

Historic Preservation Commission Meeting  
10 N. Public Square  
September 20, 2022  
5:30 P.M.

## **I. Opening Meeting**

Call to order by Chairman Frisbee at 5:30 PM

Present: Greg Frisbee, Becky Carr, Vandi White, Brad Galland, and Larry Gregory  
Staff Present: David Hardegree, Samantha Fincher, Zack Arnold, and David Archer  
Absent:

### **1. Approval of Minutes**

Chairman Frisbee called for a motion to approve the minutes of the last meeting. Board Member Carr made a motion to approve the meeting minutes from August 16, 2022. Board Member White seconded the motion. Motion carried unanimously. Vote: 4-0.

### **2. COP22-16. 429 W Main St. Applicant: Bartow County Library System**

Chairman Frisbee called for the next item on the agenda. David Hardegree, Planning and Development Assistant Director, stated that in coordination with Art in Bartow, the Bartow County Library System is proposing a new amphitheater adjacent to School Street on the library property. The small performing arts and lecture space- a Performance Patio- will occupy approximately 30ft x 35ft. and will utilize the large library lawn as a seating area for performances and lectures. The structure will have a masonry floor with an approximate 8ft. wall enclosing the rear of the stage area along School St. The structure will be made of brick and concrete. Landscaping will enhance the structure. Steel beams are proposed for the roof structure to support the addition of audio/visual enhancements. A variance will be required for this project as the structure is proposed in the front yard along School Street. The variance will be heard at the Oct. 13 BZA meeting. (Case No. V22-20.)

Chairman Frisbee opened the floor for discussion.

Carmen Sims, Library Director, came forward to represent the application. Mrs. Sims stated they do not wish to have a roof on the structure as shown on the site and architectural plans. The performance patio anticipates having one event a month. All events are wrapped up by 9 PM.

Chairman Frisbee opened the public hearing.

Julia Jones, a resident of Fite/Tabernacle Street, came forward to oppose the performance patio.

Mr. Hardegree stated that he received a letter from Ed Kinsel, 115 Tabernacle St, with

reservations about the proposal.

With no one else to come forward, the public hearing was closed for discussion.

The Board Members were concerned with the design, placement, and impact of the surrounding residential area.

Mrs. Sims stated she would like to have a neighborhood meeting to address concerns with neighboring residents.

Mr. Hardegree made the suggestion of withdrawing the application and returning to the Historic Preservation Board after the neighborhood meeting.

Mrs. Sims withdrew the application without prejudice.

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No action was taken by the Board.

### **3. COP22-17. 32 Cassville Rd. Applicant: Hudson & Co. LLC**

Chairman Frisbee called for the next item on the agenda. Mr. Hardegree stated he wished to break this item into two parts. The first request is a 6ft. wooden, privacy fence proposed to the left side and rear of the new house along the property line. The fence does extend approximately 100ft. past the front building façade along Charles Street creating a front yard encroachment of the privacy fence. The encroachment is well behind the 20ft. building setback as required by the zoning ordinance. A variance is also required for this encroachment and will be reviewed by the BZA on Oct. 13. (Case No. V22-19.)

Chairman Frisbee opened the floor for discussion.

JB Hudson, the Contractor, came forward to represent the application and answer questions from the Board. Mr. Hudson stated the proposed privacy fence would be double-faced.

Chairman Frisbee opened the floor for a public hearing; with no one to come forward, the public hearing was closed.

Board Member Gregory made a motion to approve the double-faced privacy fence. Board Member White seconded the motion. Vote: 4-0.

Mr. Hardegree returned to the Board and stated the second part of this request is to connect to a 4ft. decorative iron fence around the perimeter of the property. Masonry columns will be constructed approx. 40ft apart to anchor and support the decorative iron fencing. A 6 ft. decorative iron fence with masonry columns was proposed on COP20-32 but was eventually removed from consideration, as there was opposition to the fence. If the fence and masonry columns are not more than 4ft in height, as allowed by the zoning ordinance, the fence could be approved administratively. However, the motion to approve the site plan was made with a condition that there be no perimeter fencing. There are no guidelines for new fences and columns in the HPC design standards.

Chairman Frisbee opened the floor for discussion.

David Archer, City Attorney, stated the only thing forbidding the 4ft. decorative iron fence is the condition placed by the Historic Preservation Board.

Mr. Hudson came forward to represent the application and answer questions from the Board. Mr. Hudson stated brick piers are only proposed on the Cassville frontage, the original proposal was for a 6 ft. iron fence, and the new proposal is for a 4 ft. iron fence, and landscaping will be added.

Michael Tidwell, 23 Cassville Road, came forward to oppose the 4ft. iron fence.

Anne Warren came forward to oppose the 4ft. iron fence.

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Becky Champion came forward to oppose the 4ft. iron fence.

With no one else to come forward, the public hearing was closed for discussion.

The Board Members agreed that the fence was out of character for the district.

Board Member Galland made a motion to deny the removal of the condition. Board Member Carr seconded the motion. Vote:4-0.

#### **STAFF OR COMMITTEE COMMENTS**

Mr. Hardegree stated that Stephanie Gargiulo and Justin Colt Kelley, located at 341 W Cherokee Ave (COP 22-09) have run into hardships, such as material delays. This has caused setbacks and changes to the approved plans. A formal application submittal will be provided at the next Historic Preservation Meeting; the applicants are encroaching on the end of their current lease and are requesting feedback on the proposed changes so they may continue to work towards obtaining the Certificate of Completion for this project.

Stephanie Gargiulo & Justin Colt Kelley, owners of 341 W Cherokee Ave, came forward to answer questions from the Board and provided an overview of the proposed changes.


The Board Members requested drawings and detailed descriptions of the changes. Mr. Frisbee urged the applicants to continue to work with Mr. Hardegree on a formal submittal.

Mr. Hardegree stated 32 Cassville Road has the right to appeal the Historic Preservation Board's decision to City Council.

Board Member Carr made a motion to nominate Board Member Galland as Vice-Chairman of the Historic Preservation Board. Board Member White seconded the motion. Vote: 4-0.

Mr. Hardegree announced he has received two applications for the Historic Preservation Board. Applications will be forwarded to the City Manager's Office for review.

Chairman Frisbee adjourned the meeting at 6:55 PM.

/s/   
Greg Frisbee  
Chairman