



PO Box 1111 Statesville, NC 28687

DATE: July 17, 2025

TO: Statesville Historic Preservation Commission

CC: Sherry Ashley, Planning Director; Herman Caulder, Assistant Planning Director

FROM: Marci Sigmon, Planner II

SUBJECT: Regular Meeting

The Statesville Historic Preservation Commission will conduct a regular meeting on **July 24th, 2025, beginning at 7:00pm**. The meeting will be located at 227 South Center Street in the Council Chambers on the 2nd Floor.

AGENDA

1. Welcome
2. Roll Call
3. Consideration to continue Certificate of Appropriateness (COA25-07) from Greg Lewis for an after-the-fact Certificate of Appropriateness to retain the vinyl windows placed in the structure located at 327 South Oak Street; Tax Map 4734-73-4794.
4. Consider Certificate of Appropriateness (COA25-18) from Joseph Blevins to install a fence in the side yard on the property located at 420 Davie Avenue; Tax Map 4744-17-7359.
5. Consider Certificate of Appropriateness (COA25-19) from Byron Henderson to install a decorative metal arbor, decorative metal fence, and wooden fence in the side yard on the property located at 259 Kelly Street; Tax Map 4734-86-6864.
6. Consider Certificate of Appropriateness (COA25-16) from Northway Homes LLC to construct a new single-family home on the property located at 642 West Sharpe Street; Tax Map 4734-73-6647.



PO Box 1111 Statesville, NC 28687

7. Consider Certificate of Appropriateness (COA25-17) from Northway Homes LLC to construct a new single-family home on the property located at 646 West Sharpe Street; Tax Map 4734-73-5695.
8. Other Business
9. Adjournment

NOTE: Please call Marci Sigmon at 704-878-3578 or email Marci at msigmon@statesvillenc.net if you have questions related to this meeting or Certificate of Appropriateness considerations. Thank you.

Staff Report

To: Historic Preservation Commission Members
From: Marci Sigmon, Planner II
CC: Sherry Ashley, Planning Director; Herman Caulder, Assistant Planning Director
Date: May 15, 2025
Re: COA25-07, 327 South Oak Street; Tax Map 4734-73-4794

Background

The structure located at 327 South Oak Street is a three bay I-House with a side-gable roof with cornice returns and one and two story gable-roofed rear ells. The historic file states the windows were six-over-six throughout the home. Transom and sidelights surround the main entry doorway and the hip-roofed front porch has replacement square posts.

Certificate of Appropriateness approvals include, during 2001, replacing the front sidewalk and adding a new sidewalk on the south side of the home, installing a wood picket fence in rear yard, installing a wood front porch rail system and replacing the front porch decking with new tongue and groove wood decking. During 2017, a request to retain after-the-fact vinyl windows installed throughout the house was denied. In August 2021, approval was given to install a storage building in rear yard.

In 2020, the City of Statesville instituted litigation against the property owner, Greg Lewis, due to the Historic Preservation Commission denying the owner's request for a Certificate of Appropriateness (COA) during 2017 to retain the vinyl windows in the structure and Mr. Lewis not removing the vinyl windows to come into compliance with the HPC's decision. The court ordered Mr. Lewis to place the wood windows he removed from the home back into the structure.

During September 2021, the owner, Greg Lewis, submitted a request once again to retain the vinyl windows installed in the structure to the Historic Preservation Commission. The Historic Preservation Commission followed their Rules of Procedure and voted the COA application did not meet the criteria of Rules of Procedure Section 8.0 titled "Reconsideration of Applications Which Have Been Denied" to rehear the case. The commission stated the project proposal had not been substantially redesigned nor had there been a substantial change of circumstances affecting the property.

Request

The owner, Greg Lewis, is asking the commission to reconsider an After-the-Fact Certificate of Appropriateness request to retain the vinyl windows installed in the house during 2017. The applicant states he received a letter from Iredell County Building Standards on May 14, 2021 instructing him to "remove the old windows" (*See attached documents*).

The applicant describes the vinyl windows he installed in the house as Atrium Ellison 1300 Series windows. The owner states he installed fourteen vinyl windows measuring thirty-three inches by seventy-eight inches along with six additional vinyl windows measuring twenty-seven inches by thirty-eight inches into the home located at 327 South Oak Street.

The owner states he selected the Atrium Ellison 1300 Series to best match the panes and muntins of the old wood windows and retain and preserve the architecture of the home. The applicant also states by replacing the wooden windows that were deteriorating and rotten, he will be able to preserve the integrity of the home.

Per the Historic Preservation Commission Rules of Procedure, the commission has a process defined to decide to reconsider a previously denied request. Staff has consulted with the city attorney, Leah Messick, and she stated the board would follow the Rules of Procedure details for receiving and ruling whether to hear the reconsideration request or not.

The HPC Rules of Procedure state in Item 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.

The applicant's supplemental application documents are attached to this case for following the deliberation portion of the Rules of Procedure.

Commission Review

The commission must consider the following pages in the Design Guidelines when rendering their decision.

Chapter 3 Changes to Building Exteriors, Pages 36-38: H. Windows & Doors

Findings of Fact

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 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.



City of Statesville
Planning Department
Physical: 227 S Center Street
Mailing: PO Box 1111
Statesville, NC 28687

Staff Contact:
704-878-8578

Form #	COA 25-07
Reference	2-27-2025
Received by	MA
File #	4734-73-4784
Meeting	Meeting
Zoning/Permit	Permit
Staff Use Only	

Please use **BLACK** or **BLUE INK**. Do not use other colors, or pencil. They do not photocopy.

Street Address of Property: 327 S Oak St Statesville NC 28677

Historic District: South Race St

Historic Property/Landmark name (if applicable):

Applicant's Contact Information:

Applicant's Name: Greg Lewis

Applicant's Address: PO Box 266 Banner Elk NC 28604

Phone: (H) (W) (C) 602-582-3000

E-mail: lewisgreg69@gmail.com

Applicant's Signature: Greg Lewis

Owner's Contact Information:

Owner's Name: Greg Lewis

Owner's Address: PO Box 266 Banner Elk NC 28604

Phone: (H) (W) (C) 602-582-3000

E-mail: lewisgreg69@gmail.com

Owner's Signature: Greg Lewis

Lot size: 68' feet by 96' feet
(Width) (Depth)

Zoning: R-5 HD Setbacks: Front & Rear = 25'
Side = 5'

Please Note: By signing this application as the applicant, owner or both you are granting permission to staff to visit the subject property to understand site conditions.



Please describe all work that is being requested, including all dimensions, height, materials, colors, and any other pertinent information (please attach any photos, drawings or brochures that will help explain your request):

See attached documents.

There may be applications filed that are considered urgent to be reviewed due to a safety hazard, requirement of code, or another valid reason. Such cases shall be reviewed by the staff liaison.

DESCRIPTION OF WORK BEING REQUESTED

327 S. Oak St. Statesville, NC

Greg Lewis – Owner

Background:

Mr. Greg Lewis (“Owner”) acquired the home located at 327 S. Oak St. on February 27, 2017. Since acquiring the property, he has done substantial renovation to the home. Part of the renovation was for replacement windows on the home. An application for replacement vinyl windows was denied by this Commission in 2017. In 2020 litigation was instituted by the City of Statesville against the Owner related to the vinyl windows. On May 14, 2021, the Owner received a letter from Iredell County Building Standards instructing him to “remove the old windows.” The Owner now seeks approval of this Commission to keep the vinyl windows so that he can be in compliance with Iredell County Building Standards.

Description of Windows:

The Owner is seeking approval to replace deteriorating and rotted wooden windows with a vinyl replacement window. The vinyl window product is the Atrium Ellison 1300 Series windows. The windows replaced are as follows:

- 14 – 33” x 78” windows
- 6 – 27” x 38” windows

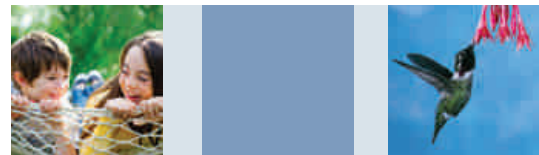
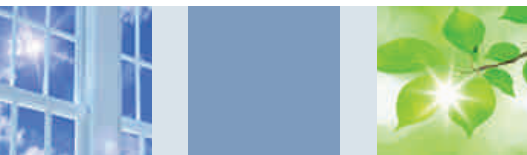
The Atrium Ellison 1300 Series was selected by the Owner to best match the panes and muntins of old wooden windows and retain and preserve the historic architecture of the home.

By replacing the wooden windows that are deteriorating and rotten, the Owner will be able to preserve the structural integrity of the home while best keeping the historic value of the property.



BEAUTIFY YOUR HOME. SIMPLIFY YOUR LIFE.

At Ellison Windows and Doors, we make premium virgin vinyl replacement windows that lend classic charm to any décor. Stylish and sensible, our windows conserve energy — making them easy on your wallet and easy on the environment. In all seasons and through all conditions, we think you'll like what you see.



SERIES 1300 DOUBLE HUNG



COMFORT YOU CAN COUNT ON. The Ellison Series 1300 is where affordability meets the durability of all-welded vinyl construction. These windows are built to last, providing your home with attractive, energy-saving efficiency all year round. Low-maintenance needs and custom style options make the Series 1300 a great choice for homeowners with an eye for design and value.



- **Series 1300 2 and 3 lite sliders also available.**
- Insulated glass panels with optimum thermal air space featuring Warm-Edge spacer system.
- Fusion-welded sashes and frame add strength, boost thermal performance.
- Constant force coil balance system permits easy sash movement.
- Dual push-button night latches provide optimum ventilation.
- Positive-action cam lock enhances safety (2 locks standard at 27 1/4").
- Interlocking sashes keep out drafts.
- Reinforced multicavity construction provides additional thermal performance and structural integrity.
- Dual-fin weather stripping further reduces air infiltration.
- Half screen comes standard.*
- Sloped sill reduces air infiltration and allows for easy water run-off.
- Rubber bulb seal helps block outside air.
- Integrated slim-line push rail allows you to easily operate sash.
- **Transferable Limited Lifetime Warranty.**

SCAN AND
WATCH A VIDEO
ABOUT OUR
SERIES 1300



Options

CUSTOM

- **Ultra Low-E / Argon Glass** (may be required for Energy Star rating).
- Low-E Glass with Argon Gas for additional efficiency.
- Low-E Glass.
- 5/8" or 3/4" flat, 5/8" or 1" contoured, 5/8" contoured valance grids available.
- 8 painted exterior colors (white interior only)
- Factory mulling of twins, triples and architectural shapes.
- Charcoal aluminum mesh screen.
- Lifetime Glass Breakage Warranty.

COLOR Options**



All Ellison Windows and Doors may be ordered to meet Energy Star requirements.

Note: Manufacturer reserves the right to substitute components as necessary for continued product improvement.

*Screens are not meant to restrain a child from falling through an open window.

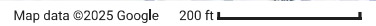
**Printing process may affect color shown. Please refer to actual window sample when selecting colors.

*** Grid offering limited to 5/8" contoured or SDL on exterior painted windows. Only use mild, water based household cleaner on painted product and rinse immediately with water. See full cleaning instructions for details.

SCAN AND
EXPERIENCE
OUR WEBSITE







Building



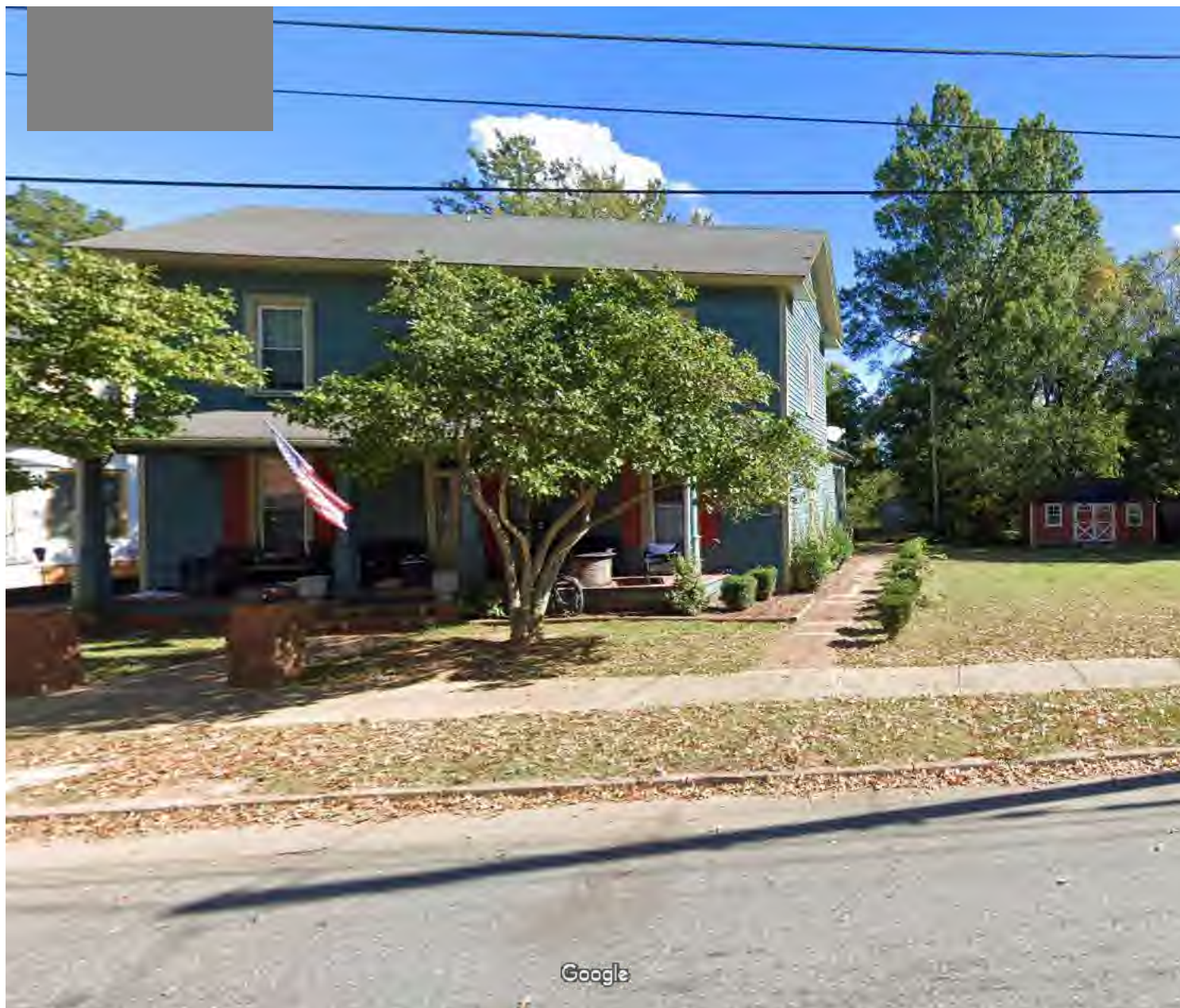


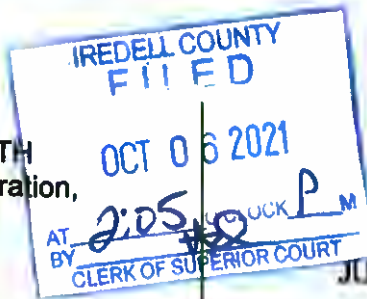
Image capture: Oct 2023 © 2025 Google



STATE OF NORTH CAROLINA
COUNTY OF IREDELL

IN THE GENERAL COURT OF JUSTICE
DISTRICT COURT DIVISION
20 CVD 2222

CITY OF STATESVILLE, NORTH
CAROLINA, a Municipal Corporation,
Plaintiff,



v.

GREG LEWIS,

Defendants.

JUDGMENT BY DEFAULT

This cause, coming on to be heard before the undersigned Judge Presiding over the October 6, 2021 session of the District Court of Iredell County, North Carolina, upon motion and affidavit of the Plaintiff, through counsel, for a judgment by default for nuisance abatement under Rule 55(b)(2) of the North Carolina Rules of Civil Procedure as to the Plaintiff's claims for a mandatory injunction and issuance of a fine; and It appearing to the Court the following:

Findings of Fact

1. Plaintiff's Complaint was filed on September 4, 2021, together with proper summons issued the same day.
2. The Defendants were served on September 16, 2021 by the Iredell County Sherriff's Department.
3. No answer or other responsive pleading has been filed, and that the time within which such pleading should be filed has expired.
4. The Plaintiff filed their Motion for Default on August 9, 2021 and an Entry of Default was filed herein on August 9, 2021.
5. The Defendants own the real property located at 327 South Oak Street (Parcel ID Number 4734-73-4794. This property is within the limits of the City of Statesville and is subject to the Code of the City of Statesville.
6. The Property is located within the designated historic district of the City of Statesville.
7. The Property is subject to the Code of the City of Statesville, the Unified Development Code, and the Historic Preservation Standards set forth therein.
8. Properties located within the City designated historic district are subject to Section 2.14 of the Unified Development Code (U.D.C.) of the City of Statesville, which sets forth additional zoning requirements for historic properties.

9. Section 2.14 of the U.D.C requires a Certificate of Appropriateness to be issued prior to the alteration or restoration of any exterior architectural features, regardless as to whether a building permit is required for the work.

10. Under Section 2.14, the Historic Preservation Commission receives all applications for certificates of appropriateness for major works, and after holding a quasi-judicial hearing on the application, issues an Order either granting or denying the Certificate of Appropriateness therefrom.

11. The Historic Preservation Commission sets forth Design Guidelines for windows and doors of historic properties, which in relevant part state owners must:

A. Retain and preserve original windows and doors. If repair of an original window or door element is necessary, repair only the deteriorated element to match the original in size, composition, material, dimension, and detail by patching, splicing, consolidating, or otherwise reinforcing the deteriorated section. The removal of historic materials should be avoided.

B. 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.

C. It is not appropriate to replace true divided light windows with vinyl windows or windows with snap-in muntins.

D. 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; and
6. Material performance and durability.

12. Sometime prior to December 21, 2017, and without a Certificate of Appropriateness, the Defendant removed the wooden windows of the Property and replaced them with vinyl windows.

13. Mr. Lewis filed a Certificate of Appropriateness on December 6, 2017 to replace the wooden windows with vinyl windows. This was heard by the Historic Preservation Commission of Statesville (hereinafter the "Commission") on December 21, 2017. After a hearing on this issue, the Commission did not approve the Defendant's request to replace wooden windows with vinyl windows. The Defendant did not appeal this decision.

14. On December 27, 2017, Marci Sigmon with the Planning Department of the City of Statesville informed Mr. Lewis in writing that he would need to replace the vinyl windows with wooden windows by June 21, 2018 to comply with City Ordinances.

15. On May 4, 2018, Marci Sigmon with the Planning Department of the City of Statesville again informed Mr. Lewis in writing that he would need to replace the vinyl windows with wooden windows by June 21, 2018 to comply with City Ordinances.

16. The City of Statesville continued to work with the Defendant until May 21, 2020, when the City issued a Zoning Violation Warning via Registered Mail. The letter issued the Defendant a right to appeal this determination within thirty (30) days, and stated that a Zoning Civil Citation would be issued at the expiration thereof.

17. The Defendant did not appeal the Zoning Civil Citation issued by the City.

18. On June 24, 2020, the City issued the Defendant a Zoning Civil Citation via Registered Mail for failure to remove the vinyl windows and install wooden windows. The Citation issued a fine to the Defendant in the amount fifty dollars (\$50.00) per day beginning June 26, 2020 (the date the Citation was received in the mail by the Defendant).

19. Pursuant to U.D.C. Section 2.14(E)(7), "Compliance with the certificate of appropriateness shall be determined by the planning department. Failure to comply with a certificate of appropriateness shall be a violation of the zoning ordinance. The discontinuance of work or the lack of progress toward achieving compliance with a certificate of appropriateness for a period of six (6) months shall be considered as a failure to comply with a certificate of appropriateness."

20. The Repairs have not been completed on the Property as of today.

21. Pursuant to U.D.C. Section 2.14(N), the City may institute legal proceedings for the following relief: (1) Equitable Remedy; (2) Order of Abatement; and (3) Civil Penalty

22. Pursuant to Section 13 of the Code of the City of Statesville, nuisances not abated are subject to the provisions of Sections 1-7 whereas, the Plaintiff is entitled to the issuance of a fine in the amount of fifty dollars (\$50.00) per day. This fine can be recovered through this civil action.

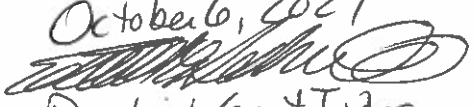
Conclusions of Law

1. The Court has subject matter and personal jurisdiction.
2. The Plaintiff is entitled to the entry of this Order.

Order

Now, therefore, IT IS ORDERED, ADJUDGED, AND DECREED that,

1. The Plaintiff have and recover a fine in the amount of \$50.00 per day from June 26, 2020 to the entry of this Order, in the total amount of \$23,250.00, plus interest at the rate of 8% from the date of judgment, as allowed by law until paid in full, together with the costs of this action which are taxed against the Defendants.
2. That the Defendants be ordered to comply with the Order of the HPC by re-installing the wooden windows into the home and removing the vinyl windows currently installed.
3. That this Order be enforceable through a Motion for Contempt of Court.

October 6, 2021

District Court Judge

**Historic Preservation Commission Minutes
City Hall – City Council Chambers
227 South Center Street
December 21, 2017**

The Statesville Historic Preservation Commission met on Thursday, December 21, 2017 at 7:00 p.m. in the City Hall Council Chambers.

Roll Call

Chairman Dearman called the meeting to order and conducted roll call with the following attendance recorded:

Members Present: Dearman, Hill, Wanman, Siegrist, Lischin, Brittain, Wynne, Boyd

Members Absent: Whitesides

Staff Present: Marci Sigmon, Brenda Fugett

Council Present: 0

Others: 9

Media: 0

Swearing In

Chairman Dearman swore in all speakers.

Review and approval of minutes from the Thursday, November 16, 2017 HPC meeting.

Siegrist made a motion to approve, seconded by Hill. The motion carried unanimously.

Consideration of Certificate of Appropriateness COA17-15 from Mr. and Mrs. Brandon Teague to remove the hidden gutters, repair the damaged wood, install external gutters, and replace the existing metal roof area over the porch with similar metal roofing on the structure located at 602 Walnut Street; Tax Map 4734-74-7742.

Marci Sigmon gave the following staff report:

Background

The house located at 602 Walnut Street was constructed in 1905 and historically known as the Douglas House. The structure is a one story Victorian frame cottage with a deep hip roof, two front cross gables and a bracketed wrap-around porch. The property also contains a one story carport/storage building.

Request

Mr. and Mrs. Brandon Teague are requesting to remove the hidden gutters, repair the damaged wood, install external gutters, and replace the existing metal roof area over the porch with similar metal roofing. The hidden gutters are extremely rotten. The damaged hidden gutters

have deteriorated the surrounding wood and one of the placed external gutters has fallen off the house. The applicant proposes to remove the hidden gutters, repair the damaged wood and install external gutters to manage the water flow in the best way possible. The existing wrap-around porch, on the south and east sides of the home, has a metal roof which is rusted and deteriorating. The proposal is to replace the existing metal roof with a very similar black metal roof material.

Commission Review

The commission must consider the following pages in the Design Guidelines when rendering their decision: Chapter 3 Changes to Building Exteriors, Pages 32-33: F. Roofs

Chairman Dearman declared the public hearing open.

Kent Spears, project contractor, explained what work will be done adding that the window in the corner to the left of the double on the street side of Race Street has an old vent for a stove at the bottom of it and the bottom sash has been taken out. He wants to take the old vent and sash out and replace it with fixed obscure glass with a new wooden sash.

Boyd asked if the outside stairs on the Race Street side will be fixed with like materials. Mr. Spears replied yes he plans to remove it and replace it with the same thing.

Mr. Spears said there is also a bathroom window on the west side of the house that he wants to replace the glass only with obscure glass.

Wanman asked if the two windows are covered under a minor COA. Sigmon said it was her understanding that the applicant was going to do another application at a later date and it will be staff approval since he is replacing same for same.

There being no other speakers, Chairman Dearman declared the public hearing closed.

Wanman asked how the Commission has handled hidden gutters in the past. Boyd explained the Commission came to the realization that hidden gutters have done more damage to houses than saved them and they are so expensive and complicated to fix. One tiny pinhole leak can rot a ton of wood and if the repair is done improperly the rot happens even faster. At that point the Commission decided to handle each application on a case by case basis and if the applicant wants to come in and run over the top of it we deemed that the best possible solution of the rotting away of the porch. The gutters that they have now have a little bend in them and they almost look like crown anyway on the front, so we have approved them in the past. He said the board has approved at least a dozen as he recalls. It's sad to lose the hidden gutters, but it is worse to lose the front of the house.

Siegrist said that on her own residence they chose to keep the hidden gutters and as an alternative used TPO material like what is used on flat roofs and it has been working very well.

The Findings of Fact are as follows:

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.

8 – Yes

0 – No

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.

Commission members agreed this Finding of Fact was not applicable.

3. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest method possible.

Commission members agreed this Finding of Fact was not applicable.

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.

Commission members agreed this Finding of Fact was not applicable.

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.

Commission members agreed this Finding of Fact was not applicable.

Wanman made a motion to approve as submitted, citing guidelines 1, 3 and 4, seconded by Boyd. The motion carried unanimously.

Consideration of Certificate of Appropriateness COA17-16 from Mr. and Mrs. Bryan Herndon to retain two vinyl windows on the side and rear of the building the previous property owner installed on the structure located at 649 West Front Street; Tax Map 4734-74-4051.

Sigmon gave the following staff report:

Background

The house located at 649 West Front Street was constructed in 1920. The structure is a one and one-half-story frame bungalow with a gable roof, front cross gable dormer and square cut shingles covering the gable ends with bracketed eaves. The front porch has tapered wood Doric posts on brick plinths. Previous approvals include, during 2010, the installation of a HVAC system on the east side of the structure buffered by a fence or landscape materials.

Request

Mr. and Mrs. Bryan Herndon, current owners of the home at 649 West Front Street, are requesting to retain two vinyl windows on the side and rear of the structure the previous property owner installed. The Herndon's recently purchased the property in October 2017. The previous property owner asked permission from the planning department in August 2016 to install the two vinyl windows temporarily due to a fire destroying the original windows. A temporary certificate of appropriateness for three months was issued in this urgent situation stating the windows would have to be replaced as promised by the previous owner as soon as possible with custom built wooden windows. The previous owner never replaced the windows and planning staff continued to contact them in order to fulfill compliance with the Historic District Guidelines.

The Herndon's purchased the home not being told by the previous owner it was in a Historic District or in violation of the Historic District Guidelines based on the windows not being replaced in accordance with the temporary Certificate of Appropriateness issued. Since the previous owners installed smaller windows in the fire damaged window areas, the Herndon's have painted the area surrounding the vinyl windows the same color as the home in order to create a cohesive exterior appearance.

Commission Review

The commission must consider the following pages in the Design Guidelines when rendering their decision: Chapter 3 Changes to Building Exteriors, Pages 36-38: H. Windows and Doors

Chairman Dearman reviewed the background of this case regarding the previous owners of the home.

Chairman Dearman declared the public hearing open.

Bryan Herndon, owner, stated he and his wife unknowingly walked into this mess. The previous owners misrepresented verbally to them that they would be able to replace all the windows with vinyl. They did not make him aware that regulations were in place that did not allow the vinyl windows, or that they were involved in an ongoing dispute with the city about the windows. He described work that has already been done to the property and that they have been trying to find duplicate wooden windows and have not been successful. Mr. Herndon said this was a cash deal and he is paying for everything out of pocket. He asked Commission members to consider allowing them to keep these two windows as they are not visible from the front and do not detract from the homes aesthetic value, but if that is not possible, then he asks the Commission to give them more time to replace them. He stated he has also been dealing with a work injury and is currently awaiting knee replacement surgery and back surgery which have also held them up. Mr. Herndon said that he and his wife are vested in the area, and want to make this the home they retire in.

Chairman Dearman asked if the original trim is on the inside of the windows. Mr. Herndon replied that he believes it is the original trim and his contractor thinks so as well. Dearman asked if he had checked with his title company to see if he could get money to replace the windows. Mr. Herndon replied he has not checked with the title company.

Dearman asked when Mr. Herndon purchased the house and when he received the first letter from the City about the windows. Mr. Herndon replied that he purchased the home in August and believes he received the first letter in September.

Wanman asked if he had a house inspector inspect the house. Mr. Herndon replied he did not. Wanman suggested that since the previous owner did everything as cheap as he could and lied to Mr. Herndon, Mr. Herndon may want to hire a house inspector to inspect all the systems in the house so he will be prepared for what he is dealing with in the future.

Siegrist asked Mr. Herndon if he would be open to switching out the windows if Commission members could help him find replacement windows for them. He said he would open to that idea.

Chairman Dearman suggested tabling this item for 90 days.

There being no other speakers, Chairman Dearman declared the public hearing closed.

Boyd made a motion to table COA17-16 for 90 days to give the applicant time to find replacement windows and then come back and report to the Commission, seconded by Siegrist. The motion carried unanimously.

Chairman Dearman asked the applicant to give Ms. Sigmon the dimensions of the windows so members can start trying to help him find replacements.

Commissioner Wynne requested he had to leave the meeting and Chairman Dearman excused Mr. Wynne.

Consideration of Certificate of Appropriateness COA17-17 from Mr. and Mrs. Greg Lewis to retain vinyl windows installed throughout the entire structure and to add porch rails and balusters to the front porch located at 327 Oak Street; Tax Map 4734-73-4794.

Sigmon gave the following staff report:

Background

The house located at 327 South Oak Street is a three bay I-House with a side-gable roof with cornice returns and one and two story gable-roofed rear ells. The historic file states the windows were six-over-six throughout the home. Transom and sidelights surround the main entry doorway and the hip-roofed front porch has replacement square posts. Improvements approved in 2001 include replacing the front sidewalk and adding a new sidewalk on the south side of the home, installing a wooden picket fence in rear yard, installing a wooden front porch rail system and replacing the front porch decking with wooden tongue and groove decking.

Request

Mr. and Mrs. Greg Lewis are requesting: 1) an after-the-fact approval to retain the vinyl windows installed throughout the structure prior to receiving Historic District Commission approval. Vinyl windows were installed leaving the existing original wooden sash and trim frame. The application states over twenty window panes were broken and allowing moisture to enter the home and causing the window frames to rot and rodents to enter the home; 2) to install porch

rails and balusters to the front porch. Applicant states porch rails and balusters will give the structure a finished exterior appearance.

Commission Review

The commission must consider the following pages in the Design Guidelines when rendering their decision: Chapter 3 Changes to Building Exteriors, Pages 36-38: H. Windows and Doors; Chapter 3 Changes to Building Exteriors, Pages 39-40: I. Porches, Entrances, and Balconies

Chairman Dearman declared the public hearing open.

Greg Lewis, owner, reviewed photos of the work he has planned.

Dearman asked Mr. Lewis if he was aware that this house was in the historic district. Mr. Lewis replied yes he was.

Mr. Lewis pointed out that 7A does not say that vinyl windows are not allowed, it says they are "not appropriate". He reviewed information from the National Park Service guidelines regarding windows. He said he has not met the standards for material but he has met all the others.

Dearman asked Mr. Lewis if he had ever repaired windows.

Dearman asked Mr. Lewis if he still had the original wooden windows from the home he removed them from. Mr. Lewis replied yes.

Dearman asked Mr. Lewis if he priced wood windows or talked to Ms. Sigmon.

Siegrist asked Mr. Lewis how many historic properties he is working on and is he going to rent or sell. Mr. Lewis replied he is working on three and they will be sold.

Siegrist stated this is not a pivotal house.

There being no other speakers, Chairman Dearman declared the public hearing closed.

Boyd stated this is not a pivotal house but the Commission is charged with preservation and it is expensive to do. He said he applauds the owner for taking this on and the fact that it is not going to be a rental property but sold. He said he feels it is better for the Commission to be flexible on a few things. This is an investment somebody is making to keep our City looking good.

Siegrist stated he will not be able to get historic tax credits with the vinyl windows. She said she also believes the Commission needs to be flexible in an effort to try not to lose these properties. Siegrist said it was normal for homes of this period to have the porch rails and balusters on the front porch.

Chairman Dearman stated that the Commission is going down a slippery slope if it allows this. A contractor should know the rules and there is even a sign close to the house that says it is in the Historic District. The Commission needs to hold people accountable.

Wanman stated the look is very different. These are not true divided light windows. After the fact consideration by the Commission should not be a factor in their decision.

The Findings of Fact for the Vinyl Windows are as follows:

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.

7 – Yes

1 – No - Hill

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.

8 – Yes except for the materials

0 – No

3. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest method possible.

Commission members agreed this Finding of Fact was not applicable.

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.

Commission members agreed this Finding of Fact was not applicable.

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.

Commission members agreed this Finding of Fact was not applicable.

The Findings of Fact for the porch rails and balusters are as follows:

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.

8 – Yes

0 – No

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.

8 – Yes

0 – No

3. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest method possible.

Commission members agreed this Finding of Fact was not applicable.

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.

Commission members agreed this Finding of Fact was not applicable.

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.

8 – Yes

0 – No

Wanman made a motion to approve the porch rails and balusters citing guidelines I. 1, 3 and 6. Boyd seconded the motion. The motion carried unanimously.

Boyd made a motion to approve leaving the vinyl windows to save the structure and taking these cases on a case by case basis, citing guidelines H. 1, 5 and 9. Siegrist seconded the motion. The vote was as follows:

Ayes: Boyd, Siegrist, Lischin

Nays: Wanman, Hill, Brittain

Tie Vote: 3-3

Chairman Dearman voted Nay

Motion failed 4-3

Siegrist asked if the front windows were replaced with wood windows could the rest of the vinyl windows be approved.

Siegrist made a motion to approve the vinyl windows with the exception of the front windows that must be replaced with wood windows or the option to use aluminum clad, citing guidelines H. 1, 5 and 9. Boyd seconded the motion. The vote was as follows:

Ayes: Siegrist, Boyd, Lischin

Nays: Brittain, Wanman, Hill

**Tie Vote: 3-3
Chairman Dearman voted Nay
Motion failed 4-3**

Chairman Dearman advised the applicant he could apply to the Board of Adjustment for an appeal on the decision.

Other Business

Sigmon announced this is Lischin's last meeting and thanked her for her service on the board.

Historic District Marketing and Information

Sigmon stated the Historic Districts cannot be targeted in the utility bills to get information specifically to those owners; however, the Commission can put an article in the newsletter that goes out twice a year in all the utility bills.

Sigmon stated the Commission can send out information on its own to historic properties, but funding will be needed for the postage which she will ask for in the 2018-2019 budget.

Sigmon suggested the Commission could create flyers in-house and go house to house and place them in doors. They cannot be placed into mail boxes because opening a mail box which is not yours is a federal offense. Siegrist suggested maybe asking Mitchell College students or the Boy Scouts to assist in delivering the flyers to historic homes.

Sigmon said the Commission could reinstate the home awards which used to be given by the Commission.

Sigmon stated she discussed with management holding a HPC retreat session to review Commission goals and discuss other ideas. Commission members agreed that Wednesday, January 17th would work for all.

Siegrist stated the Commission should hold a workshop on how to repair the original wooden windows if the board is going to be staunch on that guideline. Chairman Dearman agreed that was a good idea.

Chairman Dearman stated he is going to be looking at how to stop the transfer of a title if there is an issue to avoid future cases such as the second case the Commission had this evening. He has been advised the City Attorney will need to get involved in this by placing a lien on the property.

Chairman Dearman stated that there is a house on the corner of Race Street and Walnut Street. The roof is failing, there is water damage and the owners are absent. Commission members discussed options available to them to try to save the house.

There being no further business, Boyd made a motion to adjourn, seconded by Hill. The motion carried unanimously.

327 South Oak Street – Existing Conditions 2017



Front View of Home



Right Side of Home



Rear of Home



Left Side of Home

327 South Oak Street – Existing Conditions



View of
Vinyl Windows



More Vinyl Windows



Zoom In – Vinyl Windows



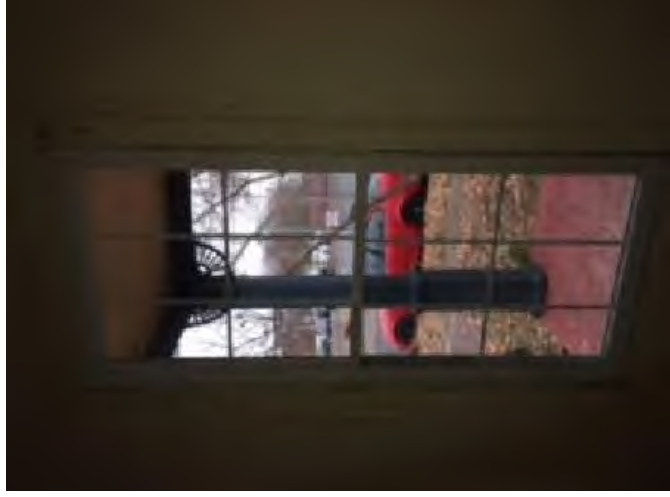
Zoom In – Vinyl Windows

327 South Oak Street – Window Conditions when Replaced



View of
Broken Windows
Before Replaced

Raccoon Foot Prints



View of
Broken Windows
Replaced from Inside

327 South Oak Street – Proposed Porch Rails



View of
current state—no
rails or balusters



Proposed Rails &
Balusters on Home



Example of Proposed Rails & Balusters



Example of Proposed Rails & Balusters



**Historic Preservation Commission Meeting Minutes
September 23, 2021 - City Hall Council Chambers - 7:00 p.m.**

Present: Richardson, Boyd, Edwards, Gorman, Arnold, Setzer, Wanman

Absent: Underhill, Marlow

Staff: Sigmon, Fugett

Others: 9

Council: Staford

Roll Call & Swearing In

Chair Richardson called the meeting to order, called the roll and swore in all those that planned to speak.

Richardson said before the Commission started considering the applications, the board wanted to offer some special recognition to a few of the residents in our Historic Districts for their continued work in maintaining the special character of Statesville's Historic Districts reflected in their homes. The recipients have been nominated and vetted by this board.

There were three nominations and two of the recipients are here tonight. The plaques state the property has been placed in the National Register of Historic Places by the Department of Interior.

First nomination is Jessica and Erskine Arnold located at 621 West Front Street. Next nomination is Bill and Lisa Adcox located at 234 North Race Street, and the third nomination is Mr. J. Ellenburg located at 302 W. End Avenue.

Richardson asked if anyone needed to recuse themselves due to a conflict of interest or for ex-parte communication. Hearing none he asked staff to proceed.

Consideration for a Certificate of Appropriateness 21-27 from Ragan Robinson to install a deck at the rear entrance of the storage building located in the rear yard at 318 West End Avenue; Tax Map 473486-6111.

Marci Sigmon gave the following Staff Report:

The house located at 318 West End Avenue was constructed ca. 1910. The structure is a plain two-story, L-plan weatherboard house with a cross-gabled right front projecting wing and a one-story Doric front porch with Tuscan columns. A was added at some point to the rear elevation. The garage in the rear yard is a two bay, shed-roofed structure with vertical wood siding built in the early twentieth century. Previous certificates of appropriateness include in 2004 replacing the metal roof with a composite shingle roof, adding a new heating and cooling system, and removing

the rear deck and constructing new entry stairs. In 2006, a wooden dog-eared fence was approved to be placed along the side and rear property lines. During 2017, approval was obtained to widen the shared driveway with 312 West End Avenue and create a concrete parking area in the rear of the home. A large tree was approved to be removed from the front yard during 2018. In addition, during February 2021 and April 2021 approval was given to redesign the roof and rear elevation of the detached garage in the rear yard of the property. The owner, Ms. Ragan Robinson, is requesting to install a deck on the back side of the detached garage to create a safe entrance and exit from the garage on the rear side. The deck will be twelve feet wide by eighteen feet, six inches long. The deck will be approximately twelve inches high against the garage and approximately twenty-four inches high at the northern end of the deck. Appropriate steps will be installed at the rear garage door to allow for safe entry and exits to and from the garage to meet building code. The applicant is requesting to build the deck with Veranda Armorguard Composite Decking material. The decking color will be Brazilian Walnut. The deck will be structurally self-supporting. The Commission must consider the following pages in the Design Guidelines when rendering their decision: Chapter 4 New Construction & Additions, Page 47: A. Decks & Patios

Richardson declared the public hearing open.

Ragan Robinson came forward to answer questions.

Edwards stated that building a deck requires a permit from Iredell County. He asked if the applicant will be getting a permit. Robinson replied yes. Edwards asked if there will be a railing and if the deck will be self-supporting and not attached to the house. Robinson replied yes to both questions. Edwards asked if the applicant would consider covering the clips on the ends. Robinson replied that they will be per his understanding.

Richardson 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:

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

Boyd made a motion to approve as submitted citing guidelines Ch. 4,A. 1, 2, 3, 4, 5 with the condition that no substitutions will be made, seconded by Setzer. The motion carried unanimously.

Consideration for a Certificate of Appropriateness 21-28 from Greg Lewis to build an outdoor kitchen accessory structure in the rear yard on the property located at 612 South Mulberry Street; Tax Map 4734-93-3087.

Sigmon gave the following Staff Report:

The house located at 612 South Mulberry Street was constructed in 1901 and is identified as the C. M. Steele House. C. M. Steele was the son of J. C. Steele, business owner of J. C. Steele and Sons, a brick-making and brick machine making business, also located on Mulberry Street. Historically, the structure was used as a family home and is currently vacant. The structure is a two-story brick Queen Anne style house with the primary feature being the corner turret with wide frieze decorated with S-shaped applied floral ornament. The one-story Doric wrap-around porch has a projecting pedimented entrance bay with applied plaster fleur-de-lis ornament on the tympanum. A deep hip roof with hipped dormers and 1/1 sash with stone sills and lintels accents the house. Stained glass is used in the window to the right of the front door and also in the transom of the door itself. A porte-cochere and conservatory are on the left side of the house and a brick garage is in the rear yard. The Sanborn Maps indicate the porte-cochere, conservatory, and garage were added between 1925 – 1930. Alterations include in 1982, the gutters were repaired, a picket fence of the exact type as the original was installed and front porch railing was installed using the exact replacement parts. In 1988, two trees were removed from the front yard due to severe rot and decay. In 1994, the Planning Department approved, with the Historic Preservation Commission's authority, roof coverings and the installation of decorative trim, metal ridging, flashing and finials in conjunction with the roof improvements. In addition, a new porch railing installation was approved to match the original railings of the dwelling. During 2017, a decorative metal fence was approved to be installed between the garage and the rear southwestern corner of the house and a six-foot-tall wooden fence was approved for the northern property line. The owner, Mr. Greg Lewis, is requesting to install an outdoor kitchen accessory structure in the rear yard. A concrete pad and small retaining wall currently exist in the location the proposed kitchen will be built upon. The outdoor kitchen will be 32 feet long and 20 feet wide. The height of the structure will be 22 feet tall with the brick fireplace measuring 26 feet tall. The accessory structure will be constructed with brick pillars matching the primary house as close as possible and rough sawn wood beams exposed. A brick fireplace will be built as part of the outdoor kitchen on the northern open wall area. The applicant is requesting to install CertainTeed luxury asphalt shingles which will look like slate roofing. The CertainTeed asphalt shingle design chosen will closely resemble the roofing material on the carriage house in the rear yard. The requested shingle color is Stonegate Gray. 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; Appendix: G. New Construction Materials Guide. Page 82

Wanman asked if the height is measured from the top of the retaining wall or from the floor.

Richardson declared the public hearing open.

Greg Lewis came forward to answer questions. In response to Wanman's question, he said he measured from the floor. He said he is trying to match the pitch and angle of the kitchen roof.

Boyd asked for clarification of how the posts will be set. Mr. Lewis explained.

Edwards said he would like to see the architectural details of this tied into with the house and the top of the chimney copied with the chimney in the kitchen. Mr. Lewis replied that he can do that.

Arnold – *could not hear what she said.*

Wanman asked if Lewis could paint the support beams to match the beams and posts on the front of the house. Lewis said he would not mind doing that.

Edwards said maybe he could add some crown to it and paint. Lewis replied that he would be open to that. Edwards said he would still want Sigmon to see it and approve Lewis's final design before he did it. Lewis said that the house has so much brick he just did not want to make all of it brick.

Edwards asked if he is adding spotlights or anything like that. Lewis replied he is not; he is only adding ceiling fans and some soft lighting inside of it.

Boyd asked if the Commission can let Sigmon approve his final, so he does not have to come back to the board. Sigmon clarified what the board is asking for.

Richardson declared the public hearing closed.

Richardson 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:

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

Wanman made a motion to approve with the following conditions citing guidelines #1 and #5, seconded by Edwards. The motion carried unanimously.

- 1. Redesign chimney to match kitchen chimney**
- 2. Add color to support posts that will tie it to the house and the gable end**
- 3. Sigmon to give final approval when Lewis brings the information to her to check**
- 4. All permits must be pulled from Iredell County**

Consideration for a Certificate of Appropriateness 21-30 from Dirk and Nancy Tharpe to place fiber cement siding on the rear and partial sides of the structure and replace two windows in disrepair with wood windows on the west side of the house on the structure located at 510 Davie Avenue; Tax Map 4744-17-9575.

Sigmon gave the following Staff Report:

The house located at 510 Davie Avenue was constructed during the early 20th Century by 1918. The two-story frame structure was built as a late Victorian style house and has been greatly modified into a Tudor Revival style after 1930. The front gable is covered with fish scale shingles. The house retains the wood-shingled gable ends; however, brick veneer was placed on much of the exterior and the front porch removed. Certificates of Appropriateness approvals include adding a rear porch/deck area with a wooden arbor structure in 2001. During 2006, approval was granted to place a six-foot tall wooden fence along the side and rear property line and install an in-ground swimming pool. Several trees have also been approved for removal. The owners, Mr. and Mrs. Dirk Tharpe are requesting to replace the rotten wood siding on the rear elevation and west elevation of the house with fiber cement siding. The applicant states the existing wood is rotten and the house is experiencing water damage. The siding would be HardiePlank CedarMill Fiber Cement Lap Siding with a woodgrain texture. The applicant is also requesting to replace the rotten wood trim with new wood trim. In addition, the owner would like to replace two double hung windows on the second story west elevation with two new wooden windows. The applicant states the existing windows are not period appropriate and this portion of the house appears to be an addition to the house. The wooden windows will be Jeld-Wen traditional double hung wood windows measuring 31.375 inches by 52.5 inches. The Commission must consider the following pages in the Design Guidelines when rendering their decision: Chapter 3 Changes to Building Exteriors, Pages 34-35: G. Exterior Walls & Trim; Chapter 3 Changes to Building Exteriors, Pages 36-38: H. Windows & Doors

Richardson declared the public hearing open.

Mr. Tharpe came forward to answer any questions.

Richardson declared the public hearing closed.

Richardson 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:

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 – Gorman, Edwards

N/A – Boyd, Setzer, Richardson, Wanman, Arnold

Wanman said she objects to the wood grain siding. Smooth would be more appropriate. Edwards stated that the smooth is not available because of Covid and this is on the back of the house and the 2nd story.

Setzer made a motion to approve as submitted citing guidelines G. #6 & 9 and H. #7, seconded by Boyd. The motion carried unanimously.

Consideration for a Certificate of Appropriateness 21-31 from Max Properties, LLC, represented by Laura Confoy to paint a chimney, add wood siding and screening to the rear addition, retain vinyl windows installed in the rear area of the structure, and remove the front porch railings on the structure located at 621 West Sharpe Street; Tax Map 4734-86-6111.

Sigmon gave the following Staff Report:

The house located at 621 West Sharp Street was built ca. 1909 and is listed in the historic survey as the J.F. Scroggs House. The structure is a particularly intact German-sided, Queen Anne cottage with some classical influence. It has irregular massing with a patterned-tin shingle roof consisting of distinctive multiple gables with sizable clipped-arch vents in the gables. The structure also has a wraparound porch which includes a pedimented entry bay, slightly tapered posts on brick piers and square balusters. Sidelights frame the main entry and two-over-two windows are found in the structure. The kitchen ell extends to the rear of the house. J.F. Scroggs was employed as the Superintendent of Streets for Statesville. The owner, Max Properties, LLC., is renovating the structure, which has been in disrepair for many years, and is requesting after-the-fact approvals for several items listed below.

Seeking approval:

- To paint the chimney at the rear of the house. The applicant states one chimney was previously painted before the applicant purchased the house and they repaired one chimney and painted it to match the second chimney during the renovation.

- Rear addition needed repairing and completion:
 - Request to add wood siding on rear addition to match rest of house.
 - Request to add screening on rear addition.
 - Request to add wood door to rear porch.
 - Request to repair and re-enforce rear porch addition with brick and mortar.
- Request to retain vinyl windows in back portion of the house. Applicant states most of the windows in the rear of the house were previously replaced before they purchased the house. Applicant states they only replaced broken glass in the original wood windows.
- Request approval to not place railings on the front porch. Owner states the railings removed did not appear to be original to the house and were two-inch by four-inch untreated wood boards. Owner has confirmed with Iredell County with height of porch in a historic district the railings do not have to be reinstalled to meet building code.

The Commission must consider the following pages in the Design Guidelines when rendering their decision: Chapter 3 Changes to Building Exteriors, Pages 28-29: C. Masonry & Stone: Foundation & Chimneys; Chapter 3 Changes to Building Exteriors, Pages 34-35: G. Exterior Walls & Trim; Chapter 3 Changes to Building Exteriors, Pages 36-38: H. Windows & Doors; Chapter 3 Changes to Building Exteriors, Pages 39-40: I. Porches, Entrances & Balconies

Richardson stated that the Commission will consider each of the 4 requests separately.

Edwards asked if any COA's have been issued previously for this owner. Sigmon replied no.

Wanman asked if there have been any COA's issued previously for this house. Sigmon replied no.

Richardson declared the public hearing open.

Setzer asked the applicant if she knew this house was located in a Historic District. Confoy replied that she did.

Edwards stated the porch railing is a defining feature of the house and it should not have been removed and should be replaced and since it is in the Historic District it should be replaced with same or similar design. Confoy said that she did not take them down, that the railing literally disintegrated and fell off and apart. Edwards pointed out that the addition has not been permitted at all and only one window was replaced. Confoy said that the addition was permitted by the previous owner. Edwards stated that there was never a final inspection, so it is not permitted for electric, plumbing, structural or the HVAC. Nothing was finalized. Confoy said that Robbie told her that it was inspected.

Edwards said the commission members are concerned that with the electrical not being permitted it could burn the house down.

Richardson declared the public hearing closed.

Richardson stated 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:

Chimney

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 – Edwards, Setzer, Richardson, Wanman, Gorman, Arnold
N/A – Boyd

Wanman made a motion to approve citing guideline C.#4, seconded by Boyd. The motion carried unanimously.

Rear Addition

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 – Edwards, Setzer, Richardson, Wanman, Gorman, Boyd
N/A - Arnold
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

Edwards made a motion to table COA21-31 until the inspections are pulled and finalized, seconded by Setzer. The motion carried unanimously.

Boyd made a motion to un-table COA21-31, seconded by Setzer. The motion carried unanimously.

Rear Addition

Edwards said the applicant is stating the house is finished, but no inspections have been done. There is nothing on file at the permit office. The HVAC is probably a separate permit. Confoy said that was because she was told she did not have to.

Edwards said she needs to give proof of all necessary permits to Sigmon.

Edwards made a motion to approve upon the condition that all City and County permits are pulled, seconded by Wanman. The motion carried unanimously.

Vinyl Windows

1. The historic character of the property will be retained and preserved.

No – 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.

No – Unanimous

Boyd made a motion to deny as submitted. Applicant must replace 4 vinyl windows with 4 true divided light wood windows, configuration can be chosen by the applicant, citing guideline #7, seconded by Edwards. The motion carried unanimously.

Porch Railings

1. The historic character of the property will be retained and preserved.

No – 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.

No - 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.

No – Unanimous

Boyd made a motion to deny. Applicant must replace the front porch railings citing guidelines #1, 3, 6, & 7, seconded by Setzer. The motion carried unanimously.

Consideration to reconsider Certificate of Appropriateness 21-29 from Greg Lewis to retain the vinyl windows placed in the structure on the property located at 327 South Oak Street; Tax Map 4734-73-4794.

The commission members discussed the information and evidence given by Mr. Greg Lewis and the Rules of Procedure outlining hearing requests which have been previously heard and denied. The commissioners agreed unanimously the application which Mr. Lewis submitted did not represent a substantial change in the facts, evidence, or conditions relating to the application which would warrant reconsideration.

Other Business

Greg Lewis said he has submitted houses that have vinyl windows to Sigmon and asked how he submits the others. Sigmon said she has what he submitted, and she is researching them.

Boyd made a motion to adjourn, seconded by Setzer. The motion carried unanimously.

327 S Oak Street – Existing Conditions



View from S Oak Street - Front Facade

327 S Oak Street – Existing Conditions



327 S Oak Street – West/South Elevation



327 S Oak Street – South Elevation



327 S Oak Street – North Elevation



327 S Oak Street – Rear Elevation

Staff Report

To: Historic Preservation Commission Members
From: Marci Sigmon, Planner II
CC: Sherry Ashley, Planning Director; Herman Caulder, Assistant Planning Director
Date: July 17, 2025
Re: COA25-18 420 Davie Avenue; Tax Map 4744-17-7359

Background

The structure located at 420 Davie Avenue was constructed ca. 1920. The historic survey describes the house as a one and one-half story very plain brick veneer and stucco bungalow. The house is being utilized as a single-family home currently.

Past Certificate of Approvals include installing fiberglass shingles on the house during 1996.

Request

The owner, Joseph Blevins, and applicant, Jennifer Eckliff, are requesting to install a privacy fence in the west side yard of the property located at 420 Davie Avenue. The applicant is planning to enclose the west side yard and a portion of the rear yard in order to create a safe area for her dogs. Ms. Eckliff has stated in her application she would like to install a wood fence or a fence made of PVC. The fence will be six feet tall and include an entry gate facing Davie Avenue which will be three to four feet wide. Staff can approve the fencing in the rear yard while the commission has purview over the side yard and front yard. A photo of the requested wood fencing is included in the attached documents.

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

Findings of Fact

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 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.



City of Statesville
Planning Department
Physical: 227 S Center Street
Mailing: PO Box 1111
Statesville, NC 28687

Staff Contact:
704-878-3578

JOB#	CUA 25-13
Permittee	
Ref/Draw	
PER#	4744-17-7359
Minor Work	<input checked="" type="radio"/> Major Work
Young/Classified	Building Permits
Staff Use Only	

Please use **BLACK or BLUE INK**. Do not use other colors, or pencil. They do not photocopy.

Street Address of Property 1429 Davis Ave

Historic District: Davis Avenue

Historic Property/Landmark name (if applicable): _____

Applicant's Contact Information:
Applicant's Name: Jennifer Eckliff

Applicant's Address: 1429 Davis Ave

Phone: (H) _____ (W) _____ (O) 704-450-2183

E-mail: jenw14lynn82@gmail.com

Applicant's Signature: Jennifer Eckliff

Owner's Contact Information:
Owner's Name: Joseph (Joe) Blewins

Owner's Address: 1429 Davis Ave

Phone: (H) 704-450-0103 (W) _____ (O) 704-450-2183

E-mail: _____

Owner's Signature: Joseph Blewins

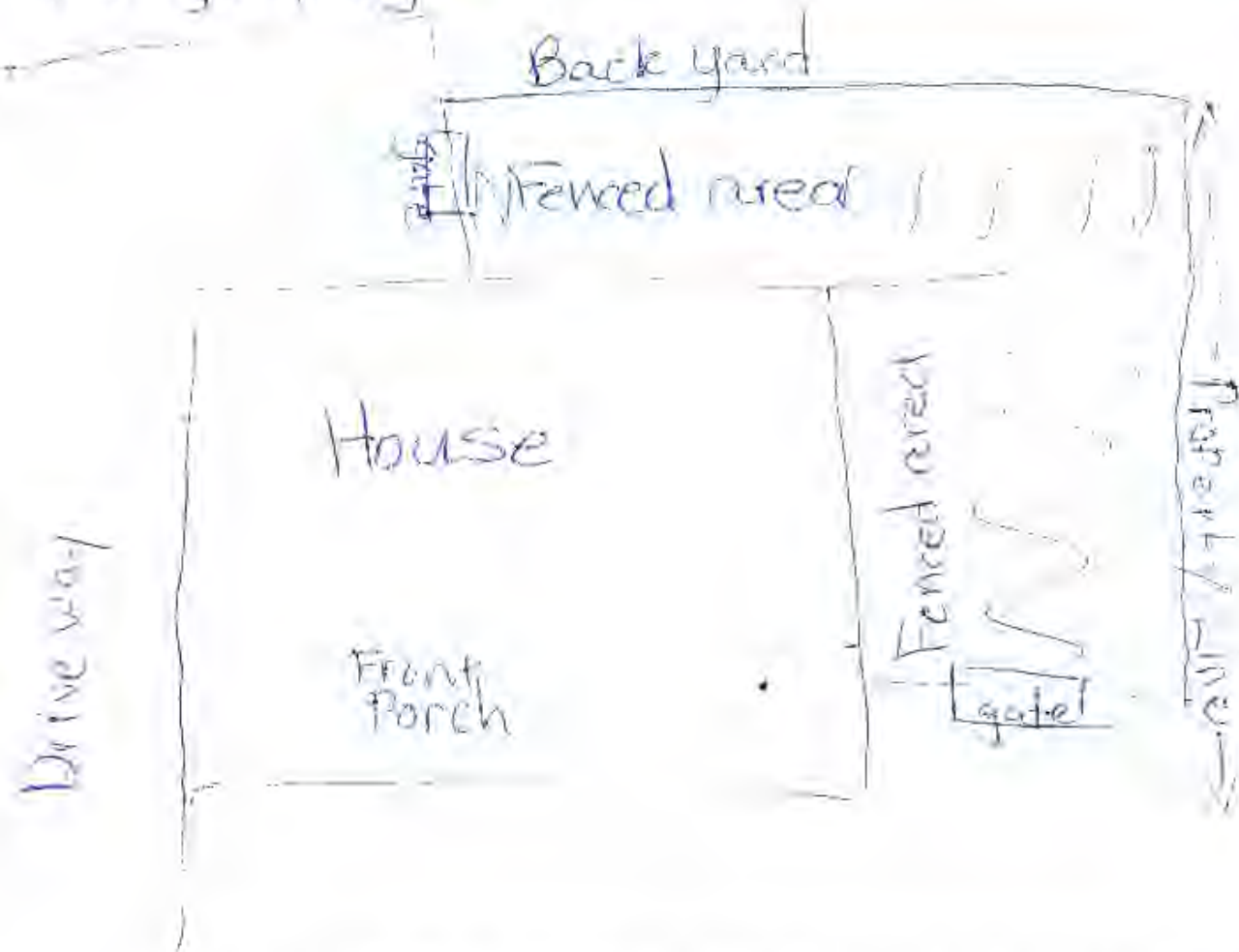
Lot size: 75' feet by 200' feet
(Width) (Depth)

Zoning: R-5 MF/HO Setbacks: Front + Rear = 25'
Side = 5'

Please Note: By signing this application as the applicant, owner or both you are granting permission to staff to visit the subject property to understand site conditions.

Please describe all work that is being requested, including all dimensions, height, materials, colors, and any other pertinent information (please attach any photos, drawings or brochures that will help explain your request):

Requesting to install a privacy fence on the west side of my home to enclose the yard for my dogs would like the fence to be either treated wood or the PVC plastic type material. Will be planning for a height of six feet to prevent my large dog from jumping over.



There may be applications filed that are considered urgent to be reviewed due to a safety hazard, requirement of code, or another valid reason. Such cases shall be reviewed by the staff liaison.



Tax Map Information

• PIN	49447 / 1390000
• Address	420 DAVE AVE
• Account #	49447 / 1390000
• Tax Owner	BLEVINS JOSEPH TRANKLIN JR
• Mailing Address	420 DAVE AVE
• GIS Owner	STATESV LLC NC 28577
• Deed Info	BLEVINS JOSEPH TRANKLIN JR
• Tax Acres	572 / 1543 - 4WD - 00291229
• Lot #	01
• Description	420 DAVE AVE
• Zoning	R-5MF - 0
• Old Parcel #	00001190000000
• Bldg Value	\$175,440
• OB&P Value	\$2,880
• Land Value	\$5,000
• Total Value	\$183,320
• Order Value	\$0
• Tax Districts	STATESV LLC

MAP FOR REFERENCE ONLY
NOT A LEGAL DOCUMENT

Iredell County, North Carolina makes no claims and no warranties, expressed or implied, concerning the validity or accuracy of the GIS data presented on this map.

Geometry updated 06/05/2025
Data updated 06/05/2025

Print map scale is approximate.
Critical layout or measurement
activities should not be done using
this resource.

420 Davie Avenue



Front Façade from Davie Avenue

420 Davie Avenue



View of West Side Yard



View of West Side Yard – Zoomed In



View of West Side Yard – Zoomed In



View of West Elevation Front Porch Area

420 Davie Avenue



Proposed Wood Privacy Fence

Staff Report

To: Historic Preservation Commission Members
From: Marci Sigmon, Planner II
CC: Sherry Ashley, Planning Director; Herman Caulder, Assistant Planning Director
Date: July 17, 2025
Re: COA25-19 259 Kelly Street; Tax Map 4734-86-6864

Background

The structure located at 259 Kelly Street was constructed ca. 1900. The historic survey describes the house as a large, two-story frame structure with a combination of stylistic features. Features including a 3-A roof, louvered gable vent, bracketed cornice, and a glass-and-wood paneled door with sidelights and a transom reflect the late Victorian period. The wrap-around front porch posts reflect a later Craftsman style revision.

Previous Certificate of Approvals include during 1997 removing seven trees from the property. During 1998 removing the front porch screen and reconstructing the front and side porch columns with part brick and part wood with the corner columns being all brick. And in 2000 receiving approval to construct wood railings on the front and side porch. The railings would be even in height against the brick plinths of the columns to maintain the historic look of the home.

Request

The owner, Byron Henderson, is requesting to install a decorative metal arbor, decorative metal fence, and wooden privacy fence along the southern elevation of the house. The owner is hoping to build a garden area beside the house with the arbor and fences. The arbor is currently installed even with the front of the front porch and is proposed to be moved to be flush with house. The decorative arbor is approximately seven feet in height with attached left and right sides measuring approximately four feet six inches tall. To match the arbor the owner is proposing to install a decorative metal fence from the left side of the arbor where this piece of fencing will run south to the property line attaching to the existing wood fence. Next, the same matching decorative metal fence will be installed to the right of the arbor and run north to meet the house. The owner plans to hire an ironsmith to create the decorative fencing to match the existing arbor design.

Additionally, the owner is requesting to retain the already installed wooden fence running along the southern property line and then turning north at the back of the house to meet the house rear corner. The owner states the wooden fence includes eleven to twelve posts on the inside of the fence with horizontal 5/4 boards and is approximately six feet tall. The owner states the design with the posts placed inside the fence creates a cleaner and more appealing look for the neighbor. This wood fence's design has boards running horizontal to the ground. Also, the owner is requesting to retain the wood entry gate located at

the back of the left side yard. The gate is six feet eight inches tall to match the arbor at the front entrance of the proposed flower garden.

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

Findings of Fact

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 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.



City of Statesville
Planning Department
Physical: 227 S Center Street
Mailing: PO Box 1111
Statesville, NC 28687

Staff Contact:
704-878-3578

File #	<u>COA 25-19</u>
Rec'd date:	<u>6-9-25</u>
Rec'd by:	<u>[Signature]</u>
PIN	<u>4734-86-6864</u>
Minor Work	<input checked="" type="checkbox"/> Major Work
Zoning Clearance	<input checked="" type="checkbox"/> Building permits
Staff Use Only	

Please use **BLACK** or **BLUE INK**. Do not use other colors, or pencil. They do not photocopy.

Street Address of Property: 259 Kelly Street
Historic District: Mitchell College Historic District
Historic Property/Landmark name (if applicable): House 121

Applicant's Contact Information:

Applicant's Name: Byron Henderson
Applicant's Address: 259 Kelly Street, Statesville
Phone: (H) 704-682-1122 (W) 704-682-1122 (C) 704-682-1122
E-mail: bhenderson0624@gmail.com
Applicant's Signature: _____

Owner's Contact Information:

Owner's Name: Byron & Debbie Henderson
Owner's Address: 259 Kelly Street
Phone: (H) 704-682-3075 (W) 704-682-3075 (C) 704-682-3075
E-mail: debbie.furman@healthprofessionals.com
Owner's Signature: _____

Lot size: 89' feet by 161' feet
(Width) (Depth)

Zoning: R-10 HD Setbacks: Front + Rear = 30 Ft
Side = 8 ft

Please Note: By signing this application as the applicant, owner or both you are granting permission to staff to visit the subject property to understand site conditions.

Please describe all work that is being requested, including all dimensions, height, materials, colors, and any other pertinent information (please attach any photos, drawings or brochures that will help explain your request):

Existing . 42 ft x 5 ft. wood fence
16 ft. width

Back 3 ft. cin. wide wood door with
7 ft wood fence on each side
11 total post inside - 6 ft each

Proposal - 1. move Arbor with gate (metal)
back flush with house 4 ft cin.
2. Add metal fence 6 ft each side to
arbor with ornate and same finish.
3. Remove 10 ft. of existing fence.
4. Stain fence to match existing porch
flooring + metal arbor + metal
fencing

2 ft ← BACK

HOUSE

FRONT →

FENCE 42'

porch

10'

10'

5' METAL FENCE PANEL (length)

IN OR OUT BURNING DOORS ON METAL FRAME

6' METAL FENCE PANEL (length)

REMOVE 10' SECTION OF FENCE TO BE IN PLACE

ARCHED TO MATCH METAL FRAME

GATE 3' 6" WIDE 6' 8" TALL

17' 6"

7'

7'

FENCE

OVERALL LENGTH 42'

" " WIDTH FRONT 16'

" " WIDTH BACK 17'6"

" " HEIGHT (FENCE) 5'8"

" " HEIGHT (POST) 6' (4x4)

11 TO 12 POST TOTAL ON INSIDE OF FENCE
WITH HORIZONTAL $\frac{5}{4}$ BOARDS TO BE STAINED
TO MATCH SEMI-TRANSPARENT PORCH FLOOR
OUTSIDE HAS 1"x4"x6' BOARDS TO COVER WHERE
BOARDS BUTT TOGETHER FOR A CLEANER
LOOK ON NEIGHBOR SIDE OF FENCE















WATER-BASED WOOD STAINS SEMI-TRANSPARENT COLORS



RED CEDAR
ST-152



GOLDEN BEIGE
ST-168



NAVAJO WHITE
ST-157



PINTO WHITE
ST-337



WHITE
ST-211



CAPE COD GRAY
ST-355 ★



CAPPUCCINO
ST-142



CEDAR NATURALTONE ● ★
ST-523



TAJPE
ST-153



SANDAL
ST-121



HARBOR GRAY
ST-143



LIGHT LEAD
ST-145



CALIFORNIA RUSTIC
ST-130



REDWOOD NATURALTONE ★
ST-22



CASTLE GRAY
ST-147



CHATHAM FOG
ST-154



DRIFT GRAY
ST-137



STONEHEDGE ★
ST-125



REDWOOD ● ★
ST-370



WOODBIDGE
ST-116



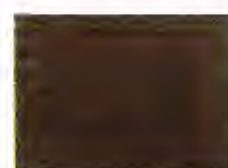
CEDAR ★
ST-146



BOOT HILL GREY
ST-159



GRAY SEAS
ST-144



PEWTER ★
ST-191



TERRA COTTA
ST-119



SABLE ★
ST-135



CHESTNUT ★
ST-110



TUGBOAT ★
ST-141



SAGEBRUSH GREEN
ST-138



WEDGEWOOD
ST-107



BARN RED ★
ST-112



RUSSET ● ★
ST-117



CHOCOLATE ● ★
ST-129



WOOD CHIP
ST-111



PONDEROSA GREEN
ST-123



ATLANTIC
ST-191



BORDEAUX
ST-106



PADRE BROWN ● ★
ST-105



CORDOVAN BROWN ● ★
ST-104



COFFEE ★
ST-103



FOREST
ST-108



SLATE ★
ST-102

Wood's natural color, texture, and grain may change the color appearance. Color samples simulate stain colors on Cedar.

259 Kelly Street



Front Façade from Kelly Street

420 Davie Avenue



View of Front Façade Looking Southwest from Kelly Street



View of Left Side Yard – Zoomed In



View of Left Side Yard – Existing Arbor and Wood Fence Looking Northwest



View of Left Side Yard – Existing Arbor and Wood Fence Looking West

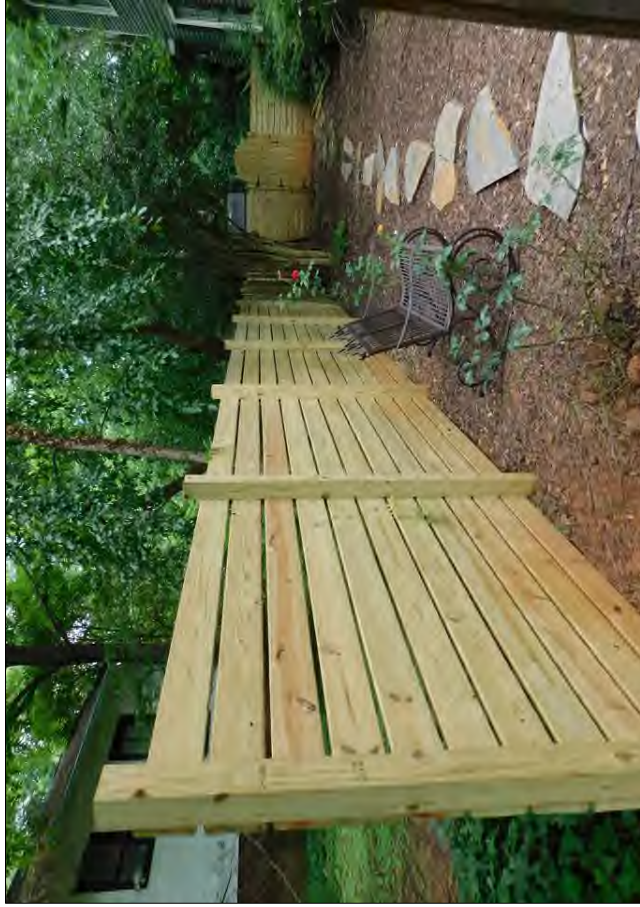
420 Davie Avenue



View of Decorative Arbor



View of Left Side of Front Porch



View of Left Side Yard - Wood Fence



View of Left Side Yard - Gate at Rear of House