

Agenda

HISTORIC DISTRICT COMMISSION

Regular meeting

6:30 p.m. January 15, 2025

Board Meeting Room of Town Hall Annex, 105 E. Corbin St.



Public charge: The Hillsborough Historic District Commission pledges to the community of Hillsborough its respect. The commission asks members of the public to conduct themselves in a respectful, courteous manner with the commission members and with fellow community members. At any time should any member of the commission or community fail to observe this public charge, the chair or the chair's designee will ask the offending person to leave the meeting until that individual regains personal control. Should decorum fail to be restored, the chair or the chair's designee will recess the meeting until such time that a genuine commitment to this public charge can be observed.

Public comment guidelines: All meetings shall be open to the public. The public may attend, but public comment shall be limited to those members of the public who have expert testimony or factual evidence directly related to an application on the agenda. Other public comments are permissible at the discretion of the Chair but shall not be used to render the Commission's decision on an agenda item. At the discretion of the Chair, a time limit may be placed on speakers other than the applicant to afford each citizen an equitable opportunity to speak in favor of, or in opposition to, an application.

1. Call to order, roll call, and confirmation of quorum

2. Commission's mission statement

To identify, protect, and preserve Hillsborough's architectural resources and to educate the public about those resources and preservation in general. The Hillsborough Historic District presents a visual history of Hillsborough's development from the 1700s to the 1960s. In 1973, the town chose to respect that history through the passage of the preservation ordinance creating the historic district.

3. Agenda changes

4. Minutes review and approval

Approve minutes from regular meeting on December 4, 2024

5. Written decisions review and approval

Approve written decisions from regular meeting on December 4, 2024

6. Old business

- A. Demolition by Neglect Complaint: **217 S. Occonechee Street** – Evaluate if the structure/s in the southwest corner of the parcel may be undergoing demolition by neglect (9864850633)

7. New business

- A. Certificate of Appropriateness Application: **241 Lydia Lane** – Add roof over existing front stoop; add pergola, fence, kitchen, sunroom, and bedroom in rear; screen existing covered patio; stain existing brick (PIN 9874280274)

8. General updates

9. Adjournment

Interpreter services or special sound equipment for compliance with the American with Disabilities Act is available on request. If you are disabled and need assistance with reasonable accommodations, call the Town Clerk's Office at 919-296-9443 a minimum of one business day in advance of the meeting.

Minutes

HISTORIC DISTRICT COMMISSION

Regular meeting

6:30 p.m. Dec. 4, 2024

Board Meeting Room of Town Hall Annex, 105 E. Corbin St.



Present: Vice Chair Hannah Peele and members G. Miller, Mathew Palmer and Sara Riek

Absent: Chair Will Senner and member Bruce Spencer

Staff: Planner Joseph Hoffheimer and Town Attorney Bob Hornik

1. Call to order, roll call, and confirmation of quorum

Vice Chair Hannah Peele called the meeting to order at 6:31 p.m. She called the roll and confirmed the presence of a quorum.

2. Commission's mission statement

Peele read the statement.

3. Agenda changes

Planner Joseph Hoffheimer recommended that Item 5C be moved to the front of the agenda.

5. New business

- C. Demolition by Neglect Complaint: 217 S. Occoneechee St.
Evaluate if the structure(s) in the southwest corner of the parcel may be undergoing demolition by neglect (9864850633).

Due to this item's significance, Hoffheimer and Town Attorney Bob Hornik recommended that this item be continued at the January meeting to allow more commissioners to be present for the discussion. Member Sara Riek said she will not be present at the January meeting, but it was agreed that tabling the item would provide an opportunity for fewer potential overall absences.

Motion: Member G. Miller moved to continue Item 5C to the January regular meeting. Member Mathew Palmer seconded.

Vote: 4-0.

4. Minutes review and approval

Minutes from regular meeting on Nov. 6, 2024.

Motion: Miller moved to approve the minutes from the regular meeting on Nov. 6, 2024, with corrections. Riek seconded.

Vote: 4-0.

Corrections: P. 5, paragraph 2: Change second sentence to "Miller said he was concerned about the congruity of removing the latticework between the new columns."

5. New business

- A. Certificate of Appropriateness Application: 143 W. Margaret Lane
Add wheelchair ramp and enclose crawlspace at rear accessory structure (PIN 9084750842).

Peele opened the public hearing and asked whether there were any conflicts of interest or bias among the commissioners. All commissioners disclosed that they had visited the site in preparation for reviewing the application. No other conflicts of interest were disclosed.

Hoffheimer was sworn in. Michael Edwards, the property owner, was sworn in to speak on behalf of the application.

Hoffheimer introduced the application by presenting the staff report. He noted that the inventory information, application materials, and applicable design standards would be entered into the record as evidence. He provided the staff comments:

- The design standards do not directly address raised foundations or crawlspaces. However, the compatibility matrix allows brick and concrete block for foundations, and horizontal wooden louvers are allowed on a case-by-case basis to screen items below a raised front porch. The compatibility matrix also allows wood siding but does not allow plywood.
- The applicant has since proposed covering the plywood with lattice and painting both dark green, suggesting it might be more congruent with the character of the district than what was originally proposed.
- The outbuilding is being moved a few feet into the lot to correct a zoning nonconformity. Staff have determined that the move is strictly a zoning concern and does not require Historic District Commission review. The outbuilding is before the commission solely due to the proposed exterior changes.

Edwards explained that he wants to put plumbing and gas under the crawlspace and is interested in following best practices to enclose it. He said ideally the panels would be removable to provide access, but he is flexible in terms of how it gets enclosed. He referenced a suggestion from neighbor Cathleen Turner, Regional Director of Preservation North Carolina, to try to make it less visible to the eye. To that end, he said he is willing to cover the plywood or extend the clapboard siding down to the ground. Edwards explained that the area in question is not visible from the street, but it can be seen from the parking deck if one were to look for it.

Edwards said the wheelchair ramp is to be made out of decking material to match the existing stairs.

Edwards explained that the structure will be moved 79 inches to the north, reusing nine of the existing piers and adding three new piers.

Edwards said the latticework will be the diagonal latticework typically used for gardening. He said it will be painted wood applied over the plywood, with the latticework and plywood painted the same color.

There was discussion of the requirement that a project come before the Historic District Commission if it involves enclosing the crawlspace or adding a ramp. Hoffheimer clarified that design standards for minor works only allow stairs and steps, but not ramps.

There was agreement among the commissioners that the ramp meets the design standards for Accessibility and Life Safety and that it is minimally visible, discreetly sited, and does not compromise the

architectural integrity of the existing structure. It was also agreed that the ramp is compatible with the scale of the existing structure.

Edwards explained that the ramp will not reach the parking area, only into the yard.

Peele closed the public hearing.

There was agreement among the commissioners that the proposed work is not incongruous with the character of the Historic District. There was agreement that the switch from plywood to wood latticework or clapboard to enclose the crawlspace makes the materials less incongruous based on the fact that those materials are listed as appropriate in the compatibility matrix.

Motion: Riek moved to find as fact that the 143 W. Margaret Lane application is not incongruous with the overall character of the Historic District and complies with all relevant standards of evaluation based on the commission's discussion of the application and the standards of evaluation in Section 3.12.3 of the Unified Development Ordinance because the plans are consistent with the Historic District Design Standards: Accessibility and Life Safety. Palmer seconded.

Vote: 4-0.

Motion: Riek moved to approve the application with conditions. Miller seconded.

Vote: 4-0.

Conditions: The crawlspace will be enclosed with clapboard or wood lattice.

- B. Certificate of Appropriateness Application: 219 N. Hassel St.
Add new screened porch in front of existing side garage (9864874481).

Peele opened the public hearing and asked whether there were any conflicts of interest or bias among the commissioners. All commissioners disclosed that they had visited the site in preparation for reviewing the application. No other conflicts of interest were disclosed.

David Cates, the presenter for the project, and Morgan Potts, the property owner, were sworn in to speak on behalf of the application. Nettie Lassiter was sworn in to provide public testimony.

Hoffheimer introduced the application by presenting the staff report. He noted that the inventory information, application materials, and applicable design standards would be entered into the record as evidence. He provided the staff comments:

- The garage is original to the house, but the current wood garage door was added in 2017.
- Staff are not aware of any screened porches in front of former garages in the district, but this is also completely removable and subordinate to the primary structure.

Cates explained that the garage is more of a storage space than an actual garage for a car, as there is a wall inside that would prevent a vehicle from entering the structure. Hoffheimer added that he has not seen any current or historic photos of cars being parked in the garage, but that the opening in the structure has been in existence in some form since 1946.

Cates said that he worked on a similar project at 312 W. Tryon St. to convert a carport to a screened porch, which was left off of the list of examples of similar projects in the application.

Cates introduced the proposal and said he and the property owner wanted to match the pitch of the roof of the existing storage building and match the materials used. He said the material on the front is currently vinyl, but they are proposing to switch to Hardie board. He said the space where the door currently is would be replaced with three windows and a full screen glass door. He said the flooring material is concrete and will not be changing.

The commissioners expressed appreciation for the examples of side front porches from around the Historic District that were included in the application. Cates added that 312 W. Tryon St. is an example where the space was converted only partially to a porch. He said the back portion was converted to heated space, and the front portion to a screened porch.

The commissioners reviewed the site plan. Cates said that the topography of the site leads the structure to sit low, since there is a seven-foot embankment beside the garage.

Cates confirmed that the last window on the main portion of the house will remain even though it will be enclosed by the porch.

Cates confirmed that more brick will be required to fill in the front of the structure. He said the brick will be easy to match, and that the trickier part will be getting the mortar to match. He added that all the new brick will be inside the screened porch and will not be visible from the street.

Miller asked about the design decision for the windows and door, noting that they do not match well with the double-hung windows in the main section of the building. Cates indicated the large picture window in the front of the house and the storm door next to it, which have a similar appearance to the proposed door, which is a full glass pane. He added that the door will sit behind a wood screen door. He further added that that section of the structure sits on the north side of the house, so it does not receive much direct light and will be in shade. Miller said he felt the door does not look congruous with the rest of the house, despite the existence of the picture window.

There was discussion of the origin of the picture window. Hoffheimer referred to the inventory, which says that the "picture window . . . replaces a pair of original windows, but retains the original opening." He added that if the window has been there for long enough, it takes on its own historical significance. He said there is no reference to the exact date the window was installed, but that when the inventory was updated, there were not enough changes to detract from its historical significance to warrant being removed from the National Register. Cates added that picture windows are not out of character with this vintage of building.

Peele referred to Doors Standard 8, which indicates against altering original door openings. She asked how the original opening will be retained. Cates proposed using Hardie lap siding as infill rather than brick in that space to retain the historic opening. He said that might be better from a design standpoint, and it would eliminate the need to match the brick and mortar. Palmer mentioned he saw both sides of the issue and asked Potts whether he was amenable to using lap siding instead of brick in that spot. Potts confirmed that he was.

Cates confirmed that the window and door would be on the left side of the original opening and windows to the right side of the opening, with the windows going all the way to the edge.

There was discussion of including the lap siding as a condition of the commission's approval of the application.

The commissioners expressed appreciation for the clear and organized application and efforts made to abide by the design standards. Potts said he hopes the project will enhance the character of the home and its relationship to the neighborhood. Cates mentioned that in designing the addition he tried to balance the long roof that currently exists on the structure. Peel remarked that the addition stays nicely subordinate to the main house.

There was discussion of the symmetry on the right elevation. Cates explained that the dimensions were contingent on the window. The placement of the existing window determined the depth of the addition because he did not want to obscure the window.

Cates noted that only two views of the house are impacted by this project.

Cates clarified the distance noted on the north side of the site plan, which shows that the structure is set 7 1/2 inches in from the 20-foot setback line.

Lassiter provided public testimony. She said she and her husband Jamie are neighbors living at 302 W. Queen St., directly across from the property under review. She said that she appreciates the way the porch is proposed to sit in front of the garage door, and that it is a welcome sight to look at. She expressed that she has no concerns about the project.

Peele closed the public hearing.

Peele summarized the commissioners' discussion, saying that the commission found that the proposed change is not incongruous with the character of the district, with the condition that the infill will be lap siding instead of the proposed brick indicated in the application.

Motion: Riek moved to find as fact that the 219 N. Hassel St. application is not incongruous with the overall character of the Historic District and complies with all relevant standards of evaluation based on the commission's discussion of the application and the standards of evaluation in Section 3.12.3 of the Unified Development Ordinance because the plans are consistent with the Historic District Design Standards: Windows; Doors; Porches, Entrances, and Balconies; Outbuildings and Garages; and Additions to Residential Buildings. Palmer seconded.

Vote: 4-0.

Motion: Miller moved to approve the application with conditions. Palmer seconded.

Vote: 4-0.

Conditions: The space on the east side of the storage building that is currently wood will become lap siding. The applicant has agreed to this change to the application.

C. Demolition by Neglect Complaint: 217 S. Occoneechee St.

Evaluate if the structure(s) in the southwest corner of the parcel may be undergoing demolition by neglect (9864850633).

This item was discussed after Item 3.

6. Adopt 2025 regular meeting schedule

Hoffheimer presented the dates of the 2025 regular meeting schedule and noted modified dates. There were no conflicts raised except from Riek, who will be absent for the first few meetings of the year.

Motion: Miller moved to approve the 2025 regular meeting schedule. Riek seconded.

Vote: 4-0.

7. Historic Preservation Awards

Hoffheimer recommended tabling this item to the January meeting when a larger portion of the board might be in attendance.

8. General Updates

Hoffheimer said the town board is scheduled to vote on a candidate to fill the vacant commissioner seat on Monday, Dec. 9.

Hoffheimer mentioned that a sign at a church on North Churton Street was painted recently. Staff met with the people at the church, who were able to remove the paint and return it to its normal color.

9. Adjournment

Peele adjourned the meeting at 7:30 p.m. without a vote.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Joseph Hoffheimer". The signature is fluid and cursive, with the first name "Joseph" written in a slightly larger, more prominent script than the last name "Hoffheimer".

Joseph Hoffheimer
Planner
Staff support to the Historic District Commission

Approved: Month X, 202X

BEFORE THE HILLSBOROUGH HISTORIC DISTRICT COMMISSION

) Application for
) Certificate of Appropriateness
) 219 North Hasell Street
)

This request for a Certificate of Appropriateness (“COA”) to add a new screened porch in front of the existing side garage at 219 North Hasell Street (the “Application”) came before the Hillsborough Historic District Commission (the “HDC”) on December 4, 2024. The HDC held a quasi-judicial hearing and, based on the competent, material, and substantial evidence presented at the hearing, voted 4-0 to approve the Application with conditions. In support of that decision, the HDC makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The property at issue (the “Property”) is located at 219 North Hasell Street in the Town of Hillsborough. The Owner and Applicant is Morgan Potts (the “Applicant”).

2. The Application requests that the HDC grant a Certificate of Appropriateness to:

a. Build a side screened porch with wood columns and asphalt shingle roof in

front of the existing garage; The garage door opening will be replaced with 3 fiberglass clad windows, a wood full glass door, and a wood screen door; The porch will match the existing pitch of the garage; The roof material will be asphalt shingle to match the existing shingles; The trim and small amount of siding (visible on the right/north side of the garage) is proposed to be white Hardie Board; The proposed porch floor is concrete.

All work will be in accordance with the drawings and plans entered into evidence at the hearing.

3. The Property is in the Hillsborough Historic District, designated by Ordinance No. 4.3.1.2, adopted June 10, 2024. The Hillsborough Historic District Design Standards, specifically the standards for *Windows; Doors; Porches, Entrances, and Balconies; Outbuildings and Garages; and Additions to Residential Buildings* were used to evaluate this request, and the Application is consistent with these standards for the following reasons:

- a. The addition is subordinate to the main house.
- b. Using lap siding as infill rather than brick will retain the historic door opening.
- c. Picture windows are not out of character with this vintage of building.
- d. Only two views of the house are impacted by this project.

4. The following individual(s) testified during the evidentiary hearing:

- a. Joseph Hoffheimer, Staff Support to the Historic District Commission, presented the staff report and comments.
- b. David Cates, presenter for the Applicant, appeared to present testimony and evidence in support of the Application.

- c. Morgan Potts, the Applicant, appeared to present testimony and evidence in support of the Application and stated that he was amenable to using lap siding instead of brick in the original garage door opening.
- d. Nettie Lassiter, neighbor, appeared to present testimony in support of the Application.

CONCLUSIONS OF LAW

Based on the foregoing FINDINGS OF FACT, the HDC makes the following CONCLUSIONS OF LAW:

1. The Application is not incongruous with the special character of the Hillsborough Historic District. Therefore, the COA is hereby approved with the following conditions:

- a. The space on the east side of the storage building that is currently wood will become lap siding. The Applicant has agreed to this change to the Application.
- b. All necessary permits required by law must be obtained before work may commence. Town staff must be consulted prior to making any alterations to the approved plans. Any unapproved changes observed on a final inspection will be subject to additional fees and must be resolved prior to Town sign-off on the Certificate of Occupancy.

This the 15th day of January, 2025.

Will Senner, Chair
Hillsborough Historic District Commission

APPEALS

A decision of the Commission on an application for a Certificate of Appropriateness may be appealed to the Orange County Superior Court by an aggrieved party. Such appeal shall be made within thirty (30) days of filing of the decision in the office of the Planning Director or the delivery of the notice required in Section 3.12.11, whichever is later. Such appeals to the Orange County Superior Court are in the nature of certiorari and the court shall determine such appeals based on the record generated before the Commission.

BEFORE THE HILLSBOROUGH HISTORIC DISTRICT COMMISSION

) Application for
) Certificate of Appropriateness
) 143 West Margaret Street
)

This request for a Certificate of Appropriateness (“COA”) to add a wheelchair ramp to the rear accessory structure and enclose the crawlspace in the rear accessory structure at 143 West Margaret Lane (the “Application”) came before the Hillsborough Historic District Commission (the “HDC”) on December 4, 2024. The HDC held a quasi-judicial hearing and, based on the competent, material, and substantial evidence presented at the hearing, voted 4-0 to approve the Application with conditions. In support of that decision, the HDC makes the following Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The property at issue (the “Property”) is located at 143 West Margaret Lane in the Town of Hillsborough. The Owner and Applicant is Michael Edwards (the “Applicant”).

2. The Application requests that the HDC grant a Certificate of Appropriateness to:

a. Enclose the crawlspace; The existing building is on piers; The Applicant plans to build walls between the piers, with a concrete footing and marine plywood spanning the space; The plywood will be painted white; The Applicant can put siding over the plywood, matching the siding on the building; Many houses in the historic district have siding that extends all the way to the ground.

b. Add a wheelchair ramp; The ramp will be built of pressure treated decking lumber to match the existing stairs; The ramp will be attached to the existing stairs.

All work will be in accordance with the drawings and plans entered into evidence at the hearing.

3. The Property is in the Hillsborough Historic District, designated by Ordinance No. 4.3.1.2, adopted June 10, 2024. The Hillsborough Historic District Design Standards, specifically the standards for *Accessibility and Life Safety* were used to evaluate this request, and the Application is consistent with these standards for the following reasons:

- a. The ramp is minimally visible, discreetly sited, and does not compromise the architectural integrity of the existing structure.
- b. The ramp is compatible with the scale of the existing structure.
- c. The switch from plywood to wood latticework to enclose the crawlspace makes the materials less incongruous because those materials are listed as appropriate in the compatibility matrix.

4. The following individual(s) testified during the evidentiary hearing:

- a. Joseph Hoffheimer, Staff Support to the Historic District Commission, presented the staff report and comments.

- b. Michael Edwards, the Applicant, appeared to present testimony and evidence in support of the Application. The Applicant stated that he is willing to cover the plywood with clapboard or wood latticework.

CONCLUSIONS OF LAW

Based on the foregoing FINDINGS OF FACT, the HDC makes the following CONCLUSIONS OF LAW:

1. The Application is not incongruous with the special character of the Hillsborough Historic District. Therefore, the COA is hereby approved with the following conditions:

- a. The crawlspace will be enclosed with clapboard or wood lattice.
- b. All necessary permits required by law must be obtained before work may commence. Town staff must be consulted prior to making any alterations to the approved plans. Any unapproved changes observed on a final inspection will be subject to additional fees and must be resolved prior to Town sign-off on the Certificate of Occupancy.

This the 15th day of January, 2025.

Will Senner, Chair
Hillsborough Historic District Commission

APPEALS

A decision of the Commission on an application for a Certificate of Appropriateness may be appealed to the Orange County Superior Court by an

aggrieved party. Such appeal shall be made within thirty (30) days of filing of the decision in the office of the Planning Director or the delivery of the notice required in Section 3.12.11, whichever is later. Such appeals to the Orange County Superior Court are in the nature of certiorari and the court shall determine such appeals based on the record generated before the Commission.

Memorandum

To: Historic District Commission
From: Planner Joseph Hoffheimer
Date: November 4, 2024
Subject: Staff Report: Investigation of Prevention of Demolition by Neglect Complaints at 217 S. Occoneechee Street Performed October 31, 2024



Introduction:

This report provides findings from a site visit conducted by Planning Department staff on October 31, 2024, at 217 South Occoneechee Street (PIN 9864850670). The site visit was conducted to investigate a written complaint, received Monday, October 7, 2024, lodged against property owners William Lee Hall and Robin Taylor Hall claiming that the building is experiencing demolition by neglect. The site visit was conducted in accordance with the procedures outlined in Section 8.8 of the Unified Development Ordinance, which includes *Procedures of Enforcement* for prevention of demolition by neglect.

Historic District Inventory Information:

House:

This two-story, I-house is three bays wide and single-pile with a one-story, gabled ell at the right rear (southeast). The house has rolled asphalt sheathing, two-over-two wood-sash windows, a 5V metal roof, and one-to-six common bond exterior brick chimneys in the gables, each flanked by one-over-one windows. The double-leaf two-light-over-two-panel entrance has boarded-up one-light-over-one-panel sidelights and is sheltered by a near-full-width, shed-roofed porch supported by tapered wood posts on brick piers. There is an enclosed porch at the left rear (northeast) and the rear ell has German-profile weatherboards. Bellinger dates the house to 1912.

Shed/Carport:

Shed-roofed, frame shed with concrete-block foundation, aluminum siding, and paired panel doors on the west elevation. A flat-roofed metal carport has been attached to the west elevation and is supported by metal posts.

Both the house and shed/carport are considered contributing to the National Register historic district.

Narrative:

Two previous demolition by neglect complaints were received for this address on August 8, 2015 and May 25, 2011. For the 2015 complaint, staff conducted a site visit and reported findings to the Historic District Commission on January 6, 2016. At that time, the Historic District Commission did not find evidence that the structure was experiencing demolition by neglect. For the 2011 complaint, staff

conducted a site visit and reported findings to the Historic District Commission on July 6, 2011. At that time, the Historic District Commission also did not find evidence that the structure was experiencing demolition by neglect.

The current written complaint references the following standards in Section 8.8 of the UDO, which are:

8.8.2.1: Deterioration of exterior walls, foundations, or other vertical support which results in leaning, sagging, splitting, listing, or buckling,

8.8.2.2: Deterioration of flooring or floor supports, roofs, or other horizontal members which results in leaning, sagging, splitting, listing, or buckling,

8.8.2.3: Deterioration of external chimneys which results in leaning, sagging, splitting, listing, or buckling of the chimney,

8.8.2.5: Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors or broken or malfunctioning gutters,

8.8.2.6: Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering,

8.8.2.7: Rotting, holes, and other forms of decay where there is evidence that such condition has exposed structural elements,

8.8.2.8: Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling,

8.8.2.9: Deterioration of contributing accessory structures; and

8.8.2.10: Overgrown plants/landscaping features which threaten the structural integrity or relevant, significant architectural detail of a structure.

On October 31, 2024, Town of Hillsborough Planner Joseph Hoffheimer walked the front of the property to investigate the complaints. Staff also photographed the conditions.

The following section of this report includes a description of the Planning Department staff findings.

Results:

The subsequent section outlines Planning Department staff findings from the site visit. Photos from the site visit are included following the text.

The paper siding is deteriorating (and missing in certain locations), but staff did not observe any splitting or buckling of exterior walls.

Staff observed deterioration of horizontal members of the roof on the front elevation and deterioration of the roof on the front and right elevations.

The exterior chimney on the right elevation has deteriorated and appears to be splitting and missing bricks at the top.

The house is missing several windows and the front door, although these are boarded up. The house is also missing gutters.

Defective weather protection was observed for exterior wall and roof coverings. The abandoned oil tank may not be under the purview of the Historic District Commission.

There are rotting holes that expose structural elements on the right elevation.

The front porch is deteriorating, and a handrail has been removed. Window and door frames are visibly deteriorating and losing paint.

The contributing accessory structure is deteriorating. It is missing a door and has a visibly deteriorating roof as well as visibly deteriorating siding.

Landscaping around the house is overgrown and may threaten the relevant significant architectural detail of the structure.

Conclusion:

The results of the investigation suggest to staff that the house at 217 South Occoneechee Street is experiencing deterioration and needs substantial maintenance. Since 2015, additional gutters and a porch railing have been removed, and vegetation continues to grow around the structure. In addition, the condition of the south chimney appears to have worsened. Finally, the contributing accessory structure was not included in the 2015 complaint but is in a clear state of disrepair. The other structural details on the primary structure, including the roof, appear to be in nearly the same condition as in 2015.

The next step for the Historic District Commission (HDC), as outlined in Section 8.8 of the Unified Development Ordinance, is to review the complaint and evidence in the staff report to determine if the structure may be experiencing demolition by neglect. The staff report will be presented to the HDC on December 4, 2024, at the regularly scheduled meeting. If the HDC finds that the structure may be undergoing demolition by neglect, it shall file an order directing the Planning Director to conduct an administrative hearing to determine whether the property is undergoing demolition by neglect. If the HDC determines that the evidence does not suggest the structure may be experiencing demolition by neglect, then no further action is required.

Cc: William Lee Hall and Robbin Taylor Hall
209 S. Occoneechee Street
Hillsborough, NC 27278

Cc: Shannan Campbell, Town of Hillsborough Planning and Economic Development Manager
Robert Hornik, Town of Hillsborough Attorney
Property file (217 S. Occoneechee St.)
Historic District Commission

October 7, 2024

Joseph Hoffheimer

Planning Director

Town of Hillsborough, NC 27278

This Petition shall serve as a written complaint as outlined in section 8.8.3.1 of the Hillsborough Unified Development Ordinance. We who are homeowners and residents of West Hillsborough near the subject house, with our signatures below, wish to proceed with an official complaint of the property located at **217 South Occoneechee St.** This property, which lies within the Historic Division of Hillsborough, NC, has deteriorated in all respects listed in section 8.8.2 so as to be totally uninhabitable, and as such should be subject to rules for Demolition by Neglect. (See Photos attached by Email.)

Douglas Peterson

216 South Occoneechee St.

Hillsborough, NC 27278

Dougpeterson44@gmail.com

919-260-6685

Douglas Peterson

Date	Name	Street Address
10/6/24	Todd Staley	408 Calvin
10/6/24	Kenlyn Young	404 Calvin
10/6/24	Ted Smith	219 S. Hillsborough Ave
10/6/24	CANDICE COBB	216 " "
10/6/24	Red Stewart	403 W. King St.
10/6/24	Eileen BRISTOW	108 S. Occoneechee St.
10/6/24	Charles Couch	204 S. Hillsborough Ave
10/7/24	Bob Imburg	404 W. King St.

Appendix to

Petition for Demolition by Neglect

Of House at 217 South Occoneechee St, Hillsborough, NC 27278

10/7/2024



Subject house at 217 South Occoneechee St, Hillsborough, NC on October 6, 2024.

8.8.2.10

Overgrown landscaping that threatens the relevant significant architectural detail of structure.

8.8.2.2

Deterioration of horizontal members in roof.



8.8.2.8

Deterioration of exterior porch, handrails and windows.



8.8.2.8

Deterioration of door frames and architectural details – no front door (plywood)



8.8.2.1

Deterioration of exterior Walls.

8.8.2.3

Deterioration of exterior Chimney

8.8.2.5

Malfunctioning (no) gutters



8.8.2.1

Deterioration of exterior walls which results in splitting and buckling.

8.8.2.2

Deterioration of roofs.

8.8.2.6

Defective weather protection for exterior wall and roof coverings.

Abandoned oil tank with attendant environmental impact.



8.8.2.5

Broken or no windows- several.

8.8.2.7

Rotting holes exposing structural elements.



8.8.2.9

Deterioration of contributing accessory structure.

8.8 PREVENTION OF DEMOLITION BY NEGLECT

8.8.1 INTENT

The purpose of this Ordinance is to permit the Town of Hillsborough, through its Historic District Commission and its Planning Department, to protect the Town's historic architectural resources by intervening when a significant resource is undergoing demolition by neglect.

Demolition by neglect occurs when the condition of an improved property located in the Historic District is deteriorating in such a way as to threaten the structural integrity or the relevant, significant architectural detail of the structure such that the structure or its character may be lost to current and future generations.

A significant resource, as the term is used in this Ordinance, is defined as any property, structure or architectural resource designated as an historic landmark, or designated as "contributing" in the Hillsborough Historic District's nomination to the National Register of Historic Places, or in the Hillsborough Historic District Architectural Inventory of 1996, or which has gained significance through amendments to the 1996 Inventory prepared by an architectural historian.

8.8.2 STANDARDS

The exterior features of the building or structure found to have significance (the term is defined above) located within the Historic District shall be preserved by the owner, or such other person as may have legal possession, custody, and control thereof, against decay and deterioration and kept free from structural defects. The owner, or other person having such legal possession, custody, and

control, shall upon written request by the Town, stabilize or repair the exterior features of a significant building or structure if they are found to be deteriorating, or if their condition is contributing to deterioration of the property or the district. The following conditions are examples of (by way of illustration, but not limitation) defects which may constitute, or result in a finding of, demolition by neglect:

- 8.8.2.1** Deterioration of exterior walls, foundations, or other vertical support which results in leaning, sagging, splitting, listing, or buckling,
- 8.8.2.2** Deterioration of flooring or floor supports, roofs, or other horizontal members which results in leaning, sagging, splitting, listing, or buckling,
- 8.8.2.3** Deterioration of external chimneys which results in leaning, sagging, splitting, listing, or buckling of the chimney,
- 8.8.2.4** Deterioration or crumbling of exterior plasters or mortars where there is evidence that such condition exposes structural elements to decay,
- 8.8.2.5** Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors or broken or malfunctioning gutters,
- 8.8.2.6** Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering,
- 8.8.2.7** Rotting, holes, and other forms of decay where there is evidence that such condition has exposed structural elements,
- 8.8.2.8** Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling,
- 8.8.2.9** Deterioration of contributing accessory structures; or
- 8.8.2.10** Overgrown plants/landscaping features which threaten the structural integrity or relevant, significant architectural detail of a structure.

8.8.3 PROCEDURE FOR ENFORCEMENT

- 8.8.3.1** Any citizen who believes demolition by neglect is occurring with respect to any particular property in the Historic District, may make a written complaint to the Planning Director. The Planning Director may also initiate this enforcement process by filing a written complaint. Such a complaint must include a clear description of the property and the nature of the deterioration claimed to constitute demolition by neglect.
- 8.8.3.2** Upon the receipt of a complaint, the Planning Director will conduct a preliminary investigation and prepare a staff report concerning the property which is the subject of the complaint. The Planning Director may inspect the entire property as part of their investigation and is not limited in their investigation to the specific conditions identified in the original complaint. The Planning Director who makes the preliminary investigation may

consult with professionals including, but not limited to, architects, landscape architects, engineers, building inspectors and historic preservationists, during the investigation.

- 8.8.3.3** The Planning Director shall make a written report of their preliminary inspection. If, upon investigation, the Planning Director determines that a structure may be undergoing demolition by neglect, they will notify the property owner in writing that a complaint and staff report concerning the property will be brought before the Historic District Commission at a meeting held no fewer than thirty (30) days nor more than sixty (60) days from the date of the notice. If the preliminary investigation does not substantiate the complaint, the complaint will be considered resolved and no further action will be taken.
- 8.8.3.4** The notice to the property owner shall include a copy of the Planning Director's staff report concerning the structure, a description of the demolition by neglect review process, how the property owner can resolve the issue immediately, and a list of financial resources which may be available to assist the owner.
- 8.8.3.5** The Planning Director will forward the complaint and staff report to the Historic District Commission to be considered at its next regularly scheduled meeting within the time period described in Section 8.8.3.3 above.
- 8.8.3.6** The Historic District Commission will review the complaint and staff report at a regular meeting.
- 8.8.3.7** If the Historic District Commission finds that the structure may be undergoing demolition by neglect, it shall file an order directing the Planning Director conduct an administrative hearing to determine whether the subject property is undergoing demolition by neglect. The order shall describe the demolition by neglect found during the Planning Director's preliminary inspection of the full property.
- 8.8.3.8** Whenever such an order is filed with the Planning Director, a copy shall be mailed to the property owner or such other person as may have legal possession, custody or control of the property. The Planning Director shall also issue and cause to be delivered to the owner and/or such other person who may have legal possession, custody, and control thereof, as the same may be determined by reasonable diligence, a written Notice stating that the Historic District Commission has reason to believe that the property is undergoing demolition by neglect, identifying the specific condition(s) at the property which have led to that determination, and advising that an administrative hearing will be held before the Planning Director at a place within the Town not less than thirty (30) nor more than forty-five (45) days from the date of the Notice; that the owner and/or parties in interest have the right to answer and to give testimony at the administrative hearing. The Historic District Commission shall also be given notice of the administrative hearing. The rules of evidence prevailing in courts of law or equity shall not be controlling in administrative hearings before the Planning Director. The purpose of the administrative hearing is to receive evidence concerning the preliminary finding of demolition by neglect and to ascertain whether the owner and/or other parties in interest wish to file a claim of economic hardship with the Historic District Commission.
- 8.8.3.9** If after such administrative hearing, the Planning Director determines that the structure is undergoing demolition by neglect because it is affected by one (1) or more of the conditions

set out in Section 8.8.2, *Standards*, the Planning Director shall state in writing the findings of fact in support of such determination and shall issue and cause to be delivered to the owner and/or responsible persons (Section 8.3, *Responsible Persons*) an Order to Repair. The Order to Repair shall describe those elements of the structure that are deteriorating, contributing to deterioration, or deteriorated and which serve as the basis of the determination. The Owner and/or other responsible person shall have ten (10) business days from the date of the Planning Director's written Order to Repair within which to file with the Historic District Commission a written petition for a claim of undue economic hardship. In the event that the owner and/or responsible person wishes to Petition for a claim of undue economic hardship, the Planning Director's Order to Repair shall be stayed until after the Historic District Commission's determination in accordance with the procedures of this code, except as provided in the Section 8.8.9, *Other Town Powers*.

- 8.8.3.10** The commencement and prosecution of work pursuant to the Order of Repair shall stay further enforcement activity under this Section 8.8.3, *Procedure for Enforcement*.

8.8.4 EVIDENCE OF UNDUE ECONOMIC HARDSHIP

The Owner or responsible person claiming undue economic hardship bears the burden of presenting sufficient evidence to allow the Historic District Commission to determine that undue economic hardship exists. Such evidence shall include at least the following:

8.8.4.1 For All Properties:

- 8.8.4.1.a** Nature of property ownership (individual, business, or nonprofit) or other legal possession, custody, or control.
- 8.8.4.1.b** A description of the structures involved.
- 8.8.4.1.c** Petitioner's financial resources.
- 8.8.4.1.d** Cost of required repairs or other corrective measures.
- 8.8.4.1.e** Assessed value of the land and improvements.
- 8.8.4.1.f** Real estate taxes for the previous two (2) years.
- 8.8.4.1.g** Amount paid for the property.
- 8.8.4.1.h** Date of purchase.
- 8.8.4.1.i** Party from whom purchased, including a description of the relationship between the owner and the person from whom the property was purchased, or other means of acquisition of title, such as by gift or inheritance.
- 8.8.4.1.j** Annual debt service, if any, for previous two (2) years.
- 8.8.4.1.k** Any listing of the property for sale or rent, price asked, and offers received, if any, and
- 8.8.4.1.l** Any potential grants or funding sources available to help improve the property.

8.8.4.2 For Income-Producing Properties:

- 8.8.4.2.a** If the property is income-producing, the annual gross income from the property for the previous two (2) years;
- 8.8.4.2.b** Itemized operating and maintenance expenses for the previous two (2) years, including proof that adequate and competent management procedures were followed; and
- 8.8.4.2.c** Annual cash flow, if any, for the previous two (2) years.

8.8.5 METHODS OF SERVICE

Notices or orders issued pursuant to Section 8.8.3, *Procedure for Enforcement*, shall be transmitted by first class mail to the owner of the property as listed in the Orange County Tax office and to the occupant of the property at the property's mailing address. All notices and orders shall be presumed to be received by the addresses five (5) days from the date of mailing.

8.8.6 SAFEGUARDS FROM UNDUE ECONOMIC HARDSHIP

Undue economic hardship is defined as the property owner's financial inability to make the repairs specified in the Order to Repair pursuant to Section 8.8.3.9. A claim of undue economic hardship must be made, in writing, by filing a request for such a determination with the Planning Director within the time period specified for in Section 8.8.3.9. The determination of undue economic hardship will be made by the Historic District Commission on a case by case basis.

When a claim of undue economic hardship is made, Planning Director shall notify the Commission within five (5) business days following the Planning Director's receipt of the written request for a determination of undue hardship. The Commission shall schedule a hearing at its next available meeting.

The property owner and/or the responsible person shall present the information provided by Section 8.8.4.1, *For All Properties*, and, where appropriate, 8.8.4.2, *For Income Producing Properties*, to the Historic District Commission at least ten (10) days before the date of the hearing. The Commission may require that an owner and/or parties in interest furnish such additional information as the Commission may reasonable conclude is relevant to its determination of undue economic hardship, and may, in its sole discretion, hold the hearing open or close the hearing and allow the owner or party in interest additional time to furnish the requested additional information. The Commission may direct Planning Director to furnish additional information, as the Commission believes is relevant. The Commission shall also state which form of financial proof it deems relevant and necessary to a particular case.

In the event that any of the required information is not reasonably available to the owner and/or parties in interest and cannot be obtained by the owner, the owner shall describe the reasons why such information cannot be obtained.

8.8.7 COMMISSION'S DECISION ON CLAIM OF UNDUE HARDSHIP

- 8.8.7.1** Within sixty (60) days following the Commission's HEARING on the claim of undue economic hardship, the Commission shall make a determination whether undue economic hardship exists and shall enter the reasons for such determination into the record. In the event of a

finding of no undue economic hardship, the Commission shall report such finding to the Planning Director, and the Planning Director shall cause to be issued an Order to Repair the property within a specified time.

- 8.8.7.2** In the event of a determination that undue economic hardship exists, the finding shall be accompanied by recommended options that may be available to the property owner to relieve the economic hardship. This plan may include, but is not limited to, property tax relief as may be allowed under North Carolina law, loans or grants from the Town, the County, or other public, private, or nonprofit sources, acquisition by purchase or eminent domain, building code modifications, changes in applicable zoning regulations, or relaxation of the provisions of this article sufficient to mitigate the undue economic hardship. The Commission shall report such finding and plan to the Planning Director. The Planning Director shall cause to be issued an Order to Repair the property within a specified time.

8.8.8 APPEALS

Determinations made by the Planning Director pursuant to Section 8.8.3, *Procedure for Enforcement*, or by the Commission pursuant to Section 8.8.3, *Procedure for Enforcement* or Section 8.8.7, *Commission's Decision on Claim of Undue Hardship*, may be appealed to the Board of Adjustment. To perfect such an appeal, a written application must be filed by an aggrieved party with the Board of Adjustment within thirty (30) calendar days of the date the determination was mailed to the property owner. Appeals shall be in the nature of certiorari (review of a quasi-judicial decision) such that the Board of Adjustment may review the record of the proceedings before the Planning Director or the Commission (as the case may be) to ensure that all procedures required by this Ordinance have been followed, and to ensure that the decision appealed from is supported by competent evidence in the record. However, the Board of Adjustment may not substitute its judgment for that of the Planning Director or the Historic District Commission unless it concludes that either (i) there has been an error of law or procedural error which has resulted in prejudice to the appellant or (ii) there is not substantial, competent evidence in the record to support the decision.

8.8.9 OTHER TOWN POWERS

Nothing contained within this Article shall diminish the Town's power to declare an unsafe building or a violation of the minimum housing code.

8.8.10 PENALTIES AND REMEDIES

Enforcement of this article may be by any one (1) or more of the following methods, and the institution of any action under any of these methods shall not relieve any party from any other civil or criminal proceeding prescribed for violations and prohibitions.

8.8.10.1 Equitable Remedy

The Town may apply for any appropriate equitable remedy to enforce the provisions of this article.

8.8.10.2 Order of Abatement

The Town may apply for and the court may enter an order of abatement. An order of abatement may direct that improvements or repairs be made, or that any other action be

taken that is necessary to bring the property into compliance with this article. Whenever the party is cited for contempt by the court and the Town executed the order of abatement, the Town shall have a lien, in the nature of a mechanic's and material man's, on the property for the cost of executing the order of abatement.

8.8.10.3 Civil Penalty

No civil penalty shall be levied unless and until the Planning Director transmits a notice thereof to the property owner by first class mail. The notice shall also set forth the time period, not less than ten (10) days, within which corrective measures must be commenced and shall establish a deadline for completion of the work. The notice shall state that failure to either (i) commence the work or (ii) complete the work, within the specified time period will result in the assessment of civil penalties and other enforcement action the civil penalty shall be assessed in the amount of one hundred dollars (\$100.00) per day of continuing violation.



November 4, 2024

William Lee Hall and Robbin Taylor-Hall
209 S. Occoneechee St.
Hillsborough, NC 27278

Dear Property Owners:

The Town received a letter of complaint on October 7, 2024 regarding the property at 217 S. Occoneechee Street: PIN 9864850670. The letter meets the criteria for a “written complaint” as outlined in the Hillsborough Unified Development Ordinance, Section 8.8, under the *Prevention of Demolition by Neglect Ordinance*. I am including the complaint letter in this mailing for your information.

On October 31, 2024, staff conducted a preliminary investigation of the property. Staff examined the exterior of the building and determined that several elements of the building are deteriorated and may contribute to demolition if not addressed. Per Section 8.8 of the Unified Development Ordinance, staff are able to provide a list of preservation resources and options for bringing the property into compliance upon request.

The Historic District Commission will review the complaint and staff report to determine if the structure may be experiencing demolition by neglect. Staff findings from the current complaint and investigation will be presented to the Historic District Commission on December 4, 2024. Please plan to attend the meeting.

Please contact Planning and Economic Development Manager Shannan Campbell or me if you have any questions. Thank you.

Sincerely,

A handwritten signature in black ink that reads "Joseph Hoffheimer".

Joseph Hoffheimer
Planner – Town of Hillsborough
Joseph.Hoffheimer@hillsboroughnc.gov
919-296-9472

cc: Shannan Campbell, Town of Hillsborough Planning and Economic Development Manager
Robert Hornik, Town of Hillsborough Attorney
Property file (217 S. Occoneechee St.)

ITEM #7. A:

Address: 241 Lydia Ln.

Year Built: c. 1946, c. 1960s

Historic Inventory Information (2013)

The core of the side-gabled Ranch house is a three-bay-wide, Minimal Traditional-style house that dates to c. 1946. The three-bay-wide, side-gabled core has been extensively altered with an additional bay and attached side-gabled two-bay carport on the right (north) elevation and a two-bay-wide, side-gabled wing on the left (south) elevation. The house has a brick veneer and vinyl windows, including a vinyl picture window on the right end of the façade that is flanked by double-hung multi-paned windows. The nine-light-over-six-panel door is accessed by an uncovered brick stoop with a vinyl railing. The attached carport is supported by grouped square posts on tall brick piers and there is vinyl siding in the gable. County tax records date the building to 1946.

Contributing Structure? Yes (Contributing for local purposes but not listed on the National Register, most likely due to the newest parts not yet being 50 years old when the nomination was last updated in 2013)

Proposed work

- Add roof over existing front stoop
- Add pergola, fence, kitchen, sunroom, and bedroom in rear
- Screen existing covered patio
- Stain existing brick

Application materials

- COA application
- Historic and existing photos of the property
- Narrative
- Example photos of painted or stained brick, carports converted to screened porches, and covered stoops in the historic district
- Photos of damaged brick
- Materials examples and list
- Site plan
- Existing and proposed elevations

Applicable Design Standards

- Masonry: 1 – 3, 5 – 7, 11
- Paint: 5, 6
- Additions to Residential Buildings: 2 – 4, 7 – 14
- Doors: 7

- Porches, Entrances, and Balconies: 8, 10
- Additions to Residential Buildings: 1 – 14
- Site Features and Plantings: 8
- Fences and Walls: 8, 9
- Exterior Lighting: 5

Staff Comments

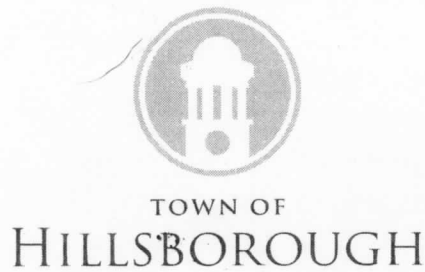
- Staff expect much of the discussion to focus on the proposed brick staining and offer the following observations:
 - “Historic” and “historically significant” are defined in the design standards as 50 years of age or older. The National Register inventory provides valuable information about a property, but National Register “contributing” status does not have any added significance for local commission review.
 - The preparer of the application confirmed with staff that the brick was added around 1965.
 - *Masonry* standard 5 includes the following language: “it is not appropriate to paint, seal, or coat historic masonry surfaces that were not previously painted, sealed, or coated, with historic defined as 50 years or older.” In addition, the minor works standards explicitly do not allow staff to approve staining brick, so staff interpret the proposed staining to fall under standard 5.
 - Standard 5 of the *Secretary of the Interior Standards* states the following: “most properties have changed over time; those changes that have acquired historic significance in their own right shall be retained and preserved.”
 - Brick painting restrictions are not unique to Hillsborough, and staff’s research of other communities with Certified Local Government (CLG) status found no standards that allowed painting previously unpainted brick. No standards that prohibited painting allowed staining. These regulations are consistent across district and community sizes.
 - The extent of damage to the existing brick appears to be limited to one side of the carport and one corner of the structure rather than the entire structure.
 - Staff have concerns about the reversibility of brick staining. Removing paint from brick is a cumbersome process, but it can be removed by sandblasting and was successfully removed in December 2024 from a brick sign on N. Churton Street.
 - The application cites several properties in the district with painted or stained masonry. Staff have identified each and the date/circumstances of approval:
 - 319 N. Churton St. (Burwell School outbuilding)
 - Brick was whitewashed prior to any Town documentation and likely predates the adoption of formal design standards in 2000.
 - 237 Lydia Ln.
 - A COA for a new construction house with stained brick was approved by the HDC in 2017.
 - It is important to note that this is new construction, and the HDC will need to determine if it is historically appropriate to stain 1965

brick to match new brick that was stained at the time of construction in 2017.

- 326 N. Cameron St.
 - Brick was painted prior to any existing Town documentation and likely predates the adoption of formal design standards.
- 324 N. Cameron St.
 - Brick was painted prior to any existing Town documentation and likely predates the adoption of formal design standards.
- 317 Mitchell St.
 - A COA for staining existing brick veneer on a projecting front-gabled bay was approved by the HDC in 2021 (most of the house has wood siding).
- 144 E. Tryon St.
 - A COA for staining replacement brick was approved by the HDC in 2018 (architect testified that the existing brick veneer was failing).
- 107 S. Hasell St.
 - A COA for painting brick to match the second-floor siding was approved by the HDC in 2017 (existing 1957 brick was damaged; second floor brick was replaced by a siding addition in the 1980s).
- 306 W. Margaret Ln.
 - A COA for painting unpainted 1964 brick was approved by the HDC in 2016 (the house had some exterior siding but is primarily brick).
- 170 W. Margaret Ln.
 - Brick was painted prior to any existing Town documentation and likely predates the adoption of formal design standards.
- 202 W. King St.
 - Brick was painted prior to any existing Town documentation and likely predates the adoption of formal design standards.
- In addition to the referenced examples, the most recent painting or staining of existing brick in the historic district occurred at 421 W. Corbin Street, which received after-the-fact approval from the HDC in 2022. The minutes for that decision reflected agreement among the commissioners that the approval represented a unique situation and that the commission did not wish for the approval to set a precedent for future cases. If the application had been submitted prior to painting the brick, commissioners indicated that the work probably would not have been approved. The situation was unique because an absentee owner had painted the brick prior to the arrival of the current owners.
- Based on the submitted examples, staff have concluded that approval of brick staining at 241 Lydia Lane likely would be the most extensive staining or painting of existing brick approved since the Town adopted formal design standards.
- The preparer of the application confirmed with staff that the front door is not original and is less than 50 years old. Staff have determined that the existing door does not meet the design standards' definition of historic and do not have any major concerns about its

replacement.

- Because the chimneys proposed for removal are easily visible from the street and appear to be original to the house, they are subject to *Roofs* standard 8. Evidence of leakage may provide additional justification for their removal.
- The preparer of the application confirmed that the new windows will have simulated divided lites (SDL).
- Staff have determined that the fencing, pergola, and lighting are approvable as minor works and recommend that the commission approves those three items as submitted.
- A prior COA for a rear addition was approved by the HDC in 2015. Work began on this addition but was never completed, and COA approval for that addition has since expired.



APPLICATION Certificate of Appropriateness and Minor Works

Planning and Economic Development Division
101 E. Orange St., PO Box 429, Hillsborough, NC 27278
919-296-9470 | Fax: 919-644-2390
planning@hillsboroughnc.gov
www.hillsboroughnc.gov

9874280274

Orange County Parcel ID Number

Christopher P. Jones

Applicant Name

5525 Jomali Dr

Applicant's Mailing Address

Durham, NC 27705

City, State ZIP

(919) 641-0125

Applicant Phone Number

chris.jones@earthlink.net

Applicant's Email

R-20

Zoning District

241 Lydia Ln

Address of Project

Property Owner (if different than applicant)

Property Owner's Mailing Address

City, State ZIP

Property Owner's Phone Number

Property Owner's Email

Description of Proposed Work: add roof over exist. front stoop, add pergola, fence, kitchen, sunroom, bedroom on rear, screen existing covered patio

Estimated Cost of Construction: \$ **\$250,000**

The Historic District Design Standards, Exterior Materials Compatibility Matrix, and Certificate of Appropriateness application process can be found on the Town of Hillsborough's website: <https://www.hillsboroughnc.gov/hdc>.

Applicant and Owner Acknowledgment and Certification

I am aware that Historic District Design Standards, Exterior Materials Compatibility Matrix, and Unified Development Ordinance requirements are the criteria by which my proposal will be evaluated for compatibility, and I certify that I, and/or my design professional under my direction, have reviewed my application materials with Planning Staff for compliance to the standards in those adopted documents. I understand that I, or my representative, must attend the HDC meeting where this application will be reviewed. I further understand that town employees and/or commissioners may need access to my property with reasonable notice to assess current conditions, and to assist them in making evidence-based decisions on my application and that I am not to speak to any commissioner about my project until the public meeting at which it is under consideration.

Applicant's Signature (Optional)

Date

Property Owner's Signature (Required)

Nov. 21, 2024

Date

Submittal Requirements

The following documents and plans are required to accompany your COA application in order for it to be deemed complete and scheduled for commission review. Planning staff will determine when all submittal requirements have been met. The first FOUR complete COA applications submitted by the deadline will be heard on any HDC agenda.

All applications must include the following documents and plans:

(Provide a digital copy if plans are larger than 11"x17")

- ☐ Detailed narrative describing the proposed work and how it complies with all adopted standards.
- ☐ Existing **and** Proposed Dimensioned Plans (see below):
 - Site Plan (if changing building footprint or adding new structures, impervious areas or site features, including hardscaping)
 - Scaled Architectural Plans (if changing building footprint or new construction)
 - Scaled Elevations (if adding or changing features of a structure)
 - Landscaping Plans (required for all new construction and for significant landscaping or tree removal and re-planting)
 - Tree Survey (required for new construction when trees over 12" diameter at breast height are on site - show both existing and those to be removed)
 - Sign Specifications (if adding, changing, or replacing signage)
- ☐ Itemized list of existing and proposed exterior materials including photos and specifications, colors, etc. (Siding, trim and fascia, roof and foundation materials, windows, shutters, awnings, doors, porch and deck flooring, handrails, columns, patios, walkways, driveways, fences and walls, and signs, etc.).
- ☐ Photographs, material samples, examples of comparable properties in the district (if using them as basis for specific designs), plans, or drawings that will help to clarify the proposal, if applicable, or if required by staff as part of the review.

Staff Use Only:

**COA fee (\$1 per \$1000 of construction costs, \$10 minimum)
or Minor Works fee (\$10 flat fee):**

Amount: \$ _____

☐ After-the-fact application (\$100 or double the COA fee*):
*whichever is greater

Amount: \$ _____

Total Due: \$ _____

Receipt #: _____

Received by: _____

Date: _____

This application meets all Unified Development Ordinance requirements and has been reviewed for compliance with all approved materials.

☐ N/A ☐ Yes

Zoning Officer: _____

This application meets public space division requirements.

☐ N/A ☐ Yes

Public Space Manager: _____

Historic Architectural Inventory Information

Original date of Construction: _____

Description of the Property:

Applicable Design Standards:

Other reviews needed?

☐ Hillsborough Zoning Compliance Permit ☐ Orange County Building Permit ☐ Other: _____

Minor Works Certificate of Appropriateness Application Decision

☐ Approved ☐ Referred to HDC

Minor Works Reference(s): _____

Certificate of Appropriateness Decision

☐ Approved ☐ Denied

Commission Vote: _____

Conditions or Modifications (if applicable):

Historic District Staff Signature

Date

Introduction

The subject house is located at 241 Lydia Lane and is classified as non-contributing. The core of the side-gabled Ranch house is a three-bay-wide, Minimal Traditional-style house that dates to c. 1946. The three-bay-wide, side-gabled core has been extensively altered with an additional bay and attached side-gabled two-bay carport on the right (north) elevation and a two-bay-wide, side-gabled wing on the left (south) elevation. The house has a brick veneer and vinyl windows, including a vinyl picture window on the right end of the façade that is flanked by double-hung multi-paned windows. The nine-light-over-six-panel door is accessed by an uncovered brick stoop. The attached carport is supported by grouped square posts on tall brick piers and there is vinyl siding in the gable. County tax records date the building to 1946. Also on the site is a non-contributing garage, 1960s – Large, side-gabled, frame garage with brick veneer on the lower one-third of the wall, vertical aluminum siding on the upper two-thirds, slider windows, two overhead doors on the north elevation, and a louvered cupola on the ridgeline.

Please see historical and existing conditions pictures below:



Photo of original wood lap siding house



Another photo of original wood lap siding house with original small concrete/brick stoop

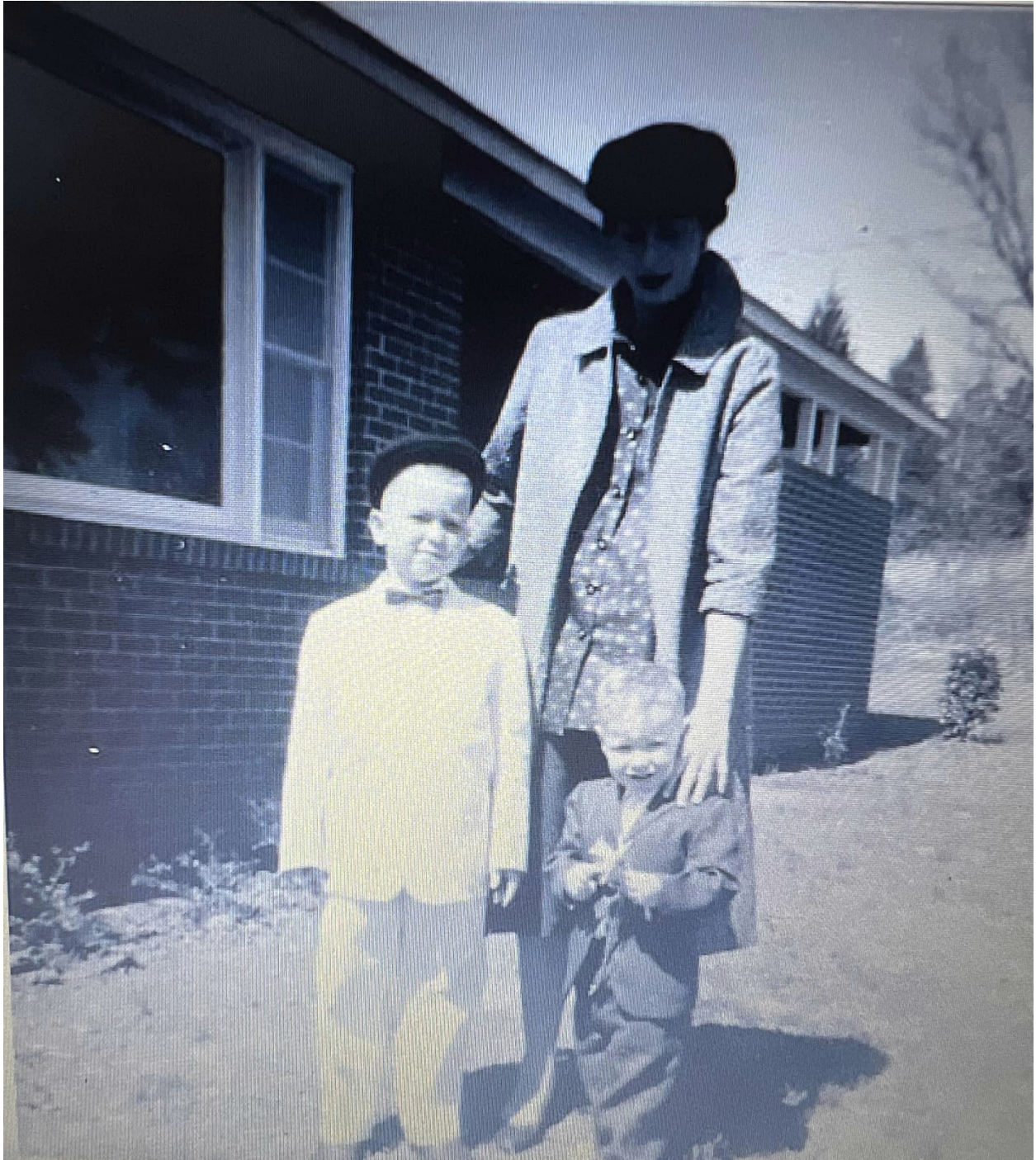


Photo taken after brick veneer added (notice end of carport brick wall-since removed)

View from Lydia Lane looking west (east elevation)



View of left side (south elevation)



View of right side (north elevation)



View of rear (west elevation)



Close-up view of area of proposed addition (and previously approved but uncompleted addition)



Project

The homeowners are proposing to add a gabled front porch (with a standing seam metal roof with no striations) to cover the existing brick/concrete stoop with wood columns, Hardieboard trim and siding. They would like to replace the existing wood front door with a different wood door due to privacy concerns with the amount of glass on the existing door (see example below). They plan to screen the existing covered northern patio with wood columns/rails/screen door. Additionally, they want to add a Hardieboard lap siding to the following rooms on the rear of the house: kitchen, sunroom and bedroom. The kitchen and bedroom will have asphalt shingles to match while due to the shallow pitch the sunroom roof will have a standing seam (no striations) roof. A four-foot-tall wood fence with "hogwire" infill is proposed (see site plan for location). Due to the chimneys being inoperable, a common source of roof leaks and in the way of renovations the homeowners would like to remove them. The smaller one is a utility type chimney on the back side of the house and isn't architectural in any way. The existing asphalt shingles will be replaced in kind. Two skylights over the sunroom in the back are proposed. Due to the low slope and their rear location, they should hardly be visible if at all from the street. An aluminum clad bulkhead is proposed to cover the existing rear exterior basement stairwell.

The homeowners are proposing to stain the existing brick. While the design guidelines frown on painting brick due to hiding historic brick and maintenance issues. In this case the brick is common brick and isn't historic (the original house was German lap siding (see photo)) and the staining of brick is a better alternative maintenance wise. Brick Painting and Brick Staining may seem like the same thing, but they aren't. Painting brick requires maintenance, and it may be required to repaint it every 3-5 years due to the paint peeling from the surface of the brick. Brick staining is a much better choice. When you stain brick, it's absorbed by the brick and forms a powerful chemical barrier that also protects it from the elements. Painting brick also traps in moisture while brick staining allows the brick to breathe. Bricks have a naturally porous surface that needs to breathe to maintain itself. When you paint brick, it saturates the pores preventing the flow of air. It also stops it from effectively releasing water and moisture. As more moisture builds up, it will come through the surface of the brick resulting in the paint peeling from the surface. Staining allows brick to maintain its original physical properties so that it successfully releases moisture and prevents build up. With staining bricks are able to breathe and release moisture without any blistering, chipping or peeling. Additionally, below you will find ten (10) examples of Historic District Commission approved Certificate of Appropriateness houses with painted brick. In some of these cases the painting was allowed due to damaged brick. We have included photos below of areas of damaged brick on the subject house. We have also provided an example of a carport converted to a screen porch and numerous examples of stoops converted to covered stoops/porches and similar type situations to what is being proposed.

Examples of painted/stained brick houses/projects in the Historic District:



Burwell School brick classroom building



237 Lydia Ln (adjacent to subject house)



326 N Cameron Street



324 N Cameron St



317 Mitchell St



144 E Tryon St



107 S Hasell St



306 W Margaret Ln



170 W Margaret Ln



202 W King St

Examples of house in the Historic District where a carport was converted to a screen porch



311 W Tryon St

Examples of houses in the Historic District where uncovered or covered stoops were converted to covered stoops or larger porches



158 W Margaret Ln (uncovered stoop to covered stoop)



122 W Union St (uncovered stoop to covered stoop)



310 N Cameron St (uncovered stoop to covered stoop)



401 N Churton St (uncovered stoop to covered stoop)



400 N Cameron St (in this case the entire front porch was added)



118 N Occoneechee St (in this case a small covered stoop was replaced with this full porch)

Photo showing damaged brick on existing house @ covered north patio:





This photo also shows the original house's German siding

Proposed front door (will be stained to match wood columns):



Proposed light fixture to replace existing fixture on either side of front door:



Barras Outdoor Wall Light

1-Light | Clear Ribbed Glass

Size: 5.5" W x 11.5" H

Landscaping

No trees will be removed, and no new landscaping is proposed at this time.

Paint/stain samples:

front door, front porch columns, handrails, pergola



SW 3508 Covered Bridge

Exterior Semi-Transparent Stain

Brick, gable ends, siding

SW 7003
Toque White
Interior / Exterior
Location Number: 256-C3

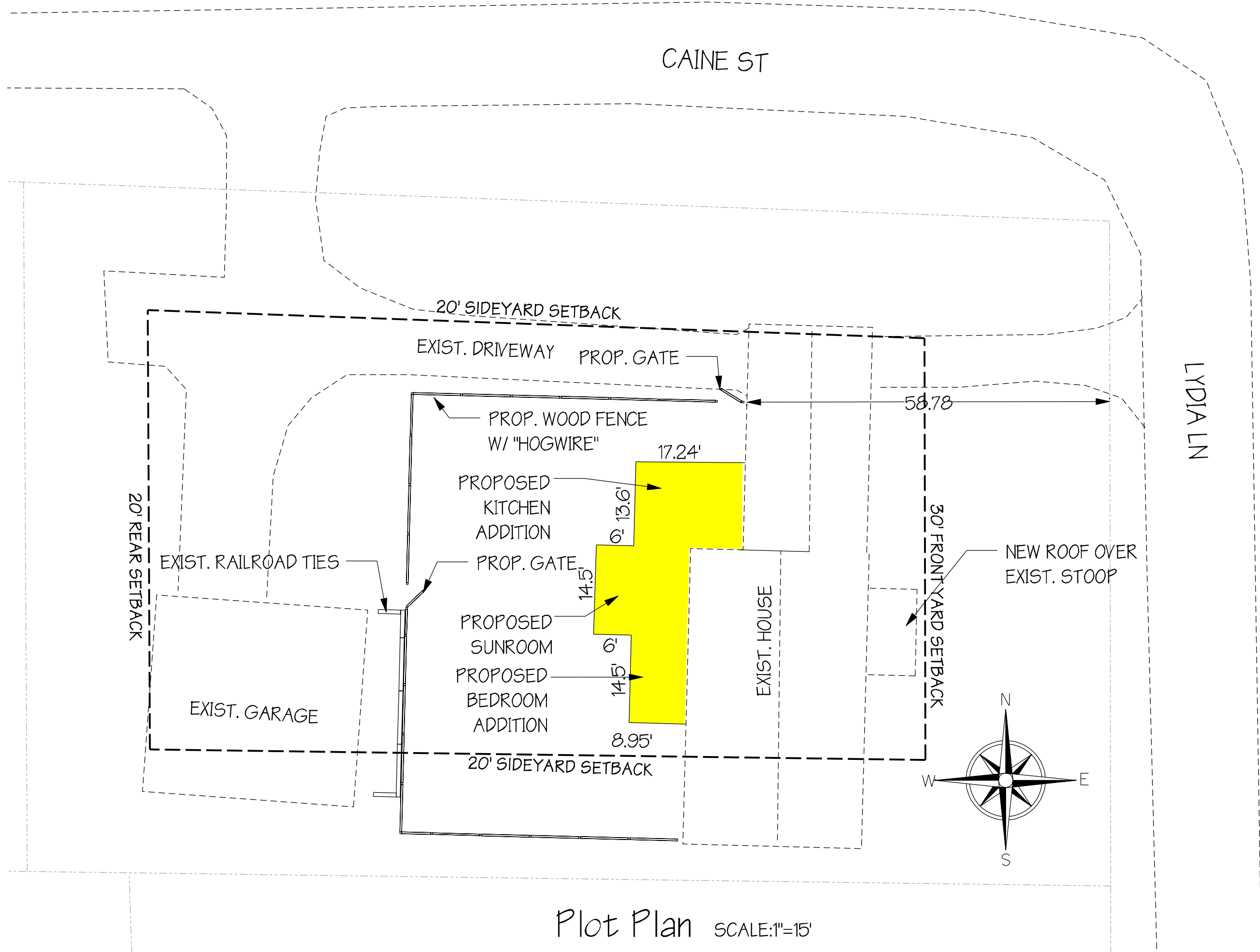
fascia, trim, windows (trim, sash), screen porch columns will be white

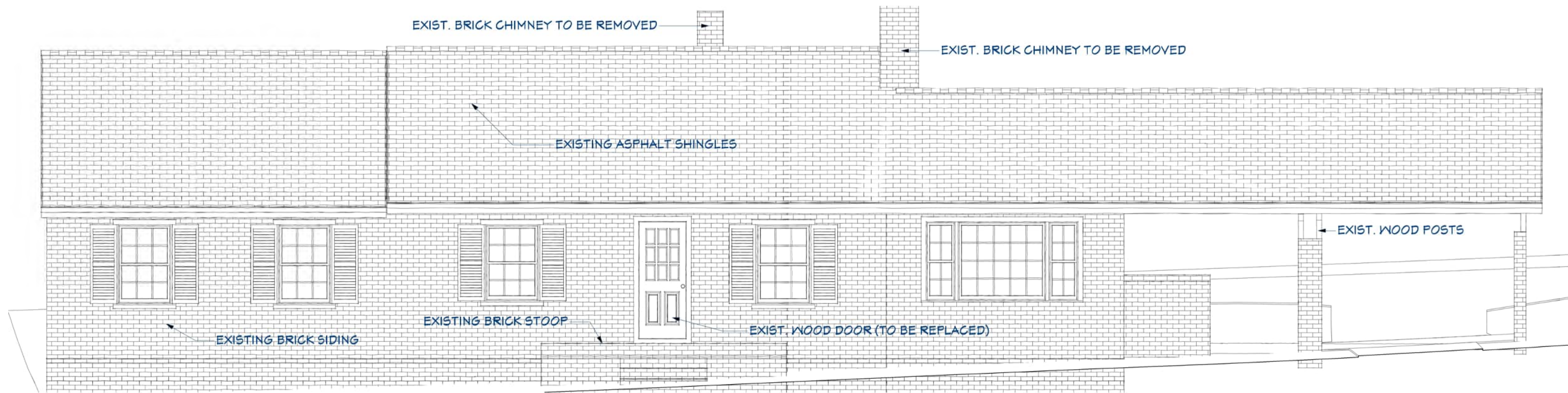
shutters

SW 7076
Cyberspace
 Interior / Exterior
 Location Number: 235-C7

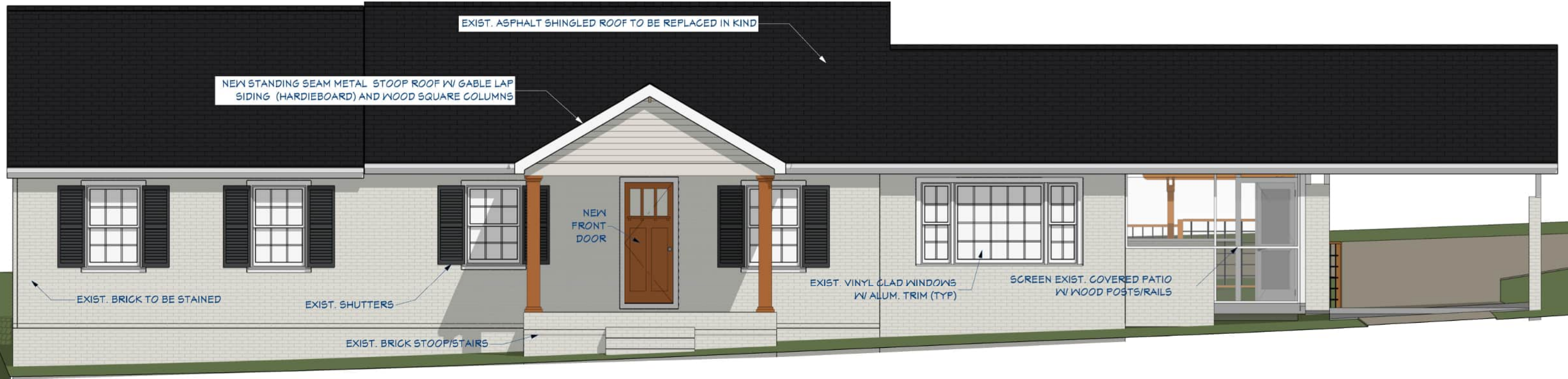
Material matrix

Material Category	Existing	Color	Proposed	Color
siding	brick	natural	Brick/Hardieboard	SW7003 "Toque White"
trim	Wood/alum	cream	Hardieboard	white
fascia	Wood/alum	cream	Hardieboard	white
roof	asphalt shingles	gray	asphalt shingles/standing seam	match existing/dark grey
foundation materials	brick	red	brick	SW7003 "Toque White"
windows (trim)	aluminum	cream	aluminum clad	white
windows (sash)	vinyl	white	aluminum clad	white
shutters	wood	burgundy	no change	SW7076 "Cyberspace"
awnings	none existing	N/A	N/A	N/A
front door	Wood	natural stain	wood	SW3508 "covered bridge"
stoop	Brick/concrete	natural	no change	N/A
front porch columns	none existing	N/A	wood	SW3508 "covered bridge"
handrails	wood	natural	wood	SW3508 "covered bridge"
screen porch columns	none existing	N/A	wood	white
Covered patio floor	concrete	natural	no change	N/A
front steps	brick	natural	no change	N/A
driveways	concrete	no change proposed	no change	N/A
fences	none existing	N/A	wood, welded wire	natural
arbor	none existing	N/A	wood	SW3508 "covered bridge"

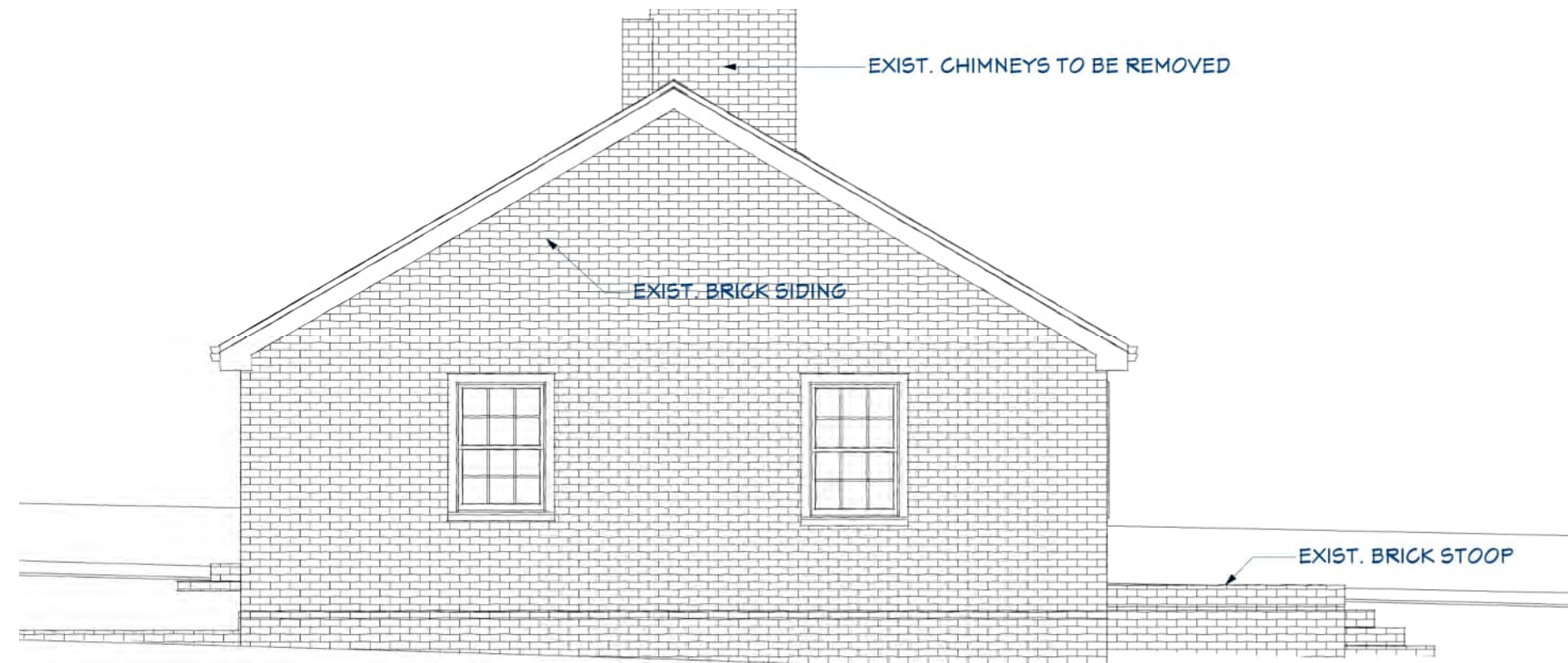




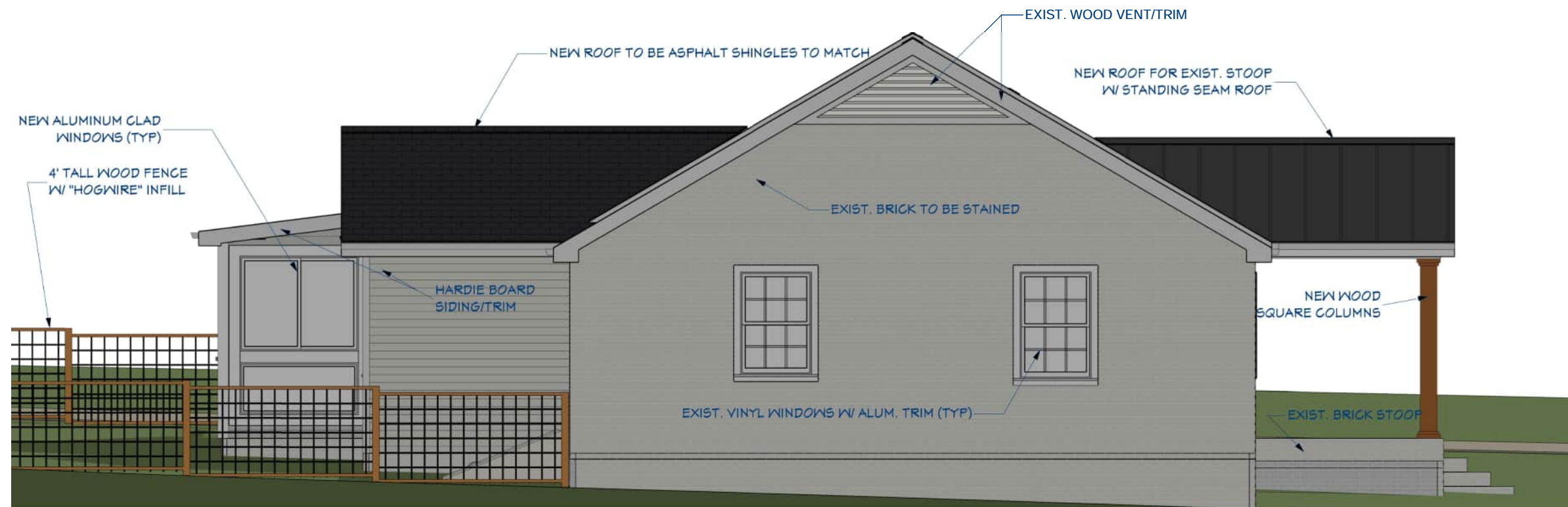
Existing Front (Lydia Ln)



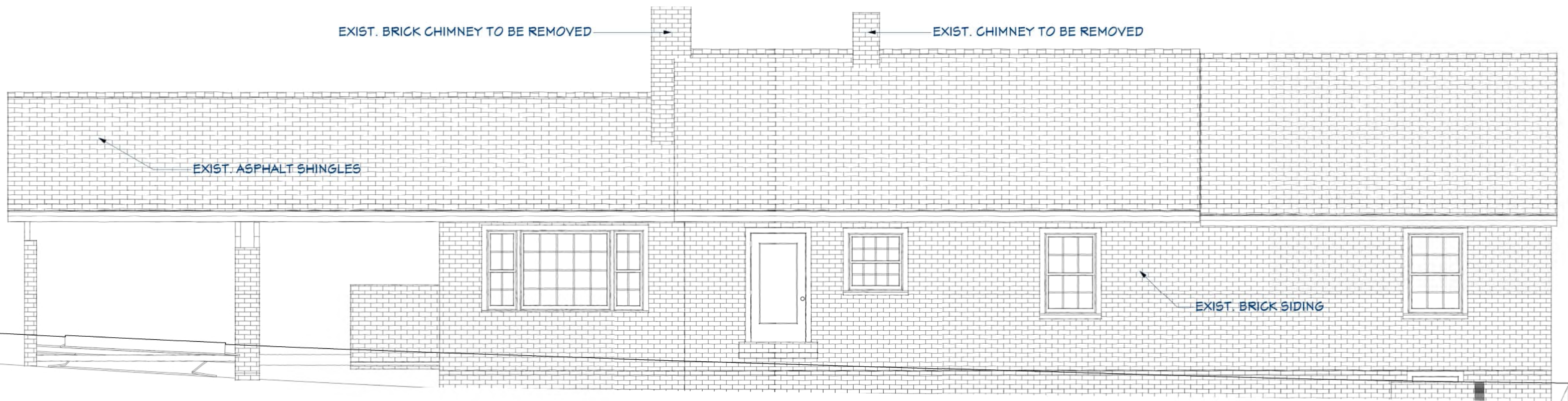
Proposed Front (Lydia Ln)



Existing Left



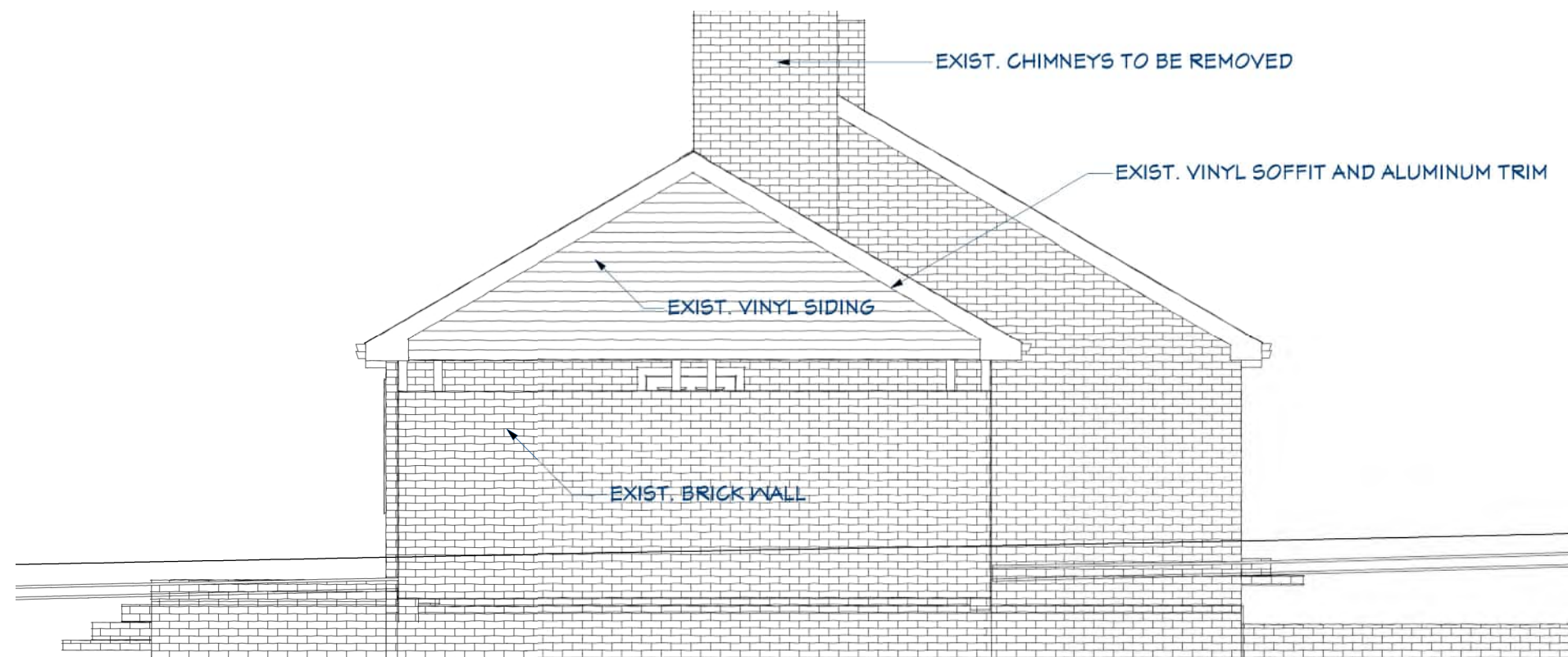
Proposed Left



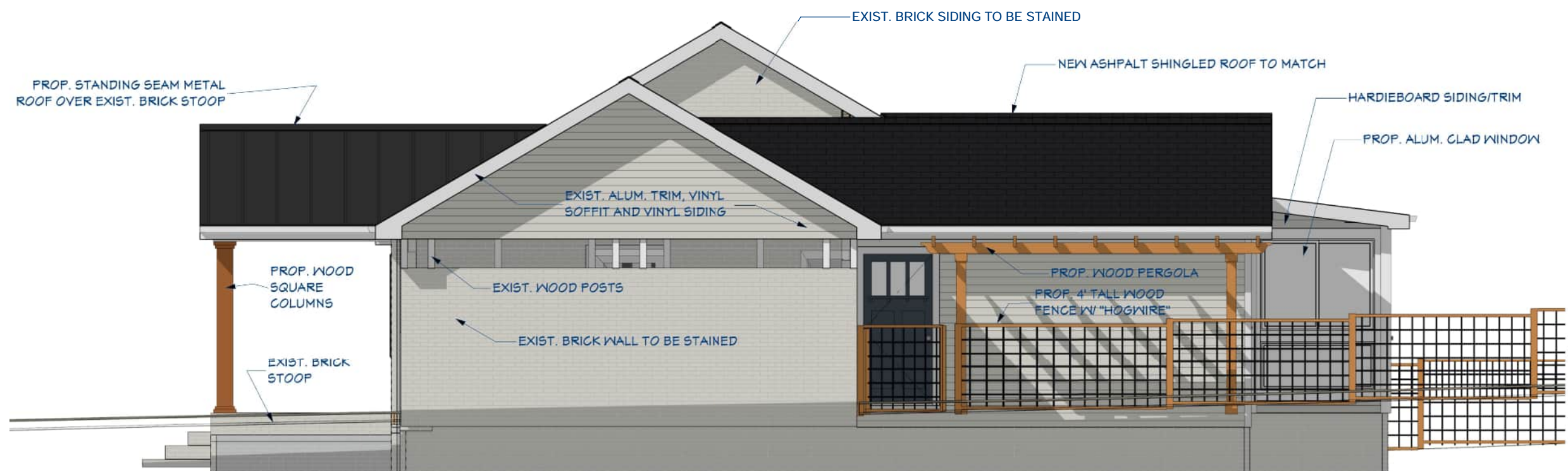
Existing Rear



Proposed Rear



Existing Right (Caine St)



Proposed Right (Caine St)



Front Perspective



Rear Perspective (looking NE)



Rear Perspective (looking SE)



Rear Perspective (looking SE)

I, Joseph Hoffheimer, hereby certify that all property owners within 100 feet of and the owners of PIN 9874280274 (the affected property) have been sent a letter of notification of the Certificate of Appropriateness application before the Historic District Commission by first class mail in accordance with the Hillsborough Zoning Ordinance.

12/31/2024
Date

Joseph Hoffheimer, Planner
(for Hillsborough Planning Department)

PIN	OWNER1_	OWNER1_FIRST	OWNER2_	OWNER2_	ADDRESS1	CITY	STATE	ZIPCODE
9874189223	CUPER	PRUDENCE H	MULLENS	JO BETH	328 MITCHELL ST	HILLSBOROUGH NC		27278
9874280145	CATHEY	JONATHAN E	CATHEY	KATHERIN	320 MITCHELL ST	HILLSBOROUGH NC		27278
9874280149	PEOPLES	GEORGE R	PEOPLES	ANNE J	322 MITCHELL ST	HILLSBOROUGH NC		27278
9874280182	WOODS	K CHARLES TRUST	WOODS	CHARLENE	237 LYDIA LN	HILLSBOROUGH NC		27278
9874280274	JONES	CHRISTOPHER P	JONES	CHERYL B	241 LYDIA LN	HILLSBOROUGH NC		27278
9874280545	BROWN	DENISE P			221 CAINE ST	HILLSBOROUGH NC		27278
9874282611	MCKEE	H CARLTON JR	MCKEE	SARA LOU	225 CAINE ST	HILLSBOROUGH NC		27278
9874283240	SAGAR	GEORGE A	CRANE	DEBORAH	242 THOMAS RUF	HILLSBOROUGH NC		272782119
9874284113	GREEN	ROSS STURGES TF	GREEN	KRISTY HC	234 LYDIA LANE	HILLSBOROUGH NC		27278

