

**CITY OF ELIZABETH CITY
HISTORIC PRESERVATION COMMISSION
REGULAR MEETING
THURSDAY, November 7, 2019
4:30 PM**

MEMBERS PRESENT

Rick Boyd - Chairman
Ed Fearing - Vice Chairman
Georgenes Falcon
Blair Jackson
David Luke (Absent)
Rachel Stallings
Charlene Wade

Also present were Angela Cole, Interim Community Development Director; Kellen Long, Planner; Yvette Chamblee, Secretary to the Commission; and members of the audience.

Chairman Boyd called the meeting to order at approximately 4:30pm with a roll call and stated there was a quorum.

Ms. Falcon made a motion to **APPROVE** the agenda as presented. Ms. Stallings seconded the motion. **ALL IN FAVOR: FALCON, FEARING, JACKSON, LUKE, STALLINGS, AND WADE. NONE OPPOSED. MOTION CARRIED.**

Ms. Stallings made a motion to **APPROVE** the Thursday, July 11, 2019 minutes. Ms. Falcon seconded the motion. **ALL IN FAVOR: FALCON, FEARING, JACKSON, LUKE, STALLINGS, AND WADE. NONE OPPOSED. MOTION CARRIED.**

Ms. Chamblee, secretary to the Commission, read the **STATEMENT OF DISCLOSURE** as follows:

Elizabeth City Code of Ethics provides that public officials and employees be independent, impartial, and responsible to the public; that government decisions and policy be made in proper channels of the governmental structure; that public office not be used for personal gain; and that the public have confidence in the integrity of its government. In recognition of these goals and in keeping with the ethical standards of conduct for city public officials and its employees; disclosure of interest in legislative action must be stated for public record, as per City of Elizabeth City Code of Ordinances Section 32.04. Any official act or action before the Historic Preservation Commission shall be publicly disclose on the record of the Commission the nature and extent of such interest and the Commissioner shall withdraw from any consideration of the matter if excused by the Commission pursuant to G.S. 160A-75.

Chairman Boyd read the following **STATEMENT FROM THE CHAIRMAN:**

Prior to today's meeting, notification was sent to neighbors living within 100' of the properties in question. Commission members received a copy of each application and were to visit the site. North Carolina law provides that persons have an opportunity to address an application; thus the Commission conducts a public hearing on the application. During the hearing the Commission receives evidence to determine that proposed changes are not incongruous with the special character of the historic district or the historic property. They review this evidence against guidelines listed in the City's ordinance before issuing a Certificate of Appropriateness. Each application is heard the same way. The judicial format of the hearing requires that they be impartial. Any written Staff comments are evidence presented just as any other evidence. If any Commission member has had reason to discuss the specific details of the application; they ask to be excused from hearing the application.

Because of the quasi-judicial format of the hearings, the Commission hears evidence and judges whether the change is not incongruous. The Commission is required by North Carolina law to swear in persons who speak before the Commission and offer evidence.

Application HP 13-19, filed by Barry Keyes, for the property located at 700 East Main Street. The applicant is requesting approval to remove a non-functional brick chimney from the north elevation of the structure.

Ms. Kellen Long, Mr. Barry Keyes, and Mr. Quincy Ward came forth and was sworn.

Ms. Kellen Long presented her Staff Analysis report as follows:

The first case before you this afternoon is HP 13-19 filed by River Place Homeowners Association, Inc., represented by Barry Keyes for the property located at 700 East Main Street. The property currently maintains the original Central Business zoning district classification designated at the time the Unified Development Ordinance and official zoning map was adopted by the City of Elizabeth City in 1972. 700 East Main Street is listed on the National Register of Historic Places-Inventory Nomination Form as the Willis S. Wright Auto Company Building. The property description states that at the rear of the Willis Wright building a tall, one-story garage is all that remains of the two-story building which was originally extended to the waterfront. It is believed that this was the site of a two-story brick building which had been erected between 1885 and 1891 to house the J.B. Flora Company, which was a large wholesale business. The Sanborn Maps further indicate that a metal front was added to the building, however this building was destroyed by fire in 1915 and was replaced by a two-story building similar to the Willis Wright building. The second story was removed after 1950, the patched brickwork on the facade

betrays the location of the original bays and pilasters. The historic property description from 1976 has been added as an addendum to this report.

The applicant is requesting approval for the following item:

- remove the top section of a non-functional brick chimney on the east elevation of 700 East Main Street.

The neighborhood association for this property has recently hired a general contractor to repair the parapet wall on the front façade that was damaged during a storm this past June. The contractor's assessment of the roof concluded that the brick chimney was unstable and a hazard that could cause future roof damage.

Staff is generally of the opinion that the request to remove the top section of the chimney is appropriate because of the following:

- The chimney is located in a tertiary elevation, meaning that the chimney has little to no visibility from the public view.
- The chimney has been deemed unstable and a hazard for future roof damage by a licensed general contractor who specializes in historic masonry and structures.

IF the Commission deems the request appropriate, in whole or in part, Staff recommends the following as conditions of approval:

- All necessary building permits shall be secured prior to commencing work;
- Care shall be taken to minimize the loss of historic material; and
- The remaining portions of the chimney, if any shall be properly maintained and preserved.

This concluded Ms. Long's presentation.

Mr. Barry Keyes, the applicant, came forth and explained to the Historic Preservation Committee about his request to remove a brick chimney from a structure.

Ms. Blair Jackson made a motion to **APPROVE** HP 13-19 with the following recommendations:

- All necessary building permits shall be secured prior to commencing work;
- Care shall be taken to minimize the loss of historic material; and

- The remaining portions of the chimney, if any shall be properly maintained and preserved.

Ms. Stallings seconded the motion. **ALL IN FAVOR: FALCON, FEARING, JACKSON, LUKE, STALLINGS, AND WADE. NONE OPPOSED. MOTION CARRIED.**

Application HP 14-19, filed by Quincy Ward, for the property located at 105 West Main Street. The applicant is requesting approval for demolition of the single-family residential structure due to the amount of current disrepair.

Ms. Kellen Long presented her Staff Analysis report as follows:

The second case before you this afternoon is HP 14-19 filed by Quincy Ward for the property located at 105 West Main Street. The property currently maintains the original Central Business (CB) zoning classification designated at the time the Unified Development Ordinance and official zoning map were adopted by the City of Elizabeth City. 105 West Main Street is listed on the National Register of Historic Places Inventory as the Scott-Dewey House. According to the property description, the structure was originally constructed between 1902 and 1908. According to the 1976 historic property description, the Queen Anne style house is sheltered beneath a cross-gable roof that sports wood shingled gables and interior chimneys. The porch is carried by turned posts that have lateral scrolls and the "webs" that decorate the turned balusters, which happened to be a popular turn of the century element in Elizabeth City. The house was built for George M. Scott and most likely used as a rental property, according to the property description. The house was lost by the Scott's heirs between 1935-1937. The house was soon purchased by Harry W. Dewey, who was the general manager for the Norfolk and Carolina Telephone Company. When the property description was created in 1976, the widow of Mr. Dewey, Hazel D. Dewey, still occupied the home. The applicant is requesting approval for demolition of the subject property due to the current state of disrepair.

I would like to remind the commission that an application for a Certificate of Appropriateness authorizing the demolition of a building or structure within the Historic District may not be denied. However, the effective date of such a certificate may be delayed for a period of up three hundred sixty-five (365) days from the date of approval. The maximum period of delay shall be reduced by the Commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period, the Commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the building. If the Commission finds that the building has no particular significance or value toward maintaining the character of the Historic District, it shall waive all or part of such period and authorize earlier demolition or removal.

Due to the irreversibility of demolition. I have requested comments from the State Historic Preservation Office. Reid Thomas, a restoration specialist with the State Historic Preservation Office has reviewed the photos included in this application and has offered the following informal feedback.

“The images clearly show structural roof framing damage including partial collapse to the main roof and porch – as well as failure of the roofing shingles. Overall, the roof damage appears to be extensive – likely requiring partial or total rebuilding. I question the condition of the wall framing system and interior (floors, trim, walls...) – since the roof appears to have been in deteriorating condition and leaking for a long period of time. If the interior is in reasonably repairable condition, and intact – and the roof repairable (rebuildable) I would encourage consideration of preservation/mothballing. While it is difficult to determine the overall condition without seeing the property, the images suggest that the home may be beyond reasonable repair – and can be taken down.”

This statement is only an informal observation from the photos provided, If the Commission wishes to seek formal advice from the Division of Archives and History, staff will submit a formal written request. The SHPO will have thirty days to review and comment on the request. The SHPO will then send the Commission a formal letter with their “non-binding” comments. It is also the right of the Commission to view the premises before making a final decision.

Staff has also requested assessment from the City’s Chief Building Inspector, Stanley Ward, the formal response from Mr. Ward is written in a letter format and placed at your respective seats. The letter recognizing the severely deteriorated structure and request that the commission “waive” their option/right to withhold the certificate of appropriative up to 365 days, and instead approve this request as is, due to the extreme potential hazard to the public.

Staff is generally of the opinion that the request for the demolition is appropriate based on the findings listed below:

- The applicant has made all efforts for repair of the structure while in his possession, including consulting a licensed general contractor to assess the current state of the structure. The licensed contractor concluded that current state of the roof was not salvageable. The current state of the roof also caused great damage to the interior, that has been exposed to outside elements for several years.
- The City’s Chief Building Inspector’s assessment of the property concluded the extreme deterioration of the structure

- The SHPO's informal response regarding the images of the structure.

I will note for the record that, our office did receive one phone call concerning this case from an adjacent property owner who wished to stay anonymous., The adjacent property owner stated their petition against the demolition of 105 West Main street.

Should the Commission deem the request appropriate and issue the Certificate, staff recommends the following as conditions of approval:

- All necessary building permits shall be secured prior to commencing work;
- The applicant should work with the planning division to select appropriate landscaping for the subject property after the demolition. The appropriate landscaping should remain until the property is re-used.
- It is encouraged that all salvageable materials be removed from the home before the start of demolition, such as doors, interior fireplace mantels etc.

This concluded Ms. Long's presentation.

Mr. Quincy Ward came forth and explained his request for the demolition of a single-family residential structure located at 105 West Main Street. Mr. Ward commented he was under contract with the Thompson and Pureza Law Firm.

Mr. Fearing made a motion to **APPROVE** HP 14-19 without delay and with the following recommendations:

- All necessary building permits shall be secured prior to commencing work;
- The applicant should work with the planning division to select appropriate landscaping for the subject property after the demolition. The appropriate landscaping should remain until the property is re-used.
- It is encouraged that all salvageable materials be removed from the home before the start of demolition, such as doors, interior fireplace mantels etc.

Ms. Falcon seconded the motion. **ALL IN FAVOR: FALCON, FEARING, JACKSON, LUKE, STALLINGS, AND WADE. NONE OPPOSED. MOTION CARRIED.**

STAFF REPORT

- Ms. Long commented at the next regular scheduled Historic Preservation Commission meeting there will be discussion on changing the meeting dates for the Historical Preservation Commission.

- Interim Community Development Director Angela Cole informed the Historic Preservation Commission that an assessment for two candidates for the Community Development Director position will take place next Thursday.
- There was a "Project Art Downtown" presentation given by Mr. Barry Keyes.

No **OLD BUSINESS** was given.

Ms. Stallings made a motion to **ADJOURN** the Thursday, November 7, 2019 Historic Preservation Commission meeting. Mr. Fearing seconded the motion. **ALL IN FAVOR: FALCON, FEARING, JACKSON, LUKE, STALLINGS, AND WADE. NONE OPPOSED. MOTION CARRIED.**

Thursday, November 7, 2019 Historic Preservation Commission meeting was adjourned at 5:04pm.