
- Historic District purview
- Specific Code Enforcement concerns: 712 S. Church Street, 700 S. Church Street and 505 S. Washington Street
- Planning Initiatives for Historic District 2015 to 2020
- Planning and Historic District Resident Partnership Opportunity
- Contact Information

Primary Duties of Code Enforcement:

- Enforce Public Health Nuisance Ordinance
- Minimum Housing Standards
- Graffiti
- Parking in the Yard

Code Enforcement Also Assists:

Planning Department with zoning enforcement
Solid Waste Division with eyes in the field

Questions/Discussion:

Bob Bullard asked what would happen if a column on a house was replaced with a 2 x 4. Chairman said if it is in the Historic District, it would come before us as a COA. Keri said from a Historic District standpoint, we may not approve that since it is not the same or similar design. Lisa said she did not think that it would be adequate support so most likely that would not be allowed even under the Minimum Housing Ordinance. She said the property owner would still have to get a COA. Jennifer Smith asked if there was a time limit that they can have something propped up like that. Lisa said it depends whether it is under the Minimum Housing Ordinance already.

Lisa said Code Enforcement cannot regulate backyards. She said it is a safety concern and staff has been advised not to regulate backyards. She said we focus on the front and side yards. Chairman said to Lisa, even if the yard is abutting the street, you can't do anything about that? Lisa said they are entitled to their backyard. She said our policy is that we keep it consistent throughout the City.

Chairman asked Lisa if the backyard policy affected parking only. Lisa said yes because we would have to go on the property to get the car. Chairman said but what if the backyard that is visible is laden with junk. Lisa said then we can enforce that. She said we are not going on the property but we can visually see it. She said we do not have to go on the property to provide a ticket on a car. Archie Morgan said or an uncovered boat. Lisa said we do not have anything for uncovered boats in the backyard. Chairman said the trouble with that is that uncovered boats are a health issue. He said uncovered boats catch water and water breeds mosquitos. He said that would be a major health issue. Lisa said possibly. She said if she was a boat owner she would be more responsible. She said there is that possibility, however. She said if it is in the backyard we cannot tell whether the plug is in or not. Jennifer Smith asked what if the backyard is all fenced-in. Lisa said for Public Health Nuisances, if a neighbor has a concern about their neighbor's backyard and it is fenced-in, we cannot necessarily go in that backyard, but we can ask permission to go in your backyard to be able to look at that yard.

Archie Morgan asked, is the very end of the corner of Church Street and Sunset Drive part of the Historic District. Keri said it does not go all the way to Sunset. She said it stops at the church on Barden Street.

Archie Morgan asked if yard waste pickup has been suspended. Chairman said no. He said you have to be careful about yard waste sitting out for long periods of time. He said, however, it is not the homeowner's doing this, it is the lack of pickup. Lisa said Code Enforcement cannot enforce yard waste at the curb. She said we just mention it if the limbs are not cut to size or if we see a pile that has been sitting out there for two weeks. She said we would then notify the Solid Waste Division. She said yard waste is on your same day of collection. She said she has been hearing the Engineering Director say that Waste Pro is behind on yard waste. She said it was probably due to the Coronavirus, everyone being at home, working in their yards a lot more, etc. She said she can certainly ask if they are getting back up to speed or when they will be. She said even when Solid Waste was in our department, yard waste has always been a problem for Monroe because we have a lot of trees.

Jennifer Smith said her yard waste has not been picked up for quite a few weeks and it is now turning brown. She said when she called in about it, she was told that you couldn't leave it on the sidewalk and if you left clippings on the sidewalk you could be fined. She said she was told to put the clippings on the grass, if you have grass. She said that the clippings would kill the grass. She said she was told that it is not the City's problem. Lisa said we ran into that when we did a neighborhood walk but she will get into that later. She said during a walk in 2016 there was a lot of yard waste then and it was put on the sidewalks. She said you are not supposed to impede the right-of-way of sidewalks so the only other place is the grass.

Bob Bullard said a few weeks ago (July 4th), we had a lot of family and friends coming to the house. He said back behind his house was a duplex where somebody had moved out and left their upholstered furniture to be picked up. He said directly on the street behind him was also a pile of yard clippings. He called Robert Rushing about 9:00 a.m. and by 2:00 pm that afternoon, the furniture and yard clippings had been picked up.

Archie Moore said if we see commercial trucks in the Historic District, that would be the Monroe Police Department? Lisa said it is in their ordinance. She said you can certainly call them. She said we get the calls too and we can report it to them. She said there are ways you can report this and she will talk about this later. She said she will also talk about Community Maintenance which most likely picked up the furniture that day.

Chairman said he has always had good luck with the Solid Waste Department. Laurie is very responsive to any concerns and if there is a miss, she will get the truck out the next day.

There was short discussion about people who park their commercial vehicles at their house to run a business. Lisa said there is a difference there. She said if you have a commercial vehicle, that is the Police. She said it is in the Police ordinance what constitutes a commercial vehicle (so many axles, etc.). She said if you have an illegal home occupation, that would be the Planning Department. Archie Morgan said he is talking about people that live in the home, but all the workers go there in the morning to get their assignments. Lisa said there are certain businesses that you can run from your home and then there are certain businesses that are prohibited. Chairman asked, are prohibited businesses ones that have workers come on a daily basis, park their vehicles there...Lisa said if you have a business and you are applying for a home occupation, then there is a set of rules that you cannot have workers come to your home...Chairman said it is basically a family-operated business and the employees are part of the family. Lisa said if you want to operate a small office out of your home or have a small bakery where you are

going to make cakes and sell them to friends and family. Chairman said but not eight (8) separate employees that come to the house. Lisa said no. Jennifer Smith asked how do you know they have that many employees if it is out of their house? Chairman said it is not hard to see them coming and going. Archie Morgan said the one at the end of Church Street obviously owns a painting business. He said they will have three or four vans there every day with 6 – 8 ladders on each van. He said it is a well-oiled machine and they are parked in the front on the grass. He said they all show up in the morning, get their painting assignments and go. Keri said it does not matter. She said the Historic District does not have any more or less restrictions regarding Code Enforcement or zoning enforcement. Archie Morgan said if that is the case, it is right there and you cannot miss it. Lisa said she will admit that it is zoning enforcement. She said that would be Planning. She said we have two people and cannot be proactive like Code Enforcement, so we have to be complaint-based. She said the only way we would know if it is reported to us. She said we are also short staff we lost in the recession that we have not regained. She said we still need two to three people. She said to be up front and honest, zoning enforcement is complaint-based.

Bob Bullard said if he calls Robert with a complaint and asks him to keep it under his hat, would that be okay. Lisa said yes. Keri said just to be clear, if you leave a message on his voicemail, that is technically a public record. Archie Morgan said the reason this whole thing came up was because of a safety issue. He said some people will be upset if their neighbor turns them in. He said if they know who it was because Code Enforcement told them, they might go knocking on someone's door. Lisa said we don't practice that. She said she cannot say what has happened in the past, and there is a possibility that it has. She apologized if this has happened but that is not our practice. She said a lot of times somebody already knows who complained. She said they tell us.

Lisa talked about Code Enforcement operating both proactively and complaint-based. Archie Morgan said there are those within the Historic District that say they have had the same complaint for years and nothing has been done. He said what is the next step for those people who have a legitimate concerns and Code Enforcement does not....Lisa said she is sure there may be some that have not had anything done. She said to Mr. Morgan that she thinks she knows the property that he is referring to. She said staff has been there numerous times. She said staff has sent letters, we speak verbally to them, it gets addressed and they come right back and do it again. She said it is a constant struggle. She said it is not just this location but there are many throughout the City...Archie Morgan said there are teeth in the ordinance and there are fines. He said he would imagine there are escalating fines. Lisa said she would get to this later.

Lisa talked about the Historic District authority, power and purview. She said staff did speak to the City Attorney about discussing Code Enforcement at this meeting. She said he has advised us to not deal with those types of issues that are outside the statutes and ordinance with this Commission especially since you are a quasi-judicial board. She said, of course, as mentioned in the minutes as well, you are a resident of the City, whether you are the Historic District Commission or not, so you do have the ability to file complaints, raise concerns, just not in this setting. She said you can do so in the manner that was mentioned before. She said she is always here; her door is always open. She said feel free to call her or any of the other Code Enforcement officers. She said we can then address your concerns.

Lisa said she wanted to come tonight to go over all of this and address some of the specific concerns. She said the three (3) specific properties that were mentioned at the previous meeting were:

Chairman said to Lisa that she is bringing these three (3) up. He asked if we are allowed to respond to any of this. Lisa said you can respond to this as it was mentioned in the minutes of the last meeting. She said she is here to address all Code Enforcement matters and said we will do it this time but we can't keep doing this in the future because it is not advised for this Commission. She said there are other means that you are able to do that.

712 S. Church Street (the white house at the corner of Church and Barden) – Lisa said the property owner has removed the scaffolding from the front porch. Archie Morgan said the pressure washing every other section of the sidewalk doesn't fall under anyone's purview? Lisa said no. Jennifer Smith said there is still the one (1) window broken for over a year at the top right. She said because there is not more than one (1) window broken there is nothing that can be done about it. She said she brought it up several times. She said they had it covered over with a blue tarp but the wind shredded it and the window remains broken. Lisa said the roof is repaired, scaffolding removed, grass is cut, sidewalk pressure washed. Keri said sidewalks being pressure washed is not a Code Enforcement concern.

Lisa said as local government staff we are here to serve the community. She said we enjoy doing so but we cannot do it alone. She said we need partnerships and volunteers. She said when we are doing our job we do end up learning a lot of things about people, whether they are elderly, have financial constraints, have major health issues, etc. She said staff wanted to ask this Commission and residents of the Historic District and all in Monroe if you see a need, take the lead. She said if there is a way that you know your neighbor has some of these matters and they are struggling to do improvements to their property or just simple things, then maybe we should all just step up and work together and try to help them. She said with this property in particular, she did not want to go into all of their personal background. Archie Morgan said it is none of our business. He said he is new to this. He said the minutes did not reflect that he was new, he didn't understand Code Enforcement and how it may interact with the Historic District Commission. He said he then found out that it does not. He said he is the one that brought it all up. Lisa said it is an education for all of us. Archie Morgan said when we are deciding over what style door to go in, whether it ought to be a wooden step or concrete step, or whether a cupola is going to be fitting, that is all well and good but then the neighbor has trash all over the yard. He said it is frustrating. He said we are trying to keep the Historic District a certain way and then there is a guy with three (3) lawn mowers that haven't cranked in ten (10) years. Lisa said she agreed.

Bob Bullard said he found it rather frustrating the reaction to the last meeting in that obviously if there had been spectators or people coming here with other business, it was something that should have not been discussed. He said, however, there was nobody in here that wasn't on staff or the Commission. He said he personally saw it as a means to vent frustration which is never a bad thing. He said if there had been spectators here it would have been totally inappropriate. He said this thing with Code Enforcement has been, as you well know since you have been here a long time, an overreaction. He said he appreciates Lisa coming here very much. He said that her coming here shows that you recognize the problem and you want to be part of this solution. He said it just got blown completely out of perspective. Lisa said that is understandable and it is okay; we are here to talk about it. She said she did grow up in Monroe. She said her family has lived here for five (5) generations so she is just as passionate as all of you and wants to make Monroe a better place to live. She said she shares your same passion to try to move Monroe in the right direction. She said we are in this together.

700 S. Church Street (the corner of Church and Green Street) – Lisa said she knows that there has been concern and complaints over the years at this location. She said there are vehicles in the backyard. She said it is one of those corner lots. She said we can look at the boat and see if there is anything there. She said they did get a Certificate of Appropriateness for the fence that they installed. She said she has personally investigated the site and we have had numerous staff review the site since the last meeting. She said that she did notice that the left side of the fence needs to be modified because they do not have the nice side facing out. She said we have talked to the property owner about that and he will fix it. She said we have investigated it for the landscaping business. She said landscaping businesses are one of those that pop up all over town that are not legal home occupations. She said they are very difficult to enforce and Keri mentioned this at the last meeting. She said everyone has a truck, a trailer and a lawnmower. She said we have been looking at it; we have visited it numerous times. She said we were able to get a picture on Friday where they did have a landscape truck full of mowers, plus their personal truck with a trailer. She said a Notice of Violation was sent in the past because there was a box truck there and they removed it. She said this is just going to be a continuing problem that we will have to keep watching. She said we have sent another Notice of Violation. She said if they remove the landscape truck and they just have one (1) truck and trailer, there is not really anything that we can do. She said everyone is entitled to a truck, trailer and lawnmower.

Archie Morgan said to Lisa what you have yet to observe is them unloading what they have cut at another job for the City to pick up. Lisa said she is sure they are doing that and that is against our Solid Waste ordinance as well. Chairman said to Lisa if they get rid of the landscape truck (Lisa said the landscape truck that was there on Friday with the lawnmowers on it), what about the 6 or 7 crew members that come and park their cars there every day. Lisa said we have not been able to observe that yet. Chairman said they dress alike so you can't tell me that there are 7 men going out in the same clothes. Lisa said she will have to catch this. She said she can't go off your word and send someone a violation and a penalty. Keri said an example would be you cannot get a speeding ticket unless you are caught. She said unfortunately for us, unless we are actually able to see it, it is hard for us to enforce it. Lisa said Code Enforcement starts their daily operations at 7:00 am. She said we will continue to have them go out early in the morning. She said that is the way we caught them on Friday.

Chairman said this is the same property that has the boat in the back. He said their next door neighbor has complained to the City about that in the past. He said the reason they complained about it is because their ten year-old is allergic. Lisa said she read the minutes from the last meeting and this was mentioned. She said we have talked to the property owner to put a cover over their boat. He said he would be willing to do that. She said she didn't know if the City has much grounds within our ordinance to force him to do that unless he is not keeping the plug in the boat.

Jennifer Smith asked how many cars are you allowed to have in your backyard? Lisa said that is another grey area because we cannot enforce the backyard. She said she would get back to Jennifer on this one. She said she knows we've had an instance in the past in another neighborhood where there were a lot of cars in the backyard. She said she thinks they were just sitting there on a daily basis and they weren't moving in and out. She said there was cause, a health issue with the grass growing up and they were considered junk. She said it is a case-by-case situation as to how we address this. She said we usually work with the Police Department to see what we should do with this piece of property. Chairman said if they are tagged and people have current registrations on the vehicles there is not much you can do. She said that is the Police Department ordinance to handle. She said we have work on certain instances in the past that she will look at.

505 S. Washington Street (yellow house at corner of Washington and Lancaster) – Lisa said that Code Enforcement has started a Minimum Housing case there. Jennifer Smith said the house could be so beautiful. She asked what was going on with the house. Lisa said there are a couple of items going on with the house. She said they have a failing roof and rotten fascia boards. She said they have the tree that fell. She said they are working to remove it.

Lisa said another division that was created within our department the same year Community Maintenance started is Community Development. She said Community Development has created a program for homeowners that fall within the Code Enforcement process. She said if they meet eligibility requirements they can apply for funds to assist with minor home repairs. She said we are having the coordinator reach out to that property owner to see if there is anything that we can do to help. Jennifer Smith asked if it is an older couple that live in the house. Lisa said it is a mother and son. Keri said they did have a very large tree fall and then about a week or two later another huge limb fell. She said it is one thing after another for them but she and Robert have been at the house to discuss with the owners what they need to repair.

Susan Sganga told everyone that she just found out today that Ground 40 Ministries, which is an addiction treatment program, does free work for people. She said this can be a resource for people---they don't charge anything and do what you ask them to do. She said this is part of their presence in the community. Lisa said she is aware of them and they do a lot for the community. She said she hadn't thought of them so she will mention it.

Archie Morgan said it is one thing for us to ride through the neighborhood to our work, whatever, and see something, an eyesore, etc. He said to Lisa that we don't see what you see when you investigate the property. He said the elderly or it's going to cost \$5,000 to take a tree off the roof, fixed incomes, etc. He said we just see the dilapidation. He said to Lisa that she said we should reach out and try to help them and be more neighborly. He said he agrees to a point but you may offend somebody. Lisa said she has an idea and Keri will bring this up later.

Lisa went over the initiatives taken by the Planning Department over the past five (5) years. She said residents in the district are very vocal, active, and passionate. She said they frequently give us concerns and complaints. She said we do listen and generally try to evaluate our programs and develop new ordinances within the means that we have.

Bob Bullard said to Lisa that we do have a lot of old trees. He said a lot are coming down, one way or the other. He said our guidelines call for the trees to be replaced. He said he seldom if ever sees a tree that is taken down, whether naturally or by the homeowner, replaced. Keri said that Ashley and her discussed this after one of the last meetings. She said the State has discussed taking away local municipalities' ability to regulate trees. She said we should be cautious in what we require for tree removal and tree replacement because there is that possibility that the State can take away our ability to do anything. Bob Bullard said if we don't do anything it is practically the same as the inability to do anything. Archie Morgan said the City went through all the effort of tagging these trees. Keri said correct, but they can take away our ability to even regulate removal over a certain size. She said if somebody has a tree that was a huge, living and well historic tree, there is the potential that they can remove that tree without any kind of approval or need. Lisa said they are taking away our abilities to regulate things.

Archie Morgan said when we moved in a year ago, we had to use the County arborist. He said a company out of Charlotte pruned our trees. Keri said if someone wants to remove a tree in the Historic District, they have to have the arborist report that says that it is either diseased, dying, beyond saving or is causing some kind of safety issue. Archie Morgan said they just wanted to cut the dead out of the trees and we still had to get his permission. Keri said you don't need permission for trimming. She said you can certainly seek his permission and professional opinion. Archie Morgan said it was expensive. Keri said the Union County arborist is free. Archie Morgan said he gave him a list of three (3) companies he had to use. Keri said it must have been a recommendation from him. Archie Morgan said he had to use one of the three for him to sign off of it.

Bob Bullard said at one of the last meetings, a petitioner came in and wanted to take a tree down. He said the arborist told him all kinds of things to do to save the tree. He said it was kind of a junk tree anyway. He said we said go ahead and cut it down. Archie Morgan said in his case, he wanted to save the trees.

Jennifer Smith said she thought if the tree was a certain age, you could not touch it or have it removed.

Archie Morgan said nothing had ever been done to those trees. He said that is the case all over the Historic District. He said it is expensive to do tree maintenance. He said it is great for the tree if you can take care of it but a lot of people do not have that money to spend. Jennifer Smith said if you do cut a huge tree down, what about the root ball if they didn't stump grind it up. She said you cannot put another tree at that site especially if they have a small lot.

Lisa said an example of "If You See a Need, Take the Lead" is what we did after one of the neighborhood walks. She said a Code Enforcement officer facilitated getting 20 gallons of paint from Sherwin Williams donated, organized a volunteer group and went out and painted a house within the district over a weekend. Chairman said these are all good things that were done.

Lisa said the Community Maintenance Division was also created out of one of the walks through the Historic District. She said basically what they do is another way to remove litter from our streets. She said they assist Planning staff with removing illegal signs. She said they also assist with bulky waste removal so if someone put their furniture out on the street the day after collection, Community Maintenance will remove the furniture so it is not sitting there a week. She said the Solid Waste Division does issue a fine.

Lisa said Keri created the Historic District reminder postcards which have done a good job and reduced a number of after-the-fact COAs. She said Keri applied and received the Historic Preservation grant in the amount of \$25,000 to update the design guidelines that were done in 2018. She said Keri worked to host the Western Regional Certified Local Government Training in Monroe in January 2019. She said Keri also hosted 3 events to celebrate Historic Preservation Month in May 2019.

Lisa said we also had the Monroe Mission program that offers, not just to Historic District residents, but any citizen of Monroe if they meet eligibility requirements for minor repair assistance on a home.

Chairman asked Lisa if the Community Maintenance Program is the "Two Men in a Truck?" Lisa said yes. She said they are very busy.

Lisa said Planning and Development is here, we are partners with you, and we share the same goals as the Historic District. She said we are here to serve the community. She said we cannot do it alone---we need your help. She said one way that we thought could be a possibility is when we receive complaints, staff goes out to investigate and we learn about someone's personal background. She said if there is anybody who wants to sign up to be a volunteer so we can reach out to you and explain the situation, just like the one Code Enforcement officer getting the paint donated and organizing a volunteer group. She said she thinks the Baptist Association assisted one of the residents within the district.

Lisa said our Community Development Division has already assisted a resident within the district with a roof repair and handicap ramps. She said we are here if you would like to volunteer.

Chairman asked Lisa if there has been any thought to maybe a Code Enforcement Advisory Group or anything like that to help with these kind of things. Lisa said possibly. She asked the Chairman if he was stepping up to take the lead. Chairman said a lot of the things that Keri, you and Doug have done is been really productive. He said a lot of what we are feeling is a kind of frustration. He said if there is a way to do this, yes he thinks he could if you find enough people to volunteer for a small group. Archie Morgan said what is going to happen at this small group meeting. He asked if it would be a meeting just to get together and complain about your neighbor's trash. Chairman said no, but Lisa can design the framework. Lisa said her plate is full to the max and can't take any more!

Susan Sganga said there is a group called Purple Heart Homes that her son-in-law is involved with. She said if there is a veteran that needs a ramp, they do nicely, stylized ramps, as well as inside and outside repairs. She said if you know of a veteran, they can apply to Purple Heart Homes. She said they get donations from Lowes and different people so they do a lot of good work. Bob Bullard said that is a nice service.

Lisa provided staff contact information for Code Enforcement and staff, as well as e-mail addresses.

Jennifer Smith asked if there is any possible way that Minimum Housing Code Enforcement can be upgraded to maximum. She asked how can this be amended. Lisa said we can only regulate if it is a public safety danger, we cannot regulate aesthetics. She said it is through State Law. Jennifer Smith said it would then have to be changed there. Lisa said yes, and they are not going to do aesthetics. She said speaking of legislation, they have already taken Planning's ability to regulate exterior materials. She said Historic District is covered but if you go to build a house in another area of the City, and it is not within an approved zoning subdivision or conditional district, then Planning cannot regulate exterior materials, nor can we regulate the square feet of the home anymore. She said the State is taking more and more of our ability.

Chairman said regarding the square footage, there was some concern about houses being put in the Windsor and College Street area.

Archie Morgan said to Lisa that they appreciated her coming to this meeting.

Chairman asked Lisa if there were going to be any more district walks. Lisa said there probably will be more in the future. She said we are not able to schedule these type of activities now because of the current virus.

Archie Morgan asked Lisa if the Center Theatre is ready to go as soon as the pandemic is over. Lisa said she would have to ask about that. Archie Morgan also asked about the Science Center. Lisa said she hasn't heard an update recently but she will reach out to the Tourism Director and Downtown Coordinator and get an update.

Keri said before we finish up the meeting, she wanted to mention that over the last week or so she sent the Commission a few e-mails regarding the Certified Local Government training. She said as a reminder, that is required for us to maintain our Certified Local Government status which allows us to apply for grants and some other things. She said herself and at least two (2) other individuals have to attend a training every other year. She said this year they are doing it virtually. She said they are uploading the videos on You Tube so you can watch them on your own time. She said you then need to provide a brief synopsis that basically proves that you watched the video. She said that would then be sent to the Certified Local Government Coordinator with the State Historic Preservation Office. She said she should also be copied on this. She said Archie has already done one, so thank you! Archie Morgan said it was only 40 minutes. Keri said you can do this on your own time. Jennifer Smith asked if everyone has to do this. Keri said it would be beneficial if everybody could at least watch one or two of them. She said they are on different topics. She said the first video was on architectural design. She said some of them may also have to do with quasi-judicial functions, making motions and purview, etc. She said she needs at least two (2) people to do this but it would be great if everybody could watch at least a couple, especially if they are online this year. She said you don't even have to leave your living room. She said you can do it in your pajamas with your cup of coffee! She said James Kerr said he would do this and Archie Morgan would be the second one.

ITEM 9: **Next Meeting**

Chairman said the next meeting is scheduled for August 10, 2020 at 6:30 p.m. Keri said she does not have anything at this moment. She said technically the deadline was today so unless she receives something tomorrow, there will be no meeting.

ITEM 10: **Adjournment.**

Motion: Bob Bullard made a motion to adjourn this meeting.

Second: Jennifer Smith

Action: The motion to adjourn passed unanimously.

The meeting adjourned at 8:40 pm.

Respectfully submitted,

Richard F. Ali
Chairman

Maryann Brown /s/
Secretary to the Board



STAFF REPORT
Case # 21-15000002

TO: Historic District Commission Members

DATE: September 14, 2020

FROM: Doug Britt, Senior Planner

PREPARED BY: Keri Mendler, Planner

SUBJECT: Certificate of Appropriateness request at 403 E. Talleyrand Ave.

SUMMARY STATEMENT

The Historic District Commission is requested to consider a Certificate of Appropriateness from Stacey Grooms. The applicant has requested approval to install a wood shed in the rear yard at 403 E. Talleyrand Ave. The application also includes a wood privacy fence in the rear yard which has been approved at staff level.

SITE DATA

Type of Action:	Certificate of Appropriateness
Date of Petition:	7-20-20
Name of Petitioner:	Stacey Grooms
Location:	403 E. Talleyrand Avenue
Tax ID #:	09-231-200
Lot Size:	0.24 acres
Zoning Classification:	R-10 (Residential- High Density)

GENERAL INFORMATION

Dillon-Fulenwider House; circa 1910

This one-story frame cottage was built prior to 1914, but partially remodeled, probably in the 1920s, with the construction of a bungalow porch. The hip-roofed rectangular dwelling has a slightly projecting gabled front bay partially hidden behind the right section of porch which has been enclosed. The hip-roofed porch covering the facade's left two bays has square-section posts on brick piers and exposed rafter ends. A variety of windows light the house, including eight over eight sash and casements. The single surviving brick chimney is located between the main block and a rear ell. In 1922, this was the residence of J.O. Fulenwider, a postal clerk, who had purchased it in 1918 from furniture dealer T. P. Dillon.

RELEVANT DESIGN GUIDELINES

Garages and Accessory Structures (pg. 35)

1. Locate and orient new garages and accessory structures in rear yards and in traditional relationships to the primary building as determined by historic siting patterns in the district.

The applicant is proposing to locate the shed in the rear left corner. It will be located at least 10 feet from the side and rear property lines.

2. It is not appropriate to introduce prefabricated metal accessory structures in the historic district. Prefabricated wooden accessory structures are appropriate to introduce only if they are compatible in size, scale, form, height, proportion, materials and details with other accessory structures in the historic district.

The shed appears to be a prefabricated wooden structure. The shed is 8 feet by 12 feet and does not appear to be over 12 feet tall.

3. It is not appropriate to introduce a new garage or accessory building if doing so will detract from the overall historic character of the primary building and the site or require removal of a significant building element or site feature, such as a mature tree or side porch.

Removal of significant building elements or site features is not anticipated with the installation of this shed.

FINDINGS

Staff offers the following Findings:

1. The subject property located at 403 E. Talleyrand Avenue is owned by Stacey Grooms and Sarah Turk and is zoned R-10 (Residential-High Density). (Exhibit 1-2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On July 20, 2020 the applicant applied for a COA to request approval of a 8 foot by 12 foot wooden shed. (Exhibit 4-6)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 7)

CONCLUSIONS

The proposed construction of a 8' x 12' wood shed at 403 E. Talleyrand Avenue as presented (is/is not) congruous in concept according to the *Garages and Accessory Structures* guidelines of the *South Monroe Historic District Guidelines*:

Garages and Accessory Structures (pg. 35)

1. Locate and orient new garages and accessory structures in rear yards and in traditional relationships to the primary building as determined by historic siting patterns in the district.
2. It is not appropriate to introduce prefabricated metal accessory structures in the historic district. Prefabricated wooden accessory structures are appropriate to introduce only if they are compatible in size, scale, form, height, proportion, materials and details with other accessory structures in the historic district.
3. It is not appropriate to introduce a new garage or accessory building if doing so will detract from the overall historic character of the primary building and the site or require removal of a significant building element or site feature, such as a mature tree or side porch.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a Certificate of Appropriateness be (granted/denied) subject to review and approval of all city staff and its designated departments.

Attachments:

Exhibit 1: Aerial Map
Exhibit 2: Zoning Map
Exhibit 3: Historic District Map
Exhibit 4: Application
Exhibit 5: Proposed Shed
Exhibit 6: Proposed Site Plan
Exhibit 7: APOs

Prepared by: KEM 9-1-20



Ortho Map

Case #: 21-15000002

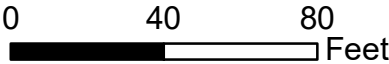
Legend

-  Centerlines
-  Parcels

**Existing: R-10
(Residential- High Density)**

Owner: Stacey Grooms

Acres: .24



Zoning Map

Case #: 21-15000002

Legend

— Centerlines

▭ Parcels

Zoning Districts

Code

▭ R-10

▭ OT

**Existing: R-10
(Residential- High Density)**

Owner: Stacey Grooms

Acres: .24



0 40 80
Feet

E TALLEYRAND AVE



Historic District Map

Case #: 21-15000002

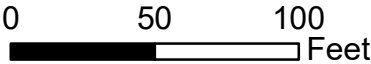
Legend

- Centerlines
- Parcels

**Existing: R-10
(Residential- High Density)**

Owner: Stacey Grooms

Acres: .24





HISTORIC DISTRICT COMMISSION
APPLICATION FOR REVIEW

FOR STAFF USE ONLY

Date submitted: 7-20-20

Application No: 21-15000002

Approved: _____ Denied: _____

_____ Administrative review

☒ Commission Review

1. Property location: 403 East Talleyrand Ave.
Applicant's name: Stacey Grooms
Applicant's address: 403 East Talleyrand Ave.
Applicant's telephone number: 704-669-5634
Applicant's email address: hcheels80@hotmail.com
Applicant's FAX number: _____
Property Tax identification number: _____ - _____ - _____

2. The property is owned by (if different from above) _____
Address: _____ Telephone: _____

3. The following Certificate of Appropriateness is requested for: _____
Please provide a brief description of the project: 8 x 12 Wooden shed and privacy
fence

4. Attach a site plan showing the existing and proposed improvements, necessary setback lines, photographs of current and proposed materials. (Assistance is available to determine setback requirements at the Department of Planning & Development, 300 W. Crowell Street).

Stacey Grooms

Applicant- Printed

Stacey Grooms

Applicant- Signed

7/20/2020

Date Submitted

Please sign and return to the Department of Planning & Development, P.O. Box 69, Monroe, NC 28111-0069; Telephone: (704) 282-4520; Fax (704) 282-4735. Applicants are responsible for providing all required information. Incomplete applications will not be processed and will not be accepted after the 30 day deadline.

If your project is required to be heard by the commission, you or a representative will need to attend the meeting.





E TALLEY BRAND AVE



09231180
DAVIS JESSIE EUGENE
1414 CROWDER RD
MONROE NC 28112

09231183
ROBERTS KRISTINE A
232 SUNSET DR
WADESBORO NC 28170

09231199
HUBER MIKE
7952 B BLACKWOOD RD
DENVER NC 28037

09231206
UNION MEMORIAL HOSPITAL INC
P O BOX 5003
MONROE NC 28111-5003

09231210
DELWOOD ASSOCIATES OF MONROE LLC
400 E FRANKLIN ST
MONROE NC 28112

09231197
ONS PROPERTY MANAGEMENT GROUP
LLC
301 E JOHN ST STE 2084
MATTHEWS NC 28105

09231178
YOUTH WITH A MISSION CHARLOTTE INC
418 E FRANKLIN ST
MONROE NC 28112

09231196
HARKEY JAMES C
HARKEY TENLEY S
8415 LANDSFORD RD
MONROE NC 28112

09231184
SMITH WRENN H
SMITH MELISSA M
8826 BLOOMING ARBOR ST
HUNTERSVILLE NC 28078

09231200
YOUTH WITH A MISSION CHARLOTTE INC
418 EAST FRANKLIN ST
MONROE NC 28112

09231208
BARRINO DELORIS
1406 LANCASTER AVE
MONROE NC 28112

09231179
RABON JAMES L & PATRICIA H RABON %
T
1308 E FRANKLIN ST
MONROE NC 28112

09231203
YOUTH WITH A MISSION CHARLOTTE INC
418 E FRANKLIN ST
MONROE NC 28112

09231177
DAUGHERTY GREGORY R
P O BOX 482
WINGATE NC 28174

09231181
WIGGINS CLARA P
408 W ROOSEVELT BLVD
MONROE NC 28110

09231186
KING CHARLES D & NANCY J
14308 SPRINGWATER DR
MATTHEWS NC 28104

09231187
HARKEY JAMES C
8405 LANDSFORD RD
MONROE NC 28112

09231201
SHUAN WAYNE & KARYN
405 E TALLEYRAND AVE
MONROE NC 28112

09231202
MILLS MITCHEL M & ET AL
4144 COVETREE LN
BATAVIA OH 451032693

09231182
BENTON OLIVIA HEIRS
BENTON JANE
321 E WINDSOR ST
MONROE NC 28112

09231198
HUBER RICHARD
2306 DECOLE DR
LANCASTER SC 29720

09231207
RODIER INVESTMENTS LLC
96 WESTWOOD PLACE
ASHEVILLE NC 28806

09231209
PEREZ HOLDINGS LTD
404 E FRANKLIN ST
MONROE NC 28112

HISTORIC DISTRICT COMMISSION
MEETING OF 9-14-20

STACEY GROOMS
403 E. TALLEYRAND AVE
MONROE NC 28112



STAFF REPORT
Case # 21-15000007

TO: Historic District Commission Members
DATE: September 14, 2020
FROM: Doug Britt, Senior Planner
PREPARED BY: Keri Mendler, Planner
SUBJECT: Certificate of Appropriateness request 401 E. Talleyrand Avenue

SUMMARY STATEMENT

The Historic District Commission is requested to consider a Certificate of Appropriateness to construct a new home at 401 E. Talleyrand Avenue. The application also included a fence in the rear and left side which has been approved at staff level; staff will ensure the location of the fence does not extend past the allowable limits at the time of construction.

SITE DATA

Type of Action: Certificate of Appropriateness
Date of Petition: 8-13-20
Name of Petitioner: Mike's Fine Home Remodeling, LLC
Location: 401 E. Talleyrand Avenue
Tax ID #: 09-231-199
Lot Size: 0.49 acres
Zoning Classification: R-10 (Residential- Low Density)

GENERAL INFORMATION

It appears this lot has been vacant since at least 1991.

RELEVANT DESIGN GUIDELINES

New Construction (pg. 65)

1. Site new buildings to be consistent with the setback and spacing of surrounding district buildings that contribute to the overall historic character of the district. Ensure the new construction conforms with all pertinent guidelines in the District Setting Section.
The applicant is proposing the house will have a 30-foot front setback, the house adjacent to this one has a 15-foot front setback. Other houses on this street have varying front setbacks ranging from approximately 15 feet to 46 feet.
2. Site new buildings so that the orientation to the street is consistent with surrounding district buildings that contribute to the overall historic character of the district. Primary facades should always face the street.
The applicant is proposing the front of the house to face the street.
3. Site new buildings so that the existing topography of the site is maintained. Large-scale grading which would significantly modify the natural topography is not appropriate.
According to the Topographical maps, this lot is fairly flat.
4. Protect mature trees that contribute to the district character and other significant site features from damage during construction or from delayed damage due to grading and construction activities.
It does not appear the position of the house will require the removal of any large trees.
5. Design new buildings to be compatible with surrounding buildings that contribute to the overall historic character of the district in terms of form, height, massing, scale, proportion, and roof shape.
The applicant is proposing this house will be 1,830 heated square feet. Houses on this street range from 1,004 square feet to 3,770 square feet in size.
6. Design new buildings using exterior surface materials and architectural details that are compatible in terms of composition, module, pattern, texture, finish, color and detail with exterior materials on buildings that contribute to the overall historic character of the district, including brick, wood, and stone. If utilizing traditional materials is not feasible, alternative solutions may be considered.
The applicant is proposing wood siding, wood fascia, wood windows, treated wood for the front porch and rear deck, pine ceilings on the front porch, brick steps and wood posts on the porch. The applicant is proposing asphalt shingle roofing; 13 out of 14 structures on this street have asphalt shingle roofs.
7. Design the spacing, placement, scale, orientation, size, subdivision, proportion, and detail of windows and doors in new buildings to be compatible with the surrounding buildings that contribute to the overall historic character of the district.
The applicant is proposing the house have 4 over 1 window design, the houses on this street have a variety of window designs including but not limited to 4 over 1, 9 over 1, 2 over 2 and

4 over 4.

8. Design the proportion of the proposed street façade to be compatible with the surrounding buildings that contribute to the overall historic character of the district.

The National Register lists the majority of the homes on this street are one-story craftsman/bungalow/cottage styles.

9. Design new buildings so they are compatible with but discernable from historic buildings in the district.

Walkways, Driveways, & Off-street Parking (pg. 29)

1. Design new driveways and walkways to conform with the spacing, width, configuration, and materials of existing walkways, driveways, and off-street parking areas that contribute to the overall historic character of the district. Locate new driveways to the side and rear of existing houses and screen with landscaping if the area is prominently visible from a public right-of-way.

The applicant is proposing a concrete driveway located to the right of the house, a walkway leading from the street to the front steps, and a walkway from the driveway to the front entrance. All of these will be stained an earth tone color

2. Locate new walkways, driveways, and off-street walkways so the topography of the building site and significant site features, including mature trees, are retained.

There do not appear to be any large trees or significant site features located in the proposed driveway area.

3. Select appropriate traditional paving materials such as brick, stone, and scored concrete. Carefully consider the color and texture of new surfaces for compatibility with the character of the historic district. It is not appropriate to introduce large expanses of stark white or gray concrete surfaces. Consider permeable materials like brick pavers in lieu of concrete.

The applicant is proposing a concrete driveway located to the right of the house, a walkway leading from the street to the front steps, and a walkway from the driveway to the front entrance. All of these will be stained an earth tone color

4. Introduce perimeter plantings, hedges, fences or walls to screen and buffer new driveways and off-street parking areas from adjacent properties that are residential in character.

5. Maintain the continuity of sidewalks in the public right-of-way when introducing new driveways.

There is no existing sidewalk along this section of the street.

6. It is not appropriate to locate off-street parking in front yards of district buildings that are residential in character.

The applicant is proposing to construct the driveway to the right of the house.

FINDINGS

Staff offers the following Findings:

1. The subject property located at 401 E. Talleyrand Avenue is owned by Mike's Fine Home Remodeling, LLC and is zoned R-10 (Residential-High Density) (Exhibit 1, 2)
2. The property is located in the South Monroe Historic District. (Exhibit 3)
3. On August 13, 2020, the applicant submitted an application to construct a new house. The house will be 1,830 heated square feet with a 297 square foot front porch, and a 144 square foot rear deck. The house will be constructed with wood siding, soffits, and fascia boards. The windows will be wood and will have a 4 over 1 pane design. The porch and deck will be constructed with treated deck boards and the front porch will have a pine wood ceiling. The roof will be asphalt shingles. The front porch will have brick stairs and brick columns with wood posts. The driveway will be constructed of concrete and will be stained an earth tone as well as the walkway leading from the street to the porch and the walkway leading from the driveway to the porch. (Exhibit 4-6)
4. The proposed structure does meet the review criteria for a Certificate of Appropriateness according to Section 156.202 of the Unified Development Ordinance.
5. All adjacent property owners have been notified of the Certificate of Appropriateness request. (Exhibit 7)

CONCLUSIONS

The proposed construction of a new home as presented (is/is not) congruous in concept according to the *New Construction and Walkways, Driveways, & Off-street Parking* guidelines of the *South Monroe Historic District Guidelines*:

New Construction (pg. 65)

1. Site new buildings to be consistent with the setback and spacing of surrounding district buildings that contribute to the overall historic character of the district. Ensure the new construction conforms with all pertinent guidelines in the District Setting Section.
2. Site new buildings so that the orientation to the street is consistent with surrounding district buildings that contribute to the overall historic character of the district. Primary facades should always face the street.
3. Site new buildings so that the existing topography of the site is maintained. Large-scale grading which would significantly modify the natural topography is not appropriate.
4. Protect mature trees that contribute to the district character and other significant site features from damage during construction or from delayed damage due to grading and construction activities.
5. Design new buildings to be compatible with surrounding buildings that contribute to the overall historic character of the district in terms of form, height, massing, scale, proportion,

and roof shape.

6. Design new buildings using exterior surface materials and architectural details that are compatible in terms of composition, module, pattern, texture, finish, color and detail with exterior materials on buildings that contribute to the overall historic character of the district, including brick, wood, and stone. If utilizing traditional materials is not feasible, alternative solutions may be considered.
7. Design the spacing, placement, scale, orientation, size, subdivision, proportion, and detail of windows and doors in new buildings to be compatible with the surrounding buildings that contribute to the overall historic character of the district.
8. Design the proportion of the proposed street façade to be compatible with the surrounding buildings that contribute to the overall historic character of the district.
9. Design new buildings so they are compatible with but discernable from historic buildings in the district.

Walkways, Driveways, & Off-street Parking (pg. 29)

1. Design new driveways and walkways to conform with the spacing, width, configuration, and materials of existing walkways, driveways, and off-street parking areas that contribute to the overall historic character of the district. Locate new driveways to the side and rear of existing houses and screen with landscaping if the area is prominently visible from a public right-of-way.
2. Locate new walkways, driveways, and off-street walkways so the topography of the building site and significant site features, including mature trees, are retained.
3. Select appropriate traditional paving materials such as brick, stone, and scored concrete. Carefully consider the color and texture of new surfaces for compatibility with the character of the historic district. It is not appropriate to introduce large expanses of stark white or gray concrete surfaces. Consider permeable materials like brick pavers in lieu of concrete.
4. Introduce perimeter plantings, hedges, fences or walls to screen and buffer new driveways and off-street parking areas from adjacent properties that are residential in character.
5. Maintain the continuity of sidewalks in the public right-of-way when introducing new driveways.
6. It is not appropriate to locate off-street parking in front yards of district buildings that are residential in character.

THEREFORE, on the basis of all the foregoing, IT IS ORDERED that the application for a Certificate of Appropriateness be (granted/denied) subject to review and approval of all city staff and its designated departments.

Attachments:

- Exhibit 1: Aerial Map
- Exhibit 2: Zoning Map
- Exhibit 3: Historic District Map
- Exhibit 4: Application
- Exhibit 5: Elevations and Plans
- Exhibit 6: Site Plan
- Exhibit 7: APO's

Prepared by: KEH 9-2-20



Ortho Map

Case #: 21-15000007

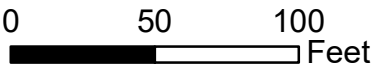
Legend

- Centerlines
- Parcels

**Existing: R-10
(Residential- High Density)**

**Owner: Mike's Fine
Home Remodeling, LLC**

Acres: .49



Zoning Map

Case #: 21-15000007

Legend

— Centerlines

▭ Parcels

Zoning Districts

Code

▭ R-10

▭ OT

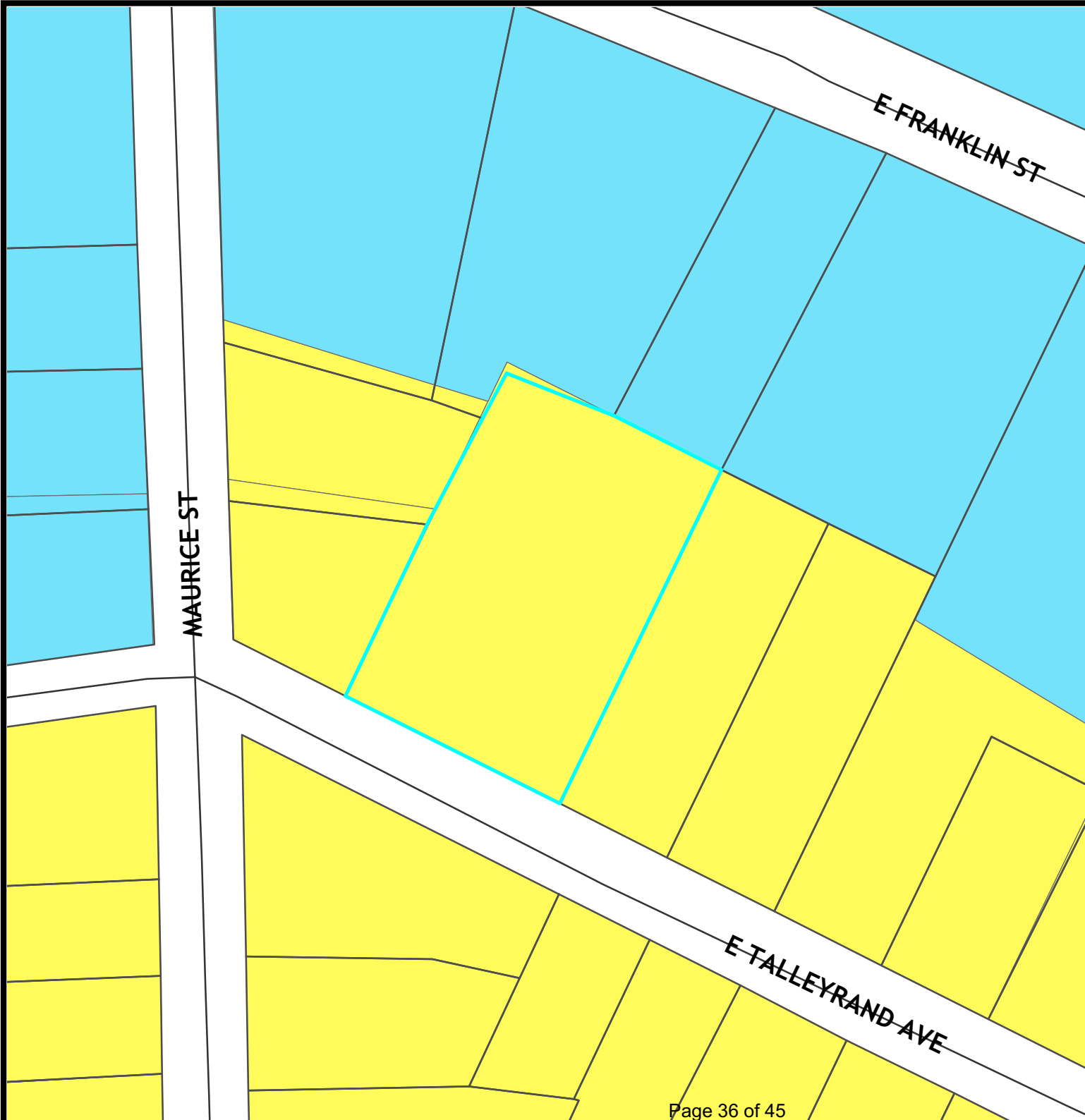
Existing: R-10
(Residential- High Density)

Owner: Mike's Fine
Home Remodeling, LLC

Acres: .49



0 50 100
Feet





Historic District Map

Case #: 21-15000007

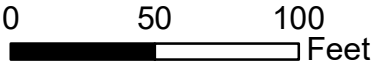
Legend

- Centerlines
- Parcels

**Existing: R-10
(Residential- High Density)**

**Owner: Mike's Fine
Home Remodeling, LLC**

Acres: .49





HISTORIC DISTRICT COMMISSION
APPLICATION FOR REVIEW

FOR STAFF USE ONLY

Date submitted: 8-13-20

Application No: 21-1500007

Approved: _____ Denied: _____

_____ Administrative review

☒ Commission Review

- Property location: 401 E Talleyrand Ave.
Applicant's name: Mike's Fine Home Remodeling LLC
Applicant's address: 501 Sunnybrook Dr Monroe NC 28110
Applicant's telephone number: 704-989-2052
Applicant's email address: ME.Home.Remodeling@gmail.com
Applicant's FAX number: N/A
Property Tax identification number: _____ - _____ - _____ 0581768
- The property is owned by (if different from above) Mike's Fine Home Remodeling LLC
Address: 501 Sunnybrook Dr. Monroe NC. Telephone: 704-989-2052.
- The following Certificate of Appropriateness is requested for:
Please provide a brief description of the project Building a new Home.
2 1/2 Bathroom 3 Bed Room
Wooding Fence — Back Side
- Attach a site plan showing the existing and proposed improvements, necessary setback lines, photographs of current and proposed materials. (Assistance is available to determine setback requirements at the Department of Planning & Development, 300 W. Crowell Street).

Jill Calzaretta

Applicant- Printed

Jill Calzaretta

Applicant- Signed

8-13-20

Date Submitted

Please sign and return to the Department of Planning & Development, P.O. Box 69, Monroe, NC 28111-0069; Telephone: (704) 282-4520; Fax (704) 282-4735. Applicants are responsible for providing all required information. Incomplete applications will not be processed and will not be accepted after the 30 day deadline.

If your project is required to be heard by the commission, you or a representative will need to attend the meeting.

HISTORIC DISTRICT COMMISSION
FINAL PLAN SUBMISSION CHECKLIST

Required materials for all applications:

- ☐ Completed application form. Describe clearly and in detail the nature of the proposed project. Attach additional sheets if necessary.
- ☐ Photographs of site and existing conditions, as well as any proposed materials.
- ☐ Site plan showing property lines, existing and proposed changes

STICK FRAMING
wood siding, wood outside corners,
wood soffit, wood fascia, wood windows ^{4 over}
with 1x4 wood trim ARCHITECTURAL SHINGLES ASPHALT
PORCH CEILING TO BE PINE, COACH LIGHT FRONT + BACK
TREATED DECK BOARDS FOR FLOORING FRONT PORCH.
TREATED DECK ON BACK OF HOUSE.
BRICK STEPS IN FRONT. WITH WOOD POSTS
WOOD FENCE ON BACK. + LEFT SIDE

DO NOT WRITE BELOW THIS LINE

Additional conditions and remarks: Paid w/ check.

Kei Mundle

Authorized signature

8/31/20

Date



New Single-Family House
401 E Talleyrand Ave Monroe, NC 28112



Preliminary plan



ACUMEN

NO.	DESCRIPTION	BY	DATE
1	1ST REVISION	H.H	

DESIGNER:

ACUMEN ENGINEERING, INSP. CON. PLLC
INDIAN TRAIL, NC 28079
(704) 491-9794
HASSAN@ACUMENCTVLENGINEERING.COM

PROJECT DESCRIPTION & ADDRESS:

New Residential House
401 E Talleyrand Ave.
Monroe, NC 28112

SHEET TITLE:

COVER SHEET

Client:

Mike Calzaretta

Date:

8/22/2020

SCALE:

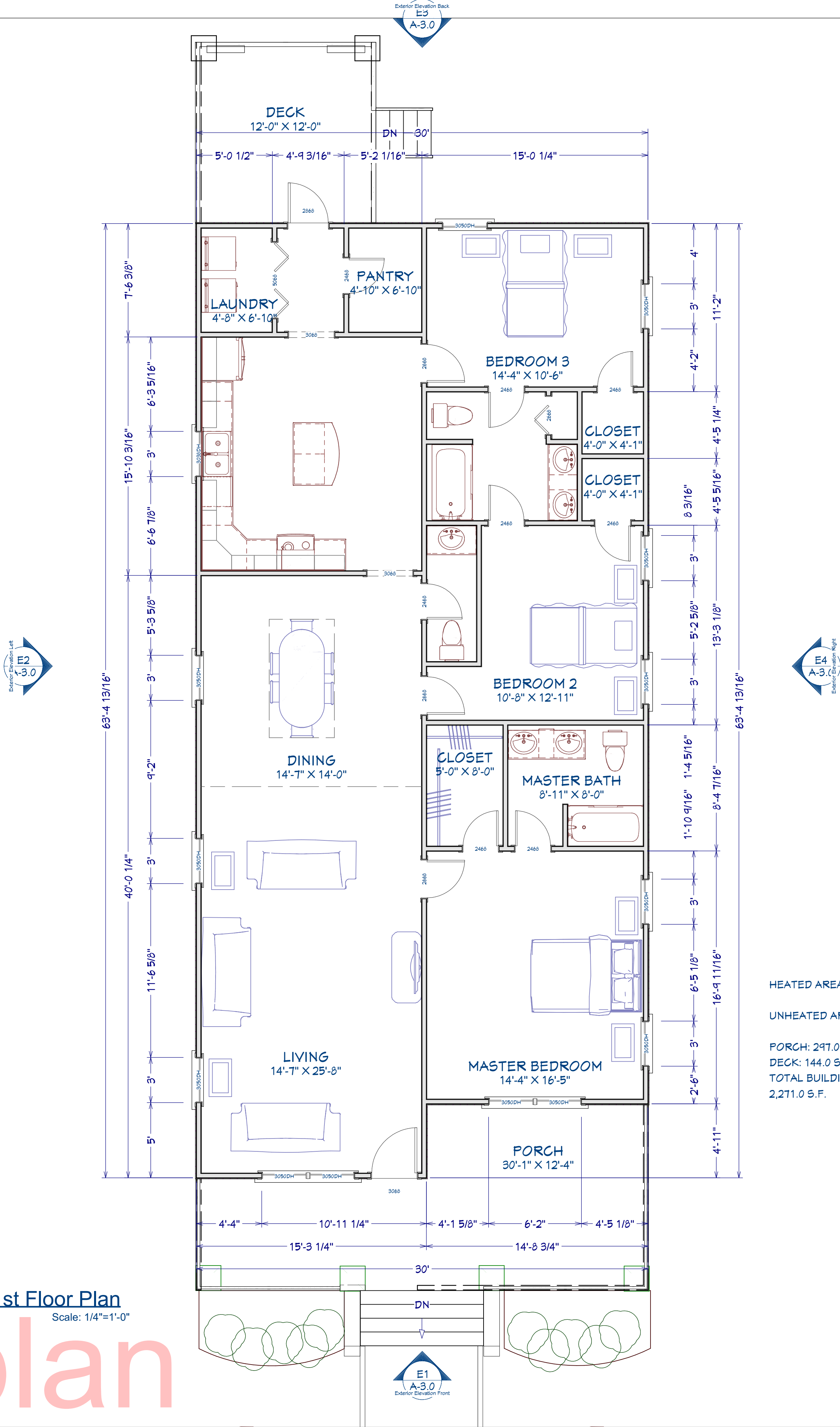
Per plan

SHEET:

A-1.0

Preliminary plan

1st Floor Plan
Scale: 1/4"=1'-0"



HEATED AREA : 1, 830.0 S.F.
UNHEATED AREA:
PORCH: 297.0 S.F.
DECK: 144.0 S.F.
TOTAL BUILDING AREA:
2,271.0 S.F.



NO.	DESCRIPTION	BY	DATE
1	1ST REVISION	H.H	

DESIGNER:
ACUMEN ENGINEERING . INSP. CON . PLLC
INDIAN TRAIL, NC 28079
(704) 491-9794
HASSAN@ACUMENCTVLENGINEERING.COM

PROJECT DESCRIPTION & ADDRESS:
New Residential House
401 E Talleyrand Ave.
Monroe, NC 28112

SHEET TITLE:
FLOOR PLAN

Client:
Mike Calzaretta

Date:
8/22/2020

SCALE:

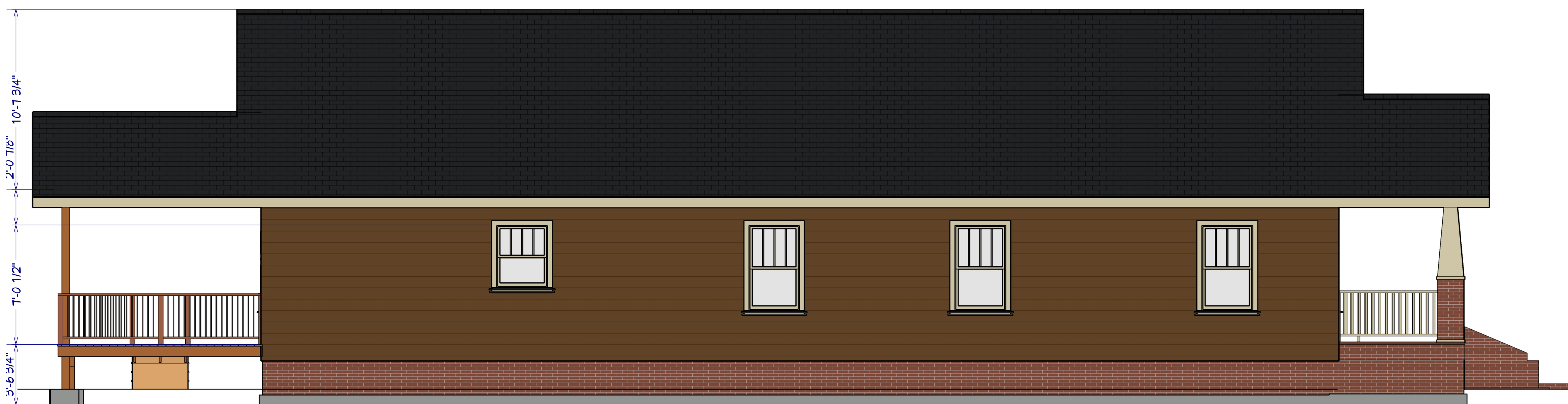
Per plan

SHEET:

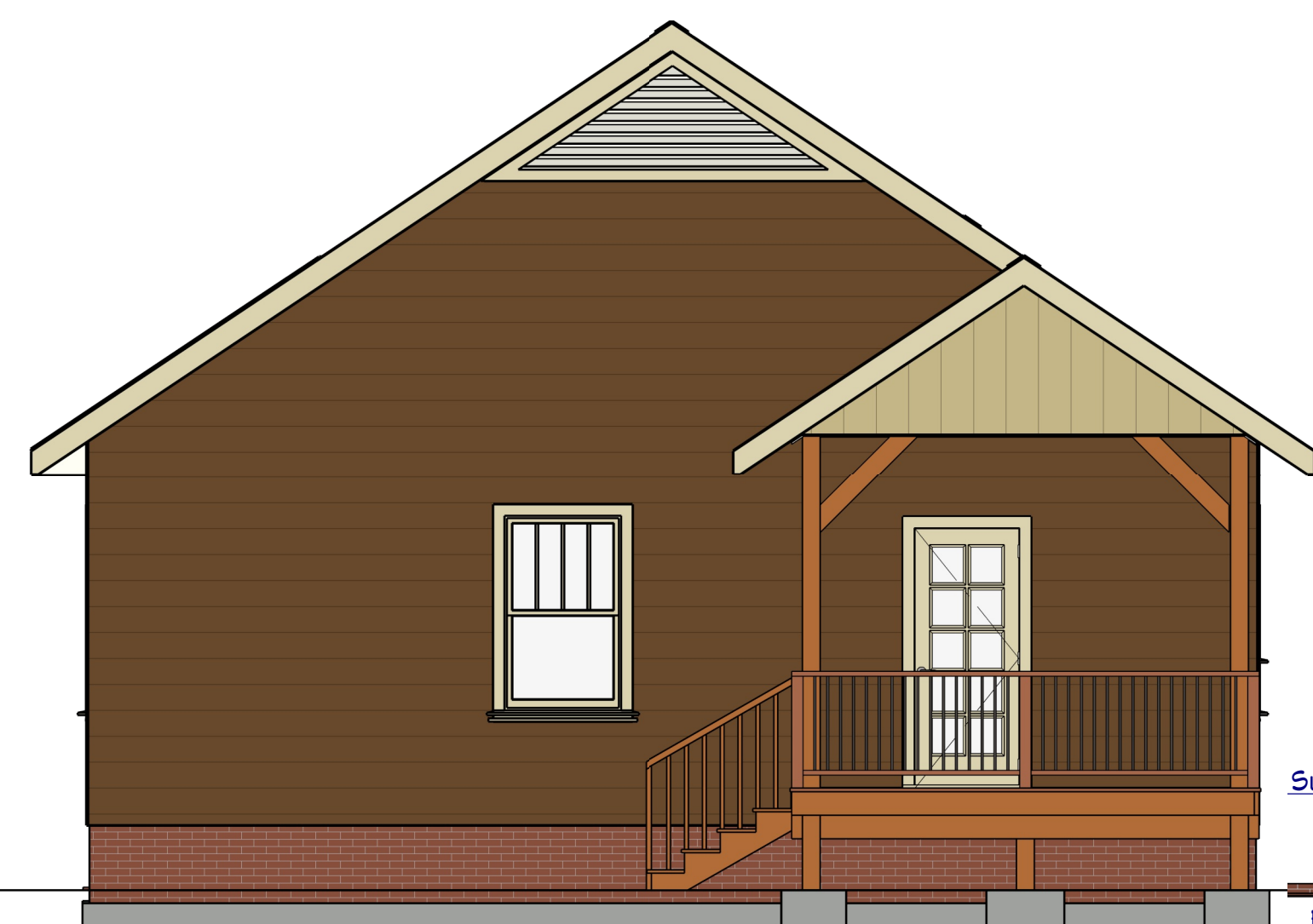
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FRONT ELEVATION
SCALE: 1/4"=1'-0"



LEFT ELEVATION
SCALE: 1/4"=1'-0"



REAR ELEVATION
SCALE: 1/4"=1'-0"



RIGHT ELEVATION
SCALE: 1/4"=1'-0"

Preliminary plan



NO.	DESCRIPTION	BY	DATE
1	1ST REVISION	H.H	

DESIGNER:
ACUMEN ENGINEERING, INSP. CON. PLLC
INDIAN TRAIL, NC 28079
(704) 491-9794
HASSAN@ACUMENCTVLENGINEERING.COM

PROJECT DESCRIPTION & ADDRESS:
New Residential House
401 E Talleyrand Ave.
Monroe, NC 28112

SHEET TITLE:
ELEVATIONS

Client:
Mike Calzaretta

Date:
8/22/2020

SCALE:

Per plan

SHEET:

A3.0



09231180
DAVIS JESSIE EUGENE
1414 CROWDER RD
MONROE NC 28112

09231183
ROBERTS KRISTINE A
232 SUNSET DR
WADESBORO NC 28170

09231195
MCLENDON RUSSELL THOMAS
104 MAURICE ST
MONROE NC 28112

09231199
HUBER MIKE
7952 B BLACKWOOD RD
DENVER NC 28037

09231206
UNION MEMORIAL HOSPITAL INC
P O BOX 5003
MONROE NC 28111-5003

09231210
DELWOOD ASSOCIATES OF MONROE LLC
400 E FRANKLIN ST
MONROE NC 28112

09231197
ONS PROPERTY MANAGEMENT GROUP
LLC
301 E JOHN ST STE 2084
MATTHEWS NC 28105

09231196
HARKEY JAMES C
HARKEY TENLEY S
8415 LANDSFORD RD
MONROE NC 28112

09231184
SMITH WRENN H
SMITH MELISSA M
8826 BLOOMING ARBOR ST
HUNTERSVILLE NC 28078

09231200
YOUTH WITH A MISSION CHARLOTTE INC
418 EAST FRANKLIN ST
MONROE NC 28112

09231208
BARRINO DELORIS
1406 LANCASTER AVE
MONROE NC 28112

09231179
RABON JAMES L & PATRICIA H RABON %
T
1308 E FRANKLIN ST
MONROE NC 28112

09231181
WIGGINS CLARA P
408 W ROOSEVELT BLVD
MONROE NC 28110

09231186
KING CHARLES D & NANCY J
14308 SPRINGWATER DR
MATTHEWS NC 28104

09231187
HARKEY JAMES C
8405 LANDSFORD RD
MONROE NC 28112

09231201
SHAUAN WAYNE & KARYN
405 E TALLEYRAND AVE
MONROE NC 28112

09231182
BENTON OLIVIA HEIRS
BENTON JANE
321 E WINDSOR ST
MONROE NC 28112

09231198
HUBER RICHARD
2306 DECOLE DR
LANCASTER SC 29720

09231207
RODIER INVESTMENTS LLC
96 WESTWOOD PLACE
ASHEVILLE NC 28806

09231209
PEREZ HOLDINGS LTD
404 E FRANKLIN ST
MONROE NC 28112

**HISTORIC DISTRICT COMMISSION
MEETING OF 9-14-20**

401 E. Talleyrand Avenue

MIKE'S FINE HOME BUILDING
501 SUNNYBROOK DR.
MONROE, NC 28110