

PO Box 1111 Statesville, NC 28687

DATE: September 16, 2026

TO: Statesville Historic Preservation Commission

CC: Erika Martin, Planning Director; Herman Caulder, Assistant Planning Director

FROM: Parviz Moosavi, Planner II

SUBJECT: Called Meeting

The Statesville Historic Preservation Commission will conduct a called meeting on September **24^h, 2026**, **beginning at 7:00pm**. The meeting will be at 227 South Center St., Council Chambers on the 2nd Floor.

REVISED AGENDA

The underlined Items indicate the added items to the Agenda

1. Welcome & Call to Order
2. Roll Call
3. Review/approval of the agenda
4. Review/approval of February 5, 2026, and May 28, 2026, HPC Meeting Minutes
5. Review/Approval of Orders for 306 Kelly St., 117 N. Mulberry St. & 318 Davie Ave
6. Review and approval of the 2026 HPC Meeting Calendar
7. Review/Approval of the proposed recusal form
8. HPC Members terms
9. Section 106 Review Process
10. Review of the HPC Rules of Procedure
11. Review of the Quasi-Judicial and Evidentiary Hearing Procedures
12. Adjournment

NOTE: Please contact Parviz Moosavi at 704-878-3578 or pmoosavi@statesvillenc.net if any questions. Thanks

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**Historic Preservation Commission Called Meeting Minutes
February 05, 2026 - City Hall Council Chambers - 7:00 p.m.**

Present: Anna Campbell, Erika Gottholm, Dea Mozingo-Gorman, Barry Edwards, Scott Stevenson, Nathan Morgan, Glenn Setzer

Absent: Matthew Key, Steven Haber

Staff: Marci Sigmon

Others: Matthew Anderson, Carole Hendrix, Todd Ellis, Neil Lates, Kimberly Lates

Roll Call & Swearing In

Chairperson Mozingo-Gorman called the meeting to order, called the roll, and asked the board members if any of them had held **ex-parte** communication regarding the case on the agenda. Hearing none, she swore in those who planned to speak.

The recognition and presentation of National Registry of Historic Places Plaque was postponed to the next meeting.

Approval of minutes

The September 25, 2025 minutes were postponed to the next meeting.

Consider Certificate of Appropriateness (COA26-01) from Matthew Anderson to place a fence in the yard on the property located at 306 Kelly Street; Tax Map 4734-87-9033.

Marci Sigmon presented the following staff report:

Background

The house located at 306 Kelly Street was built circa 1920. The structure is a one and one-half-story Bungalow style house with cross gable roof a wrap-around front porch with paneled frieze and paneled Doric posts on brick plinths. The property has a frame shed in the left rear yard.

During 2021 a Certificate of Appropriateness was granted to install a wood lattice screening in the right side yard to screen two air conditioner units.

Request

The owners, Matthew and Dana Anderson, are requesting to remove the wood lattice screening in the side yard on the property and replace portions of it with a four-foot-high fence. The new fence would include a three-foot-wide metal gate which would also be four feet high. The owner states the fence will begin at the center of the southern elevation approximately and run thirteen feet five inches and then turn east measuring forty-five feet towards the rear yard of the property. The forty-five foot section of the fence will be located along the south property line.

The fence will be constructed of 5/4 deck boards and treated four by four posts at a distance of eight feet or less. (Please see the applicant's attached supplemental documentation for fence style and design). The smooth side of the wood fence will face inward toward 306 Kelly Street at the suggestion of the neighbor. Per the applicant, the fence posts will be underground two feet and the fence will be self-supporting. The requested gate will be fabricated from salvaged wrought iron. After the fence wood has been installed for one year the wood will be stained.

Commission Review

The commission must consider the following pages in the Design Guidelines when rendering their decision: Chapter 2 District Settings & Site Features, Pages 20-21: I. Fences & Walls

Chairperson Mozingo-Gorman opened the public hearing.

Matthew Anderson, owner discussed COA 26-01 to replace the existing lattice fence with a 4' high wood fence with a 3' wide and 4' high metal gate. The smooth side of the fence will face inward and the fence will begin beyond the front plane of the house at the center of the southern elevation.

Edwards stated that the fence support posts or support structure on the west side of the house are to be facing the rear yard so is not visible from the street.

No one spoke in favor or opposition to COA 26-01.

Chairperson Mozingo-Gorman closed the public hearing.

A motion was made to approve to Certificate of Appropriateness (COA26-01) to place a fence in the yard was approved as submitted. The motion carried unanimously.

Consider Certificate of Appropriateness (COA26-02) from Carole and Douglas Hendrix to construct a carport addition to the existing garage in the rear yard on the property located at 117 North Mulberry Street; Tax Map 4734-85-5506.

Marci Sigmon presented the following staff report:

Background

The structure located at 117 North Mulberry Street is known as the Alexander House in the 2002 Historic Survey. The house is a two-story, frame Colonial Revival style house with a side gable roof, five-bay facade, three-bay front porch with Tuscan columns and a front entrance with sidelights and a fanlight transom. The south side of the house has a cut stone chimney and classical porte-cochere. Additionally, a one-story ell projects from the rear of the house.

Request

The owners, Douglas and Carole Hendrix, are requesting to construct an addition to the existing garage located in the rear yard. The addition will be a covered two bay carport and be attached to the existing garage. The carport will be custom built wood framed and have asphalt shingles on the roof to match the primary structure's shingled roof.

The covered carport will be twenty-four feet in depth, twenty-two feet wide, and sixteen feet two inches tall. The height indicated is from the ground to the top of the peak of the gable. The clearance for the vehicles is nine feet. The gable ends will be wood siding or Hardie Board siding. The gable on the rear of the new carport will be attached to the existing garage in the front at the top of the garage facing North Mulberry Street. Both gables on the new carport will be painted to match the color of the house siding. The new addition will have ceiling material constructed of Hardie Board. The carport posts will be wood posts wrapped and painted white or be constructed of white aluminum columns. The fascia material will be white metal coil and bent to specific measurements on site for the custom-built carport. Additionally, the carport will have five-inch aluminum gutters colored to match the house. The application states the carport will have electricity wired from the existing garage to provide lighting for the residents.

The concrete pad in front of the existing garage will support the parking pad for the vehicles. In addition, the owners are requesting to enlarge the concrete pad in front of the new carport to enable the vehicle closest to the house to drive on concrete moving toward the new carport and not drive on the grass. The new concrete will extend northeast towards the house (see drawing in application documents). The extension of the concrete is staff approval.

Commission Review

The commission must consider the **following** pages in the Design Guidelines when rendering their decision: Chapter 2 District Settings & Site Features, Pages 16-17: F. Garages & Accessory Buildings & Structures

Chairperson Mozingo-Gorman opened the public hearing.

Carole Hendrix, owner and Todd Ellis, contractor discussed COA 26-02 to construct an addition to the existing garage in the rear yard and enlarge the concrete pad in front of the addition to prevent driving on the grass.

Edwards asked for details regarding the concrete extension, the gable end, the ceiling material, and the fascia material leading to conditions on the request.

No one spoke in favor or opposition to the request.

Chairperson Mozingo-Gorman closed the public hearing.

A motion was made to approve Certificate of Appropriateness (COA26-02) to construct a carport addition to the existing garage with conditions that smooth Hardi siding on the gables will have the same reveal as the house. The fascia is to be wrapped and all other fascia is to be wood with paint. Wood or Fiberglass is allowed on the columns and the ceiling can be PVC or Hardi siding with a beadboard pattern. The motion carried unanimously.

Consider Certificate of Appropriateness (COA26-03) from Kimberly Lates to place a wooden fence in the yard on the property located at 318 Davie Avenue: Tax Map 4744-16 - 3976.

Marci Sigmon presented the following staff report:

Background

The house located at 318 Davie Avenue is a contributing member of the E. Broad/Davie Avenue Historic District and documented as a pivotal structure in the survey. This house is a circa 1900 two-story Queen Anne style building with a pyramidal roof, center chimney, pedimented cross gables covered with decorative shingles, polygonal cupola covered by a high-pitched polygonal roof, a one-story full-length front porch that wraps around on both sides of the structure with turned posts, and a porte-cochere located on the east elevation. A one-and-a-half-story brick garage of similar architectural character is located behind the house along the eastern boundary.

In 2015, Mr. Bob Sinclair requested the Historic Preservation Commission to grant approval for several items. These included the installation of white vinyl siding on the east elevation of the rear wing, replacing the wooden siding on east wing of house with an affordable and durable material other than wood, installing new signage on the front lawn, the construction of two ADA compliant handicapped parking spaces on the front lawn, and grading the front lawn bank to create a more sloped front lawn. The installation of the white vinyl siding on the east elevation of the rear wing, replacement of the wooden siding on the east wing with a material other than wood and request to install new signage was denied at the June 24, 2015 HPC meeting. The request to construct two ADA compliant handicapped parking spaces on the front lawn and grade the front lawn bank to create a more sloped front lawn were tabled.

In November 2015, Mr. Bob Sinclair applied to the Board of Adjustment for an appeal of the Historic Preservation Commission decision and was granted the appeal to install white vinyl siding on the east elevation of the rear wing, replace the wooden siding on east wing of house with an affordable and durable material other than wood and install new signage for the front lawn.

In May 2018, the owner applied for a COA to replace the porch columns with 8x8 square posts, replace the porch railings with wrought iron railing, replace the porch flooring with deck boards, replace the metal porch roof with architectural shingles, and lower and cap a chimney which was leaning. All requests were denied by the HPC.

A new family (Neil and Kimberly Lates) purchased the house during March 2024 from the Sinclair estate and is currently renovating the structure. During 2024, staff approved the owners to place a metal fence at the rear façade of the house.

Request

The owners, Neil and Kimberly Lates, are requesting to place a five foot six-inch-tall wood fence on the property as shown in the submitted photos associated with this application (Please see the supplemental documentation in the packet.) Kimberly Lates, property owner, states she obtained historic photos of the 318 Davie Avenue house and yard from Dr. Steve Hill and Anne Allison Kincade. The owner states the photos indicate the yard had a wood fence on both sides of the house and she wants to replicate the wood fence today on the property. The owner states there is an existing chain link fence which is the same height as the privacy fence which the rear neighbor and next-door neighbor own.

Per Kimberly Lates correspondence to Marci Sigmon:

"Our original fence application was for a 4 foot fence metal which we have not placed yet and after receiving these pictures from Dr. Hill a few months back that's why we decided not to because we want to put it back to what was originally in there so we're gonna replace it with wood

rather than metal and the fence is also gonna be a little bit taller. It's gonna be a continuation on what's already there there's some wood in the back currently and there's chain-link on the side it'll be the same height continued in Wood. Just want to keep you updated and I have the original photos included from Dr Hill. Thank you!"

Kimberly Lates has asked no one to be on her property unless herself or her husband, Neil Lates, escorts them.

Commission Review

The commission must consider the following pages in the Design Standards when rendering their decision: Chapter 2 District Settings & Site Features, Pages 20-21: Fences and Walls

Chairperson Mozingo-Gorman opened the public hearing.

Neil Lates, owner discussed COA 26-03 to place a new 5' 6" tall wood fence facing Davie Avenue on the west side of the back plane of the original house with a gate and a 5' 6" wood fence at the same location on the east side of the house with a 10' wide gate. The gates will be the same height as the fence. A new 5' 6" up to a 6' wood fence is allowed in the rear yard and will extend to the south property lines.

Lates stated he would like to redo the roof and remove the hidden gutters from the house and Mozingo-Gorman stated he will need to submit an application to Planning and appear before the board for work on the roof and gutters.

There was no one that spoke in favor or opposition to the request.

Chairperson Mozingo-Gorman closed the public hearing.

A motion was made to approve Certificate of Appropriateness (COA26-03) to place a wooden fence in the yard with conditions the fences facing Davie Avenue must meet the back plane of the original house and the gates must not be taller than the fence. The fences in the rear yard can be 5' 6" up to 6' tall. The motion carried unanimously.

Other Business

Sigmon stated the next meeting will be February 26, 2026.

Being no other business the meeting was adjourned.



**Historic Preservation Commission Meeting Minutes
May 28, 2026 - City Hall Council Chambers - 7:00 p.m.**

Present: Anna Campbell, Erika Gottholm, Dea Mozingo-Gorman, Barry Edwards, Scott Stevenson, Glenn Setzer

Absent: Matthew Key, Steven Haber, Nathan Morgan

Staff: Christopher Hooper, Lori Deal, Herman Caulder

Others: None

Roll Call

Chairperson Mozingo-Gorman called the meeting to order, called the roll, and asked the board members if there was any ex-parte communication regarding the case on the agenda. Hearing none, she swore in those who planned to speak.

Approval of minutes

Setzer made a motion to approve the April 23, 2026 minutes, seconded by Campbell. The motion passed unanimously.

Consider Certificate of Appropriateness (COA26-05) from D and J State Trust to replace the existing wood window sash packs in the structure with new wood window sash packs on property located at 211 West Bell Street.

Christopher Hooper introduced the case to conduct a Historic Preservation Commission public hearing for COA 26-05, 211 West Bell Street, Statesville, NC. The owners are requesting to remove the existing wood windows from the building and replace them with new windows.

Summary of Information

The house located at 211 West Bell Street is a one-and-a-half-story brick-veneered bungalow with shingle trim, paired and tripled windows. The front porch has paired Doric posts set on brick plinths. A garage accessory structure is located in the rear yard.

The owners of 211 West Bell Street, D and J State Trust, represented by Mr. Jim Adams and Ms. Denise Mannion, are requesting to replace all the wood window sashes in the structure with new wood window sashes. Twenty-seven windows will be replaced if approved by the commission. The owner has chosen to use windows by VictorBilt Traditions Double Hung Windows. The new sashes will be the same design as the current windows in the home and be double hung, four over one, Low E simulated divided glass.

The series selected by the owner is Traditions Series Primed Double Hung (see attached window description with application). The exterior and interior sashes will be wood and primed

in the factory. The simulated divided glass will not have shadow bars. The owners stated in their application that due to age, wear, tear, cost to repair existing windows, and inefficient heat and air insulation with the single pane glass, they are requesting to replace the wood window sashes with new wood window sashes.

The Statesville Historic Preservation Standards state in Chapter 3: Changes to Building Exteriors, #7:

When repair is not feasible, true divided light wood windows are an appropriate replacement product for original wood windows, when designed to match the original in appearance, detail, material, profile, and overall size as closely as possible. Double-paned glass may be considered when they are simulated true divided and can accurately resemble the original window design.

- A. It is not appropriate to replace true divided light windows with vinyl windows or windows with snap-in muntins.
- B. Window products will be reviewed on an individual basis using the following criteria:
 - 1. Kind and texture of materials
 - 2. Architectural and historical compatibility
 - 3. Comparison to original window profile
 - 4. Level of significance of original windows to the architectural style of the building
 - 5. Existence of lead paint or other safety hazards
 - 6. Material performance and durability

Previous or Relevant Actions

None known.

Strategic Initiative Supported

Strategic Initiative 3: Investment in Critical Home Repair and Weatherization. A key tool for stabilizing households is to ensure their homes are energy efficient and safe for habitation. Financial support of area non-profits performing weatherization and critical repair would improve housing stability, especially for vulnerable populations like the elderly.

Budget/Funding Implications

None for the City of Statesville.

Consequences For Not Acting

The owners will not be able to replace the existing windows, the windows will continue to deteriorate in the house, and the occupants will continue to have heat and air conditioning issues due to the single pane glass in the current windows.

Department Recommendation

The Statesville Historic Preservation Standards state in Chapter 3: Changes to Building Exteriors, #7:

When repair is not feasible, true divided light wood windows are an appropriate replacement product for original wood windows, when designed to match the original in appearance, detail,

material, profile, and overall size as closely as possible. Double-paned glass may be considered when they are simulated true divided and can accurately resemble the original window design.

Therefore, staff recommends approving the requested window sash replacement as described in the Historic Preservation application from D and J State Trust.

Manager Comments

N/A

Next Steps

If the request for Certificate of Appropriateness 26-05 is approved by the Historic Preservation Commission, an order will be written by the city attorney citing the approval of the request and then be signed by the Historic Preservation Commission Chair. The signed order will be mailed to the applicant and once the signed order is received, the applicant can move forward with replacing the existing window sashes with new window sashes. If the request for Certificate of Appropriateness 26-05 is denied by the Historic Preservation Commission, an order will be written by the city attorney citing the denial and then be signed by the Historic Preservation Commission Chair. The signed order will be mailed to the applicant and the existing window sashes will be required to remain in the house.

Chairperson Mozingo-Gorman stated for the board to disregard the financial quotes in the packet because price points cannot be considered in their ruling.

Chairperson Mozingo-Gorman opened the public hearing.

Jim Adams, part owner of the property, stated he is supervising the construction, presented a sample of the window to the board, and stated the window is made of wood with 4 over 1 divided glass. Edwards stated the outside muntin is a composite that will need to be painted and the muntin on the inside is wood. Cambell asked if the Low E glass will be tinted and Adams stated it has a very light tint due to the industry standard but it is not dark and Edwards agreed it is the industry standard. Edwards asked if the windows will have a spacer bar between the muntins because it was not on the sample provided and Adams stated the manufacturer does have a filler piece but it cannot be painted. Edwards stated simulated divided windows in new construction require the spacer bar. Existing construction in the guidelines do not cover simulated divided light windows, but is on a case by case basis. Edwards asked if he is changing or adding moldings on the exterior and Adams stated no. Edwards asked if true wood be used for repairs and Adams stated yes. Edwards asked if the window casings will be capped with aluminum or a painted surface and Adams stated painted. Setzer asked about the existing screens and Adams stated they will be removed and the new windows come with screens and Edwards stated screens are not covered in the guidelines. Mozingo-Gorman stated to Adams do not paint the foundation or any brick and Adams agreed.

Chairperson Mozingo-Gorman closed the public hearing.

Edwards stated the spacer bars are preferred on the windows since it is one of the true defining architectural elements of this structure.

Findings of Fact

Chairperson Mozingo-Gorman stated that the Commission must either answer all five Findings of Fact in the affirmative or determine that such finding does not apply to the specific project under consideration. The Findings of Fact results are as follows for each item:

1. The historic character of the property will be retained and preserved.
Yes – Unanimous
2. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of distinctive features, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features has been substantiated by documentary, physical, or pictorial evidence.
Yes – Unanimous
3. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest method possible.
N/A – Unanimous
4. Archeological resources will be protected and preserved in place. If such resources must be disturbed, the applicant has shown that mitigation measures will be undertaken.
N/A – Unanimous
5. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work will be differentiated of the old and will be compatible with the massing, size, scale, and architectural features to protect the integrity of the property and its environment.
Yes – Unanimous

Setzer made a motion to approve Certificate of Appropriateness (COA26-05) to replace the existing wood window sash packs to include the spacer bars, citing H: Windows and Doors, guidelines 1, 7, and 10 and G: New Construction Materials Guide under Windows. Seconded by Gottholm. The motion carried Unanimously.

Consider Certificate of Appropriateness (COA26-06) from Jason F. & Jaime L. Blair to replace the chain link fence in the back with a cedar fence with two gates and add approximately ten feet of cedar fence to extend the fence line in the rear at the house located at 143 North Elm Street.

Christopher Hooper introduced the case to conduct a Historic Preservation Commission public hearing for COA 26-06, 143 North Elm Street, Statesville, NC. The owners are requesting to remove the existing chain link fence along the back of the property and install a six-foot cedar fence along with two gates. Additionally, extend the existing fence along the right side of the property by approximately ten feet.

Summary of Information

The house located at 143 North Elm Street was constructed in 1925 and is a one-story brick bungalow with central entrance paired 9/1 sash windows, and clipped gable roof with exposed rafter ends. Behind the house are a frame period garage and a frame shed.

The owners of 143 North Elm Street, Jason F. and Jaime L. Blair, are requesting to replace

approximately thirty-four feet of chain link fence along the rear property line with a six-foot cedar privacy fence. They also want to include two gates constructed of black metal and wood. One gate will be on the right side of the home measuring approximately 4.4 feet wide, and one on the left (driveway side) measuring approximately 8.5 feet wide. Additionally, approximately ten feet of additional fencing will be needed along the right side of the home to extend the neighbor's newly installed fence thus completely enclosing the backyard.

The owner has chosen to use six-foot cedar picket fencing from Lowe's and will construct it themselves. The fencing will be constructed using pressure-treated 4x4 posts set in concrete, with horizontal 2x4 rails and six-foot cedar pickets, designed to match the neighboring fence. This material will be used for both replacing the chain-link fencing along the rear, and the extension of fencing along the right rear of the property. The two gates will be constructed of black metal and wood. The owners stated in their application that they would like an enclosed backyard so they can have their pets be able to roam freely.

The Statesville Historic Preservation Standards state in Chapter 2: District Settings & Site Features, I. Fences & Walls:

3. Introduce contemporary utilitarian fences and walls, if necessary, only in rear or rear side yards; it is not appropriate to introduce contemporary vinyl or metal chain link fences in locations that are visible from the street.

5. A desire for privacy or a means to confine pets to rear yards may trigger the planning of a utilitarian rear yard fence. Fences along rear property lines and rear side yards may be up to six feet in height. Fence height is measured from the bottom of the fence.

6. Contemporary vinyl or metal chain link fences are not consistent with the overall historic character of the historic districts, and they should only be considered for small applications, such as dog pens, in unobtrusive locations that are not visible from the street. They are not appropriate to use for larger applications such as defining property lines. Screening new or existing metal or vinyl fencing with plantings can soften their visual impact as well.

Fences criteria is based on the following materials:

- Wood or iron fencing
- Rock/stone walls
- Decorative wire fence

Previous or Relevant Actions

None known.

Strategic Initiative Supported

Connecting our communities.

Budget/Funding Implications

None for the City of Statesville.

Consequences For Not Acting

The owners will not be able to replace the existing chain-link fence with new fencing or add approximately ten feet of fencing to the rear side to enclose the backyard. They will be unable to let their pets roam freely in the back.

Department Recommendation

The Statesville Historic Preservation Standards state in Chapter 2: District Settings & Site Features, I. Fences & Walls 3, 5 and 6:

When a property owner desires for privacy in the back part of their property for confining pets, they can construct a utilitarian rear yard fence up to six feet in height. A new fence can be introduced in rear or rear side yards which will allow the owners to add the approximate ten feet of additional fencing to enclose the back. In addition, the owners wanting to remove the existing chain link fence that currently defines the rear property line aligns with the current standards.

Therefore, staff finds that the request from the applicant meets the City's Historic Preservation Standards.

Manager Comments

N/A

Next Steps

If the request for Certificate of Appropriateness 26-06 is approved by the Historic Preservation Commission, an order will be written by the city attorney citing the approval of the request and then be signed by the Historic Preservation Commission Chair. The signed order will be mailed to the applicant and once the signed order is received, the applicant can move forward with replacing the existing chain-link fencing with a new fence as well as add the additional approximate ten feet of fencing necessary to enclose the backyard. If the request for Certificate of Appropriateness 26-06 is denied by the Historic Preservation Commission, an order will be written by the city attorney citing the denial and then be signed by the Historic Preservation Commission Chair. The signed order will be mailed to the applicant and the existing fencing will be required to remain in the house and no new additional fencing can be added.

Chairperson Mozingo-Gorman opened the public hearing.

Mozingo-Gorman asked for the location and height of the gates and Jaime Blair, owner, stated 6' for the fence and the gates. Blair stated the fence will engage the left rear side of the house at the fourth window. Edwards asked where the gate will engage the left back corner of the house and Blair stated 2.5' to 3'. Edwards asked if the gate on the right side meets the back corner of the house and Blair stated yes and that is where 10' of fencing is needed to extend the fence line. Campbell asked if there is a design in the metal on the gate and Blair stated no. Setzer asked if the slats are facing the exterior and Blair stated yes, facing the street. Mozingo-Gorman cautioned Blair to make sure she knows where her property lines are when removing and installing the fence.

Chairperson Mozingo-Gorman closed the public hearing.

Findings of Fact

Chairperson Mozingo-Gorman stated that the Commission must either answer all five Findings of Fact in the affirmative or determine that such finding does not apply to the specific project under consideration. The Findings of Fact results are as follows for each item:

1. The historic character of the property will be retained and preserved.
Yes – Unanimous
2. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of distinctive features, the new feature will match the old in design, color, texture, and where possible, materials. Replacement of missing features has been substantiated by documentary, physical, or pictorial evidence.
N/A – Unanimous
3. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest method possible.
N/A – Unanimous
4. Archeological resources will be protected and preserved in place. If such resources must be disturbed, the applicant has shown that mitigation measures will be undertaken.
N/A – Unanimous
5. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work will be differentiated of the old and will be compatible with the massing, size, scale, and architectural features to protect the integrity of the property and its environment.
Yes – Unanimous

Campbell made a motion to approve Certificate of Appropriateness (COA26-06) to replace the chain link fence at the back property line with a 6 foot cedar fence with the left gate to engage the rear corner of the house at the fourth window and the right gate to engage the house 2.5 to 3 feet from the rear corner and add approximately 10 feet of cedar fence to extend the fence line to the right rear of the house, citing I. Fences and Walls guideline 3, 5, and 6. Seconded by Edwards. The motion carried Unanimously.

Other Business

Chairperson Mozingo-Gorman stated the next HPC meeting is scheduled for June 25, 2026.

Edwards made a motion to adjourn, seconded by Campbell. The motion carried unanimously.

NORTH CAROLINA	)	BEFORE THE HISTORIC PRESERVATION COMMISSION
	)	OF THE CITY OF STATESVILLE
IREDELL COUNTY	)	Case # COA 26-01

IN THE MATTER OF

Request for a Certificate of Appropriateness	)
to place a fence in the yard on the property	)
located at 306 Kelly Street	)
	)
	)
MATTHEW and DONNA ANDERSON,	)
Applicant.	)

ORDER

THE REQUEST for the Certificate of Appropriateness coming on to be heard before the Historic Preservation Commission of the City of Statesville at an evidentiary hearing on February 5, 2026, to consider the application submitted by the Applicant requesting a Certificate of Appropriateness to remove the wood lattice screening in the side yard on the property and place a four-foot-high fence in the side and rear yard on the property located at 306 Kelly Street, Statesville, North Carolina.

DECISION OF THE BOARD

Upon the presentation of the evidence, the Historic Preservation Commission of the City of Statesville (herein the "Commission") voted to approve the request for a Certificate of Appropriateness to place a fence in the yard on the property at 306 Kelly Street. The Commission makes the following findings of fact and conclusions of law, and makes the following order based thereon.

FINDINGS OF FACT

1. Matthew Anderson and Dana Anderson (husband and wife) (the "Applicants") own the subject property located at 306 Kelly Street, Statesville, North Carolina, identified by Tax Map 4734-87-9033 (referred to as the "Property").
2. The Property is located within the Historic District of the City of Statesville.
3. The house located at 306 Kelly Street was built circa 1920 and is a one-and-one-half-story Bungaloid style house with a cross-gable roof, a wrap-around front porch with paneled frieze, and paneled Doric posts on brick plinths. The property also has a frame shed in the left rear yard.
4. During 2021, a Certificate of Appropriateness was granted to install wood lattice screening in the right-side yard to screen two air conditioner units.
5. The Applicants requested to remove the existing wood lattice screening in the side yard and replace portions of it with a four-foot-high fence. The new fence includes a three-foot-wide metal gate, which is also four feet high.

6. Per the Applicant, the fence will begin at the center of the southern elevation and run approximately thirteen feet five inches, then turn east measuring forty-five feet toward the rear yard of the property. The forty-five-foot section of the fence will be located along the south property line.
7. The fence will be constructed of 5/4 deck boards and treated four-by-four posts at a distance of eight feet or less. The smooth side of the wood fence will face inward toward 306 Kelly Street at the suggestion of the neighbor.
8. Per the Applicant, the fence posts will be placed underground two feet and the fence will be self-supporting. The gate will be fabricated from salvaged wrought iron.
9. After the fence wood has been installed for one year, the wood will be stained.
10. Marci Sigmon, Planner II with the City of Statesville ("Sigmon"), presented the staff report to the Commission and identified the applicable Design Guidelines as Chapter 2 — District Settings & Site Features, Pages 20–21: I. Fences & Walls.
11. No one spoke in favor of or in opposition to COA 26-01.

CONCLUSIONS OF LAW

BASED UPON THE FOREGOING FINDINGS OF FACT, THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE CONCLUDES AS A MATTER OF LAW:

1. The Commission has jurisdiction to consider applications for Certificates of Appropriateness as to exterior features of properties located within an historic district of the City of Statesville.
2. The Commission considered the applicable Design Guidelines, specifically Chapter 2 — District Settings & Site Features, Pages 20–21: I. Fences & Walls, in evaluating the Applicants' request.
3. The Applicants produced competent, material, and substantial evidence establishing the existence of facts and conditions required for issuance of the requested Certificate of Appropriateness, and the application is consistent with the applicable Design Guidelines.

ORDER

NOW THEREFORE, THE DECISION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE IS AS FOLLOWS:

1. In relation to the request for a Certificate of Appropriateness for the Property located at 306 Kelly Street, and after the hearing of testimony and review of evidence, the Historic Preservation Commission APPROVED the request.
-

BE IT RESOLVED THAT THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE APPROVES THE PRECEDING DECISION, WITH THE VOTES AS INDICATED BELOW, AS THE DECISION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE AND THE SAME SHALL BE ENTERED INTO THE MINUTES OF THE COMMISSION.

VOTES FOR ____ 7 ____ AGAINST ____ 0 ____

This the ____ day of _____, 2026.

Dea Mozingo-Gorman, Chairperson
Historic Preservation Commission
City of Statesville, North Carolina

NORTH CAROLINA

IN THE MATTER OF

BEFORE THE CITY COUNCIL
OF THE CITY OF STATESVILLE
Case # COA 26-02

Request for a Certificate of Appropriateness)
to construct a carport addition to the)
existing garage in the rear yard on the)
property located at 117 North)
Mulberry Street)

ORDER

CAROLE AND DOUGLAS HENDRIX,
Applicant.

THE REQUEST for the Certificate of Appropriateness coming on to be heard before the City Council of the City of Statesville at an evidentiary hearing on February 5, 2026 to consider the application submitted by the Applicant requesting a Certificate of Appropriateness to construct a two-bay carport addition to the existing garage in the rear yard at 117 North Mulberry Street, Statesville, North Carolina.

DECISION OF THE BOARD

Upon the presentation of the evidence, the Historic Preservation Commission of the City of Statesville (herein the "HPC") voted to approve the request for a Certificate of Appropriateness (COA26-02) to construct a two-bay carport addition to the existing garage in the rear yard at 117 North Mulberry Street with conditions. The motion carried unanimously. The City Council makes the following findings of fact and conclusions of law, and makes the following order based thereon.

FINDINGS OF FACT

1. Douglas and Carole Hendrix (the "Applicant") own the subject Property, which is described and identified by Tax Map/Parcel Identification Number 4734-85-5506 (referred to as the "Property").
2. The structure located at 117 North Mulberry Street is known as the Alexander House in the 2002 Historic Survey. The house is a two-story, frame Colonial Revival style house with a side gable roof, five-bay facade, three-bay front porch with Tuscan columns, and a front entrance with sidelights and a fanlight transom. The south side of the house has a cut stone chimney and classical porte-cochere, and a one-story ell projects from the rear of the house.

3. The Applicant requested to construct an addition to the existing garage located in the rear yard, consisting of a covered two-bay carport attached to the existing garage. The carport will be custom built and wood framed and have asphalt shingles on the roof to match the primary structure's shingled roof.
4. The covered carport will be twenty-four (24) feet in depth, twenty-two (22) feet wide, and sixteen (16) feet two (2) inches tall, measured from the ground to the top of the peak of the gable, with a nine (9) foot clearance for vehicles. The gable ends will be wood siding or Hardie Board siding, both gables painted to match the color of the house siding, with the rear gable attached to the existing garage facing North Mulberry Street. The ceiling material will be Hardie Board; the carport posts will be wood posts wrapped and painted white or white aluminum columns; the fascia material will be white metal coil bent to specific measurements on site; and the carport will have five-inch aluminum gutters colored to match the house. The carport will have electricity wired from the existing garage to provide lighting.
5. The Applicant also requested to enlarge the concrete pad in front of the new carport, extending northeast toward the house, to enable the vehicle closest to the house to drive on concrete rather than on the grass. The extension of the concrete is subject to staff approval.
6. In rendering its decision, the Commission considered the Design Guidelines, Chapter 2 District Settings & Site Features, Pages 16-17: F. Garages & Accessory Buildings & Structures.
7. Marci Sigmon, Planner, presented the staff report.
8. At the public hearing, Carole Hendrix, owner, and Todd Ellis, contractor, testified in favor of the COA.
9. No one spoke in favor of or in opposition to the request.

CONCLUSIONS OF LAW

BASED UPON THE FOREGOING FINDINGS OF FACT, THE STATESVILLE HISTORIC PRESERVATION COMMISSION CONCLUDES AS A MATTER OF LAW

1. The Commission has jurisdiction to consider applications for Certificates of Appropriateness as to exterior features of properties located within an historic district of the City of Statesville.
2. The Commission considered the applicable Design Guidelines, Chapter 2, Pages 16-17: Garages & Accessory Buildings & Structures, in rendering its decision.

3. The Applicants produced competent, material, and substantial evidence establishing the existence of facts and conditions required for issuance of the requested Certificate of Appropriateness, and the application is consistent with the applicable Design Guidelines.

NOW THEREFORE, THE DECISION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE IS AS FOLLOWS:

1. In relation to the request for a Certificate of Appropriateness (COA26-02) to construct a carport addition to the existing garage at 117 North Mulberry Street, and after the hearing of testimony and review of evidence, the Historic Preservation Commission APPROVED WITH CONDITIONS the request, subject to the following conditions: (a) the smooth Hardie siding on the gables shall have the same reveal as the house; (b) the fascia is to be wrapped and all other fascia is to be wood with paint; (c) wood or fiberglass is allowed on the columns; and (d) the ceiling may be PVC or Hardie siding with a beadboard pattern.

BE IT RESOLVED THAT THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE APPROVES THE PRECEDING DECISION, WITH THE VOTES AS INDICATED BELOW, AS THE DECISION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE AND THE SAME SHALL BE ENTERED INTO THE MINUTES OF THE COMMISSION.

VOTES FOR 7

AGAINST 0

This the 5th day of February, 2026

Dea Mozingo-Gorman, Chairperson Presiding

NORTH CAROLINA	)	BEFORE THE HISTORIC PRESERVATION COMMISSION
	)	OF THE CITY OF STATESVILLE
IREDELL COUNTY	)	Case # COA 26-03

IN THE MATTER OF	)
	)
Request for a Certificate of Appropriateness	)
to place a wooden fence in the yard on the property	)
located at 318 Davie Avenue	)
	)
NEIL and KIMBERLY LATES,	)
Applicant.	)

ORDER

THE REQUEST for the Certificate of Appropriateness coming on to be heard before the Historic Preservation Commission of the City of Statesville at an evidentiary hearing on February 5, 2026, to consider the application submitted requesting a Certificate of Appropriateness to place a wooden fence in the yard on the property located at 318 Davie Avenue, Statesville, North Carolina, specifically a 5'6" tall wood fence facing Davie Avenue on the west side of the back plane of the original house with a gate, a 5'6" wood fence at the same location on the east side of the house with a 10'-wide gate, and a 5'6" up to 6' wood fence in the rear yard extending to the south property lines.

DECISION OF THE BOARD

Upon the presentation of the evidence, the Historic Preservation Commission of the City of Statesville (herein the "Commission") voted to APPROVE, WITH CONDITIONS, the request for a Certificate of Appropriateness to place a wooden fence in the yard on the property at 318 Davie Avenue. The Commission makes the following findings of fact and conclusions of law, and makes the following order based thereon.

FINDINGS OF FACT

1. Neil Lates and Kimberly Lates (husband and wife) (the "Applicants") own the subject property located at 318 Davie Avenue, Statesville, North Carolina, identified by Tax Map 4744-16-3976 (referred to as the "Property").
2. The Property is a contributing member, documented as a pivotal structure, within the E. Broad/Davie Avenue Historic District of the City of Statesville.
3. The house located at 318 Davie Avenue is a circa 1900 two-story Queen Anne style building with a pyramidal roof, a center chimney, pedimented cross gables covered with decorative shingles, a polygonal cupola covered by a high-pitched polygonal roof, a one-story full-length front porch that wraps around both sides of the structure with turned posts, and a porte-cochere located on the east elevation. A one-and-one-half-story brick garage of similar architectural character is located behind the house along the eastern boundary.

4. The Applicants purchased the house during March 2024 from the Sinclair estate and are currently renovating the structure. During 2024, staff approved the Applicants to place a metal fence at the rear façade of the house.
5. The Applicants requested to place a five-foot-six-inch-tall wood fence on the Property to replicate a historic wood fence documented in historic photographs of the house and yard obtained by the Applicants. The Applicants stated the historic photographs indicate the yard had a wood fence on both sides of the house.
6. Neil Lates testified that the request is to place a five-foot-six-inch-tall wood fence facing Davie Avenue on the west side of the back plane of the original house, with a gate.
7. Neil Lates further testified that a five-foot-six-inch-tall wood fence will be placed at the same location on the east side of the house with a ten-foot-wide gate, and that the gates will be the same height as the fence.
8. A wood fence in the rear yard, five feet six inches up to six feet in height, will extend to the south property lines. An existing chain-link fence and wood fencing in the rear yard are the same height, and the new wood fence will continue that height in wood.
9. Neil Lates testified that he would like to redo the roof and remove the hidden gutters from the house. The Chairperson advised that he must submit a separate application to the Planning Department and appear before the Commission for any work on the roof and gutters.
10. Marci Sigmon, Planner II with the City of Statesville ("Sigmon"), presented the staff report to the Commission and identified the applicable Design Guidelines as Chapter 2 — District Settings & Site Features, Pages 20–21: Fences and Walls.
11. No one spoke in favor of or in opposition to COA 26-03.

CONCLUSIONS OF LAW

BASED UPON THE FOREGOING FINDINGS OF FACT, THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE CONCLUDES AS A MATTER OF LAW:

1. The Commission has jurisdiction to consider applications for Certificates of Appropriateness as to exterior features of properties located within an historic district of the City of Statesville.
2. The Commission considered the applicable Design Guidelines, specifically Chapter 2 — District Settings & Site Features, Pages 20–21: Fences and Walls, in evaluating the Applicants' request.
3. The Applicants produced competent, material, and substantial evidence establishing the existence of facts and conditions required for issuance of the requested Certificate of Appropriateness, and the application is consistent with the applicable Design Guidelines.

ORDER

NOW THEREFORE, THE DECISION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE IS AS FOLLOWS:

1. In relation to the request for a Certificate of Appropriateness for the Property located at 318 Davie Avenue, and after the hearing of testimony and review of evidence, the Historic Preservation Commission APPROVED the request WITH CONDITIONS: (a) the fences facing Davie Avenue must meet the back plane of the original house; (b) the gates must not be taller than the fence; and (c) the fences in the rear yard may be five feet six inches (5'6") up to six feet (6') tall.

BE IT RESOLVED THAT THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE APPROVES THE PRECEDING DECISION, WITH THE VOTES AS INDICATED BELOW, AS THE DECISION OF THE HISTORIC PRESERVATION COMMISSION OF THE CITY OF STATESVILLE AND THE SAME SHALL BE ENTERED INTO THE MINUTES OF THE COMMISSION.

VOTES FOR ____ 7 ____ AGAINST ____ 0 ____

This the ____ day of _____, 2026.

Dea Mozingo-Gorman, Chairperson
Historic Preservation Commission
City of Statesville, North Carolina

HPC Meeting Calendar 2026

October						
Su	M	Tu	W	Th	F	Sa
				1	2	3
4	5	6	7	8	9	10
11	12	13	14	15	16	17
18	19	20	21	22	23	24
25	26	27	28	29	30	31

November						
Su	M	Tu	W	Th	F	Sa
1	2	3	4	5	6	7
8	9	10	11	12	13	14
15	16	17	18	19	20	21
22	23	24	25	26	27	28
29	30					

December						
Su	M	Tu	W	Th	F	Sa
		1	2	3	4	5
6	7	8	9	10	11	12
13	14	15	16	17	18	19
20	21	22	23	24	25	26
27	28	29	30	31		

Per the HPC Rules of Procedure, Section 5.0, and due to the Holidays in November and December 2026, the HPC Meetings would be held on third Thursday Nov. 19th and Dec. 17th. The October meeting will be held on October 22nd.

5.0 MEETINGS

5.1 Regular Meetings

Regular meetings of the Commission shall be held on the fourth Thursday of each month at 7:00 p.m. in the Council Chambers at City Hall; provided, that meetings may be held at some other convenient place if directed by the chairman in advance of the meeting. **(Note: If a Holiday falls at the end of the month, then the meeting will be held on the third Thursday of the Month.)**



CONFLICT DISCLOSURE AND REQUEST FOR RECUSAL FORM

This form is for use by members of the Statesville Historic Preservation Commission ("Commission") to disclose a potential or actual conflict of interest and, when appropriate, request recusal from participation in a quasi-judicial certificate-of-appropriateness matter.

North Carolina law requires members of boards exercising quasi-judicial functions not to participate in or vote on a quasi-judicial matter in a manner that would violate affected persons' constitutional rights to an impartial decision maker. Impermissible due process violations include, but are not limited to, a fixed opinion before hearing the matter that is not susceptible to change, undisclosed ex parte communications, a close familial, business, or other associational relationship with an affected person, or a financial interest in the outcome of the matter. [N.C. Gen. Stat. § 160D-109](#).

1. Member Information

Commission Member Name: _____

Position or Role on Commission: _____

Phone: _____

Email: _____

Date of Disclosure: _____

2. Matter Information

Application or Case Number: _____

Applicant Name: _____

Property Owner Name, if different: _____

Property Address: _____

Historic District or Landmark, if applicable: _____

Type of Certificate-of-Appropriateness Request: _____

Scheduled Hearing Date: _____

Agenda Item Number: _____

3. Disclosure of Potential or Actual Conflict

I disclose the following potential or actual conflict of interest or basis for recusal in connection with the matter identified above. Check all that apply.

A. Fixed Opinion or Predetermination

- ☐ I have formed a fixed opinion about the matter before the hearing that is not susceptible to change based on the evidence presented at the hearing.
- ☐ I have made statements or taken actions that could reasonably be understood as showing that I have already decided the matter before hearing all competent, material, and substantial evidence.
- ☐ I have other concerns about my ability to remain impartial or open-minded during the hearing.

B. Ex Parte Communications

- ☐ I have had a communication outside the public hearing with the applicant, property owner, representative, neighbor, objector, supporter, witness, or other interested person about the merits of the application.
- ☐ I received written, electronic, verbal, or social-media communications about the merits of the application outside the public hearing.
- ☐ I responded to, participated in, or was copied on a communication about the merits of the application outside the public hearing.

☐ I have information from outside the hearing record that may affect, or appear to affect, my ability to decide the matter based solely on the evidence presented at the hearing.

C. Close Familial Relationship

☐ I have a close familial relationship with the applicant, property owner, representative, affected person, witness, or other person with a direct interest in the outcome.

For this purpose, "close familial relationship" includes a spouse, parent, child, brother, sister, grandparent, or grandchild, including step, half, and in-law relationships. [N.C. Gen. Stat. § 160D-109](#).

Name of person and relationship: _____

D. Business, Employment, or Professional Relationship

☐ I have a current or recent business, employment, contractual, financial, or professional relationship with the applicant, property owner, representative, affected person, witness, or other person with a direct interest in the outcome.

☐ I am employed by, own, manage, represent, contract with, or receive compensation from a person or entity involved in or affected by the matter.

☐ A business, employer, client, customer, partner, or entity with which I am associated has an interest in the matter.

Description of relationship: _____

E. Other Associational Relationship

☐ I have a personal, organizational, civic, nonprofit, neighborhood, social, or other associational relationship with a person or entity involved in or affected by the matter that could reasonably call my impartiality into question.

Description of relationship: _____

F. Financial Interest

☐ I have a financial interest in the outcome of the matter.

☐ A member of my household, business, employer, client, customer, or associated entity has a financial interest in the outcome of the matter.

☐ The decision could reasonably result in a direct financial gain, loss, benefit, or detriment to me or to a person or entity with whom I have a close relationship.

Description of financial interest: _____

G. Property Interest or Proximity Concern

☐ I own, lease, occupy, manage, or have another interest in property that may be affected by the decision.

☐ I own, lease, occupy, manage, or have another interest in nearby property and believe my participation could reasonably call my impartiality into question.

Property address or description: _____

H. Prior Involvement in the Matter

☐ I previously advised, advocated for, opposed, assisted, represented, or participated in the matter or a substantially related matter.

☐ I participated in preparing, reviewing, discussing, or presenting information about this application outside my role as an impartial Commission member.

Description of prior involvement: _____

I. Other Basis for Disclosure

☐ Other facts or circumstances may create an actual conflict, potential conflict, appearance of partiality, or due process concern.

Description: _____

4. Factual Description of Conflict or Potential Conflict

Please provide a complete but concise description of the facts supporting this disclosure, including relevant dates, persons involved, communications, relationships, financial interests, or other circumstances.

Description: _____

5. Member's Requested Action

After considering the above facts, I request the following action:

☐ I voluntarily recuse myself from participating in this matter.

☐ I request guidance from the City Attorney or other legal counsel before deciding whether to recuse.

☐ I disclose the above information for the record but do not believe recusal is required.

☐ I am uncertain whether recusal is required and request that the Commission determine whether I should participate.

☐ Other requested action: _____

If I am recused or excused from participation, I understand that I should not participate in the hearing, deliberation, or vote on this matter, and should not discuss the merits of the matter with other Commission members outside the public hearing process.

6. Submission Timing and Delivery

This form should be submitted as soon as the member becomes aware of the potential or actual conflict, preferably before the hearing or vote on the matter.

Submitted to: City Attorney, Leah Gaines Messick

Method of Submission:

- ☐ Email (lmessick@statesvillenc.net)
☐ Hand delivery (Office on the 3rd Floor of City Hall)
☐ Mail (227 S. Center Street Statesville, NC 28677)
☐ Submitted at meeting
☐ Other: _____

Date and Time Submitted: _____

If the conflict is discovered during a meeting or hearing, the member should disclose the conflict on the record before participating further in the matter.

7. Member Certification

I certify that the information provided in this form is true and complete to the best of my knowledge. I understand that certificate-of-appropriateness proceedings are quasi-judicial matters and that affected persons are entitled to an impartial decision maker. I further understand that if I am recused from this matter, I should not participate in the hearing, deliberation, or vote on the matter unless the Commission determines that participation is permitted.

Member Signature: _____

Printed Name: _____

Date: _____

COMMISSION ACTION SECTION

To be completed if the Commission considers the disclosure or if an objection is raised to the member's participation.

8. Disclosure on the Record

The disclosure was made:

- ☐ Before the meeting or hearing
- ☐ At the meeting or hearing
- ☐ Before opening the evidentiary hearing
- ☐ During the evidentiary hearing
- ☐ Before deliberation
- ☐ Before vote
- ☐ Other: _____

Date of Meeting: _____

Time Disclosure Made: _____

Disclosure summarized on the record:

- ☐ Yes
- ☐ No

9. Voluntary Recusal

- ☐ The member voluntarily recused himself or herself from the matter.

Time of recusal: _____

The member did not participate in:

- ☐ Hearing
- ☐ Questions to witnesses
- ☐ Deliberation
- ☐ Motion
- ☐ Vote
- ☐ Other: _____

The member left the dais or meeting area during consideration of the matter:

- ☐ Yes
- ☐ No

☐ Not applicable

☐ Other: _____

10. Objection to Participation

If an objection is raised to a member's participation and the member does not voluntarily recuse himself or herself, the remaining members of the Commission must rule on the objection by majority vote. [N.C. Gen. Stat. § 160D-109](#).

Was an objection raised to the member's participation?

☐ Yes

☐ No

Objecting person: _____

Basis of objection: _____

Did the member voluntarily recuse after the objection?

☐ Yes

☐ No

If no, the remaining Commission members considered and voted on whether the member should participate.

11. Commission Determination

After disclosure and consideration, the Commission determined as follows:

☐ The member is recused and shall not participate in the hearing, deliberation, or vote on this matter.

☐ The member is not recused and may participate in the hearing, deliberation, and vote on this matter.

☐ The matter is continued to allow review by legal counsel.

☐ Other determination: _____

Motion by: _____

Second by: _____

Vote of remaining members:

For recusal: _____

Against recusal: _____

Absent: _____

Abstaining or excused: _____

Names of members voting for recusal: _____

Names of members voting against recusal: _____

Names of members absent, abstaining, or excused: _____

Determination announced on the record:

☐ Yes

☐ No

CLERK OR SECRETARY RECORD SECTION

12. Record of Filing and Retention

Received by: _____

Title: _____

Date received: _____

Time received: _____

Filed with Commission records:

☐ Yes

☐ No

Included in meeting packet or hearing record:

☐ Yes

☐ No

☐ Not applicable

Referenced in meeting minutes:

☐ Yes

☐ No

Attached to minutes or retained with matter file:

☐ Yes

☐ No

Matter file location: _____

Retention classification or schedule: _____

LEGAL-COUNSEL REVIEW SECTION

13. Legal-Counsel Review

Reviewed by: _____

Date reviewed: _____

Counsel's recommendation:

- ☐ Recusal recommended
- ☐ Recusal not required based on disclosed facts
- ☐ Additional facts needed
- ☐ Commission determination required if objection is made and member does not voluntarily recuse
- ☐ Other: _____

Comments: _____

Counsel Signature: _____

Date: _____

<u>HPC Members:</u>	<u>Term Started</u>	<u>Term Expires</u>
Dr. Dea Mozingo-Gorman - Chair	02/01/2021	12/31/2026
Glenn Setzer -- Vice Chair	12/18/2017	12/31/2026
Anna Campbell	04/04/2022	12/31/2028
Erika Gottholm	01/01/2023	12/31/2028
Matthew Key	12/16/2024	12/31/2027
Barry Edwards	07/18/2022	12/31/2026
Scott Stevenson	12/02/2024	12/31/2027
Steven Haber	12/15/2025	12/31/2028
Nathan Morgan	12/16/2024	12/31/2027

The following members of the HPC terms will be up on December 31, 2026

1. Dr. Dea Mozingo-Gorman, HPC Chair
2. Glenn Setzer, HPC Vice Chair
3. Barry Edwards, HPC Member

**RESOLUTION TO OPPOSE THE CHANGES TO THE SECTION 106 REVIEW PROCESS
PROPOSED BY THE ADVISORY COUNCIL ON HISTORIC PRESERVATION (ACHP)**

WHEREAS the City of Statesville cherishes its eight (8) National Register Districts and ten (10) individual properties listed in the National Register of Historic Places; and

WHEREAS the National Preservation Act of 1966 was enacted by the United States Congress to protect the properties and districts listed in the National Register of Historic Places; and

WHEREAS protection of our National Register Districts and the properties listed in the National Register of Historic Places is crucial to the economic vitality of the city; and

WHEREAS the Advisory Council on Historic Preservation (ACHP) is responsible for administration of the Section 106 Review Process ensuring compliance with the National Preservation Act of 1966; and

WHEREAS the Section 106 Review Process was enacted to prevent negative impact of all federally funded projects on the National Register Districts and the properties listed in the National Register of Historic Places; and

WHEREAS the National Advisory Council on Historic Preservation has proposed regulatory changes on the Section 106 Review Process. If approved it would fundamentally alter how federal agencies consider the effects of their actions on the historic places, reducing opportunities for consultation with state, local governments, tribal communities and the public in general; and

WHEREAS the proposed regulatory changes are currently being reviewed by the Whitehouse Office of Information and Regulatory Affairs (OIRA), to publish the Notice of Proposed Rulemaking (NPRM) in the Federal Register allowing a 30-day public comment window. This 30-day window is yet to be determined; and

WHEREAS the proposed regulatory changes to the Section 106 Review Process by the Advisory Council on Historic Preservation is detrimental to the City of Statesville National Register Districts and the individual properties listed in the National Register of Historic Places; and

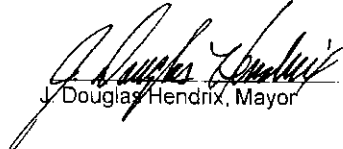
NOW THEREFORE BE IT RESOLVED by the City Council of the City of Statesville to:

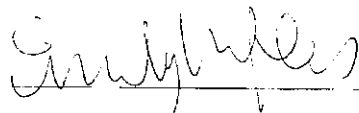
1. Oppose the regulatory changes that weaken the protection and consultation requirements of the Section 106 of the National Historic Preservation Act of 1966.
2. Encourage the Advisory Council on Historic Preservation to develop regulations that are consistent with the intent of Congress and the statutory requirement of the National Historic Preservation Act of 1966.
3. Support a transparent regulatory process that fully considers the perspectives of State and Tribal Historic Preservation Officers, Tribal Nations, local governments, preservation organizations, property owners, and the public.

Adopted on the 14th of September 2026.

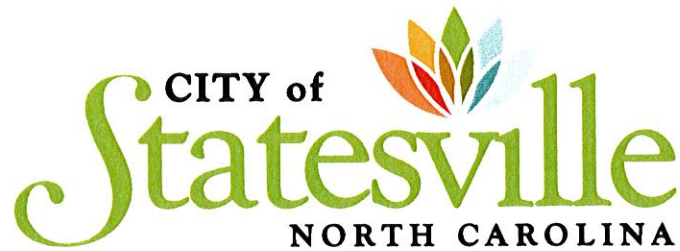
CITY OF STATESVILLE

ATTEST:


J. Douglas Hendrix, Mayor


Emily Kurfees, City Clerk





PO Box 1111 Statesville, NC 28687

September 24, 2026

Brent Leggs President and CEO National Trust for Historic Preservation
National Trust for Historic Preservation
National Headquarter
600 14th Street NW
Suite 610
Washington, DC 20005

Re: Regulatory Changes Proposed on Section 106 Review Process

The City of Statesville Includes eight (8) National Historic Districts and Ten (10) Individual properties listed in the National Register of Historic Places. We are proud of our historic resources and their protection as exit today is crucial to the economic vitality of our city.

As part of the National Preservation Act of 1966, the United States Congress authorized the Advisory Council on Historic Preservation to monitor Federally funded project preventing negative impact on our Historic Districts and individual properties listed in the National Register of Historic Places. As part of the process the public and local governments are currently able to be involved and make comments on federally funded projects. However, the proposed changes by the Advisory Council on Historic Preservation would eliminate or limit public and local government involvement in the review process.

The National Historic Preservation Act of 1966 reflects Congress's longstanding bipartisan commitment to ensuring that historic places are considered before federal projects move forward. Any regulatory changes should faithfully implement the law enacted by Congress—not undermine its purpose or diminish its protections.

Therefore, the City of Statesville Historic Preservation Commission strongly opposes the regulatory changes to Section 106 Review Process proposed by the Advisory Council on Historic Preservation and suggests the following be considered:

1. Oppose the regulatory changes that weaken the protection and consultation requirements of the Section 106 of the National Historic Preservation Act of 1966



PO Box 1111 Statesville, NC 28687

2. Encourage the Advisory Council on Historic Preservation to develop regulations that are consistent with the intent of Congress and the statutory requirement of the National Historic Preservation Act Of 1966
3. Support a transparent regulatory process that fully considers the perspectives of State and Tribal Historic Preservation Officers, Tribal Nations, local governments, preservation organizations, property owners, and the public.

Sincerely,

Dr. Mozingo-Gorman
Historic Preservation Commission Chair

Copy to:

North Carolina House of Representatives,
Historic Preservation Advisory Council,
NC State Historic Preservation Office

**STATESVILLE HISTORIC PRESERVATION COMMISSION
RULES OF PROCEDURE**

1.0 PURPOSE

To establish procedures for organizing the business of the Statesville Historic Preservation Commission, hereinafter termed "Commission;" for processing applications for Certificates of Appropriateness; and for pursuing the designation of historic properties.

Purpose of the board and their authority:

- A. Reviewing plans for alteration to the exterior of structures and the removal of trees from properties within Historic Districts; and issuing a Certificate of Appropriateness if those plans are consistent with the Standards and Requirements of these guidelines.
- B. Providing technical advice to property owners concerning restoration and the preservation of architectural features.
- C. To explore other alternatives for properties requesting to be demolished.
- D. Making recommendations to Planning Board regarding proposed zoning changes and related matters within the Historic District.

2.0 GENERAL RULES

The Commission shall be governed by the regulations pertaining to historic properties as incorporated in the City's Unified Development Code Article 2, Section 2.14) and by the terms of Session Law 2005-143, House Bill 1020. For procedures not covered by the aforementioned, the Commission shall follow the rules contained in the current edition of Robert's Rules of Order.

3.0 JURISDICTION

The Commission's jurisdiction for its activities shall coincide with the City's zoning jurisdiction as delineated and shown on the official zoning map for the City of Statesville.

4.0 MEMBERS, OFFICERS AND DUTIES

The Commission shall be composed of nine (9) members, whose terms of office are set by the Statesville City Council. A majority of the members of the commission (e.g., five (5) of nine (9) members) shall have demonstrated special interest, experience or education in history, architecture, archaeology, or related fields and all members shall reside within the territorial jurisdiction of the City of Statesville, North Carolina. Members shall be appointed for three-year staggered terms.

4.1 Chairman

A Chairman shall be elected by the members of the Historic Preservation Commission. The Chairman shall decide all points of order and procedure, subject to these rules, unless directed otherwise by a majority of the commission in session at the time. The Chairman shall appoint any committees found necessary to investigate any matters before the Commission.

4.2 Vice Chairman

A Vice Chairman shall be elected by the commission from among its members in the same manner as the Chairman. The Vice Chairman shall serve as acting Chairman in the absence of the Chairman, and at such times shall have the same powers and duties as the Chairman.

4.3 Staff Representative

A member of the City staff, designated by the City Manager to serve as the administrative liaison to the commission, shall also serve as Staff Representative to the Commission. The Staff Representative, subject to the direction of the Chairman of the Commission, shall keep all records, conduct all correspondence of the Commission and generally supervise the clerical work of the Commission. The Staff Representative, being an ex officio member of the Commission, shall not be eligible to vote on any matters which come before the Commission.

4.4 Elections

Election of officers shall be held at the first regular meeting in January. Members shall be notified by the Staff representative in writing of the election of officers at least thirty days prior to the regular January meeting.

4.5 Attendance at Meetings

Faithful and prompt attendance at all meetings of the Commission and conscientious performance of the duties required of members shall be a prerequisite to continuing membership on the Commission. Should a member fail to attend three (3) consecutive regular meetings of the Commission, and should there be no adequate excuse for such absences, the Chairman, with the concurrence of a majority at the entire Commission, shall recommend to the appropriate authority that a vacancy be declared and that the vacated position be filled.

4.6 Applications Involving Member

No member of the Statesville Historic Preservation Commission shall seek to influence a decision, participate in any action or cast a vote involving any matter that is before the Commission which may result in a private benefit to themselves, their immediate relatives, or their business interest. In applying this rule, the following procedure shall govern:

1. A Statesville Historic Preservation Commission member who determines there to be an existing conflict of interest shall declare the existence of the conflict, or if a Statesville Historic Preservation Commission member who believes there may be an existing conflict of interest shall declare his/her possible conflict and ask for a determination by the Commission. A majority vote of the Commission shall determine whether or not a conflict of interest exists. The Commission member to have been determined to have a conflict of interest shall seat him/herself apart from the remaining Commission members. Said member shall abstain from voting on said matter but may voice his/her opinion as a non-voting citizen on the matter.
2. A challenge to the existence of a conflict of interest or challenge of an undisclosed conflict of interest may be filed by any interested party with

the Commission. Any appeal to the Commission shall be supported by competent evidence and shall be submitted to a properly convened meeting of the Commission. The commission shall hear all evidence and shall by majority vote, make the final determination as to the existence of a conflict of interest.

Withdrawal from participation in any matter is necessary only in those specific cases in which a conflict arises. There shall be no attempt to exclude entire categories of consideration because of the business or profession with which a member is associated.

4.7 Impartiality Required

No Commission member shall, in any manner, discuss any application with any parties prior to the Commission's deliberations on such application, except as authorized in advance by the Chairman; provided, however, that members may seek and/or receive information pertaining to the application from any other member of the commission or its staff prior to the hearing.

4.8 Knowledge of Controlling Rules and Regulations

Each member of the Commission shall be thoroughly familiar with all statutes, laws, ordinances and rules of procedure relating to historic properties and the authority of the Commission.

5.0 MEETINGS

5.1 Regular Meetings

Regular meetings of the Commission shall be held on the fourth Thursday of each month at 7:00 p.m. in the Council Chambers at City Hall; provided, that meetings may be held at some other convenient place if directed by the chairman in advance of the meeting. (Note: If a Holiday falls at the end of the month, then the meeting will be held on the third Thursday of the month.)

5.2 Special Meetings

Special meetings of the Commission may be called at any time by the Chairman. At least forty eight (48) hours notice of the time and place of special meetings shall be given, by the Staff representative or by the Chairman, to each member of the Commission; provided, that these requirements may be waived by action of a majority of all the members.

5.3 Cancellation of Meetings

Whenever there is no business for the Commission, the Staff Representative may dispense with a regular meeting by giving notice to all the members prior to the time set for the meeting.

5.4 Quorum

A quorum shall consist of five (5) members of the Commission.

5.5 Conduct of Meetings

All meetings shall be open to the public; however, prior to any testimony all parties are to be sworn in. The order of business at regular meetings shall be as follows:

- (a) Roll call, the Chairman will state each commission member's name allowing a response of presents for the record;
- (b) Approval of minutes of previous meeting;
- (c) Swearing in of all parties that are going to speak including Staff.
- (d) Request of notification of ex-parte conversation and recusal.
- (e) Report of committees;
- (f) Unfinished business;
- (g) Consideration of applications;
- (h) New business to be brought to the attention of the Commission; and
- (i) Adjournment.

6.0 APPLICATION PROCEDURES

6.1 Filing of Application

An application must be filed with the Staff Representative to the Commission at least fourteen (14) days or ten (10) working days prior to the next meeting of the Commission, accompanied by sketches, drawings, photographs, specifications, descriptions, etc. of the proposed project. Please refer to the Design Guidelines Appendices to determine what is required for each case.

6.2 Notices to Neighboring Property Owners

The Staff representative shall notify all of the individuals, firms, or corporations owning property adjacent to both sides and rear, and the property in front of (across the street from) the property being considered for a Certificate of Appropriateness.

6.3 Review Sub-Committee

The chairman of the Commission has the ability to elect a sub-committee as he/she sees fit. The subcommittee cannot make decisions, but they do have the ability to make a recommendation to the Commission. The open meetings laws shall be met (minutes, notification of the property owner and adjoining property owners)

6.4 Public Hearings

In cases where the Commission deems it necessary, it may hold a public hearing concerning an application. For each case where a "Major work" is proposed, the Staff Representative is required to notify adjoining property owners and those cases are to be considered at public hearings.

6.5 Time for Decision

The Commission must take formal action to issue or deny a Certificate of Appropriateness within a reasonable time, not to exceed one hundred eighty (180) days from the date the application for a Certificate of Appropriateness is filed, except demolition request. The imposed time limit may be extended upon mutual agreement of the applicant and the Commission for all non-demolition cases. The Commission shall make a recommendation to City Council within forty-five (45) days of the date of the public hearing for all demolition requests.

6.6 Approved Application

If the application is approved, the Staff Representative to the Commission shall transmit to the applicant a Certificate of Appropriateness in letter form clearly

describing the nature of the work which has been approved. An applicant will also receive a permit for the approval from the Historic Preservation Commission; however it may be required that an applicant obtain a zoning clearance and building permits depending on the type and detail of work being completed. The Staff Representative shall attach a copy of the minutes of the meeting at which approval was granted and forward this information to the Inspections Department which is responsible for its enforcement.

6.7 Denied Applications

If an application is denied, a copy of the minutes of the meeting and written reasons for denial shall be made available to the applicant.

7.0 CONSIDERATION OF APPLICATIONS

Any party may appear in person or by agent or attorney at the meeting. In considering applications, witnesses may be called and factual evidence may be submitted; but the Commission shall not be limited to consideration of such evidence as would be admissible in a court of law. Note: testimony cannot be hearsay. Due to the Commission being a quasi-judicial board cross examination procedures are acceptable. The order of business for consideration of applications for Certificates of Appropriateness shall be as follows:

- A. Chairman directs the Staff Representative to give the history of the property and the details of the request (facts only not opinion) and refers the Commission to which sections of the Design Guidelines that should be referenced.
- B. The commission asks questions of the Staff Representative.
- C. The chairman opens the public hearing. The property owner, the applicant or a representative will elaborate on the application.
- D. The Commission then asks questions of the applicant.
- E. The Chair then asks for the people speaking in favor of this petition to come forward with testimony.
- F. The Chairman then asks for people speaking against this petition to come forward with testimony.
- G. The Public Hearing is closed.
- H. A motion is made, utilizing the process of decision making tools below, and then the motion is seconded.
- I. Discussion is had and a vote is taken, unless the motion fails.

7.1 Process of Decision Making:

The Commission may, in its discretion, view the premises and obtain additional facts concerning any application before arriving at a decision. All decisions of the Commission shall be supported by appropriate findings of fact, and where necessary, shall be accompanied by such conditions and/or recommendations as it may determine to be reasonable under the circumstances.

7.2 Finding of Facts:

The Commission must either answer all five (5) Findings of Fact in the affirmative or determine that such finding does not apply to the specific project under consideration:

1. The historic character of the property will be retained and preserved.
2. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of distinctive features, the new feature will match the old in design, color, texture, and where possible,

materials. Replacement of missing features has been substantiated by documentary, physical, or pictorial evidence.

3. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest method possible.
4. Archeological resources will be protected and preserved in place. If such resources must be disturbed, the applicant has shown that mitigation measures will be undertaken.
5. New additions, exterior alterations, or related new construction will not destroy historic materials that characterize the property. The new work will be differentiated from the old and will be compatible with the massing, size, scale, and architectural features to protect the integrity of the property and its environment.

7.3 Design Guidelines:

The primary purpose of the Design Guidelines is to assist property owners as they plan changes which are appropriate to the special character of Statesville's Historic Districts and to assist the Statesville Historic Preservation Commission and its staff representatives in reviewing the appropriateness of such changes.

The Commission members shall state which guidelines apply to each case to provide reason for approval, denial or tabling of a case based on the appropriateness of an applicant's request or requests.

Each case shall have a motion made by a Commission member which; shall include the findings of facts and the Design Guidelines which are appropriate to the case.

8.0 RECONSIDERATION OF APPLICATIONS WHICH HAVE BEEN DENIED

The order of business for reconsideration of applications for Certificates of Appropriateness which previously have been denied shall be as follows:

The Commission:

- A. The Chairman shall entertain a motion from a member of the Commission that the applicant is allowed to present evidence in support of the request for reconsideration. The applicant shall be given the opportunity to present any other additional supporting evidence, if the Commission decides to reconsider the application. Such evidence shall be limited to evidence such as change in the facts, evidence, or conditions relating to the application that will be beneficial to determining the case.
- B. After receiving the evidence, the Commission shall proceed to deliberate whether or not there has been a substantial change in the facts, evidence, or conditions relating to the application which would warrant reconsideration. If the Commission finds that there has been such a change, it shall thereupon treat the request as a new application received at that time.

The Applicant:

No application denied by the Commission can be resubmitted unless one of the following circumstances applies:

- A. The project proposal has been substantially redesigned, or
- B. There has been a substantial change of circumstances affecting the property.

9.0 MODIFICATIONS OF APPLICATIONS

An approved or pending application for a Certificate of Appropriateness may be modified by a written request from the applicant to the Commission. Such a request shall include a description of the proposed change and shall be accompanied by elevations, plans or sketches, where necessary. If the Commission finds that the modifications constitutes a substantial change which might affect surrounding property owners, it shall request the applicant to notify affected property owners following the procedures set out in Section 6.2 before taking action on the modification. The Commission shall thereupon treat the request in the same manner as any other application as outlined in Section 6.0.

10.0 VOTE

The vote of a majority of those members present shall be sufficient to decide matters before the Commission, provided a quorum is present. Possible votes: Approve the application as it was summated; approve the application with changes, denial. If a denial vote occurs, the Commission is to clearly state why denials vote was made.

11.0 APPEALS

Appeals to decisions of the Commission shall be made to civil court. Appeals on the commission procedure shall be made to the Board of Adjustment within thirty (30) days of the approval by the Commission of the minutes of the meeting containing the decision being appealed. An appeal application shall be filed with the Zoning Administrator no longer than thirty (30) days from the date of the Commission's decision.

12.0 VIOLATIONS

Violations in the historic district are subject to a civil penalty (fine) of fifty (50) dollars a day. Violations of this ordinance are also misdemeanors as set out in G. S. 14-4.

13.0 DESIGNATION OF HISTORIC PROPERTIES (DISTRICTS AND LANDMARKS)

13.1 Identification and Evaluation of Historic Properties

The Commission shall maintain an inventory of properties thought to have historical, architectural, pre-historical, and cultural significance within its jurisdiction. Such inventories and any additions or revisions thereof shall be submitted as expeditiously as possible to the Division of Archives and History (State of North Carolina) for comment. Listing in the inventory shall be a prerequisite for pursuing local designation as a historic district or landmark.

13.2 Initiating the Designation of Historic Properties

Any individual or group with interest in historic preservation may seek the Historic Preservation Commission's assistance in advancing a certain property for designation consideration. A property owner(s) may request and enlist the assistance of the Commission in pursuing the designation of property which he/she/they own. Also, the Commission may of its own volition initiate the local designation of historic properties. When designation is not being initiated by the property owner, the Commission shall notify the owner of the designation initiative and extend to the affected property owner(s) an opportunity to appear before the Commission at a regularly scheduled meeting to voice his/her support, or lack thereof, for the designation efforts.

13.3 Designation Recommendations

The Commission shall forward local designation recommendations to the City Council for formal action. No property shall be recommended for designation unless it is deemed and found by the Commission to be of special significance in terms of its historical, pre-historical, architectural or cultural importance and to possess integrity of design, setting, workmanship, materials, and/or association. A report addressing these items shall be prepared in writing; and upon review and formal approval of the Commission shall be forwarded to the Division of Archives and History for comment. After which, the same, along with any comments obtained from the state agency, shall be presented to the City Council for consideration prior to formal action being taken on the designation of historic properties.

13.4 City Council Designations

The designation of a historic landmark or district shall be effective through the adoption of an ordinance by the Statesville City Council. Upon adoption of the ordinance, the owners and occupants of each designated landmark or property within a designated district shall be given written notification of the designation along with a copy of historic properties regulations.

14.0 AMENDMENTS

These rules may, within the limits allowed by law, be amended at any time by an affirmative vote of not less than five (5) members of the Commission, provided that such amendment shall have first been presented to the membership in writing at a regular or special meeting preceding the meeting at which the vote is taken.

Approved by the Commission the 28th day of June, 2012.


Chairman


Staff Representative