

Historic District Commission

August 25, 2022

Meeting Minutes

Chairwoman Andi Eddlemon called the meeting of the Historic District Commission to order at 6:00 p.m. on Thursday, August 25, 2022 at City Hall in the Council Chamber, 181 S. South Street of Gastonia, NC.

Present: Commissioners Josh Hauser, Andi Eddlemon, Carol Hauer, Jeff Trepel, James Henson, and Ed Starr

Absent: Commissioner Camille Fox

Staff present: Charles Graham, Kim Wallis, Chrystal Howard, and Maddy Gates

ITEM 1a. Roll Call / Sound Check

Chairwoman Eddlemon opened the meeting, conducted roll call and declared a quorum.

ITEM 1b. Approval of July 28, 2022 Meeting Minutes

Commissioner Trepel requested an amendment to the last paragraph of the July 28, 2022 minutes. Commissioner Trepel made a motion to adopt the July 28, 2022 meeting minutes and Commissioner Starr seconded the motion. The motion passed (6-0).

Chairwoman Eddlemon stated because of the quasi-judicial format of the hearings, persons wishing to speak and offer evidence are required by North Carolina law to be sworn in or affirmed. Ms. Howard administered the oath to Ms. Kim Wallis and others present who intended to speak.

Chairwoman Eddlemon explained the procedure of the quasi-judicial meeting.

ITEM 2. Public Hearing (Continued) – Certificate of Appropriateness (File # PLCA202200441)

- Joseph Helminiak
- 221W. Fifth Avenue
- To remove shutters and paint window trim black

Chairwoman Eddlemon opened the public hearing and recognized Kim Wallis, Senior Planner, for the purpose of staff presentation. Ms. Wallis noted that this case is a continued item from the previous July 28, 2022 HDC meeting.

Ms. Wallis stated the applicant's name, property location, and the Certificate of Appropriateness (COA) request, after the work had already been completed, to remove shutters and paint the window trim black. She displayed the property/zoning map. Ms. Wallis displayed the property description, findings, and key elements. She presented past and current photos of the house from front and side views, as well as a photo of what was installed. Ms. Wallis stated that the applicant was present and available to answer questions.

Chairwoman Eddlemon recognized Mr. Joseph Helminiak, 14121 Arbor Ridge Drive, Charlotte, NC. Commissioner Trepel asked Mr. Helminiak what happened to the original shutters. Mr. Helminiak replied that the intent was to save the original shutters. He stated further that the original shutters were removed from the house to be pressure washed; during the process, the original shutters fell apart and were disposed of. Commissioner Starr asked Mr. Helminiak if he was aware that the subject property was in the historic district prior to the work being done. Mr. Helminiak responded "No", that his role was the project manager and he was not aware of the background of the house. He stated further that after the shutters broke, he decided to resolve the issue by painting the trim black. Commissioner Trepel and Chairwoman Eddlemon asked Mr. Helminiak why the shutters weren't replaced. Mr. Helminiak replied that it was due to the short timeline of the project. Commissioner Starr asked Mr. Helminiak if the house has been since sold. Mr. Helminiak replied "Yes".

Commissioner Hauser made a motion to approve the application with the condition that new shutters resembling a similar size, shape and color as the original shutters, be replaced. Commissioner Hauer seconded the motion. Commissioner Henson made a statement regarding the shutters as an essential characteristic of the property. Commissioner Starr stated that if the shutters are replaced, the black trim needs to be painted back to white. Discussion ensued amongst the Commissioners in regard to Commissioner Hauser's motion.

Chairwoman Eddlemon and Commissioners Henson, Starr, Trepel, and Hauer opposed the motion. The motion to approve with the conditions stated above failed (1-5).

Commissioner Hauer made a motion to approve the application with the condition that new shutters resembling a similar size, shape and color as the original shutters, be replaced and the trim be painted back to white per the Design Guidelines page 26. Commissioner Henson seconded the motion.

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Chairwoman Eddlemon and Commissioners Hauer and Henson favored the motion. Commissioners Hauser, Starr and Trepel opposed the motion. The motion to approve with the conditions stated above failed (3-3).

Discussion ensued amongst the Commissioners regarding the painting of the trim of the windows. Commissioner Starr made a motion to approve the application as presented. Commissioner Trepel seconded the motion. Chairwoman Eddlemon and Commissioners Hauser, Henson, and Hauer opposed the motion. The motion to approve with the conditions stated above failed (2-4).

Commissioner Henson discussed the Design Guidelines with fellow Commissioners. Assistant City Attorney Graham gave the Commissioners legal instructions regarding their discretion over the Design Guideline standards. Commissioner Hauer made a motion to approve the application with the condition that new shutters resembling a similar size, shape and color as the original shutters be replaced and the trim be painted back to white per the Design Guidelines page 26. Commissioner Henson seconded the motion. Chairwoman Eddlemon and Commissioners Hauer, Henson, and Hauser favored the motion. Commissioners Starr and Trepel opposed the motion. The motion to approve passed (4-2).

ITEM 3. Public Hearing – Certificate of Appropriateness (File # PLCA202200437)

- David Peoples
- 323 S. York Street
- To renovate exterior including new windows, new storefronts, and new awnings

Chairwoman Eddlemon opened the public hearing and recognized Kim Wallis, Senior Planner, for the purpose of staff presentation. Ms. Wallis stated the applicant's name, property location, and the Certificate of Appropriateness (COA) request for a façade renovation that includes new windows, new storefronts, and new awnings. Ms. Wallis stated that the applicant had submitted a previous COA application that was denied. She displayed the property/zoning map. Ms. Wallis read the property description, findings, and key elements. She presented current photos and the proposed building elevations. Ms. Wallis read related excerpts from the Design Guidelines and the Unified Development Ordinance (UDO). She stated that the original doors have been replaced but that no other work has been done. Ms. Wallis noted that the applicant was present and available to answer questions.

Commissioner Trepel asked Ms. Wallis why the previous application from Mr. Peoples was denied. Ms. Wallis responded that the previous application was denied due to the request to paint over the existing brick façade, add some stucco, and add a domed shaped awning.

Chairwoman Eddlemon recognized Mr. David Peoples, 10660 S. Tryon Street, Charlotte, NC. Commissioner Hauser asked Mr. Peoples what the dimensions of the stucco canopy will be. Mr. Peoples clarified that the canopy will not be stucco and that the dimensions are 10 feet by 8 feet. Commissioner Trepel asked Mr. Peoples if the red awning labeled "Pinnacle Services" would be removed. Mr. Peoples responded that he was not certain but that the awning in question is not shown in the elevations. Chairwoman Eddlemon asked Ms. Wallis if the removal of the awning in the presented elevations was done by the applicant. Ms. Wallis responded "Yes", that the presented elevations were taken from the previous application which had the awning removed.

Commissioner Trepel asked Mr. Peoples if the canopy would be used for weather purposes. Mr. Peoples replied "Yes". Commissioner Hauser clarified that the building front represents two separate suites and therefore, two separate entrances. Chairwoman Eddlemon asked Mr. Peoples if there are photos of the proposed new awnings. Mr. Peoples responded that he didn't have any photos but that the awning would be similar to previous work he has done on other buildings. Commissioner Hauer asked Mr. Peoples if the shutters will remain the same size. Mr. Peoples replied "Yes", that they plan to use the existing shutters. Commissioner Hauser asked Assistant City Attorney Graham if the awning is within the Commission's purview as it is already existing on the building. Mr. Graham advised that because this application is for a façade renovation, the inclusion of the existing awning is appropriate.

Commissioner Trepel made a motion to approve the application with the condition that the existing awning be removed and the new awning be submitted through a new COA application. Commissioner Starr seconded.

Discussion ensued amongst the Commissioners in regard to the existing awning. Assistant City Attorney Graham stated that there are regulations in the UDO and the Design Standards related to signage and that the new owner would need to receive a COA for either a new sign or a new awning. Commissioner Trepel requested to amend his previous motion to include that the new canopy be

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metal not stucco. Commissioner Hauser seconded the motion. The motion to approve was unanimously passed (6-0).

ITEM 4. Public Hearing – Certificate of Appropriateness (File # PLCA202200481)

- Mohamed Salem/Bibo Real Estate
- 411 W. Sixth Avenue
- To renovate exterior including extending rear roof shed dormer, install new fiber cement siding, remove two chimneys, install new roof, and install new HVAC units

Chairwoman Eddlemon opened the public hearing and recognized Kim Wallis, Senior Planner, for the purpose of staff presentation. Ms. Wallis stated the applicant's name, property location, and the Certificate of Appropriateness (COA) request for exterior renovation including extending the rear roof shed dormer, installation of new fiber cement siding, removal of two chimneys, new roof, and installation of new HVAC units. Ms. Wallis stated that the new roof and the installation of new HVAC units would not be a part of this application and will be reviewed by staff at a later date. She displayed the property/zoning map. Ms. Wallis read the property description, findings, and key elements. She presented current photos from the front and rear views of the home as well as the siding and damaged chimney. Ms. Wallis also presented proposed elevations with the new windows and the dormer expansion. Ms. Wallis read related excerpts from the Design Guidelines and the Unified Development Ordinance (UDO). Ms. Wallis noted that the applicant was present and available to answer questions.

Commissioner Trepel asked Ms. Wallis if the rear chimney is original to the house. Ms. Wallis replied "No", that the center chimney is original to the house but the rear chimney is not. Commissioner Trepel also asked Ms. Wallis why the new roof and HVAC units are included in the application but will not be heard at the public hearing. Ms. Wallis responded that those two items can be reviewed at the staff level and don't need to be heard at the public hearing. Commissioner Starr referred to the Design Standards stating that chimneys should be considered as architectural features. He stated further that due to the placement of the original chimney in the center of the roof, it does not seem to be an architectural feature of the house. Commissioner Hauser clarified that, according to the Design Standards, chimneys are considered to contribute in the architectural character of the roof. Commissioner Starr replied "Yes", noting that he believes the center chimney does not do so.

Commissioner Henson discussed with fellow Commissioners what the purpose of replacing the siding was, if the existing siding was not damaged or deteriorating. Commissioner Hauser stated that he believes the intent of the new cement fiber siding is to create uniformity with the new dormer expansion.

Chairwoman Eddlemon recognized Mr. Mohamed Salem, 7231 Sheffingdell Drive, Charlotte, NC. Commissioner Trepel asked Mr. Salem how he determined that the center chimney created cracks in the foundation wall and if the cracks could be repaired? Mr. Salem replied that during the purchase process, the damage to the foundation was discovered. Chairwoman Eddlemon asked if the damage was found by a contractor or by a structural engineer. Mr. Salem replied that he hired two structural engineers and both suggested the center chimney be removed. Commissioner Trepel asked Mr. Salem if the house would be for rent. Mr. Salem replied that he bought the house initially for family but due to all the work that was needed, it would eventually be for rent. Commissioner Henson asked Mr. Salem if the wood removed from the window on the side of the house will be replaced. Mr. Salem replied that the window got broken during the process of work being done. He stated further that he was unsure where the existing window frame is currently and if it will be replaced. Ms. Wallis noted to the Commissioners that Mr. Salem will be submitting another COA application in the future for the window replacements.

Commissioner Henson made a motion to approve the application as presented. Commissioner Hauser seconded the motion. The motion to approve was unanimously approved (6-0).

ITEM 5. Public Hearing – Certificate of Appropriateness (File # PLCA202200482)

- Jennifer Schraw
- 523 W. Fourth Avenue
- Demolition of damaged carport, install a rear fence and gate, and install a covered deck in the rear yard

Chairwoman Eddlemon opened the public hearing and recognized Kim Wallis, Senior Planner, for the purpose of staff presentation. Ms. Wallis stated the applicant's name, property location, and the Certificate of Appropriateness (COA) request for demolition of the damaged carport, installation of rear fence and gate, and installation of a covered deck in the rear yard. She displayed the property/zoning map. Ms. Wallis read the property description, findings, and key elements. She

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presented a proposed illustration provided by the applicant as well as current photos from the front and rear views of the home. Ms. Wallis also presented photos of the damaged carport. Ms. Wallis read related excerpts from the Design Guidelines and the Unified Development Ordinance (UDO). Ms. Wallis noted that the applicant was present and available to answer questions.

Commissioner Henson asked Ms. Wallis if the entire carport will be removed and if it is classified as a contributing structure. Ms. Wallis replied “Yes” and noted that the carport is contributing. Additionally, Ms. Wallis read excerpts from the State Historic Preservation Offices (SHPO) regarding the difference between a contributing structure and a significant structure.

Chairwoman Eddlemon recognized Mr. Jonathan Zaben, 523 W. Fourth Avenue, Gastonia, NC. Commissioner Hauer asked Mr. Zaben if the chain-link fence at the rear side of property is the applicant’s and if it will be replaced. Mr. Zaben replied “Yes”, and noted that the existing fence will be replaced with a wood fence. Commissioner Trepel asked Mr. Zaben if the fence will be located across the driveway. Mr. Zaben replied that the new fence will be moved forward due to the location of the basement stairs. Further, Mr. Zaben noted that across the driveway there will be a gate. Commissioner Trepel asked if the damage to the carport from the tree can be fixed. Mr. Zaben replied that the tree was assessed by the City of Gastonia arborist and it was suggested to preserve the tree by removing the carport.

Commissioner Hauser stated to Mr. Zaben that the proposed wood fence may not be appropriate to the neighborhood character. Mr. Zaben responded noting that the new fence will be stained wood with matching posts. Mr. Trepel asked what the fence height would be and expressed concern with having a tall fence shown in the front of the house. Mr. Zaben replied that the fence would be six feet tall. Chairwoman Eddlemon and Commissioner Henson clarified that side yard fences, such as the one proposed, are allowed to be six feet tall according to the UDO. Commissioner Hauser asked Mr. Zaben if the tin roof on the covered deck would be painted. Mr. Zaben replied that painting the tin roof could be a possibility.

Chairwoman Eddlemon recognized Ms. Jennifer Schraw, 523 W. Fourth Avenue, Gastonia, NC. Ms. Schraw clarified that the decision for the covered deck was not yet finalized. Ms. Wallis stated that metal roofing is allowed in the historic district.

Commissioner Henson made a motion to approve the application as presented. Commissioner Starr seconded the motion. The motion to approve unanimously passed (6-0).

ITEM 6. Public Hearing – Certificate of Appropriateness (File # PLCA202200483)

- Elider Bedoya
- 843 S. Chester Street
- To install artificial siding in rear and side elevations, remove and replace windows, remove window trim in rear and side elevations, install black shutters on front left windows, remove and replace front and rear door, and install storm door in front elevation.

Chairwoman Eddlemon opened the public hearing and recognized Kim Wallis, Senior Planner, for the purpose of staff presentation. Ms. Wallis stated the applicant’s name, property location, and the Certificate of Appropriateness (COA) request to install artificial siding and remove window trim in the rear and side elevations, remove and replace windows, install black shutters on front left windows, remove and replace front and rear door, and install storm door in front elevation. Ms. Wallis noted that some of the requested work listed on the application had already been done. She displayed the property/zoning map. Ms. Wallis read the property description, findings, and key elements. She presented photos of the home from the front and rear views. Ms. Wallis also displayed photos of the damaged siding. Ms. Wallis read related excerpts from the Design Guidelines and the Unified Development Ordinance (UDO). Ms. Wallis noted that the applicant was present and available to answer questions.

Commissioner Trepel asked Ms. Wallis if the stucco is original to the house. Ms. Wallis responded that stucco is listed in the original property description but that it may also be covering some masonry.

Chairwoman Eddlemon recognized Mr. Elider Bedoya, 600 King James Lane, Gastonia, NC. Chairwoman Eddlemon asked Mr. Bedoya if any repairs were made to the stucco on the front of the house. Mr. Bedoya replied “No”. Chairwoman Eddlemon also asked if the chimney will have new siding. Mr. Bedoya replied “No”, that he plans to paint the chimney. Chairwoman Eddlemon expressed concern with the design of the new window replacements. Commissioner Starr asked Mr.

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Bedoya if he was aware that the home was in the Historic District when he purchased it. Mr. Bedoya replied "No".

Commissioner Trepel asked Mr. Bedoya if the back door and side storm door have already been installed. Mr. Bedoya replied "Yes". Commissioner Trepel also asked if the black shutters referenced in the picture from 2018 will be replaced. Mr. Bedoya replied that the shutters were gone when he bought the house but that he does plan to add shutters.

Assistant City Attorney Graham advised the Commissioners on the guidelines of approving the application with conditions.

Commissioner Henson made a motion to approve the application as presented with the condition that the vinyl siding be removed and the applicant must return to the Commission with a new application for siding. Commissioner Trepel seconded the motion. Commissioners Henson, Trepel, and Hauser favored the motion. Chairwoman Eddlemon and Commissioners Starr and Hauer opposed the motion. The motion to approve with the conditions stated above failed (3-3).

Discussion amongst the Commissioners ensued regarding the new window replacements. Commissioner Henson stated that although the added vinyl siding is an improvement to the house, it is prohibited in the Design Standards. Assistant City Attorney Graham advised the Commissioners on the appeal process and the role of the Board of Adjustment.

Commissioner Henson made a motion to approve the application as presented with the condition that the vinyl siding and windows be removed and the applicant must return to the Commission with a new application for siding and windows. Commissioner Hauer seconded the motion. The motion to approve with the conditions stated above unanimously passed (6-0).

ITEM 7. Other Business

Ms. Wallis discussed with the Commissioners setting a date and time for the Tree Informational Meeting.

Ms. Wallis also stated that Staff will be meeting with the City of Gastonia Tree Committee in September.

Subcommittee Meeting, if Needed: Ms. Wallis stated a subcommittee meeting was needed.

ITEM 8. Adjournment

There being no other business, Chairwoman Eddlemon adjourned the meeting at 8:00 p.m.

Respectfully submitted:

Maddy Gates, Planner

Andi Eddlemon, Chairwoman