

Agenda

HISTORIC DISTRICT COMMISSION

Regular meeting

6:30 p.m. September 4, 2024

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

The mailed notices for Item 6A had a typo that listed the wrong meeting date. The property was correctly posted, and all other information in the mailed notices was correct. This agenda lists the correct date for the property, which is **September 4, 2024**.

4. Minutes review and approval

Approve minutes from regular meeting on August 7, 2024

5. Written decisions review and approval

Approve written decisions from regular meeting on August 7, 2024

6. New business

A. Certificate of Appropriateness Application: **303 W. Margaret Lane** – Front porch addition (PIN 9864855778)

7. Historic Preservation Awards

8. Officer election process

9. General updates

10. 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. Aug. 7, 2024

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



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

Absent: Member Elizabeth Dicker

Staff: Planner Joseph Hoffheimer and Town Attorney Bob Hornik

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

Chair Will Senner called the meeting to order at 6:30 p.m. He called the roll and confirmed the presence of a quorum.

2. Commission's mission statement

Senner read the statement.

3. Agenda changes

There were no changes to the agenda.

4. Minutes review and approval

Minutes from regular meeting on July 10, 2024.

Motion: Member Bruce Spencer moved to approve the minutes from the regular meeting on July 10, 2024, as submitted. Senner seconded.

Vote: 6-0.

Member G. Miller noted that he had abstained from the vote due to his absence from the July meeting.

5. Written decisions review and approval

Written decisions from regular meeting on July 10, 2024.

Motion: Spencer moved to approve the written decisions from the regular meeting on July 10, 2024, as submitted. Senner seconded.

Vote: 6-0.

6. New business

1. Certificate of Appropriateness Application: 437 Dimmocks Mill Rd.

Applicant is requesting to install windows in the bricked openings on the eastern façade. (PIN 9864646207.006)

Senner 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.

Planner Joseph Hoffheimer was sworn in. Will Riedel of Belk Architecture 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 National Register nomination indicates that the bricked-in window openings are from the interior wall of a building that no longer exists. Windows in those openings would have once faced west rather than east. However, that configuration is impossible to replicate, and the proposed windows do match existing windows on the same wall.

Hoffheimer added that this wall was once part of the weaving house of the mill. The weaving house was lost to fire in 1987, and the wall has only been exposed since then.

Riedel explained that the proposed windows will exactly match existing windows on the structure, and that he believes they will meet the criteria of the Historic District Commission.

The commissioners reviewed the site plan. A typo was pointed out on the site plan. Riedel confirmed that the road along the top of the page is mislabeled as Dommocks Mountain Road and should instead be labeled Dimmocks Mill Road.

Hoffheimer reminded the commissioners that the only element on the site plan included in the application is the windows; all other elements that do not already exist are not part of the application under review.

The commissioners reviewed the elevations. Riedel confirmed that any elements on the elevations that appear to be structural changes, such as an apparent removal of a wall at roof level, are drafting errors. He confirmed that there are some old, non-functioning electrical panels on the facades that will be removed, as shown on the elevations. The panels showing on the proposed elevations are the live panels that will remain.

Riedel confirmed that some old metal pipes along the facade that are not functional will be removed to clean up the look of the wall.

Riedel confirmed that the infill panel will be part of the window itself and will be the same material as the window. He confirmed that the existing windows are aluminum.

Riedel confirmed that the bricks of the sill will be oriented so the narrow profile is showing. He explained that the course of brick will be the same as for existing windows, and that it will be used to obtain a level bed for the window.

The commissioners reviewed photos of existing windows in place, which Riedel confirmed the new windows will match. It was noted that the brick on the existing wall looks distressed and is spalling. Riedel explained that according to National Park Service regulations, the repair may not be intentionally

distressed to match the existing portions. Instead, he said, repairs must obviously show. Further, Riedel explained, the brick will have to be contemporary.

There was general agreement among the commissioners that the windows work well and seem congruent with similar locations in the rest of the mill.

Senner summarized the commissioners' discussion: There was no concern expressed about the work being incongruent with the mill as a historic landmark based on similar applications of the same windows in historic openings on the same elevation a few feet away.

Senner closed the public hearing.

Motion: Spencer moved to find as fact that the application for 437 Dimmocks Mill Rd. is not incongruous with the overall character of the historic landmark and complies with all relevant standards of evaluation based on the commission's discussion of the application and the standards of evaluation of the Secretary of the Interior's Standards for Rehabilitation because the plans are consistent with Secretary of the Interior's Standards for Rehabilitation: 3, 9, 10. Member Sara Riek seconded.

Vote: 6-0.

Motion: Spencer moved to approve the application as submitted. Vice Chair Mathew Palmer seconded.

Vote: 6-0.

2. Certificate of Appropriateness Application: 227 W. Margaret Lane

Applicant is requesting to relocate existing structure and new single family home construction. (PIN 9864859776)

Senner 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.

Glenn Wallace was sworn in to speak on behalf of the application. Matthew Farrelly and Doug Peterson were 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 two proposed parking pads will be perpendicular to the street. The current house has a gravel parking pad parallel to the street as well as a gravel driveway.
- Due to its age, either relocation or demolition of the rear garage would also require Historic District Commission approval.
- A relocation of the existing house that complies with the design standards likely is a preferable alternative to demolition, which the commission may delay but not deny.

Wallace introduced the application by saying he, his wife, and the project's designer had done their best to comply with the design standards for the new structure. He explained that initially they had investigated adding on to the back of the existing property. However, he said it was impossible to

renovate the house to be the size they wanted with the ceiling heights they desired while abiding by the design standards. He provided an example: according to the design standards, the roofline could not be raised, so the homeowners' desired ceiling heights could not be met. He said a step down within the house would have to be added, which is contrary to the occupants' needs. To work around this obstacle, they plan to move the existing structure to a property on Murray Street. Wallace said they planned on demolishing the garage to make way for the new construction. He added that the lot is non-conforming, and the existing house sits close to the east side property line. The new house will sit in the middle of the lot, where the garage currently is.

Wallace addressed the design of the gravel parking pad. The original design included two driveways with a herringbone brick pattern. He indicated that the design had changed slightly: the brick herringbone will only come up to where the current gravel parking pad exists.

The commissioners discussed the existing condition of the structure. They asked whether there was an existing condition site plan. Wallace said he had an as-built survey but had not included it in the application. The commissioners used the proposed site plan as a reference for discussing the existing situation.

Wallace pointed out the main differences between the proposed site plan and the existing siting of the house. He said the existing house is set closer to the street and closer to the east property line than the proposed structure. He said there is a garage on the west property line, and a driveway that goes up to the street.

There was discussion of demolition projects and the structural condition of the property, including the question of whether relocation could alleviate some of the structural concerns.

Wallace confirmed that the applicants are requesting relocation and would prefer that over demolition. He confirmed that he owns the Murray Street property already. He explained that he has discussed the project with a relocation contractor. He said the main structure would be relocated except for the more recent laundry room addition on the rear of the house, which would be demolished. He said there is also a small one-car garage that the contractor evaluated and said is in too much disrepair to be relocated/

Hoffheimer noted that the garage is part of the Historic District inventory, and that its removal requires approval from the commission. He confirmed that the demolition of the garage was not included in the application under review.

Carol Ann Zinn, the project's designer and a licensed general contractor, was sworn in to speak on behalf of the application. She provided testimony on the condition of the garage. Zinn explained that the garage is more like a small outbuilding. She said it has no foundation and is held up by rocks and was haphazardly created. She confirmed that it does not meet structural codes and has no footings. She confirmed that the structure would not survive relocation.

There was discussion of whether the commissioners would make a decision about the garage demolition at this meeting. Some commissioners expressed hesitance making a decision without specific documentation and evidence. Other commissioners felt that a licensed contractor's professional opinion of the condition would suffice. The applicant showed pictures of the garage's condition which were not included in the application packet.

Wallace confirmed that the proposed new construction is on the footprint of the existing garage.

There was discussion of the garage's inclusion in the inventory.

The commissioners inquired about the level of confidence that the main structure can be moved. Wallace said he is ready to sign a contract with Oldham House Movers and is confident that it can be relocated successfully. He said he plans to rehabilitate the house after it is relocated to be used as an accessory dwelling. He mentioned the design standards as being in conflict with the applicant's needs as occupants of the house. He further said that he was attempting to relocate the historic structure in lieu of filing an application for demolition, which he could do if he had no other option.

Wallace confirmed that the proposed structure will be set back from the street three to four feet further than the existing structure currently stands because he wanted to give the house a nicer front yard.

There was discussion of the trees on the property. Wallace confirmed that tree T11 on the proposed site plan would be too close to the proposed house and would have to be removed. He said T11 is the only tree over 24 inches, but that T3 and T13 would also have to be removed. He said he would like to keep as many trees as possible. Wallace confirmed that tree T11 would not survive the moving of the existing house.

There was discussion of the location of T11 relative to the existing structures on the property. Wallace explained that the garage is located just above the T11 label on the site plan, and that the rear corner of the house sits just next to where the garage begins.

Wallace said the entire front of the lot will remain gravel, with two driveways and one front parking pad. There was discussion of the design standards' preference for not having parking pads parallel to the street. The question was raised of whether Wallace could grass over the front parking pad and set the driveway perpendicular to the street. Wallace explained that the amount of parking is meant to accommodate the family's cars and keep them from blocking each other in. He said it was his understanding that if the parallel parking pad is existing it could be kept in the design. The commissioners conceded that his understanding was correct, but that it would be more congruent with the district to remove the parking pad.

Wallace clarified the locations of hardscape and fencing. He said the gates at the end of the parking pad would lead into the back yard, and that the fence would run from the front of the structure down to the stream buffer along the Eno River. He confirmed that the fencing would be hog fencing as shown in the example photos in the application, and that the drawing in the application was an example of one of the gates, which will be wood. He confirmed that the double gate will be the same construction as the single gate.

Wallace confirmed that five new trees would be added to the lot to offset the removal of the one mature tree.

Wallace said the path down the side of the house would be brick in a herringbone pattern, the front would be a brick walkway, and the porch would be brick. He clarified that the double gate on the east side of the property would open onto grass.

Wallace said the proposed structure is slightly wider than existing, and that the roofline would meet the design standards for a one-story house. He said it would be similar in proportion to neighboring houses.

It was noted that setting the house a few feet farther away from the street would still be consistent with other neighboring houses on Margaret Lane. Hoffheimer mentioned that the siting may be required for zoning purposes.

Wallace did not know how much taller the new house would be compared to the existing structure. He said there would be nine-foot ceilings, and that a basement would be dug out for the addition in the back of the house. Zinn confirmed that the foundation at the front of the house and the floor level would remain at the same level. Wallace confirmed that the pitch of the roof will be 7/12. Senner reviewed the plans and calculated that the roof would be higher by a couple of feet. Palmer and Senner noted that this increase would be balanced by an increased setback and a wider structure. Spencer added that one advantage to not matching the existing height is that it is one way to prevent the house from pretending to be historic.

The commissioners reviewed the design statement. Zinn clarified that the applicants are not trying to make the home appear historic, but to make it look like it belongs there. Senner referenced Design Standard 11, encouraging new designs that are compatible with but differentiated from historic buildings.

Zinn confirmed that the foundation will be red brick.

The commissioners reviewed the front elevation. Miller expressed concern about the front door's compatibility with other doors in the area because of the two side panels. Zinn confirmed that the door would be glass with side lites that have antique beveled glass. She confirmed that there would be no screen door. Spencer said that he would agree with Miller if this were a door to be added to an existing house. However, he does not believe the door needs to match other houses because it reflects its own time and the development of the town. Spencer expressed that he likes that the house would look different from surrounding houses because it is new, while remaining compatible and congruous. Palmer concurred with Spencer's opinion. Wallace suggested that he can find examples of similar doors in the district. Senner read from the design standards for new residential construction, which suggest that compatible designs reinterpret traditional elements in new ways or reflect the time in which they were constructed.

There was discussion of the commissioners' approach to moving forward with evaluating the application. Palmer clarified the topics and questions to be resolved.

Miller stated that he still considered the side lites on the door to be incongruous with the district. There was further discussion of the proposed door as it relates to the design standards.

Member Hannah Peele referred to the materials chart, noting that the applicants had chosen to match proposed materials to the materials of the existing house. She reminded the applicants that because this is new construction they did not have to match materials and inquired whether they would make any different choices, given the circumstances. Zinn replied that no, the proposed materials reflect the applicants' taste.

Zinn confirmed that the louvers on the front elevation will be wood and that the gutters will be aluminum, painted white to match the trim.

The commissioners reviewed the rear elevation. There were no comments.

The commissioners reviewed the left side elevation. Zinn clarified that the note in the middle of the three windows reads “skylights,” and that the skylights would be in plane with the sloping roof. It was noted that they will not be visible from the street.

Wallace confirmed that the existing square footage of the house is 775, and the proposed square footage of the main floor is 2100. He reiterated that the proposed house is wider and longer.

Commissioners expressed appreciation for the clarity of the application.

The commissioners reviewed the right side elevation.

There was discussion of the fenestration patterns. Senner noted that there is generally a high degree of consistency in window openings, spacings, and alignment on the other elevations, but that the right elevation has a few different variations. Zinn clarified that the third window from the front is an antique beveled glass window, so the window size was determined by the glass pieces. She further explained that the larger window is above the bathtub. She offered an option to split it into two windows to be compatible with the width of the rest of the windows, but that it could not be as high. She explained that the window to the right of the bathtub window is in a commode closet. She said these windows will not be seen from the street and are part of the whole design and belong there, even though they are not the same size. Zinn said the fourth window from the front is in a laundry room and is located in a small space between the washer/dryer and a closet. Wallace added that they would have to shrink the closet or change the washer/dryer layout to change the proportions and location of that window.

Palmer noted the significant slope down from the front of the house. He noted the 10.5-foot distance between the property line and the structure and said he did not feel opposed to the design given that there is limited visibility of the windows and that only a small portion of the elevation is visible from any given sight line. Wallace said the third window is set about 51 feet back. Palmer added that the slope begins about 20 feet from the front of the property. Wallace added that the windows will be hidden from view by trees T2 and T12. Riek noted that the design standards are met on the first two windows, the part of the house that is visible. Peele agreed.

Wallace clarified the purpose of the doors on the basement on the right side elevation. He said the first door from the front is for storage, and the second one is an entry into a 600-square-foot apartment. He confirmed that the doors will be wood.

The commissioners reviewed the images of examples of other similar designs in the neighborhood. They noted that there are plenty of similar porches along Margaret Lane.

Zinn said the siding and trim will be white, with a pale yellow front door.

The commissioners reviewed the materials list.

Wallace confirmed that the roof will not be metal, and that there will be no solar panels. Zinn said the gutters will be standard residential gutters.

There was discussion of the compatibility of the antique windows and the guidelines around refraining from creating a false sense of history. Wallace explained that the antique windows would be installed in a recess for the side door, and that a person would have to stand in the side door recess in order to see the window. Senner clarified that while visibility of elements is a consideration for the commissioner’s review,

the standards exist to apply to a property as a whole. He noted that the sight lines may change in the future.

Zinn explained that the window is compatible both with the design standards and with the family's wishes for the house. She said the window matches their taste and is meant not to replicate history, but to express a feeling the homeowners would like to have as part of their home. She argued that beveled or stained glass is part of the vernacular of an older home. She said the home is eclectic and has a mix of styles and ages, and that the antique window fits in with that mixture.

There was discussion of whether the proposed windows capture the essence of older styles without duplicating them. Riek and Peele expressed the opinion that the windows take traditional elements and reinterpret them in a fresh, contemporary manner that does seem intended to replicate history. Hoffheimer reminded the commission of the recent application at 114 W Queen St., where the design proposed salvaging and reusing materials on non-street-facing structures. Palmer agreed with Riek and Peel about the compatibility of the adaptive reuse of the windows.

Senner opened the hearing to public comments.

Farrelly, a neighbor across the street for 25 years, expressed confusion over the existing site plan and said he struggled to assess the width of the proposed structure. He referenced the cadence to the spacing of houses along Margaret Lane and expressed concern about the new, wider house changing that cadence. He encouraged the commissioners to consider this in their deliberation.

Farrelly noted the language of the application suggesting that the proposed structure is intended to reflect the design of a mill house and his concern that it is trying to replicate historic mill houses, especially considering that the neighborhood is not in the mill district.

Farrelly encouraged the commissioners to discuss the massing of the proposed house relative to the existing one and relative to the houses on either side of it. He expressed concern over houses increasing so dramatically in size, as it changes the character of the historic district.

Wallace addressed Farrelly's question about width and spacing: he said the house would be 32 feet wide, compared to the current width of 27 or 28 feet. He said that even with a wider structure, the spacing will look better because the existing house is skewed to one side of the lot. He added that the applicants' intent was to design a house that looked to be in keeping with the character of the district.

Senner addressed the massing concern and said that this application is unique because it is proposing new construction, but there is a house already on the property. He said that ultimately, the commission must review the application for a new house on its own, not in relation to the existing structure.

Cathleen Turner was sworn in to provide testimony. Turner lives at 205 W. Margaret Lane and works with Preservation NC. She raised the importance of considering the vocabulary of the immediate surrounding streetscape when considering changes in size, scale, and massing. She referenced architectural tools used to visually minimize scale differences. Turner said that in her opinion, the house is worth preserving. She expressed appreciation that the applicants plan to relocate it rather than demolish it and expressed hope that its character defining features would be preserved.

Turner addressed the maintenance issues raised in the application, arguing that they are relatively minor, basic maintenance issues that can be remedied. While expressing appreciation for the effort the

applicants are making to preserve the structure, she expressed concern that there will be more relocation and demolition applications coming to the commission in the future that lean on relatively minor maintenance issues as justification for removing the structure and building new construction.

Turner encouraged the commission to verify whether the proposed windows will have either true divided lites or simulated divided lites. She expressed sympathy for the parking challenges but offered that parking issues come with the territory of purchasing a historic house on a small lot. She added that parking on the side of the road is a traffic calming device.

Doug Peterson provided testimony. He expressed concern that much has changed between the application on paper and the evidence provided at the hearing. He noted the relatively minor repairs needed to rehabilitate the house and the low cost of remediation. He expressed wariness over the fact that the applicants justify relocation by referencing all the repairs necessary, but that they ostensibly are willing to do the necessary repairs once the house is moved. He argued the applicants simply want to build a custom house and are willing to move a historic house to build one in its place.

Peterson noted that the plans indicate the applicants want to replicate a mill house.

Turner added to her testimony, mentioning that as long as asbestos shingle siding is stable, the Environmental Protection Agency recommends painting to encapsulate it rather than removing it.

Wallace responded to the comments and said he understands some of the pushback. He clarified that his goal is to design something that works for his family that does not look out of place with the surrounding houses. He reiterated that he cannot build the house that serves his family best with the existing house there.

Senner responded to the public comments that the home could be renovated in place. He said there is potential that it could be, but that because of the applicants' preferences and testimony provided, it would be likely that they might apply for demolition later.

There was discussion among the commissioners and Town Attorney Bob Hornik about the commission's scope of authority in this case and what evidence could influence their decision.

The commissioners asked Wallace to restate the options that were explored for adding on to the existing house. Wallace explained that an architect did an as-built survey of the existing house. He said Zinn worked to develop a design that complied with the design standards. In order to keep the roof at the same height, pitch, and width, a step-down had to be included in the addition in order to accommodate a reasonable ceiling height, and the applicants did not want to include a step-down within the house. Zinn added that there was not a way to abide by the design standards while creating a good living space for her clients.

Wallace responded to the comment about asbestos shingles and confirmed that the applicants' plan is to leave the asbestos siding on and paint it once it has been relocated.

Turner added that there are ways to break up massing and build new construction onto the old structure. She said it would have been ideal in her opinion to see some different insets to break up the massing.

While discussing massing, the commissioners viewed the Google Maps view of the site to review the extent of the developed area on the site and how it relates to other properties, in response to Farrelly's

comment. After reviewing the surrounding area, it was concluded that there is a lot of variability in how much of their lots the houses on Margaret Lane take up. Wallace added that the proposed structure does not protrude much farther back than the house to the east of it. He said the proposed addition will not extend past the line of the addition immediately next to it.

The commissioners addressed the congruity of the siting of the house relative to the houses next to it. Hornik mentioned that the plans are bound by the setbacks laid out in the Unified Development Ordinance.

Peele expressed concern that the commission has no authority to deny removal of the historic house from the site. There was discussion of the options available to the commission and recognition that the burden of action to seek alternatives to preserve the structure would lie with the commissioners if they chose to delay relocation. Wallace reiterated that the applicants do not want to demolish the house.

Palmer noted that this house and its neighbors are visible from the Riverwalk on the south side of the Eno River, so the massing of rear additions is visible from that location. He stated that in his opinion the massing is appropriately tucked under a slope.

Wallace reiterated that the applicants' intent is to preserve and restore the historic features of the existing structure once it is relocated to Murray Street. He said if someone were to be found who wanted to move the structure to somewhere within the historic district, he would be content with that solution.

Zinn said the windows for the new construction will have simulated divided lites with muntins of at least $\frac{7}{8}$ inches.

There was further discussion of the proposed front door. Miller referenced New Construction of Primary Residential Buildings Standard 8, which suggests that doors ought to be compatible with the style of the new primary residence. Miller contended that the proposed door is not compatible with a mill house style.

Senner summarized the commissioners' discussion: The Historic District Commission can only delay demolition, and relocation is preferable when faced with demolition or relocation. He said that the first preference is restoring and adapting existing structures so they can remain in their current site, but the commissioners acknowledge that that is not always a possibility in certain situations. He said that the proposed new design has sited and massed the house in a way that is not incongruous with the district and other homes along Margaret Lane, including with regards to spacing from the street; spacing within the lot; and the height of the existing structure relative to new structures. He mentioned that there are comments in application that make reference to trying to replicate historic mill homes, that it has been clarified through the discussion that replication is not the intent, and that the applicants are trying to design and build a home that is compatible with the district but not trying to replicate history. He summarized that the approach is consistent with the design standards.

Senner closed the public hearing.

Peele said she was struggling with the fact that because the structure is contributing and able to be rehabilitated, she could not come up with a good reason to approve the application. She said she does not want the replacement of buildings to become a standard, especially the replacement of contributing structures.

Spencer shared Peele’s sentiment, remarking that this is the first time in his two years on the board that there has been an application for what is close to a tear-down. He expressed fear for the future because of the newly discovered fact that although the commission is meant to preserve the historic district, anyone can propose to demolish a historic structure and build something new in its place. He acknowledged and expressed appreciation for the effort the applicants have gone through to develop a solution but also expressed that this is a threat to what he loves about the character of the historic district. Senner added that he shared that sentiment.

Riek shared that it is hard to grapple with this flaw the commission has found in its purpose. She stated that the commissioners understand the statutes that are in effect, but that their implications are difficult to reconcile with the purpose of the commission.

Hoffheimer mentioned that some other communities automatically require the one-year delay in demolition or relocation, unless there is justification for allowing it sooner.

Palmer reflected that the commission has found the limitations of its own agency, but that the benefit is that the commissioners are having this conversation about the extent of their influence.

There was discussion about whether to take into account the economic feasibility of renovation. Senner noted that while in recent applications considered by the board, cost has been cited as a reason for demolition, the current application does not cite cost as a reason for relocation.

There was discussion of the implications of relocating a historic structure outside of the historic district, where the commission has no jurisdiction. There was discussion of the possibility of relocating the structure within the district and whether that would be preferable.

There was appreciation expressed toward the applicants in making an effort to save the house and not immediately request demolition.

The commissioners consulted with Hornik about the state statute concerning delaying demolition or relocation and its relationship to approval or denial of a related Certificate of Appropriateness application. There was discussion of the obligation of the commissioners to explore alternatives if they were to delay relocation. Palmer expressed concerns about setting the precedent of choosing to take on the research without funding or an apparatus for doing so.

Motion: Palmer moved to find as fact that the 227 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: New Construction of Primary Residential Buildings; Decks; Fences and Walls; Walkways, Driveways, and Off-Street Parking; Exterior Lighting; and Relocation. Senner seconded.

Vote: 5-1. Nay: Peele.

Motion: Palmer moved to approve the application as submitted.

Amendment: Palmer moved to approve the application as submitted, with conditions. Riek seconded.

Vote: 4-2. Nays: Miller, Peele.

Conditions: Outbuilding demolition is approved, as necessary for construction, based on the commissioners’ discussion.

Proposed amendment: Miller proposed a condition that the front door side lites shall be removed based on Section 8 of New Construction of Primary Residential Buildings. Palmer declined the amendment.

Wallace restated his willingness to wait to find someone within the historic district who would accept relocation of the structure onto their property. The commissioners expressed appreciation and support for this and confirmed that nothing in the approval prohibits that. Hoffheimer clarified that the approval would need to get a minor change if that were to happen.

7. Historic Preservation Awards

Hoffheimer reminded the commissioners to submit ideas for the Historic Preservation Awards. He said three categories are currently being considered: public art, new construction or additions, and restoration.

8. General Updates

There were no general updates.

9. Adjournment

Senner adjourned the meeting at 9:41 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 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
) 437 Dimmocks Mill Road
)

This application for a Certificate of Appropriateness (“COA”) proposing to install windows in the bricked in openings on the northeast façade of the mill came before the Hillsborough Historic District Commission (the “HDC”) on August 7, 2024. The HDC held a quasi-judicial hearing and, based on the competent, material, and substantial evidence presented at the hearing, voted 6-0 to approve the proposal as submitted. In support of their decisions, 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 437 Dimmocks Mill Road in the Town of Hillsborough. The Applicant is Elena Wells/Eno River Mill, LLC (the “Applicant”).

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

- a) Install windows in the northeast wall of the main mill; Work required includes demolition of brick infill within the original window openings, repair of some areas of that existing wall, and installation of the replacement windows; The wall being addressed is approximately 226 feet long, approximately 16 feet high, and 16 inches thick; Not all bricked in original window openings will receive windows because of elements of interior work covering those historic openings; 25 new windows are proposed to be installed; The new windows will be aluminum with a white finish to match the windows installed in the same wall at the time of the Expedition School development at the mill.

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

3. The Property is a local landmark (the “Landmark”), designated by Ordinance No. 20141208-10.B, adopted December 8, 2014. The Secretary of the Interior’s Standards for Rehabilitation (the “Standards”), specifically Standards 3, 9, and 10 were used to evaluate this request and the Application is consistent with these standards for the following reasons:

- a. The same windows have been similarly applied in previously bricked openings on the same elevation a few feet away.

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. Will Riedel, architect, appeared to present testimony and evidence in support of the Application.

CONCLUSIONS OF LAW

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

The Application is not incongruous with the special character of the local landmark.

Therefore, the COA is hereby approved with the following conditions:

- a. 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 4th day of September, 2024

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
) 227 West Margaret Lane
)

This request for a Certificate of Appropriateness (“COA”) for relocation of the existing structure and construction of a new single family house at 227 West Margaret Lane (the “Application”) came before the Hillsborough Historic District Commission (the “HDC”) on August 7, 2024. The HDC held a quasi-judicial hearing and, based on the competent, material, and substantial evidence presented at the hearing, voted 4-2 to approve the Application. 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 227 West Margaret Lane in the Town of Hillsborough. The Owners and Applicants are Glenn and Kyla Wallace (the “Applicants”).

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

a. Relocate the existing residence at 227 West Margaret Lane; The Applicants plan to meet Relocation Standards 1 – 6.

b. Replace the existing residence with a new house; The new house will have an offset gable and a large brick-floored front porch; The front walkway pavers and two front parking pads will be made of brick with a herringbone pattern and match the running bond brick front porch; Square front columns will flank a traditional front door which is to be painted a calm yellow; The siding color is to be white; All trees to be removed prevent the construction of the house; Wood gates will face the front and connect at the side yards, which will have 4-foot tall hog fencing; Two antique stained and beveled glass windows will be installed at the top of the stairs leading to the side door; The red brick chimney will require a small chimney cap projection.

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 (the “District”), designated by Ordinance No. 4.3.1.2, adopted June 10, 2024. The Hillsborough Historic District Design Standards (the “Standards”), specifically the standards for : *New Construction of Primary Residential Buildings; Decks; Fences and Walls; Walkways, Driveways, and Off-Street Parking; Exterior Lighting; and Relocation* were used to evaluate this request, and the Application is consistent with these standards for the following reasons:

- a. The proposed new design has sited and massed the house in a way that is not incongruous with the district and other homes along Margaret Lane, including with regards to spacing from the street, spacing within the lot, and the height of the existing structure relative to the new structure.

- b. There were comments in the Application that reference trying to replicate historic mill houses. However, it has been clarified through the discussion that replication is not the intent, and the applicants are trying to construct a house that is compatible with the district but not trying to replicate history.
 - c. The existing structure will be saved rather than demolished.
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. Glenn Wallace, Applicant, appeared to present testimony and evidence in support of the Application.
 - c. Carol Ann Zinn, designer and general contractor for the Applicant, appeared to present testimony and evidence in support of the Application.
 - d. Matthew Farrelly, immediate neighbor, testified about the Application.
 - e. Cathleen Turner, immediate neighbor and Piedmont Office Regional Director of Preservation North Carolina, testified about the Application.
 - f. Doug Peterson, Town resident, testified in opposition to 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. 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 4th day of September, 2024.

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.

ITEM #6. A:

Address: 303 W. Margaret Ln.

Year Built: c. 1973

Historic Inventory Information (2013)

This one-story, side-gabled, brick Ranch house is four bays wide and double-pile. It has six-over-six wood-sash windows, vinyl siding in the gables, and a four-light-over-four-panel door sheltered by a shed-roofed porch supported by decorative metal posts that extends past a carport bay on the right (west) end of the house. County tax records date the building to 1973.

Contributing Structure? Yes

Proposed work

- Front porch addition

Application materials

- COA application
- Existing photos
- Project description
- Example at 125 W Queen St
- Porch floor material example
- Materials list
- Existing and proposed elevations
- Site plan

Applicable Design Standards

- Porches, Entrances, and Balconies 1, 2, 8, 11

Staff Comments

- The application cites the porch at 125 W. Queen St. as an example of a front porch extended across the front of a ranch house in the local historic district. Staff could not confirm if or when the porch at 125 W. Queen St. was added or extended.
- The HDC recently denied a front porch that would have extended the length of the character defining elevation at 114 W. Queen St. 114 W. Queen was built within a few years of 303 W. Margaret Ln., and the application for the porch at 114 W. Queen St. also cited 125 W. Queen as an example. After several meetings, the Commission denied the proposed porch at 114 W. Queen because the seamless integration of the porch into the house would have falsely appeared to be original to the building and did not accurately portray the evolution of the structure over time. Note that the porch at 114 W. Queen would have been entirely new as opposed to an extension, and 114 W. Queen has a relatively unique style for the local historic district.



Historic District Commission Certificate of Appropriateness (COA) & Minor Works Application

COA Fee: \$1 per \$1,000 of total construction costs, or a minimum of \$10, payable when the application is submitted

Minor Works COA fee: \$10 flat fee payable when the application is submitted

After-the-Fact Application Fee: \$100 fee in addition to the required COA fee or COA fees will be doubled (whichever is higher)

Additional permit fees: Additional fees may be required for a Zoning Compliance Permit and Orange County Building Permit.

9864855778	R-20	303 W Margaret Lane
Orange County Parcel ID Number	Zoning District	Address of Project
Jan Gittelman		
Applicant Name	Property Owner (if different than applicant)	
303 W Margaret Ln		
Applicant's Mailing Address	Property Owner's Mailing Address	
Hillsborough, NC 27278		
City, State, Zip	City, State, Zip	
(919) 740-5497		
Applicant's Phone Number	Property Owner's Phone Number	
jangittelman@gmail.com		
Applicant's Email	Property Owner's Email	

Description of Proposed Work: proposed front porch addition

Estimated Cost of Construction: \$ \$15,000

The Historic District Design Guidelines, Exterior Materials Compatibility Matrix, and Certificate of Appropriateness application process can be found on the Town of Hillsborough's website: <http://www.hillsboroughnc.gov/government/advisory-boards/historic-district-commission>

Applicant and Owner Acknowledgment and Certification

I am aware that Historic District Design Guidelines, 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.

		5-AUG-2024
Applicant's Signature (Optional)	Property Owner's Signature (Required)	Date

SUBMITTAL REQUIREMENTS: The following documents and plans are required to accompany your COA application in order for it to be deemed complete. The Historic District Commission will not accept incomplete applications. Planning staff will determine when all submittal requirements have been met. Only the first FOUR major COA applications submitted by the required deadline will be heard on any HDC agenda if deemed complete by staff. Minor COAs are added based on available agenda space at the discretion of planning staff.

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 documents as submitted.
- 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" dBh 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, ¹⁵⁰~~\$10~~ minimum) or
Minor Works fee (²⁵~~\$10~~ flat fee):

Amount: \$ 150.00

After-the-fact application: (~~\$100~~ or double the COA/Minor Works fee*)
*whichever is greater

Amount: \$ _____

Total due: \$ 150.00

Receipt #: N4QYNDPKQW

Received by: Joseph Hoffbauer Date: 8/6/24

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 property:

Applicable Design Guidelines:

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):

Zoning Officer's Signature Date

Introduction

The subject property is a one-story, side-gabled, brick Ranch house is four bays wide and double-pile. It has one-over-one wood-sash windows, aluminum trim, vinyl siding in the gables, and a four-light-over-four-panel door sheltered by a shed-roofed porch supported by decorative metal posts that extends past a carport bay on the right (west) end of the house. County tax records date the building to 1973. Please see existing conditions pictures below:



Front (looking south from West Margaret Lane)



Left (looking west)



Rear (looking north)



Right (looking east)

Project

The homeowner would like to extend the existing front porch across the front of the house (similar to the house on 125 W Queen St – see below).



The porch would match the existing pitch. The roof material itself would be asphalt shingles to match the existing shingles. The trim and small amount of siding (visible on the left/east side of the house) is proposed to be white Hardie Board. The proposed porch floor is concrete with a brick border to match the existing porch floor (see below).



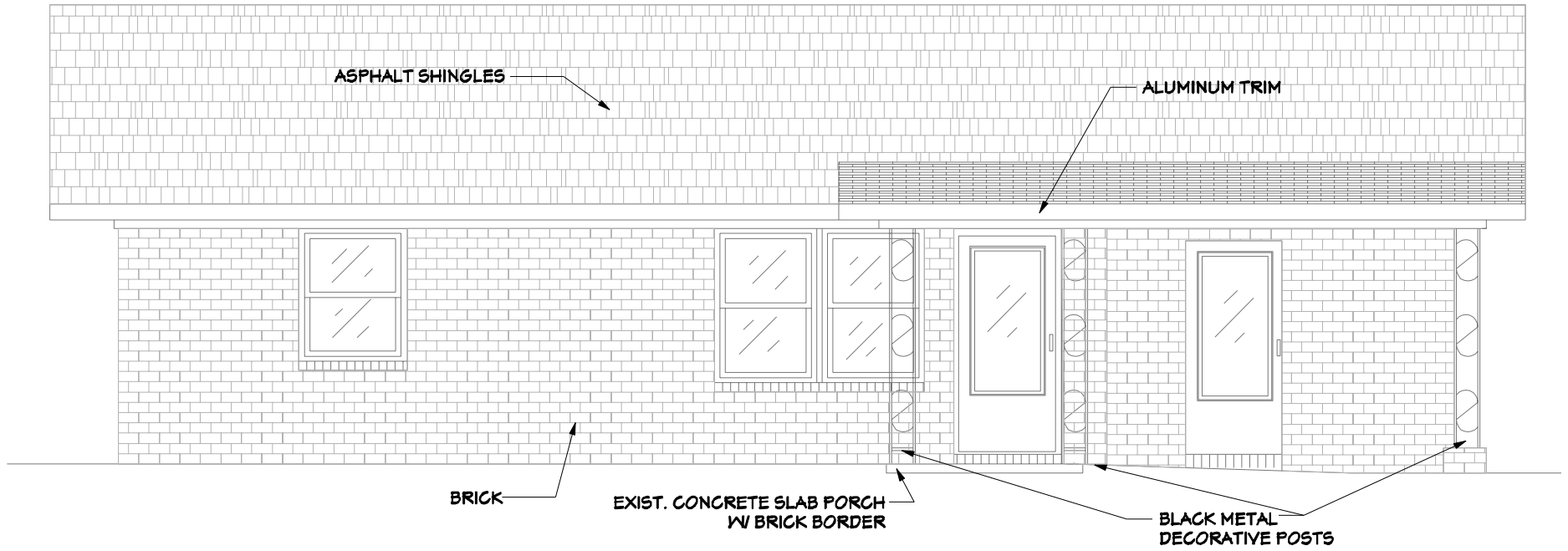
Landscaping

Existing landscaping where porch floor is located is proposed to be removed and no new landscaping is proposed at this time.

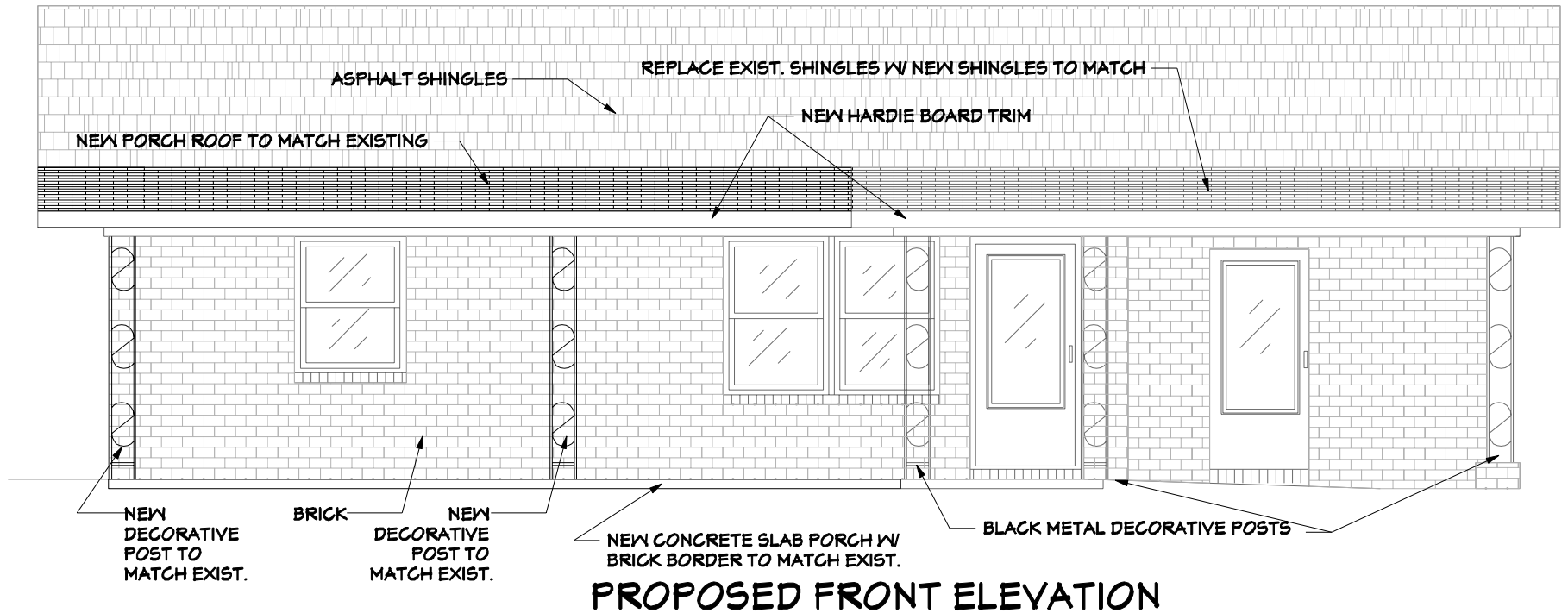
Lighting

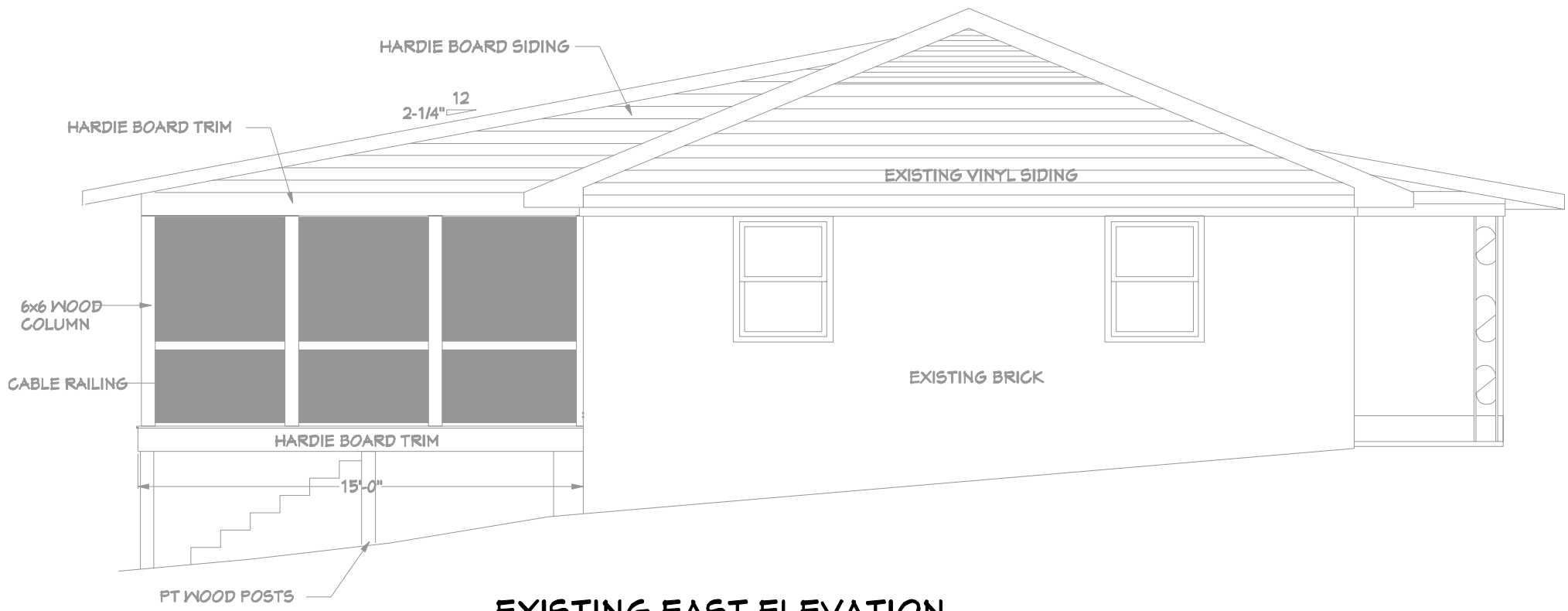
No new exposed lighting is proposed.

Item	Material (existing)	Material (proposed)	Color (shed)
siding	Vinyl	Hardie	match existing
trim	aluminum	Hardie	match existing
fascia	aluminum	Hardie	match existing
roof	asphalt shingles	asphalt	match existing
foundation	brick	N/A	
windows	Wood	N/A	
shutters	none	N/A	
awnings	none	N/A	
doors	wood	N/A	
deck flooring	Wood	N/A	
handrails	wood	N/A	
railing	Wood	N/A	N/A
columns	Metal	Metal	Black existing
patios	none	N/A	
porch floor	Concrete/brick	Concrete/brick	match existing
walkways	concrete	N/A	
driveways	concrete	N/A	
fences	none	N/A	
walls	none	N/A	
signs	none	N/A	

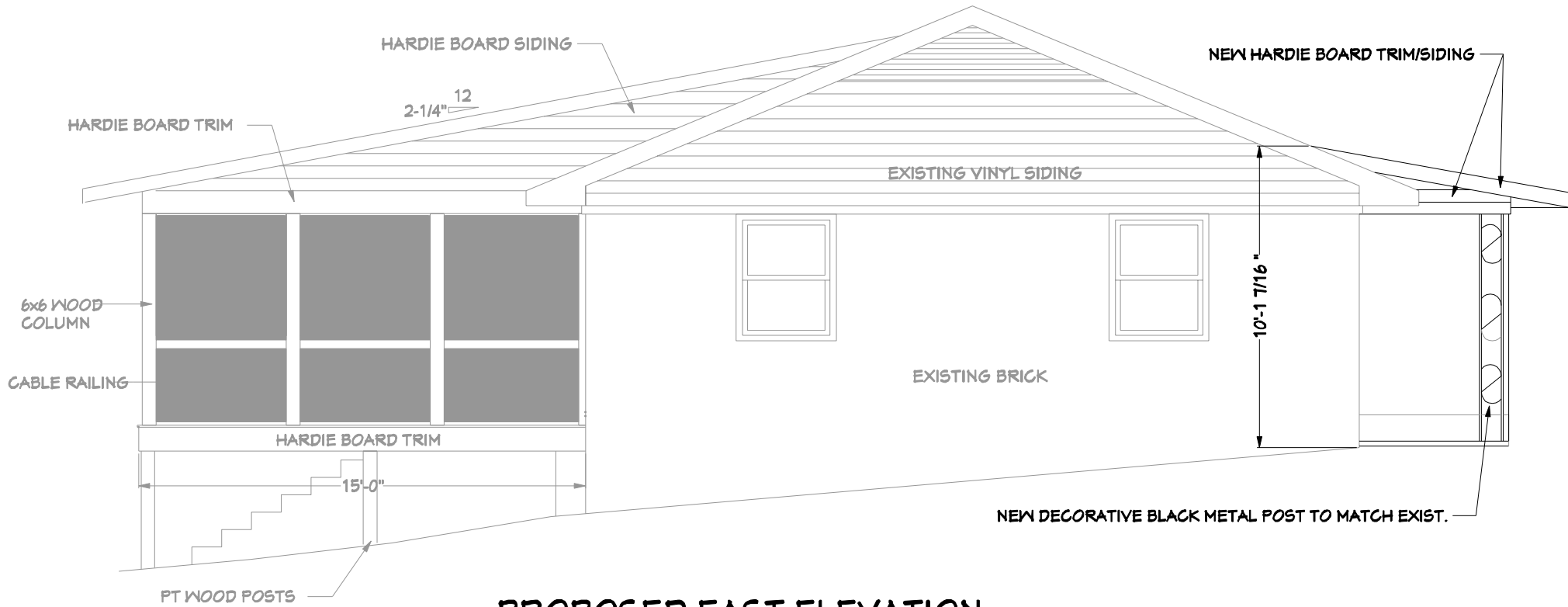


EXISTING FRONT ELEVATION

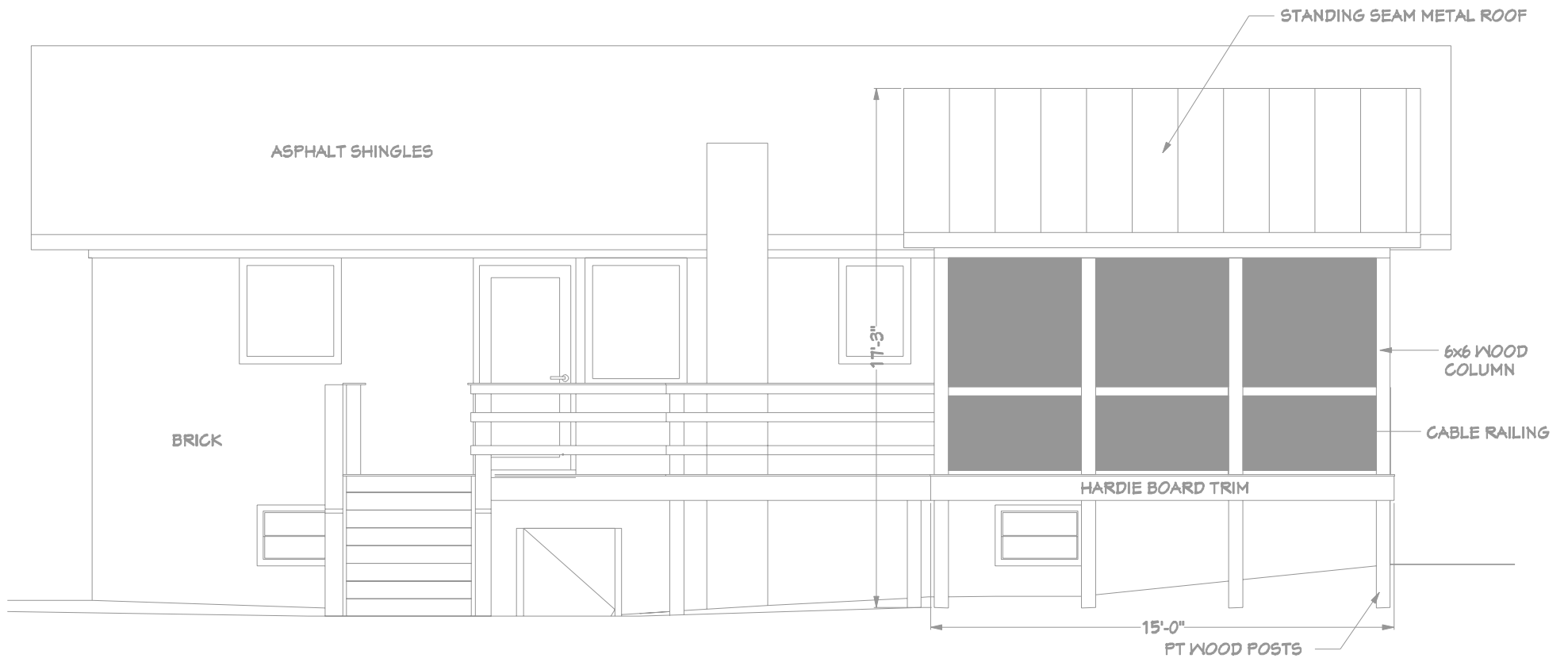




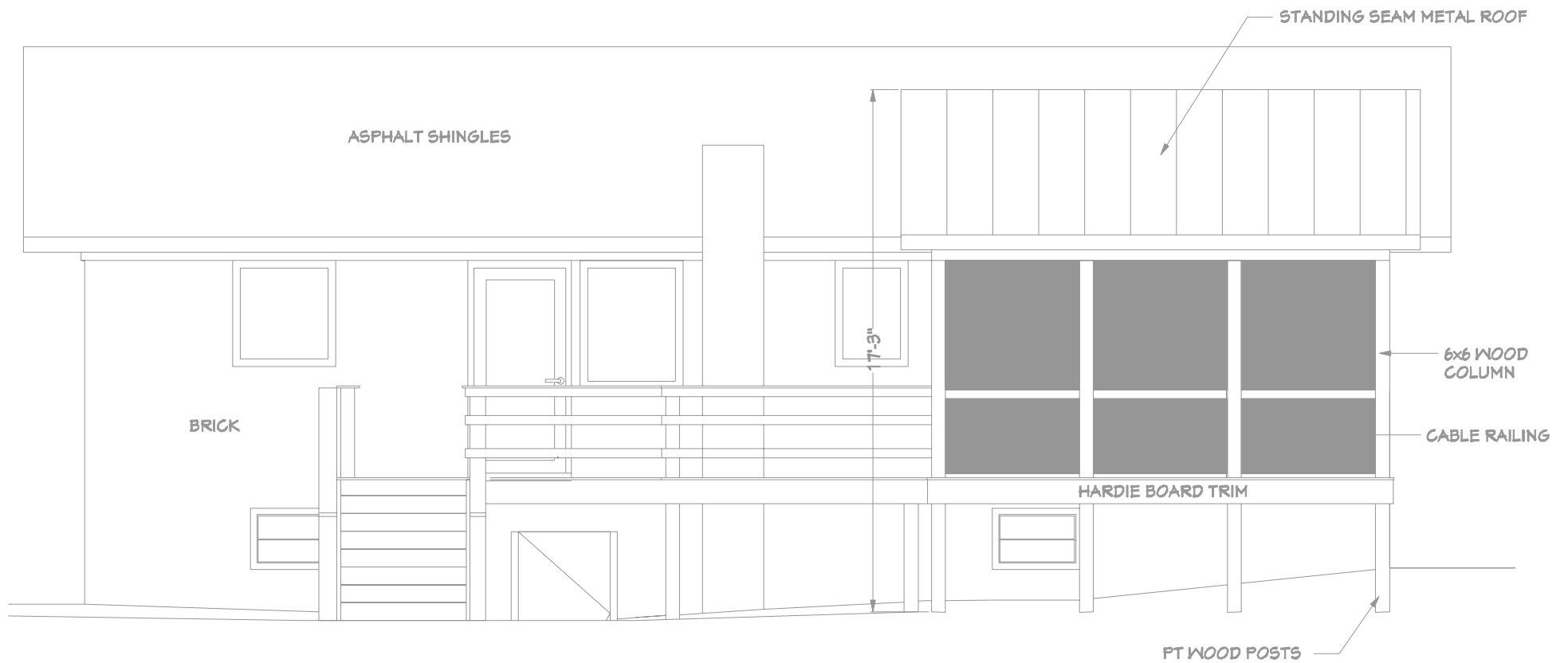
EXISTING EAST ELEVATION



PROPOSED EAST ELEVATION

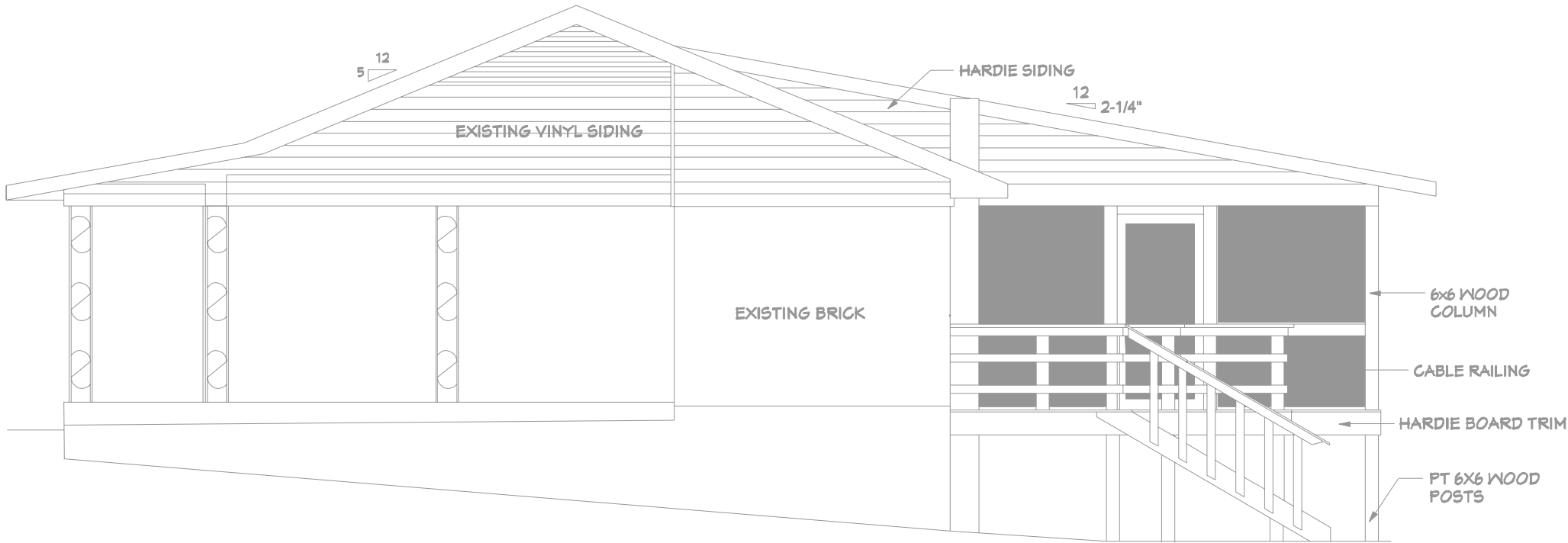


EXISTING SOUTH ELEVATION

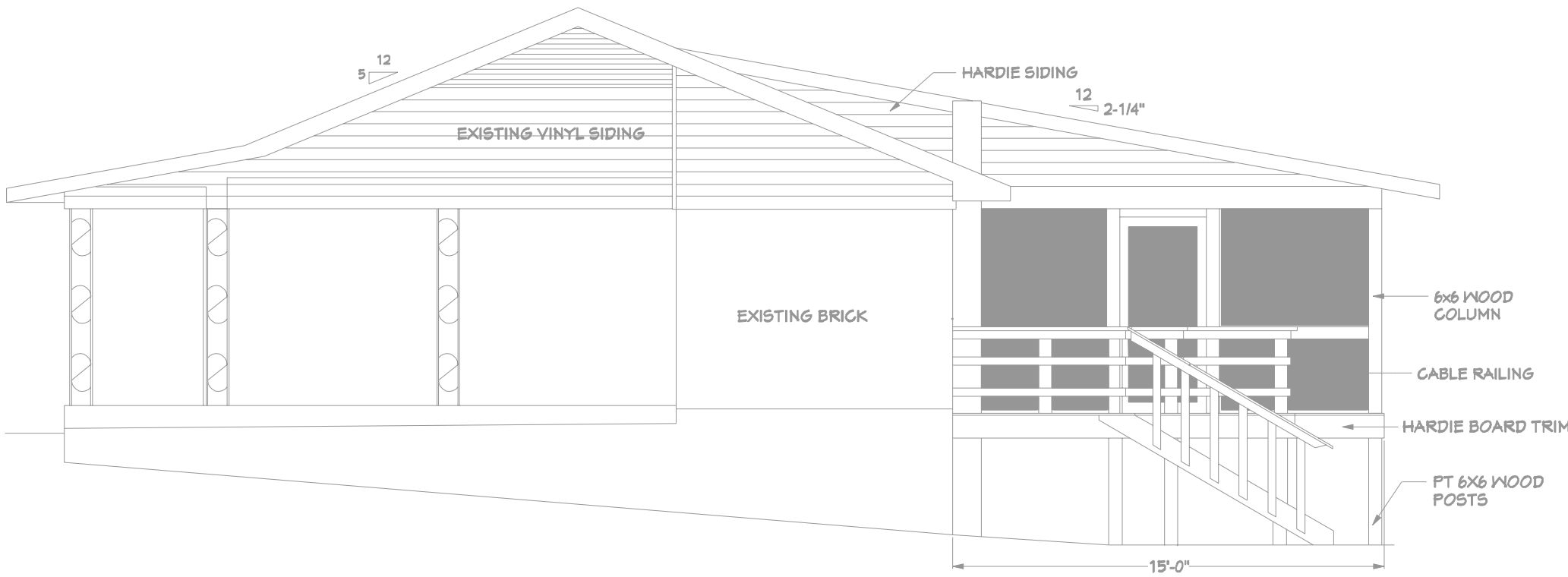


PROPOSED SOUTH ELEVATION

NO CHANGE PROPOSED

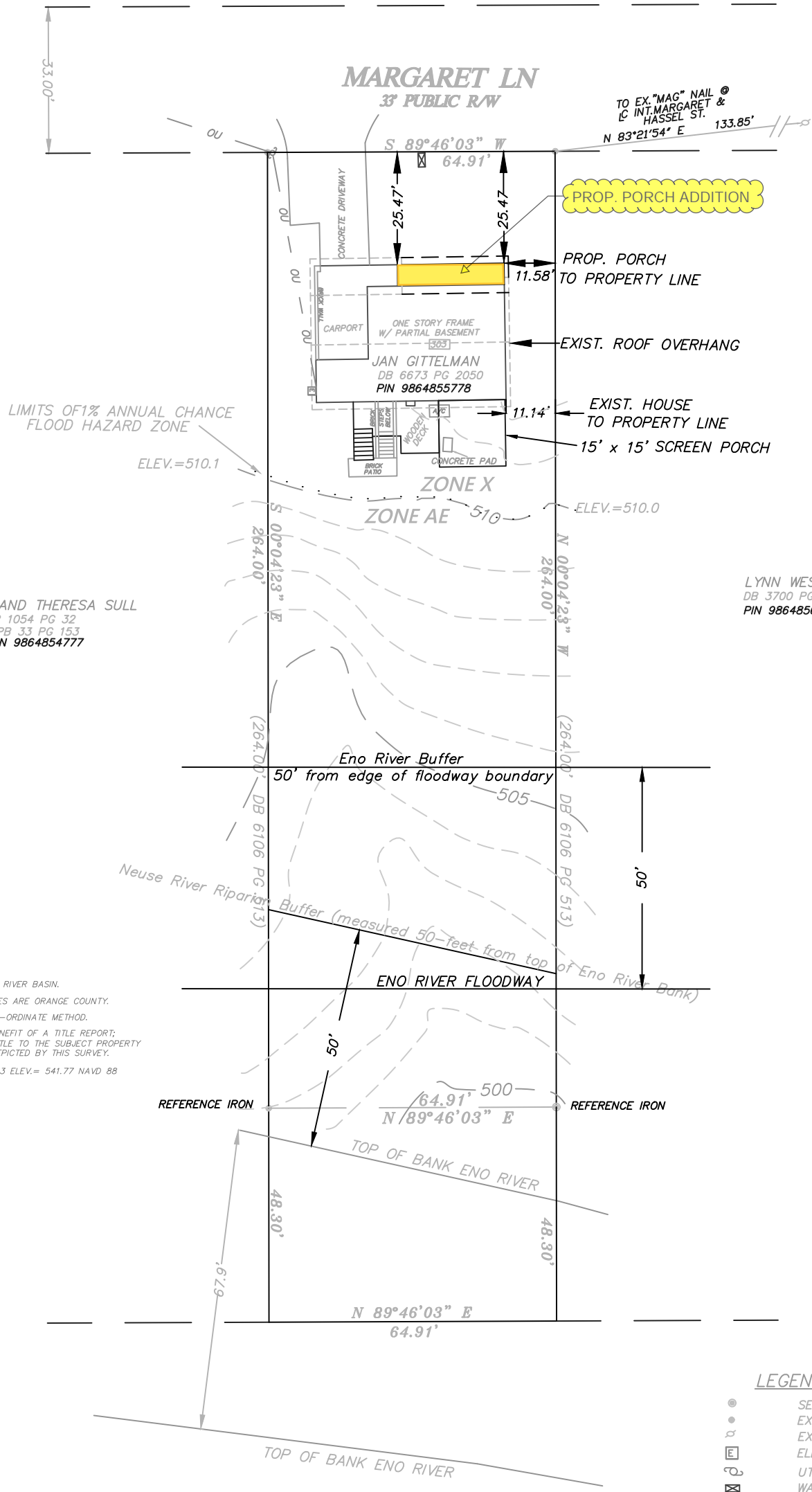
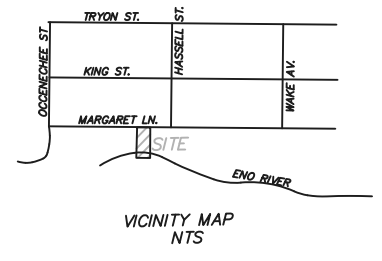


EXISTING WEST ELEVATION



PROPOSED WEST ELEVATION
 NO CHANGE PROPOSED

PB 33 PG 153
5/26/1981



EUGENE AND THERESA SULL
DB 1054 PG 32
PB 33 PG 153
PIN 9864854777

LYNN WESSON
DB 3700 PG 139
PIN 9864856768

- NOTES**
- 1) HORIZONTAL GROUND DISTANCES SHOWN.
 - 2) THIS PROPERTY IS LOCATED IN THE NEUSE RIVER BASIN.
 - 3) UNLESS NOTED OTHERWISE, ALL REFERENCES ARE ORANGE COUNTY.
 - 4) AREAS, IF SHOWN, COMPUTED BY THE CO-ORDINATE METHOD.
 - 5) THIS SURVEY PERFORMED WITHOUT THE BENEFIT OF A TITLE REPORT; THEREFORE, ENCUMBRANCES AFFECTING TITLE TO THE SUBJECT PROPERTY MAY EXIST BUT ARE NOT NECESSARILY DEPICTED BY THIS SURVEY.
 - 6) VERTICAL DATUM BASED ON USGS DISK 543 ELEV.= 541.77 NAVD 88

LEGEND

●	SET IRON PIPE
○	EXISTING IRON PIPE
⊙	EX" MAG" NAIL
⊞	ELECTRIC METER
⊚	UTILITY POLE/LIGHT POLE
⊞	WATER METER
⊞	AIR CONDITIONING UNIT
⋯	100-YR FLOOD HAZARD LIMITS FIELD SURVEYED
---	OVERHANG
ou	OVERHEAD UTILITY LINE
---	PUBLIC RIGHT-OF-WAY LIMITS

SITE PLAN
303 MARGARET LANE
PROPERTY OF
JAN GITTELMAN
HILLSBOROUGH TOWNSHIP, ORANGE COUNTY, NC



SCALE: 1"=30' JULY 17, 2024

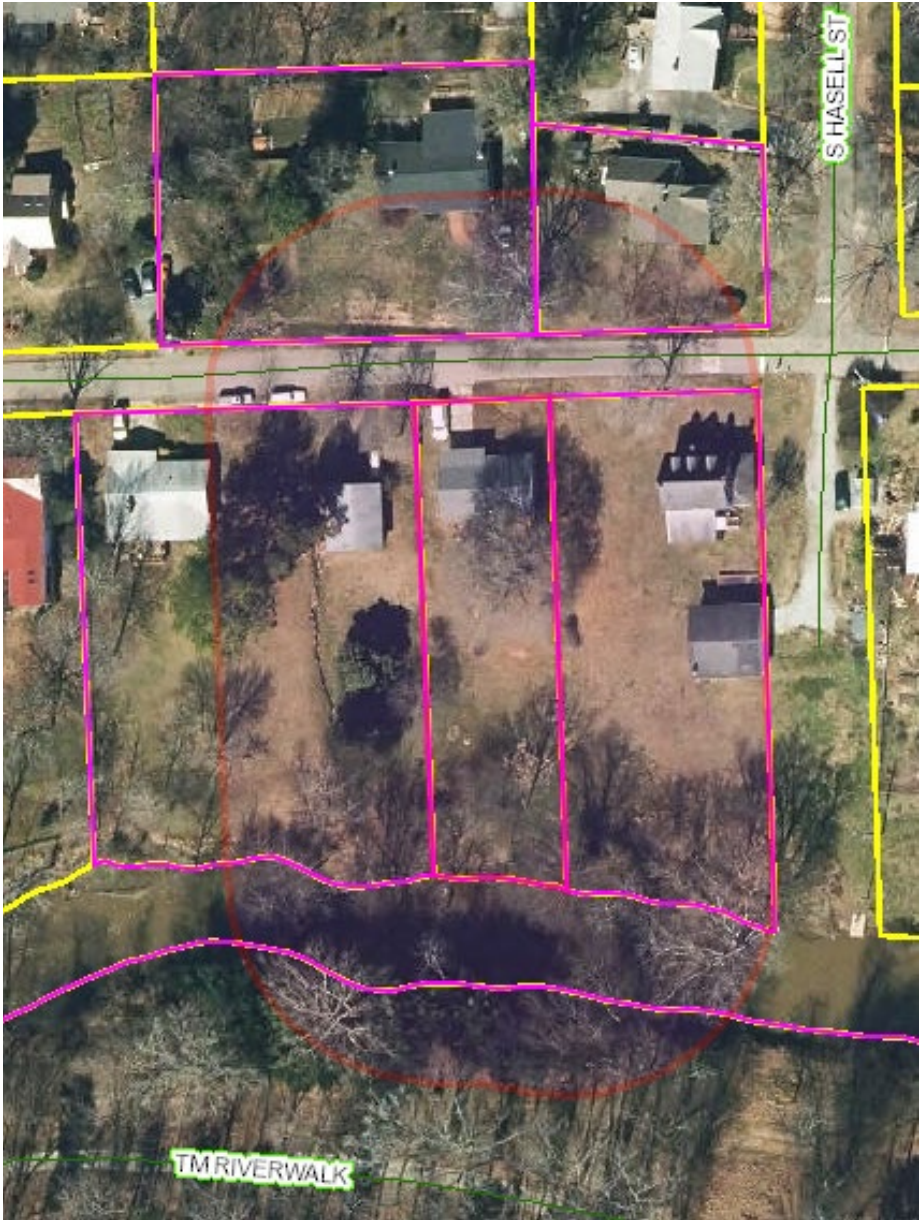
DAVID CATES, PE
210 S. WAKE ST
HILLSBOROUGH, N.C. 27707
919-427-9370 Email: davidcates@gmail.com

I, Joseph Hoffheimer, hereby certify that all property owners within 100 feet of and the owners of PIN 9864855778 (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.

8/21/2024
Date

Joseph Hoffheimer, Planner
(for Hillsborough Planning Department)

PIN	OWNER1_LAST	OWNER1_FIR	OWNER1_OW	OWNER2_F	ADDRESS1	ADDRESS2	CITY	STATE	ZIPCODE
9864854777	SULL	EUGENE D	SULL	THERESA M	313 W MARGARET LN		HILLSBOROUGH	NC	27278
9864855338	TOWN OF HILLSBOROUGH				PO BOX 429	PUBLIC SPACE	Hillsborough	NC	27278
9864855778	GITTELMAN	JAN			303 W MARGARET LN		HILLSBOROUGH	NC	27278
9864856768	WESSON	LYNN E			PO BOX 23		HILLSBOROUGH	NC	27278
9864857969	GRANTHAM	KENNETH W			108 S HASELL ST		HILLSBOROUGH	NC	27278
9864865021	FARR	CLAY L			306 WEST MARGARET		HILLSBOROUGH	NC	27278





August 26, 2024

UPDATED NOTICE OF HISTORIC DISTRICT COMMISSION MEETING

Dear Property Owner,

Your mailed notice for an upcoming Historic District Commission application had a typo that listed the wrong meeting date. All other information in the mailed notice and posted on the property is correct.

The proposal will still be discussed at the HDC meeting to be held on **Wednesday, September 4, 2024, at 6:30 pm** in the **Town Hall Annex Meeting Room at 105 East Corbin Street**. Packets with more information will be available on the Town's website a week prior to the meeting.

Sincerely,

A handwritten signature in black ink that reads "Joseph Hoffheimer". The signature is written in a cursive style.

Joseph Hoffheimer
Planner
Town of Hillsborough

101 E. Orange St., Hillsborough, North Carolina
Joseph.Hoffheimer@hillsboroughnc.gov | 919-296-9472