



**Spencer Historic Preservation Commission
Special Meeting Agenda
Monday, December 4, 2023, **6:30 P.M.****

- Call the Meeting to Order Leslie Ann Talbott, Chair
- Introduction & Pledge of Allegiance..... Volunteer from the Board
- Formal Roll Call..... Leslie Ann Talbott, Chair
 - [Determination of a Quorum (4 Regular Business)]
- Approval of Agenda
 - Adoption of Agenda for December 4, 2023, Special Meeting.

New Business:

1. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-015 – 506 South Salisbury Avenue – RBC Holdings of Rowan LLC (owner);
Beth Nance (applicant)
Rowan County Parcel ID: 032 130**

Proposed Project:

- Replace existing original wood windows on upper-level façade with new windows.

2. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-025 – 409 5th Street – Judy Kinley (Owner/Applicant)
Rowan County Parcel ID: 033 347**

Proposed Project:

- Installation of rear yard storage shed.

3. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-026 – 505 South Iredell Avenue – Susan Morris (Owner); Diana Wallace (Applicant)
Rowan County Parcel ID: 033 345**

Proposed Project:

- Installation of rear yard storage shed.

4. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-027 – 600 South Yadkin Avenue – James McCall & Kristin English (Owner/Applicant)
Rowan County Parcel ID: 032 065**

Proposed Project:

- Installation of new front and side yard 4-ft. wood and welded wire fence.

5. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-030 – 127 5th Street – Curtis Allman, Allman Properties LLC (Owner/Applicant)
Rowan County Parcel ID: 032 122**

Proposed Project:

- Installation of new awnings on side façade to match existing awnings on front façade.

6. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-031 – 707 3rd Street – Cyntra Lee, Cyntra Lee et al. (Owner/Applicant)
Rowan County Parcel ID: 033 168**

Proposed Project:

- Demolition of deteriorated rear yard storage shed.

7. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-032 – 310 South Salisbury Avenue – Jay Biggins, OCEANS 52 LLC (Owner);
Francisco Madrid (Applicant); Rowan County Parcel ID: 033 146**

Proposed Project:

- Installation of new storefront awnings (metal).
- Paint previously-unpainted front brick façade.

8. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

AFTER-THE-FACT COA IN REMEDIATION OF VIOLATION

**COA-23-028 – 305 South Iredell Avenue – Let There Be Light Renovations LLC (Owner);
Juan Arias (Applicant); Rowan County Parcel ID: 033 312**

Proposed Project:

- Major Rehabilitation. Including, but not limited to, removing and replacing windows, demolition and reconstruction of deteriorated structural components, including reconstruction of rear façade/rear room(s), and appurtenant exterior changes.

9. Staff to present question concerning 402 4th Street Brick Chimney Repainting Proposal

- **Public Comment**
 - **Comments from Staff**
 - **Comments from Board Members**
 - **Announcements**
 - Next meeting is Monday, January 15, 2024, 7:00 P.M. (Regular Meeting)
 - **Adjourn**
-

INSTRUCTIONS FOR ZOOM PARTICIPATION:

All interested persons are invited to participate in the public hearing at Town Hall. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website or contact the Town Planner.

Zoom Participation:

Remote Meetings: If you choose to participate in the meeting remotely by Zoom, please use the link below. If you choose to participate remotely, you are advised to contact the Town Planner prior to the meeting:
Join Zoom Meeting:

<https://us02web.zoom.us/j/87232609059?pwd=QjIyL1dma0hMSFVMMnpuYWdVMmZ3UT09>

Or call 301 715 8592

Meeting ID: 872 3260 9059, Passcode: 226177

One tap mobile

+13017158592,,87232609059#,,,*226177#

TOWN OF SPENCER

SPENCER HISTORIC PRESERVATION COMMISSION (HPC) **NOTICE OF SPECIAL MEETING** NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARINGS

The Historic Preservation Commission (HPC) for the Town of Spencer has scheduled a public meeting and quasi-judicial evidentiary hearings for **Monday, December 4, 2023, at 6:30 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the HPC to conduct the following items of Business:

New Business:

1. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-015 – 506 South Salisbury Avenue – RBC Holdings of Rowan LLC (owner);
Beth Nance (applicant)
Rowan County Parcel ID: 032 130**

Proposed Project:

- Replace existing original wood windows on upper-level façade with new windows.

2. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-025 – 409 5th Street – Judy Kinley (Owner/Applicant)
Rowan County Parcel ID: 033 347**

Proposed Project:

- Installation of rear yard storage shed.

3. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-026 – 505 South Iredell Avenue – Susan Morris (Owner); Diana Wallace (Applicant)
Rowan County Parcel ID: 033 345**

Proposed Project:

- Installation of rear yard storage shed.

4. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-027 – 600 South Yadkin Avenue – James McCall & Kristin English (Owner/Applicant)
Rowan County Parcel ID: 032 065**

Proposed Project:

- Installation of new front and side yard 4-ft. wood and welded wire fence.

5. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-030 – 127 5th Street – Curtis Allman, Allman Properties LLC (Owner/Applicant)
Rowan County Parcel ID: 032 122**

Proposed Project:

- Installation of new awnings on side façade to match existing awnings on front façade.

6. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-031 – 707 3rd Street – Cyntra Lee, Cyntra Lee et al. (Owner/Applicant)
Rowan County Parcel ID: 033 168**

Proposed Project:

- Demolition of deteriorated rear yard storage shed.

7. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-032 – 310 South Salisbury Avenue – Jay Biggins, OCEANS 52 LLC (Owner);
Francisco Madrid (Applicant); Rowan County Parcel ID: 033 146**

Proposed Project:

- Installation of new storefront awnings (metal).
- Paint previously-unpainted front brick façade.

8. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

AFTER-THE-FACT COA IN REMEDIATION OF VIOLATION

**COA-23-028 – 305 South Iredell Avenue – Let There Be Light Renovations LLC (Owner);
Juan Arias (Applicant); Rowan County Parcel ID: 033 312**

Proposed Project:

- Major Rehabilitation. Including, but not limited to, removing and replacing windows, demolition and reconstruction of deteriorated structural components, including reconstruction of rear façade/rear room(s), and appurtenant exterior changes.

9. Staff to present question concerning 402 4th Street Brick Chimney Repainting Proposal

All interested persons are invited to participate in the public hearing at Town Hall. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website or contact the Town Planner.

Please contact the Town Planner for information on how to participate remotely by Zoom.



**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: [\(Updated\) December 4, 2023](#)

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-015

APPLICANT: RBC Holdings of Rowan LLC (owner)
Beth Nance (applicant)

ADDRESS: 506 South Salisbury Avenue (Spencer Local Historic District)

PARCEL ID: 032 130

PROJECT TYPE: *Window Replacement Project*

EXISTING LAND USE: Commercial

EXISTING ZONING: MS (Main Street) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-015 – 506 South Salisbury Avenue – RBC Holdings of Rowan LLC (owner);
Beth Nance (applicant)**

Rowan County Parcel ID: 032 130

Proposed Project:

- Replace existing original wood windows on upper-level façade with new windows.

Exhibits:

- A. Staff Photographs (Front Windows) (Site Visit 8/15/2023)
- B. Staff Photographs (Rear Windows) (Site Visit 8/16/2023)
- C. Marvin Historic Windows Brochure
- D. Marvin Double Hung Window Product Specifications

Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission with some general guidance and points for discussion. The HPC is not bound by this opinion.

Window Replacement Proposal:

- The applicant proposes to replace the three (3) upper-level windows on the front of the building. (See Exhibit A: Staff Photographs - Front Windows).
- The existing windows are 4-over-4 wood windows. However, they do not appear to be the original windows. The existing 2-over-2 windows on the rear of the structure suggest the original windows may have been 2-over-2 windows, similar to the adjacent building at 510 S. Salisbury Ave.
- You can find photographs of the (likely) original wood windows, still extant on the rear of the building, in Exhibit B (Staff Photographs – Rear Windows).
- The proposed replacement window is the Marvin Double Hung window, which is a “clad-wood” product featuring “an extruded aluminum exterior”. According to the manufacturer, the cladding “mimics the profiles of wood”.
- This window is available in a variety of different design options, including divided lites, custom grid patterns, casings, subsills, etc. This includes options for authentic divided lites (ADL) or simulated divided lites (SDL), and options for a wide variety of grid patterns, such as replicating the 2-over-2 grids.
- The window appears to be an excellent choice for a compatible wood-clad window that can be made to replicate a historic wood window. Marvin also offers all-wood windows.
- The Commission should consider the appropriate divided lite options. To replicate an authentic divided lite window, staff recommends either the authentic divided lite (ADL) or simulated divided lite with spacer bars (SLDs). The grilles-between-the-glass (GBGs) is the least historically appropriate style and is inconsistent with the Standards. All the other options appear to meet the Standards.

About Marvin:

- According to Marvin’s website and brochures, the company designs their windows to comply with National Parks Service guidelines and have experience “discussing window specifications with local historic commissions”. According to their Historic Brochure (Exhibit C), “with products across thousands of residential spaces, university campuses, government buildings, places of worship and Main Street storefronts, Marvin is a proven leader in crafting customized historic windows and doors for any space. When repair isn’t an option, Marvin teams work with project owners, architects and design teams to find the solution that meets historical guidelines while providing state-of-the-art performance, energy efficiency, operation and durability.”
- The brochure also states that Marvin “takes pride in replicating the smallest detail to ensure historic accuracy...when compared with a traditional historic wood double hung, casing and blind stop profiles are accurately dimensioned.”

- According to the brochure, the manufacturer can replicate exterior or interior lugs, chain and pulleys, authentic divided lites (ADL) and simulated divided lites (SDL), etc.
- Marvin windows have been used on nationally significant historic rehabilitation projects and projects using federal tax credits requiring compliance with the Secretary of the Interior's Standards. These projects include the Cincinnati Music Hall (national historic landmark), Savannah Law School (federal tax credit project), the Central Union Mission in Washington, D.C., and the Union Stables in Seattle, Washington (won the 2015 Washington State Historic Preservation Office Award for Outstanding Achievement in Historic Preservation).

Applicant-Submitted Information:

- According to the applicant, the window "is designed with historically accurate details, making it ideal for restoration projects...clad window exteriors have advanced so much that today you cannot tell the difference between original and clad".
- According to the applicant, the existing windows "have lost all of their glazing, are single pane glass, are missing their hardware and locking mechanisms and barely fit in place. The sash, frame and casing are extremely deteriorated. These windows have reached the end of their lifecycle."
- "According to the applicant, "the window replacement we have selected are produced by Marvin, an internationally known and very reputable company who has specialized in historic windows for over 40 years."
- The applicant continues, "We believe this is the right solution for our project. By replacing these single-pane windows we will ensure that the building is more energy-efficient, safe, free from faulty operational issues all while maintaining a look appropriate for a historic and traditional building."
- The applicant "would like to work with the Historic Preservation Commission to determine which grid style to select. There are so many different styles on our block that we would welcome guidance on this selection for the window."

Marvin Clad Double Hung Windows:

- This double hung window features "extruded aluminum exterior and (pine) wood interior". The exterior is a powder coated exterior finish.

General Window Replacement Standards:

- The Standards do not support removing and replacing original wood windows unless they are 'deteriorated beyond repair' (Standards, Section 2.7, pp. 34-35). However, in this case, there may be unique mitigating factors allowing some flexibility. Specifically, these windows do not appear to be the original windows; the original windows would likely have been 2-over-2. The Commission may look to the Secretary of the Interior's Standards for Restoration and/or Reconstruction for guidelines on replicating the appearance of the original windows.
- For all window replacement projects where the existing window is an original wood window, the applicant is required to submit a professional evaluation report on the condition of the original

wood windows sufficient to demonstrate that they are 'deteriorated beyond repair' (Standard 2.7.6).

- When a professional evaluation report is submitted into evidence, the Commission should consider if the report is credible, if it demonstrates a good faith effort to accurately prove that the windows are 'deteriorated beyond repair' (Standard 2.7.6), and if it contains sufficient justifying evidence and related support information and documentation to prove 'deterioration beyond repair'. Such evidence includes visual, technical, or other evidence.
- Typically, in order for a window to be deteriorated beyond repair, it must be so deteriorated that there is no feasible way of repairing it.
- Additionally, in most cases, the following requirements will apply:
 - o The professional evaluation report must be written (typed).
 - o The report must evaluate each window individually.
 - o The report must contain sufficiently illustrative color photographs clearly showing the condition of the window from interior and exterior (including up-close photography).
- If a window is deteriorated beyond repair, it should be replaced with a matching window. 'Matching' means matching the design and dimensions of the original sash or panels, pane configuration, architectural trim, detailing, and materials. We also use 'substantial similarity' as a review criterion, which is evaluated in terms of design, dimension, material, quality of material, sash and panel design, pane configuration, architectural trim, and detailing.
- Substitute materials, such as vinyl, can only be considered if the original material is not technically feasible. For example, if vinyl is requested, the applicant would have to prepare justification that wood is not technically feasible. Cost is not typically admissible as a reason against using wood windows.
- In conclusion, the Commission should consider if the proposed Marvin Clad Double Hung Window is an appropriate replacement window. In the opinion of staff, although replacing original wood windows is highly discouraged, the proposed replacement window appears to be an excellent historically-appropriate replacement option.



(Above) Original 2-over-2 wood windows remain on the rear of the subject building.

(Below) Marvin Clad Wood Double Hung Windows substantially replicate the appearance of original.





The proposed window features an aluminum clad-wood exterior and all-wood interior.



Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 2.7. Windows & Doors (Standards, p. 34)

- Standard 2.7.1. Retain and preserve windows that contribute to the overall historic character of a building, including their functional and decorative features such as frames, sashes, muntins, sills, heads, moldings, surrounds, hardware, shutter, and blinds.
- Standard 2.7.3. Protect and maintain the wood and metal elements of historic windows and doors through appropriate methods:
 - o Inspect regularly for deterioration, moisture damage, air infiltration, paint failure, and corrosion.
 - o Provide adequate drainage to prevent water from standing on nearly flat, horizontal surfaces such as windows and door sills.
 - o Clean the surface using the gentlest means possible.
 - o Limit paint removal and reapply protective coatings as necessary. Remove heavy paint buildup on windows and doors to facilitate their operation.
 - o Reglaze sash as necessary to prevent moisture infiltration.
 - o Weatherstrip windows and doors to reduce air infiltration and increase energy efficiency.
- Standard 2.7.4. Repair historic windows and doors and their distinctive features through recognized preservation methods for patching, consolidating, splicing, and reinforcing.
- Standard 2.7.5. If replacement of a deteriorated historic window or door feature is necessary, replace only the deteriorated feature in kind rather than the entire unit. Match the original in design, dimension, material, and quality of material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.7.6. If a historic window or door unit is deteriorated beyond repair, replace the unit in kind, matching the design and dimension of the original sash or panels, pane configuration, architectural trim, detailing, and materials. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.7.11. It is not appropriate to remove original doors, windows, shutters, blinds, hardware, and trim from a character-defining façade.
- Standard 2.7.12. It is not appropriate to remove any detail or material associated with windows and doors, such as stained glass, beveled glass, textured glass, or tracery, unless an accurate restoration requires it.
- Standard 2.7.14. If exterior storm windows are desired, select ones that are coated with paint or a baked enamel finish in a color appropriate to the trim color of the building. Install so that existing windows and frames are not damaged or obscured.
- Standard 2.7.16. It is not appropriate to replace windows or doors with stock items that do not fill the original openings or duplicate the unit in size, material, and design.

Section 2.1. Wood (Standards, p. 23-24)

- Standard 2.1.10. It is not appropriate to replace or cover historic wooden siding, trim, or window sashes with contemporary substitute materials.
- Standard 2.1.12. Certain synthetic materials such as cementitious siding can be reviewed on a case-by-case basis, provided:
 - o They are installed only when the original material is no longer available or feasible;
 - o They are installed in a traditional manner that includes the installation of corner boards, architectural trim around windows and doors, etc.
 - o They match the original in width of exposure, thickness, profile, texture, grain, color, and overall outer appearance.
 - o Their texture must be a smooth, non-grained (e.g. faux woodgrain) finish.
- Standard 2.1.3. When a Certificate of Appropriateness is being sought for the use of synthetic materials, the applicant should include with the application a sample of the new material as well as the material being replaced.

Section 2.9. Sustainability & Energy Retrofit (Standards, p. 38-39)

- Standard 2.9.4. If desired, introduce narrow-profile exterior or interior storm windows so that they do not obscure or damage the existing sash and frame. Size exterior storm windows to fit tightly within the existing window openings without the need for a subframe or panning (filler panel) around the perimeter. Select exterior storm windows with a painted or baked enamel finish color that is compatible with the sash color. Bare aluminum storm windows may be appropriate for post-1945 buildings. For double-hung vinyl windows, operable storm window dividers should align with the existing meeting rails.

Restoration as a Treatment

Restoration is defined as the act or process of accurately depicting the form, features, and character of a property as it appeared at a particular period of time by means of the removal of features from other periods in its history and reconstruction of missing features from the restoration period. The limited and sensitive upgrading of mechanical, electrical, and plumbing systems and other code-required work to make properties functional is appropriate within a restoration project.

Secretary of the Interior's Standards for Restoration

- Standard 2. Materials and features from the restoration period will be retained and preserved. The removal of materials or alteration of features, spaces and spatial relationships that characterize the period will not be undertaken.
- Standard 3. Each property will be recognized as a physical record of its time, place and use. Work needed to stabilize, consolidate and conserve materials and features from the restoration

period will be physically and visually compatible, identifiable upon close inspection and properly documented for future research.

- Standard 7. Replacement of missing features from the restoration period will be substantiated by documentary and physical evidence. A false sense of history will not be created by adding conjectural features, features from other properties, or by combining features that never existed together historically.

Reconstruction as a Treatment

Reconstruction is defined as the act or process of depicting, by means of new construction, the form, features, and detailing of a non-surviving site, landscape, building, structure, or object for the purpose of replicating its appearance at a specific period of time and in its historic location.

Secretary of the Interior's Standards for Reconstruction

- Standard 1. Reconstruction will be used to depict vanished or non-surviving portions of a property when documentary and physical evidence is available to permit accurate reconstruction with minimal conjecture and such reconstruction is essential to the public understanding of the property.
- Standard 4. Reconstruction will be based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence rather than on conjectural designs or the availability of different features from other historic properties. A reconstructed property will re-create the appearance of the non-surviving historic property in materials, design, color and texture.

Staff Suggested Findings:

FINDINGS OF FACT

Planning staff finds that the following proposal is **not incongruous** with the character of the District:

- Replace existing original wood windows on upper-level façade with new windows.

...Because:

- 1) Although the removal of historic wood windows is highly discouraged, and in most cases should only be done if the window is proven to be deteriorated beyond repair (Standard 2.7.1 & 2.7.6), there are unique mitigating factors in this case. Specifically, physical evidence suggests that the three (3) four-over-four (4-over-4) upper-level front windows proposed for replacement are not the original windows; the original windows would likely have been two-over-two (2-over-2) wood windows, matching the existing original 2-over-2 window on the rear of the building. Therefore, for an accurate restoration of the front façade to its original appearance, the Secretary of the Interior's Standards support "replacement of missing features from the restoration period...substantiated by documentary and physical evidence" (Secretary of the Interior's Standards for Restoration, Standard 7), and they also support "reconstruction...based on the accurate duplication of historic features and elements substantiated by documentary or physical evidence...a reconstructed property will re-create the non-surviving historic property in materials, design, color, and texture" (Secretary of the Interior's Standards for Reconstruction, Standard 4). The existing original 2-over-2 rear window is clear physical evidence of the original appearance and can be used as a restoration/reconstruction reference point; and
- 2) The proposed Marvin Clad Double Hung Window is an appropriate replacement window substantially replicating (in this case, restoring or reconstructing) the original 2-over-2 wood window in terms of design and dimensions, pane configuration, architectural trim, and detailing (Standard 2.7.6). While a custom wood window would be preferred, a clad-wood window is an acceptable compatible substitute material (Standard 2.7.6) that substantially replicates the qualities of an original wood window in terms of its overall appearance and design (Standard 2.1.12); and
- 3) The proposed Marvin Clad Double Hung Window has been utilized on nationally significant historic rehabilitation projects and projects using federal tax credits requiring compliance with the Secretary of the Interior's Standards. According to the manufacturer's website and brochures, Marvin designs their windows to comply with National Park Service guidelines and has experience "discussing window specifications with local historic commissions". Marvin's projects include the Cincinnati Music Hall (national historic landmark), Savannah Law School (federal tax credit project), the Central Union Mission in Washington, D.C., and the Union Stables in Seattle, Washington (won the 2015 Washington State Historic Preservation Office Award for Outstanding Achievement in Historic Preservation).

Continue to next page for Staff Recommended Motion.

MOTION (TO APPROVE)

Staff Recommendation:

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission **approve** a COA for the proposal heretofore described at 506 South Salisbury Avenue (Tax Parcel ID # 032 130, located in the Spencer Local Historic District, **subject to the following conditions:**

- 1) The windows shall feature either Authentic Divided Lite (ADL) or Simulated Divided Lite with Spacer Bars (SDLs). Grilles-between-the-glass (GBGs) are not appropriate because they do not sufficiently replicate the overall visual qualities and appearance of a historic wood window (Standard 2.7.6); and
- 2) The windows shall feature a 2-over-2 grid pattern. Physical evidence suggests that the original wood windows were 2-over-2 wood windows (Authentic Divided Lite). Specifically, the existing 3-over-2 wood window on the rear of the subject building is physical evidence of the original design of the front upper-level windows. Therefore, 2-over-2 windows are necessary to replicate the overall visual qualities and appearance of the original windows (Standard 2.7.6); and
- 3) Planning staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a Minor Work, prior to commencement of that portion of the project.

Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Example of older wood window on adjacent building(s)

Exhibit A: Staff Photographs



Example of older wood window on adjacent building(s)

Exhibit A: Staff Photographs



Example of older wood window on adjacent building(s)



Example of older wood window on adjacent building(s)

Exhibit A: Staff Photographs



Existing wood windows at rear of building are likely the original windows.
Note 2-over-2 grid pattern.

Exhibit A: Staff Photographs



Existing wood windows at rear of building are likely the original windows.

Note 2-over-2 grid pattern.

Exhibit A: Staff Photographs



Existing wood windows at rear of building are likely the original windows.

Note 2-over-2 grid pattern.

HISTORIC SOLUTIONS FOR WINDOWS & DOORS



Exhibit C: Marvin Historic Windows Brochure



Exhibit C: Marvin Historic Windows Brochure

MARVIN

TABLE OF CONTENTS

- 4 OUR HISTORY
- 6 UNMATCHED EXPERTISE
- 8 DOUBLE HUNG G2 CASING OPTIONS
- 10 SIMULATED CHECK RAILS AND LIFT LOOKS
- 12 EXTERIOR CASINGS + SUBSILLS
- 14 RADIUS SHAPES
- 16 CUSTOM SHAPES
- 18 SIGNATURE ULTIMATE COLLECTION
- 20 FEATURES AND OPTIONS
- 24 CASE STUDY: THE CHURCH
- 26 CASE STUDY: QUEEN ANNE REMODEL
- 28 CASE STUDY: UNION STABLES
- 30 CASE STUDY: CITY MUSIC HALL
- 32 CASE STUDY: HOTEL ON NORTH
- 34 CASE STUDY: SAVANNAH LAW SCHOOL
- 36 CASE STUDY: CENTRAL UNION MISSION
- 38 THE MARVIN PORTFOLIO

Cover Photo: Scott Farnsworth/OTTO

OUR HISTORY
MAKES US UNIQUELY
QUALIFIED TO
HANDLE YOUR
PIECE OF HISTORY

For generations, Marvin has built a reputation for doing the tough window and door projects. We've been solving historic rehabilitation challenges for residential and commercial spaces longer than anyone else, and we know the ins and outs—collaborating early on with architects, facilities managers and general contractors, reviewing products and options, navigating the National Parks Service guidelines, discussing window specifications with local historic commissions, and attending field testing. We offer the best project-based solutions and work with all stakeholders and partners to **achieve exceptional historical accuracy and performance.**



Exhibit C: Marvin Historic Windows Brochure

UNMATCHED EXPERTISE

With products across thousands of residential spaces, university campuses, government buildings, places of worship and Main Street storefronts, Marvin is a proven leader in crafting customized historic windows and doors for any space. When repair isn't an option, Marvin teams work with project owners, architects and design teams to find the solution that meets historical guidelines while providing state-of-the-art performance, energy efficiency, operation and durability.

Exhibit C: Marvin Historic Windows Brochure

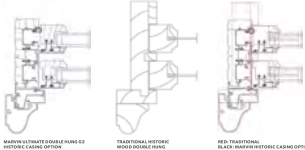
MARVIN®

DOUBLE HUNG G2 CASING OPTIONS

AT MARVIN, WE TAKE PRIDE IN REPLICATING THE SMALLEST DETAIL TO ENSURE HISTORIC ACCURACY.

With the Marvin Lift Lock® Double Hung G2 Casing System, projects benefit from improved finish and precision quality of the sash, frame, and casing, along with reduced shadow lines for a truly historically accurate result. When compared with a traditional historic wood double hung casing, our lift lock profiles are accurately dimensioned. This attention to detail allows the sash and glass to remain in the same plane maintaining the relationship between the edge of glass and the necessary opening.

Several casing options are available, as well as custom casing profiles to match existing exterior details.



MARVIN LIFT LOCK DOUBLE HUNG G2 HISTORIC CASING OPTION

TRADITIONAL HISTORIC WOOD DOUBLE HUNG

LIFT LOCK TRADITIONAL BLACK MARVIN HISTORIC CASING OPTION



EXTERIOR DOUBLE HUNG WINDOW IN ALUMINUM, LIFT LOCK PROFILE



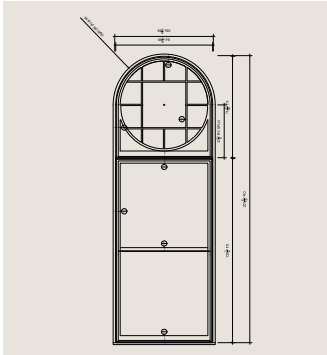
REGULAR PROFILE CASING EXTERIOR IN ALUMINUM

Exhibit C: Marvin Historic Windows Brochure

10

SIMULATED CHECK RAILS AND LIFT LOCKS

Merging historic tradition with modern performance typically requires creative thinking with advanced solutions. When replacing existing windows that are "beyond repair," Marvin will work with you to develop solutions such as simulated check rails shown in the drawing below that recreate historic profiles and details.



HISTORIC SOLUTIONS

Exhibit C: Marvin Historic Windows Brochure

MARVIN®

The Marvin Lift Lock is the latest innovation in function, design, and aesthetics for the Marvin Lift Lock Double Hung G2 window. Moving the location of the lock from the check rail to the lower part of the sash solves an issue with traditional windows that the lift lock is not visible from the interior. The lift lock is visible from the exterior, so the operator of the window works seamlessly even with limited hand dexterity or range of motion. With the Lift Lock, we believe the Marvin Lift Lock Double Hung G2 can maintain the lift lock's reputation as one of the best window solutions in the industry, making it a perfect solution for residential and commercial projects.



Exhibit C: Marvin Historic Windows Brochure

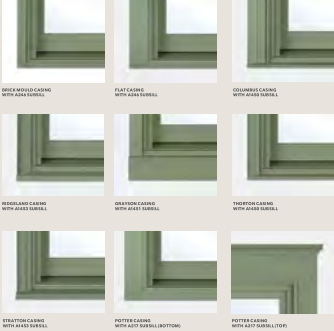
11

Exhibit C: Marvin Historic Windows Brochure

MARVIN®

EXTERIOR CASINGS + SUBILLS

Adding Marvin's lift lock or wood casing and subills provides greater architectural detail to any project. We offer four levels of lift lock and wood casing options that have been built to last and ensure the most accurate replication of historic details. Our clad casings are made of ultra-durable extruded aluminum, which features an extremely durable factory finish that resists staining, fading, peeling, cracking, and flaking. It's also resistant to impact damage, making it a perfect choice for historic restoration projects.



EXTERIOR CASING WITH ALUMINUM SUBILL

EXTERIOR CASING WITH ALUMINUM SUBILL

EXTERIOR CASING WITH ALUMINUM SUBILL

EXTERIOR CASING WITH ALUMINUM SUBILL



Exhibit C: Marvin Historic Windows Brochure

12

RADIUS SHAPES



IT'S OUR JOB TO MAKE HISTORY REPEAT ITSELF

Exhibit C: Marvin Historic Windows Brochure

MARVIN®

Marvin's range of radius window and door options ensures architects can accurately replicate the details and designs that are key to a building's historic fabric and aesthetic.



EXTERIOR RADIUS DOUBLE HUNG

HALF CIRCLE TRANSOM

EXTERIOR RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

HALF CIRCLE RADIUS DOUBLE HUNG

CUSTOM SHAPES

Marvin is able to replicate one of a kind windows that make historic buildings unique across all types of geometric shapes. When bringing an old building back to life, these types of windows define the new life as an of the building.



Exhibit C: Marvin Historic Windows Brochure

Exhibit C: Marvin Historic Windows Brochure

SIGNATURE ULTIMATE COLLECTION

Our Signature Ultimate Collection is a true masterpiece of craftsmanship. It is a collection of high performance, low maintenance windows and doors that are built to last. The collection includes a variety of window and door styles, including double hung, single hung, and casement windows, as well as solid and glass doors. The collection is available in a variety of colors and finishes, including white, black, and natural wood. The collection is also available in a variety of sizes and configurations, making it a perfect choice for any historic building.

Extruded Aluminum Colors

Extruded aluminum is an extremely tough cladding that protects wood windows, mimics the profile of wood, and is available in a variety of colors and finishes.

Choose from a variety of colors, or work with us to create a custom color.



Wood Exterior

Wood is a premium material for windows and doors, offering a classic aesthetic appeal, customization, and design versatility.

Choose from four exterior options, ready to be stained to match your project's staining requirements.

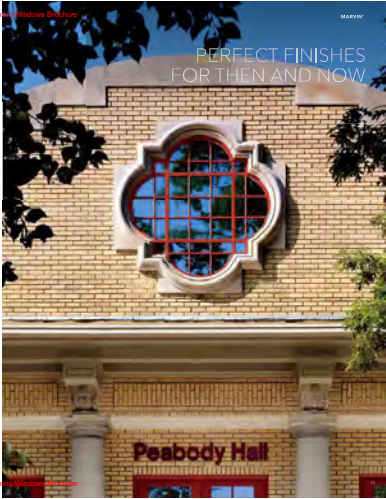


Wood Interior

Before assembling windows and doors, each individual piece of wood is sanded, conditioned, stained, and oven-cured. Finished pieces are clear coated and then sanded and coated again, providing an ultra finish.



Exhibit C: Marvin Historic Windows Brochure

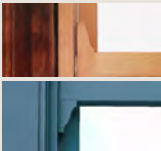


PERFECT FINISHES FOR THEN AND NOW

Exhibit C: Marvin Historic Windows Brochure

FEATURES AND OPTIONS

CUSTOM WINDOWS AND DOORS BUILT WITH A CRITICAL EYE FOR HISTORIC DETAIL.



Interior and Exterior Sash Lug

Replication sometimes requires exterior or interior sash lugs. Exterior or interior sash lugs are available.



Signature Ultimate Wood Double Hung Chain and Pulley

Contributes to the authentic appearance of reproduction windows. Available in a variety of styles and finishes.



Commercial Doors

The Marvin Ultimate Commercial Door combines both door design with rugged durability to stand up to years of commercial use. Available in a wide variety of design and construction options, Marvin Commercial Doors are manufactured with different construction and assembly processes than Marvin's residential doors.

Commercial Doors are available in wood or clad wood styles to match exterior design needs, with an optional commercial hardware package, including door, mortise lock, rim device, kick plate, and removable mullion.



Divided Lites and Authentic Divided Lites

Patterns can feature an array of muntin widths, unique muntin profiles, rectangles or radius cuts and more. Custom divided lites available.



Glass and Glazing

A variety of decorative and specialty glass options are available, including Restoration glass or Clear glass, along with glazing options to meet requirements for sound abatement. See Turtle Conservation Codes and Color for more specific information.

Exhibit C: Marvin Historic Windows Brochure

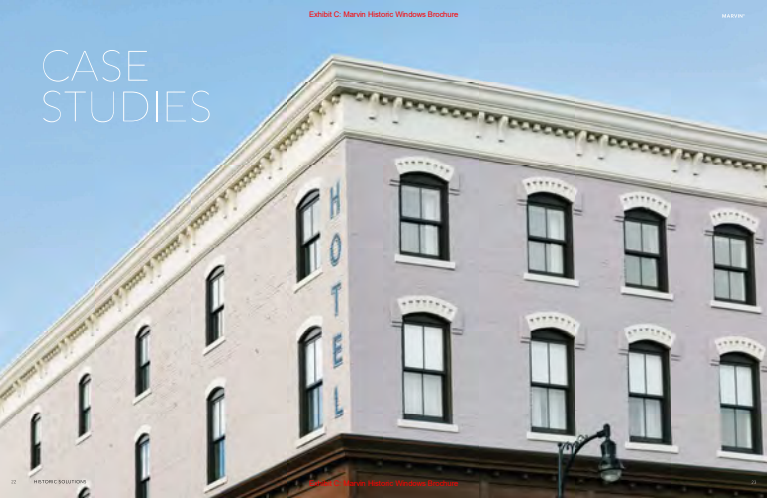


Exhibit C: Marvin Historic Windows Brochure

CASE STUDIES

Exhibit C: Marvin Historic Windows Brochure



Exhibit C: Marvin Historic Windows Brochure

MARVIN

ARCHITECT: Luc Sholtes
UNITS + APPLICATIONS: An adaptive reuse project, "The Church" is a 12,000-square-foot former Methodist Church, built in 1835. Having weathered nearly two centuries with its strong bones of vaulted ceilings and heavy beams, Architect Luc Sholtes of Sholtes Architects + Design worked with Marvin to convert the church into a center for the arts. The building features Marvin Ultimate Assembly, Direct Glass, Casement and Awning windows, and Insulating French Doors. The exterior windows are clad in aluminum, a design choice that had to be brought before an architectural review board for approval to ensure the church's historic integrity.



ADAPTIVE RE-USE THE CHURCH SAG HARBOR, NY

Exhibit C: Marvin Historic Windows Brochure

24 HISTORIC SOLUTIONS

25



Exhibit C: Marvin Historic Windows Brochure

MARVIN

ARCHITECT: Anna Adams
UNITS + APPLICATIONS: When a young couple purchased this historic colonial house in the Queen Anne neighborhood of Seattle, they loved the home's classic, quintessentially American architecture but wanted to update and modernize without compromising its original character, charm and period detail. Making the home more energy efficient was an important goal. For the owners, the decision was made to replace all of the original windows and add more glazing. The new windows kept with the scale and style of the original house and Marvin was able to replicate the proportions of the original windows with the new units. The oval detailing on the new Marvin windows and doors was almost identical to the sticking that was on the original windows.

RESIDENTIAL REMODEL QUEEN ANNE SEATTLE, WA



Exhibit C: Marvin Historic Windows Brochure

24 HISTORIC SOLUTIONS

25

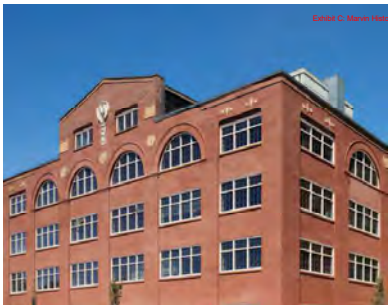


Exhibit C: Marvin Historic Windows Brochure

MARVIN

ARCHITECT: Ed Wardroin
UNITS + APPLICATIONS: The building underwent several transformations over the years, and after being damaged by a series of fires and earthquakes, it gradually fell into a state of disrepair. For a historic project like this, the preservationist's mandate is to either repair existing windows or replace in-kind. But since there were neither old windows to use as models nor original architectural drawings to rely on for reference, Wardroin instead used early photos of the building to accurately replicate the essential patterns of the windows in the present. Union Stables received the 2015 Washington State Historic Preservation Office Awards for Outstanding Achievement in Historic Preservation.



AWARD-WINNING HISTORIC PRESERVATION UNION STABLES SEATTLE, WA

Exhibit C: Marvin Historic Windows Brochure

24 HISTORIC SOLUTIONS

25

RENOVATION OF NATIONAL HISTORIC LANDMARK CINCINNATI MUSIC HALL CINCINNATI, OH

Exhibit C: Marvin Historic Windows Brochure

MARVIN



ARCHITECT: Alan Woodford
UNITS + APPLICATIONS: Originally built in 1878, the Cincinnati Music Hall reopened in October 2017 after a \$142 million renovation that focused on forming a new identity and enhancing the audience experience. With its gabled roof, decorative brick work, and signature window tracery, the building is a prime example of High Victorian Gothic Revival style.

It is one of only approximately 2,500 designated national historic landmarks, the highest level of historic significance that a building can achieve in the U.S. and State. Featuring 103 Marvin Ultimate Wood Double-Hung Argus windows, the Marvin team worked closely with builders, historic preservationists, architects, and other specialists to help navigate the complex guidelines a historic project like this one requires.

Exhibit C: Marvin Historic Windows Brochure

24 HISTORIC SOLUTIONS

25



Exhibit C: Marvin Historic Windows Brochure

MARVIN

MAIN STREET REVITALIZATION HOTEL ON NORTH PITTSFIELD, MA

ARCHITECT: Kevin T. Hunt
UNITS + APPLICATIONS: A 19th-century main street building has been transformed into a hotel that captures the vibrant and creative spirit of the region. Now on the National Register for Historic Places, the building originally housed a mercantile and sporting goods emporium. The creative team on the project was committed to maintaining as much of the history as possible and preserving the essence of the building. Marvin was able to match original profiles of the windows by inspecting photos from the early 1900s. The Marvin Wood-til window was key to preserving the historic fabric of the building.



Exhibit C: Marvin Historic Windows Brochure

31

ADAPTIVE REUSE SAVANNAH LAW SCHOOL SAVANNAH, GA

ARCHITECT: Juch + Associates Architects
UNITS + APPLICATIONS: This federal tax credit restoration and rehabilitation project replaced windows in 100 openings with Marvin Ultimate Wood Double Hung and Ultimate Wood Double Hung Magnam units, single glazed with authentic divided lites and 1/2" panes.



Exhibit C: Marvin Historic Windows Brochure

MARVIN



Exhibit C: Marvin Historic Windows Brochure

MARVIN

HISTORICAL MATCHING CENTRAL UNION MISSION WASHINGTON, D.C.

ARCHITECT: Cox Greer + Spack Architects
UNITS + APPLICATIONS: Marvin Clad Ultimate Double Hung Windows and Round Top Transoms were used with Thompson casings to match original window profiles. Custom flashing solutions addressed waterproofing issues in the existing masonry.

Exhibit C: Marvin Historic Windows Brochure

31 HISTORIC SOLUTIONS

THE MARVIN PORTFOLIO

Exhibit C: Marvin Historic Windows Brochure

MARVIN

The Marvin portfolio consists of five product lines organized into three distinct collections defined by the degree of design, detail and customization opportunities. Marvin windows and doors offer exceptional performance, energy efficiency, low maintenance, and quality you can see, feel, and touch to help bring your vision to life.



MARVIN SIGNATURE COLLECTION			MARVIN ELEVATE COLLECTION		MARVIN ESSENTIAL COLLECTION
INTERIORS	WOOD 4 finish options + custom 2 painted or primed options Exterior = clear coat	EXTRUDED ALUMINUM 5 color options	EXTRUDED ALUMINUM 6 solid colors, 4 anodized finishes	WOOD Same prep-painted Designer (Black, painted White, or clear coat)	FIBERGLASS 4 color options
EXTERIORS	EXTRUDED ALUMINUM 7 colors + custom OR WOOD 3 finishes + custom	FIBERGLASS 5 color options	EXTRUDED ALUMINUM 6 solid colors, 4 anodized finishes	FIBERGLASS 6 color options	FIBERGLASS 6 color options
SIZING	Standard + custom sizing for replacement, remodeling, or new construction	Custom sizing for remodeling or new construction	Custom sizing for replacement, remodeling, or new construction	Standard + custom sizing for replacement, remodeling, or new construction	Standard + custom sizing for replacement, remodeling, or new construction
HARDWARE	Extensive selection including Marvin-Galaxy Hardware	Minimalist hardware for modern design aesthetic	Available in multiple sizes, and finishes to complement the window's design aesthetic	Available in a high-contrast white or black finish	Available in a high-contrast white or black finish
COASTAL + WATERPROOF	Hurricane Impact Zones 3 and 4, + PG 50 Products		All products meet or exceed high-wind Hurricane Zone (24)	Hurricane Impact Zone 3, + PG 50 Products	

Exhibit C: Marvin Historic Windows Brochure

32

Since we opened as a family-owned and -operated lumber and cedar company in 1912, Marvin has designed products to help people live better. We remain committed to bringing beauty and simplicity into people's lives with windows and doors that stand the test of time.

[MARVIN.COM/HISTORIC](https://marvin.com/historic)

©2023 Marvin Lumber and Cedar Co., LLC. All rights reserved.
®Registered trademark of Marvin Lumber and Cedar Co., LLC.
Part #19983283, January 2023.
Colors shown in printed materials are simulations and may not precisely replicate product or finish colors. Contact your local Marvin dealer to view actual product and finish color samples.

< Marvin Signature® Ultimate



Ultimate Double Hung G2

The Ultimate Double Hung G2 window blends traditional beauty with state-of-the-art window performance. Customize your design with round top styles or single hung operation with optional bottom rail locking mechanism for easy operation.

- Extruded aluminum exterior and wood interior
- Fits openings up to 5.5 feet wide by 10.5 feet high
- Marvin's exclusive auto-lock activates when sashes are closed for convenient security
- Unique wash mode allows cleaning of both sides of glass from indoors
- Narrow checkrail maximizes view, while maintaining historical accuracy

Find Marvin products in your area and request a price quote. Connect with a dealer near you to get started.

[FIND A DEALER](#)

Exhibit D: Marvin Double Hung Window Product Specifications

- Pushes the limits of what windows and doors can do.
- Standard finish on extruded aluminum is commercial-grade and warranted for 20 years, ensuring a smooth, beautiful finish that lasts.
- Choose from a selection of high-quality interior standard wood options, including Pine, Cherry, Douglas Fir, Mahogany, White Oak, Vertical Grain Douglas Fir, and Black Walnut.
- Available with the same features in a single hung style, with optional Lift Lock.
- Additional configurations include round top, stationary transom or picture window.
- Available with **IZ3** coastal/hurricane certification.
- Available with Commercial Windows Performance certification.

DESIGN OPTIONS

Exterior Finish

Clad Color Options

Ebony

A high-quality window deserves a dependable finish. Our low maintenance clad-wood products feature an extruded aluminum exterior finished in commercial-grade paint for superior resistance to fading and chalking. Our palette of nineteen color options spans from muted, earthy tones to bold,

WHY YOU'LL LOVE IT

- ✓

Designed for Performance + Quality
Exterior is made with extruded aluminum for proven strength and versatility.
- ✓

Expansive Views
Available in widths up to 5.5 feet and heights up to 10.5 feet.
- ✓

Sticking Options
Ogee and Ovolo sticking has a more traditional profile and square sticking has a more contemporary look.
- ✓

Smart Home Security
Hidden Lock Status Sensor option connects with your smart home to indicate when windows are closed and locked.



ADDITIONAL FEATURES:

Exhibit D: Marvin Double Hung Window Product Specifications

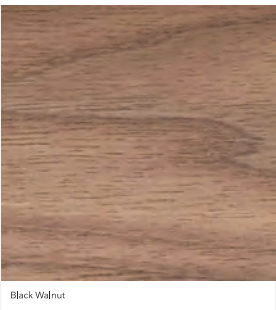
available to meet any design vision.

*Custom Colors: Any color. Any window or door. You name it. No matter what your inspiration for a custom window or door color, Marvin will match it. You get any color your heart desires, with your own personal custom color name and a 20-year warranty. See your Marvin dealer for details and ask about special pricing.

Interior Finish

Meet your design vision with natural, stained or painted wood. With Marvin factory-applied interior finishes, you can order beautifully finished windows and doors that are ready to install the day they arrive to save valuable time on the job site.

Wood Options



Choose from a selection of high-quality standard wood options, including Pine, Cherry, Douglas Fir, Mahogany, White Oak and Vertical Grain Douglas Fir. If your project requires a one-of-a-kind look, we offer unique species like Black Walnut.

**Wood is a product of nature and will vary in color, texture and grain. Wood options shown are to demonstrate the approximate look of each species only, and stain samples are shown on Pine. Photos are not intended to reflect a product's interior or exterior profile.*

Stained Wood

When compared to painting or staining on the job site, factory-stained finishes offer consistent quality and performance resulting from our expertise with wood as a material and years of perfecting our staining process.

Every piece of wood receives even coats of conditioning and stain, two coats of clear finish, and is sanded and baked twice in an oven before your window or door is built to create a consistent, durable and high-quality finish that brings out the natural beauty, texture, and grain of the wood. Our stained wood products meet industry standards and arrive ready to install.

Cabernet

**Stain and clear coat is available on all offered interior wood species.*

Square

The interior edge detail where glazing meets wood is called sticking, sometimes referenced as bead. Ogee and Ovolo sticking offer a more traditional profile, and square sticking can be specified for a clean, crisp, more contemporary look.

**Not all sticking styles are available on every product. Ask your window and door dealer for specifics. Square sticking shown here on a casement window.*

Hardware

Marvin hardware is far more than functional - it's engineered to be both durable and elegant. From traditional to contemporary, our hardware comes in a variety of architectural styles and finishes to meet your aesthetic needs and design goals. It's designed for effortless operation even at large sizes and is built to last, with optional PVD finishes for door hardware to resist fading and discoloration in even the harshest environments.

Painted Wood

Designer Black**

Painting on the job site or scheduling off-site finishing is an extra step that takes time and coordination. Choose our primed white or white painted interior finish option on any Marvin pine windows and doors with a wood exterior, or an additional designer black paint option for products with an aluminum clad exterior. Your windows and doors will arrive factory-painted and ready to install.

You can count on consistency with our process, as every piece of wood receives a coat of prime and is sanded before being painted. The paint is baked twice in an oven before your window or door is built to create a consistent, durable and high-quality painted finish that performs to the industry standard.

**Finish samples are approximate and colors on screen can vary. Visit your local dealer to see actual color samples.*

***Black only available on clad.*

Sticking Options

Auto Locking

**Hardware styles shown are available in all finish options below.*

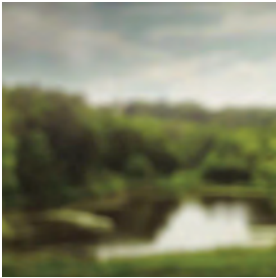
Finishes

Satin Taupe

**Hardware finish samples are approximate. Please visit your local Marvin dealer to see hardware finish samples. Crank Handle is available in select finishes.*

Glass

Decorative Glass



Bronze Tint

A variety of decorative glass options are available to meet the unique needs of each project, and laminated glazing is also available in clear, bronze, gray, or green with tinted interlayers.

**Not all decorative glass is compatible with all products. Check with your dealer for a recommendation on which glass is right for your project. Images may not be an accurate representation.*

Color tint images represent color tint example only. Please inquire about obscure glass treatments separately.

Simulated Divided Lite with Spacer Bar (SDLs)



Paired with SDL bars on the exterior of the glass, a spacer bar is installed between the glass, creating an even closer match to the Authentic Divided Lite look.

Patterns

Marvin's custom capabilities allow us to create almost any divided lite pattern you can dream up, with combinations of widths, unique profiles, rectangular or radius cuts and more. Choose from an existing lite cut, specify custom divided lites according to a new design or ask our design professionals to assist in creating a pattern for your needs.



Rectangular

home. Our standard glazing is dual pane: two panes of glass with Low E coatings and argon insulating gas. We offer variations to help meet climate and code requirements across the country, described in more detail on our [glass page](#).

Specialty Glass Options

Our specialty glass options include glass for unique project needs like sound management (STC/OITC), high altitudes, Sea Turtle Conservation Codes and California fire zones. We also offer laminated glass in products designed specifically for hurricane zones.

Screens

Divided Lites

The look of multiple, individual panes of glass in a window sash is popular in a wide range of architectural styles - from historic replications to modern farmhouses. Simulated divided lites, available in a number of different styles, mimic the look of individual panes of glass in a window sash without sacrificing the energy efficiency of a single pane of glass. For true historical accuracy, authentic divided lites utilize individual glass panes, and are available as a custom order on select all-wood windows.

Grilles-between-the-Glass (GBGs)



Grilles are permanently installed between the glass panes for a low-maintenance, smooth exterior and easy cleaning. Choose from 6 exterior colors and 3 interior colors.

Simulated Divided Lite (SDL)



An energy-efficient way to create the look of authentic divided lites, SDL bars are permanently adhered to both sides of the glass and are available with or without a spacer bar installed between the glass to create even more depth that resembles an ADL.

Exhibit D: Marvin Double Hung Window Product Specifications

**These are some of our most frequently-requested divided-lite patterns.*

Casings



Brick Mould

An instant boost to curb appeal, optional exterior casing adds architectural detail and character to the profile of your home. Factory-applied casing saves time on the job-site, with beauty and durability that lasts. Exterior casings, optional at the time of order, are available in extruded aluminum and are factory-finished with with the same AMMA 2605 finish and paint as the clad exterior for a perfect match.

Subsills

Exhibit D: Marvin Double Hung Window Product Specifications

Exhibit D: Marvin Double Hung Window Product Specifications



A1450

Choose from six extruded aluminum subsill options to best match your sill thickness and depth with your casing and window style. Custom clad subsills ideal for historical matching are also available.

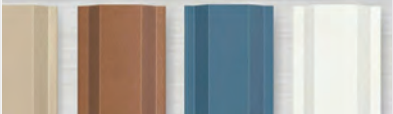


**Due to the variety of possible combinations of casings and subsills, special dimensional considerations for installation methods are required. Contact your local Marvin retailer when specifying casing and subsill combinations.*

Lock Status Sensor	+
Coastal Performance	+
Window Opening Control Devices	+

Exhibit D: Marvin Double Hung Window Product Specifications

Exhibit D: Marvin Double Hung Window Product Specifications



Materials

Low-maintenance extruded aluminum exteriors with your choice of wood-grain or color finish throughout.



Energy Efficiency

Options that help achieve long-term performance and cost savings, in any climate.

[Learn More →](#)

MORE FROM THIS PRODUCT LINE

Exhibit D: Marvin Double Hung Window Product Specifications

Exhibit D: Marvin Double Hung Window Product Specifications



GET THE ULTIMATE CATALOG

Get detailed information on the Ultimate product line including types of windows and doors, color and finish options, sizing, hardware, and other key details.

[DOWNLOAD NOW](#)



Marvin Signature Ultimate

Our broadest range of product types, sizes, configurations and design options.

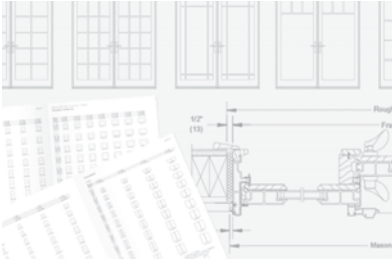
[Learn More →](#)

Exhibit D: Marvin Double Hung Window Product Specifications

Exhibit D: Marvin Double Hung Window Product Specifications



Ultimate Awning Ultimate Awning Narrow Frame Ultimate Awning Push Out



FOR THE PROS

Find technical documents for this product, including installation instructions, sizes and elevations, 3D drawings, architectural detail manuals and more.

[TECHNICAL SPECIFICATIONS](#)

Exhibit D: Marvin Double Hung Window Product Specifications



Marvin experts are experienced in working with architects, builders and homeowners to ensure your vision becomes a reality.

Products

All Windows

Options

Coastal

Contemporary

FIND A DEALER

Spaces

Well-Being

DESIGN & INSPIRATION

Product Design Options

Photo Gallery

Project Gallery

Blog

WHY MARVIN

Our Story

Careers

Energy Efficiency

In The News

International

TruStyle

Marvin Replacement

SUPPORT

Support Center

Care and Maintenance

Glossary of Terms

Owner's Manuals

Parts Manuals

Warranty

PROFESSIONALS

AIA Courses

Architectural Resources

Drawing and 3D Models

Energy Data

Technical Specifications

Tours and Training

 FIND A DEALER

 REQUEST LITERATURE

 EMAIL SIGN UP







Privacy Statement

Terms of Use

California Users

© 2023 Marvin



**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: December 4, 2023

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-025

APPLICANT: Judy Kinley (Owner/Applicant)

ADDRESS: 409 5th Street (Spencer Local Historic District)

PARCEL ID: 033 347

PROJECT TYPE: *Installation of Rear Yard Storage Shed*

EXISTING LAND USE: Historic Residential

EXISTING ZONING: RMST (Residential Main Street Transition) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-025 – 409 5th Street – Judy Kinley (Owner/Applicant)
Rowan County Parcel ID: 033 347**

Proposed Project:

- Installation of rear yard storage shed.

Exhibits:

A. Staff Photographs (Site Visit 11/28/2023)



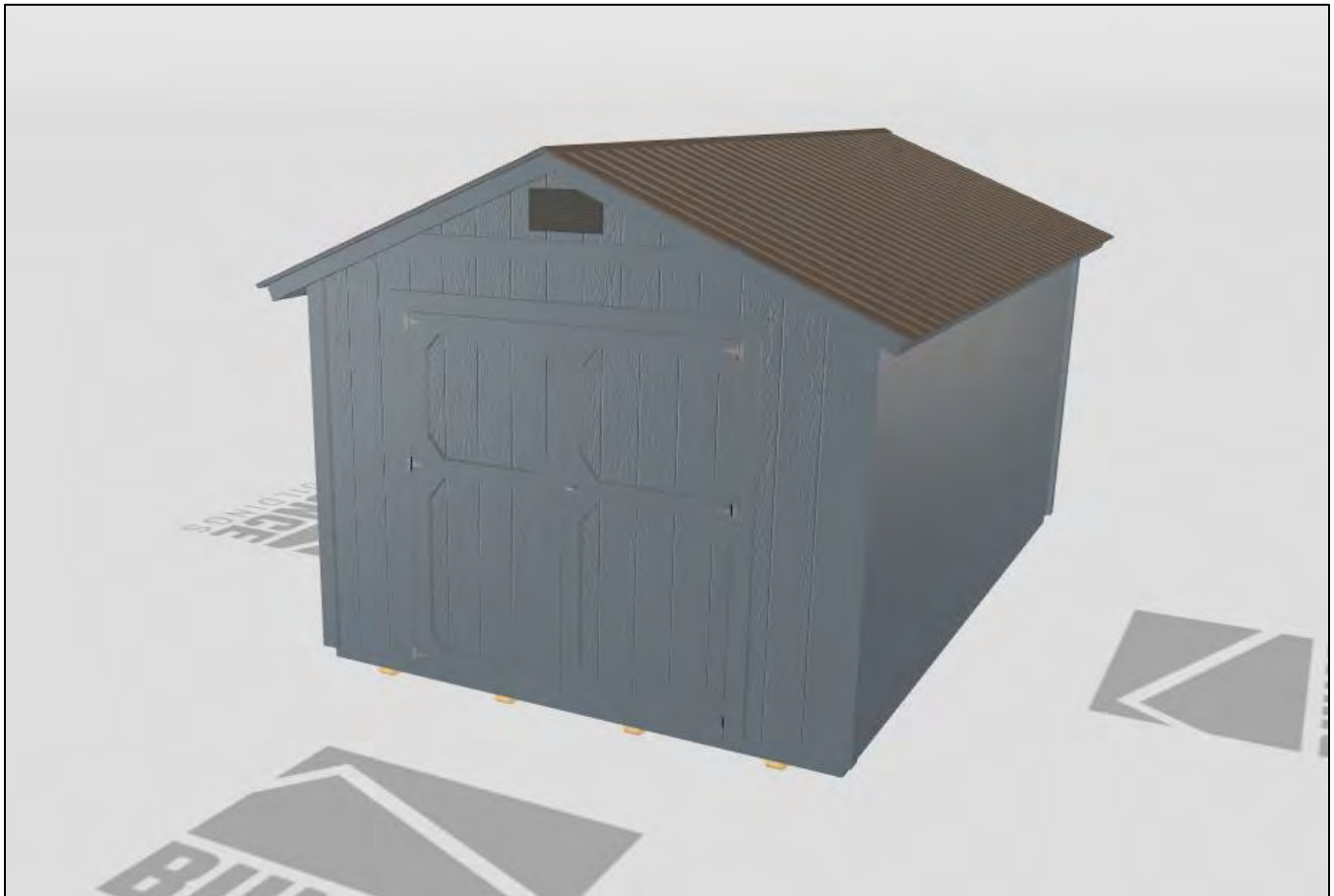
Photograph of Proposed Pre-Fabricated Shed

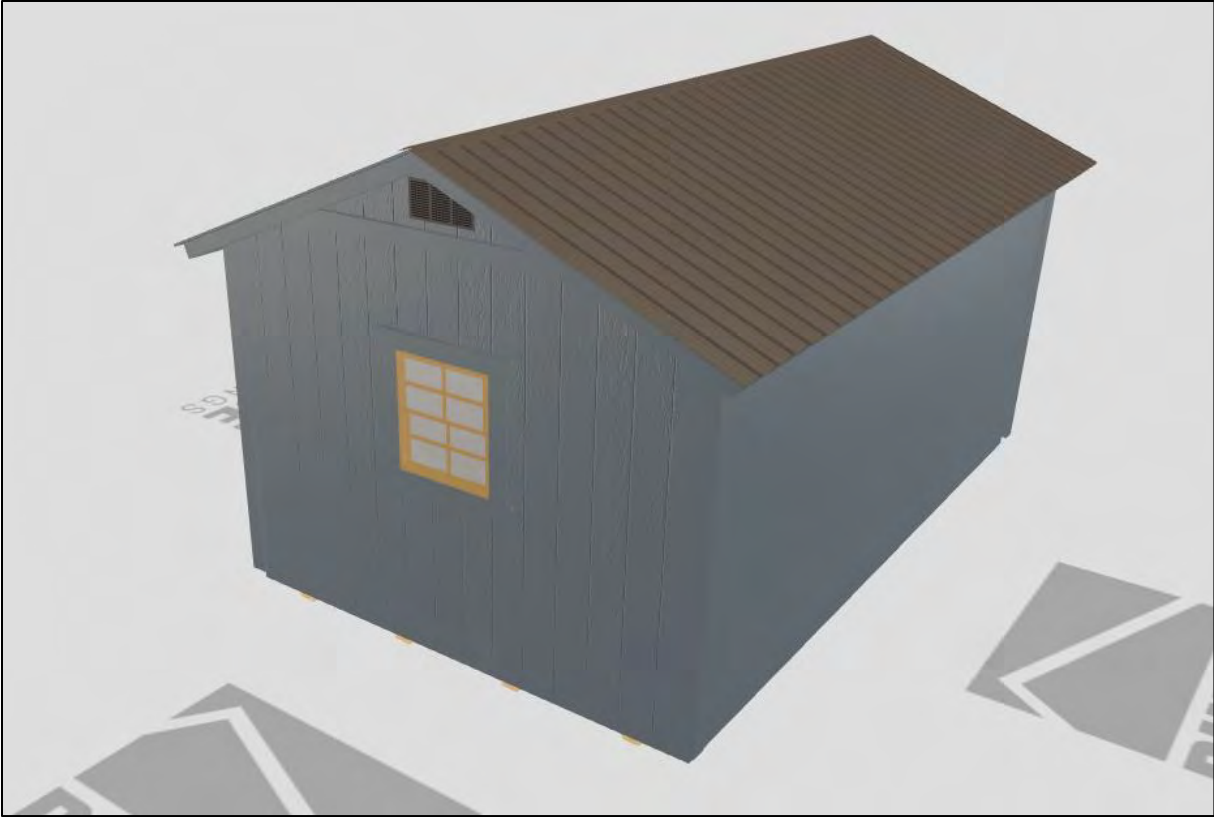
Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission with some general guidance and points for discussion. The HPC is not bound by this opinion.

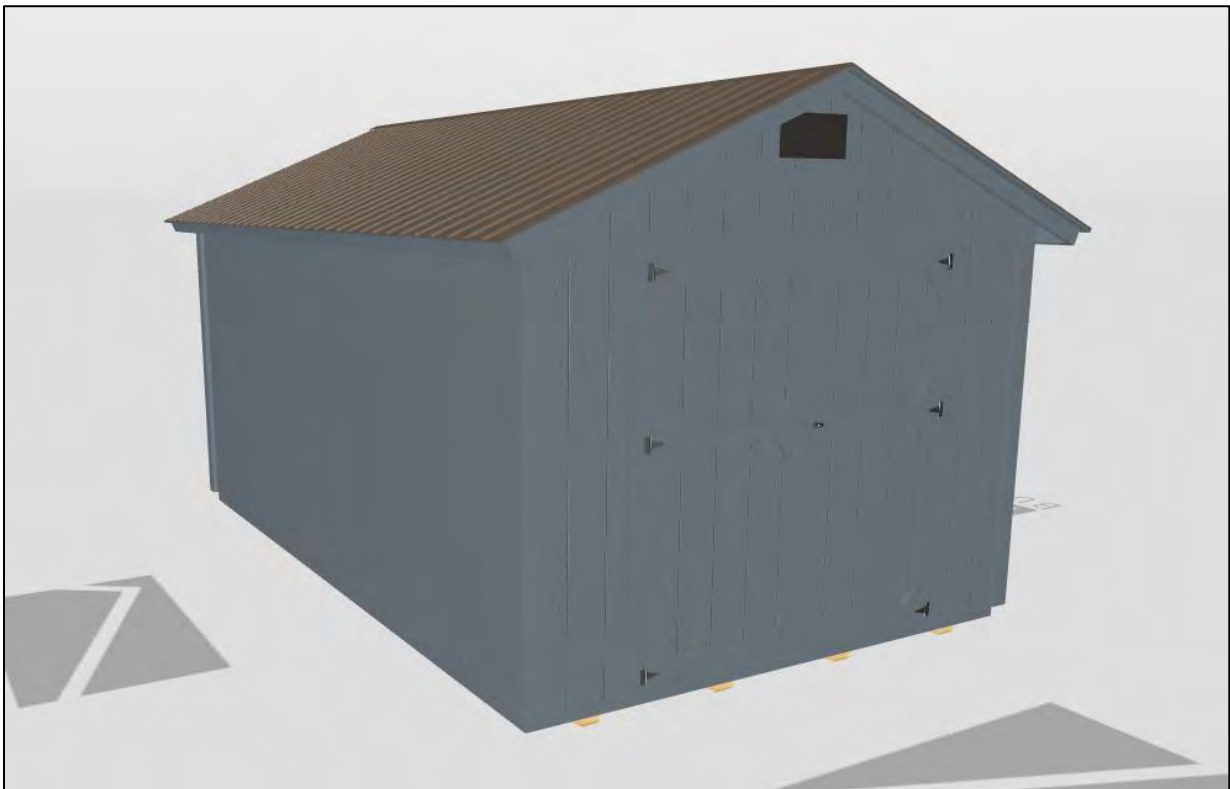
Background:

- The applicant proposes to install a 10'x16' (160 sq. ft.) detached accessory structure (storage shed) in the rear yard of the property at 409 5th Street. The proposed structure is a wood (wood or "LP SmartSide" engineered wood), A-frame (front-gabled roof), with metal roofing. The structure features one (1) small window on the rear elevation. The siding color is Chesapeake (a blue-gray color).
- A 3D rendering of the structure is shown below. (Made using the ShedView 3D Configurator at www.buncebuildings.com).
- The Commission should note that the proposed structure would be located in the side yard of the property. While side yard sheds are not typically supported (Standard 1.5.7), there are mitigating factors. Specifically, the subject property has unusual side and rear yard dimensions. The rear yard dimensions (the distance between the home and the rear property line) is only 20 feet. The side yard dimensions are 45'. The property has an unusually large side yard for properties in the historic district, and therefore locating a shed in the side yard may be appropriate given the unique site constraints.





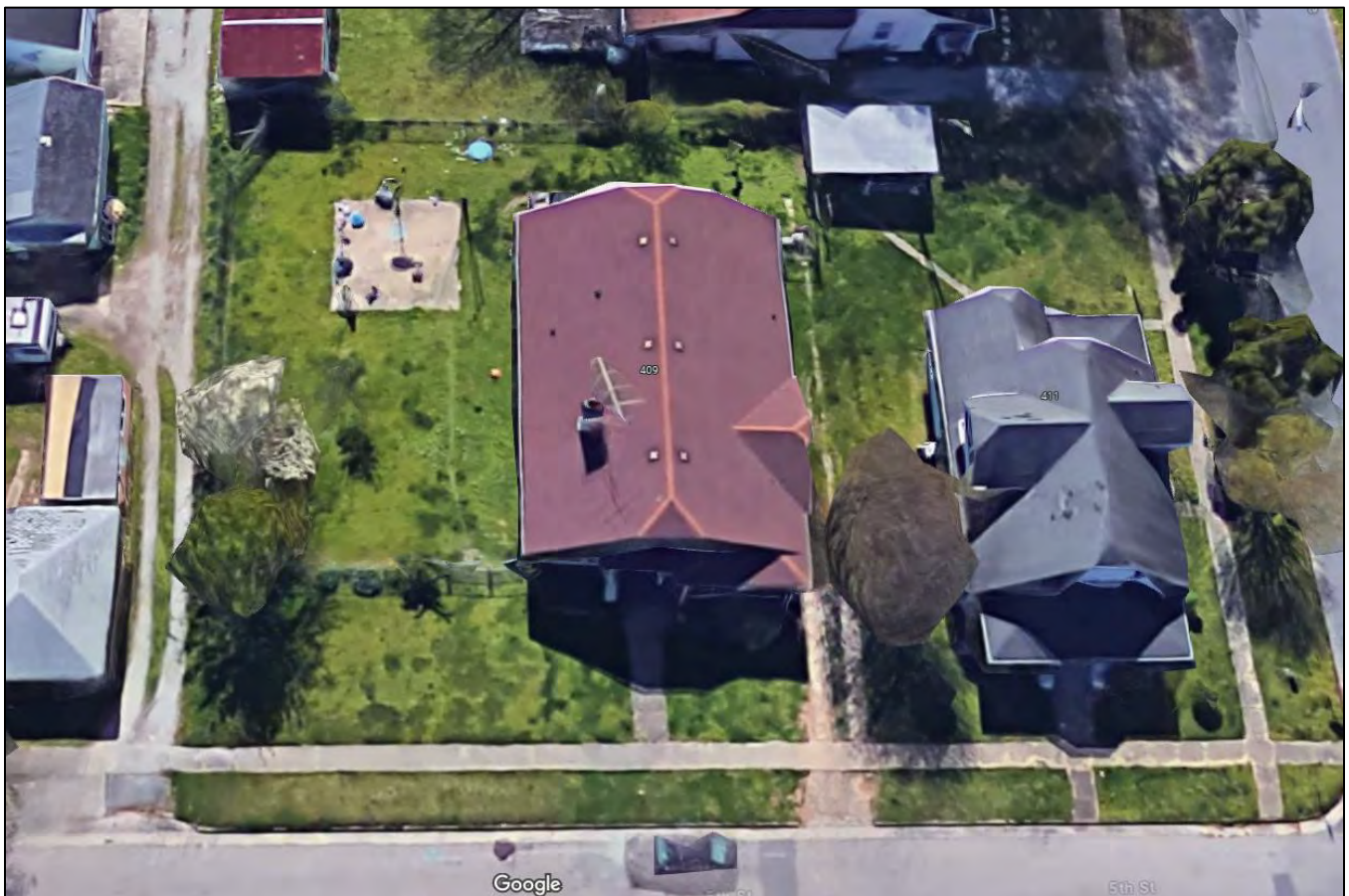
Rendering of Proposed Shed (Bunce Buildings ShedView 3D Configurator)





Google StreetView & Aerial 3D Imagery.

Note the large size of the side yard (45 feet) compared to the rear yard (less than 20 feet).



Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 1.5. Garages & Accessory Structures (pp. 15-16)

- Standard 1.5.1. New garages and accessory structures in the historic district require both a Certificate of Appropriateness (COA) as well as a zoning permit from the Town's Planning Department conforming to the requirements of the Spencer Development Ordinance.
- Standard 1.5.6. If a historic garage or accessory building is missing or so deteriorated that it is structurally unsound, replace it with a design based on accurate documentation or a new design compatible in form, scale, size, materials, and finish with the principal structure and other historic garages and accessory buildings in the district. Maintain the traditional height and proportion of garages and accessory buildings in the district. If demolition of a structurally unsound building is necessary, follow the standards for demolition.
- Standard 1.5.7. Locate and orient new garages and accessory buildings in locations compatible with the historic relationship of garages and accessory buildings to the main structure and the site in the district. It is not appropriate to locate garages or accessory buildings in front or side yards. Porte-cocheres in side yards may be reviewed on a case-by-case basis.
- Standard 1.5.8. Select materials and finishes for proposed garages or accessory buildings that are compatible with the principal structure or other historic garages and accessory buildings in the district in terms of composition, scale, module, pattern, detail, texture, finish, and color.
- Standard 1.5.10. It is appropriate to introduce a prefabricated accessory building if it is compatible in size, scale, form, height, proportion, materials, and details with historic accessory buildings in the district. Typically, prefabricated storage buildings are appropriate provided they have a shingle or standing-seam metal roof and are made of wood painted in a color that compliments the house. Select a structure that compliments the main structure in body and roof style. Storage buildings constructed of metal, vinyl, or plastic are not appropriate.
- Standard 1.5.11. It is not appropriate to introduce a new garage or accessory building if doing so will detract from the overall historic character of the principal building and the site or require removal of a significant building element or site feature, such as a mature tree.

Staff Suggested Findings:

FINDINGS OF FACT

Planning staff finds that the following proposal is **not incongruous** with the character of the District:

- Installation of rear yard storage shed.

...Because:

- 1) The proposed shed uses a design that is compatible in form, scale, size, materials, and finish with the principal structure and other historic accessory buildings in the district. Specifically, the proposed shed is a typical A-frame front-gabled structure, which are common throughout the district. The shed is typical in size and scale for detached sheds. The shed is made of wood or engineered wood having the appearance of wood, which is a predominant material in the district. Finally, the shed is painted “Chesapeake”, which is a blue-gray color, similar in color to the main body color of the principal structure (blue). The structure also maintains the traditional height and proportion of accessory buildings in the district. The shed is only 10’x16’, which is a relatively small shed. (Standard 1.5.6).
- 2) The proposed shed is located and orientated in a location compatible with the historic relationship of accessory buildings to the main structure and the site. The proposed shed is located in the side yard. While sheds are typically located further back into the rear yard of properties, behind the principal structure, there are mitigating factors in this case. Specifically, the subject property has unusual side and rear yard proportions. Specifically, the property only has approximately 20’ feet of rear yard behind the primary structure, whereas the side yard is approximately 45’. Therefore, placing the structure in the side yard is reasonable given the constraints of the site. (Standard 1.5.7).
- 3) The proposed shed uses materials and finishes that are compatible with the principal structure and historic accessory buildings in the district. Specifically, the proposed shed has wood (or engineered wood) siding and a metal roof. Both materials are common on accessory structures in the district. (Standard 1.5.8).
- 4) The proposed shed is a prefabricated accessory building that is compatible in size, scale, form, height, proportion, materials, and details with accessory buildings in the district. It features a standing-seam metal roof and is made of wood painted in a color that compliments the house. (Standard 1.5.10).

MOTION (TO APPROVE)

Staff Recommendation:

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission **approve** a COA for the proposal heretofore described at 409 5th Street (Tax Parcel ID # 033 347), located in the Spencer Local Historic District, **subject to the following conditions:**

- 1) New garages and accessory structures in the historic district require both a Certificate of Appropriateness (COA) as well as a Zoning Permit for Detached Accessory Structures from the Town's Planning Department conforming to the requirements of the Spencer Development Ordinance. Contact Steve Blount, Planning & Zoning Administrator, at 704-633-2231 ext. 28 or sblount@spencernc.gov.
- 2) Planning staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a Minor Work, prior to commencement of that portion of the project.

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)



November 17, 2023

NOTICE TO ADJACENT PROPERTY OWNER

**SPENCER HISTORIC PRESERVATION COMMISSION (HPC)
NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARING**

This Notice is to inform you that you own property within one-hundred and fifty (150) feet of a property which is the subject of a Certificate of Appropriateness (COA) application. The Spencer Historic Preservation Commission (HPC) has scheduled a public quasi-judicial evidentiary hearing for **Monday, December 4, 2023, at 6:00 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Commission to consider a Certificate of Appropriateness (COA) application for a project, described below, which is in the Spencer Historic District:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-025 – 409 5th Street – Judy Kinley (Owner/Applicant)
Rowan County Parcel ID: 033 347**

Proposed Project:

- Installation of rear yard storage shed.

All interested persons are invited to participate in the public hearing at Town Hall. Applicants and other individuals who participate in the evidentiary hearings at this meeting will be required to sign-up and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 12:00 P.M. on Monday, December 4, 2023. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov as soon as possible. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website at www.spencernc.gov/preservation or contact the Town Planner.



**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: December 4, 2023

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-026

APPLICANT: Susan Morris (Owner/Listed Owner on Rowan County GIS)
Diana Wallace (Applicant)

ADDRESS: 505 South Iredell Ave. (Spencer Local Historic District)

PARCEL ID: 033 345

PROJECT TYPE: *Installation of Rear Yard Storage Shed*

EXISTING LAND USE: Historic Residential

EXISTING ZONING: RMST (Residential Main Street Transition) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

COA-23-026 – 505 South Iredell Avenue – Susan Morris (Owner); Diana Wallace (Applicant)

Rowan County Parcel ID: 033 345

Proposed Project:

- Installation of rear yard storage shed.

Exhibits:

- A. Staff Photographs (Site Visit 11/28/2023)
- B. Applicant-Submitted Information

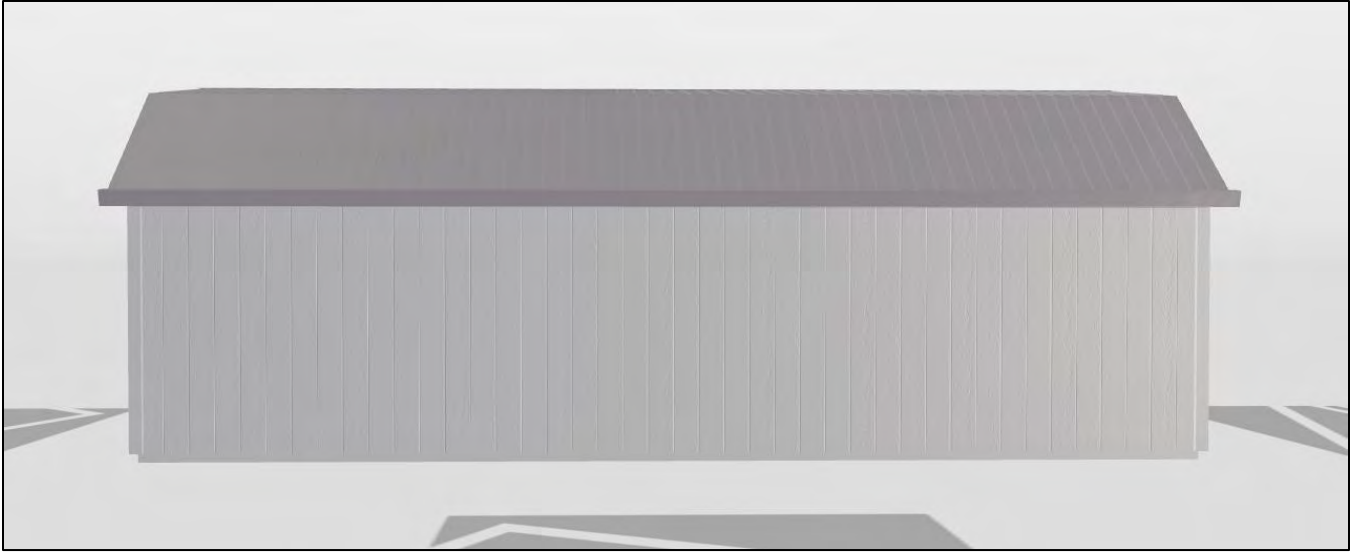
Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission with some general guidance and points for discussion. The HPC is not bound by this opinion.

Background:

- The applicant proposes to install a 12' x 28' (336 sq. ft.) detached accessory structure (storage shed) in the rear yard of the property at 505 South Iredell Ave. The proposed structure is a wood, Amish-style (gambrel roof), with metal roofing. The structure would feature one (1) double-door and two (2) windows. The siding color is proposed to be OB Grey. The (metal) roof color is proposed to be Old Town Gray.
- A 3D rendering of the structure is shown below. (Made using the ShedView 3D Configurator at www.buncebuildings.com). Note: the location of windows and doors may differ in the rendering from the actual structure; the building will feature one (1) double-door and two (2) windows, but the exact placement of the door and windows is TBD. The double-doors may be located on the long side of the structure instead of the short side. See p. 5 of this staff report for alternate renderings.
- The proposed shed would be located 4 feet from the side property line, and approx. 18 feet from the primary structure.
- Note: The applicant also proposed to (later) demolish an existing, deteriorated utility shed in the rear yard abutting the alley. See Staff Photographs (Exhibit A) for photographs of existing shed.



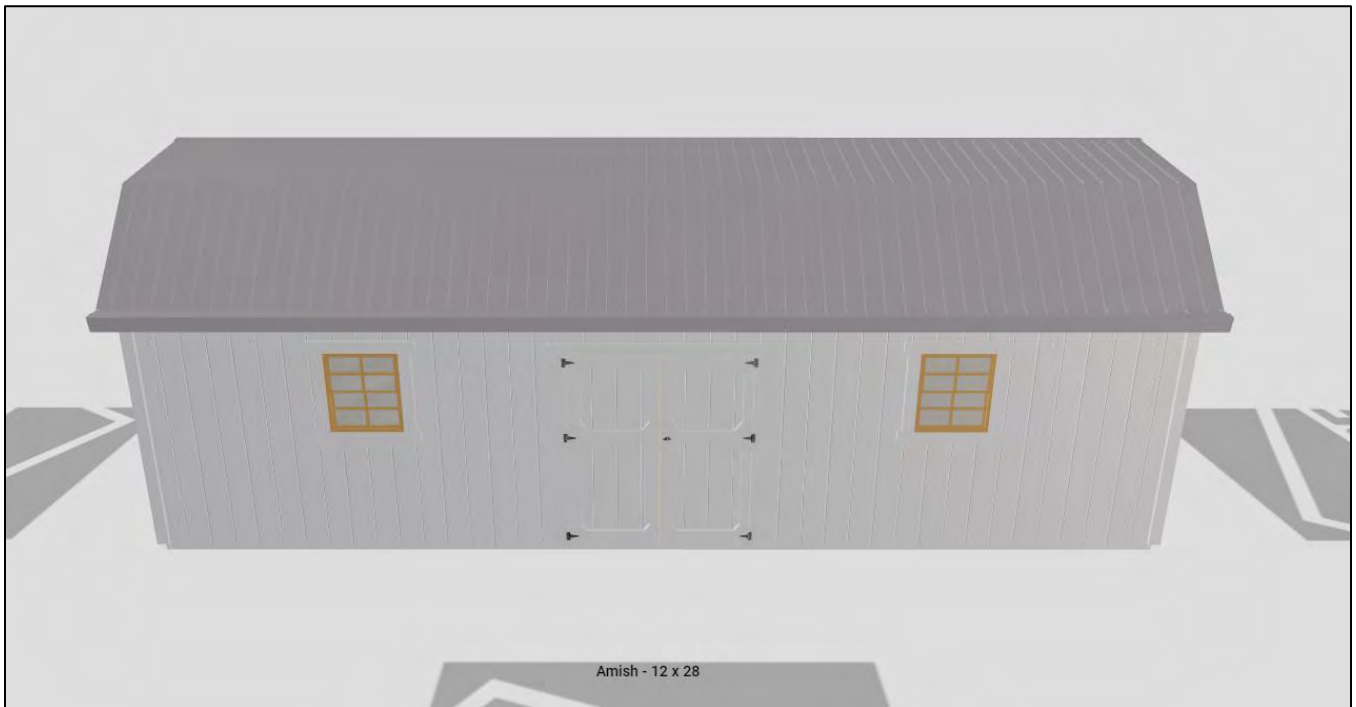


Rendering of Proposed Shed (Bunce Buildings ShedView 3D Configurator)





Alternate Window & Door Placement Options





Google StreetView (above)

Aerial 3D Imagery (below)





Shed proposed to be located where indicated (yellow) on the above Site Plan (Rowan County GIS).

Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 1.5. Garages & Accessory Structures (pp. 15-16)

- Standard 1.5.1. New garages and accessory structures in the historic district require both a Certificate of Appropriateness (COA) as well as a zoning permit from the Town's Planning Department conforming to the requirements of the Spencer Development Ordinance.
- Standard 1.5.6. If a historic garage or accessory building is missing or so deteriorated that it is structurally unsound, replace it with a design based on accurate documentation or a new design compatible in form, scale, size, materials, and finish with the principal structure and other historic garages and accessory buildings in the district. Maintain the traditional height and proportion of garages and accessory buildings in the district. If demolition of a structurally unsound building is necessary, follow the standards for demolition.
- Standard 1.5.7. Locate and orient new garages and accessory buildings in locations compatible with the historic relationship of garages and accessory buildings to the main structure and the site in the district. It is not appropriate to locate garages or accessory buildings in front or side yards. Porte-cocheres in side yards may be reviewed on a case-by-case basis.
- Standard 1.5.8. Select materials and finishes for proposed garages or accessory buildings that are compatible with the principal structure or other historic garages and accessory buildings in the district in terms of composition, scale, module, pattern, detail, texture, finish, and color.
- Standard 1.5.10. It is appropriate to introduce a prefabricated accessory building if it is compatible in size, scale, form, height, proportion, materials, and details with historic accessory buildings in the district. Typically, prefabricated storage buildings are appropriate provided they have a shingle or standing-seam metal roof and are made of wood painted in a color that compliments the house. Select a structure that compliments the main structure in body and roof style. Storage buildings constructed of metal, vinyl, or plastic are not appropriate.
- Standard 1.5.11. It is not appropriate to introduce a new garage or accessory building if doing so will detract from the overall historic character of the principal building and the site or require removal of a significant building element or site feature, such as a mature tree.

Staff Suggested Findings:

FINDINGS OF FACT

Planning staff finds that the following proposal is **not incongruous** with the character of the District:

- Installation of rear yard storage shed.

...Because:

- 1) The proposed shed uses a design that is compatible in form, scale, size, materials, and finish with the principal structure and other historic accessory buildings in the district. Specifically, the proposed shed is a gambrel-roof structure, which are found in the district. The shed is typical in size and scale for detached sheds. The shed is made of wood, which is a predominant material in the district. Finally, the shed siding and roof will be gray, complimenting the neutral light color scheme of the primary structure on the property. The structure also maintains the traditional height and proportion of accessory buildings in the district. (Standard 1.5.6).
- 2) The proposed shed is located and orientated in a location compatible with the historic relationship of accessory buildings to the main structure and the site. The proposed shed is located in the rear yard and is set-back from both the rear and side property lines. (Standard 1.5.7).
- 3) The proposed shed uses materials and finishes that are compatible with the principal structure and historic accessory buildings in the district. Specifically, the proposed shed has wood siding and a metal roof. Both materials are common on accessory structures in the district. (Standard 1.5.8).
- 4) The proposed shed is a prefabricated accessory building that is compatible in size, scale, form, height, proportion, materials, and details with accessory buildings in the district. It features a standing-seam metal roof and is made of wood painted in a color that compliments the house. (Standard 1.5.10).

MOTION (TO APPROVE)

Staff Recommendation:

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission **approve** a COA for the proposal heretofore described at 505 South Iredell Ave. (Tax Parcel ID # 033 345), located in the Spencer Local Historic District, **subject to the following conditions:**

- 1) New garages and accessory structures in the historic district require both a Certificate of Appropriateness (COA) as well as a Zoning Permit for Detached Accessory Structures from the Town's Planning Department conforming to the requirements of the Spencer Development Ordinance. Contact Steve Blount, Planning & Zoning Administrator, at 704-633-2231 ext. 28 or sblount@spencernc.gov.
- 2) Planning staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a Minor Work, prior to commencement of that portion of the project.

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)





Exhibit B: Applicant-Submitted Shed Specifications

Location: Salisbury

Print Date: Oct 23rd, 2023

Sales Person: Kelly Cannon

Quote ID: 6268

Phone: 704-637-3878

To Be Built

QUOTE

NAME: Diana Wallace (17326)

CO-BUYER:

MAILING ADDRESS: 505 S Iredell Ave,
Spencer, NC 28159

COUNTY: Rowan

PHONE 1: (704) 640-0718

PHONE 2:

EMAIL: dwallacewow@gmail.com

DELIVERY ADDRESS: 505 S Iredell Ave,
Spencer, NC 28159

DIRECTIONS TO SITE:

DELIVERY NOTES:

HOW TO LOAD DOORS:

CUSTOMER AVAILABILITY:

Info

Size: 12 X 28

Style: Amish

Type Siding: Wood

Trim Color: [No Color]

Windows: 2 - Med Bronze

Workbench: 1 - 12'

1/2 Lofts: 1 - 10'

Light: 3 - Light

Receptacle: 2 - GFR/S

Door Style: 1 - Double Wood Door

Color Wall: OB Grey

Type Roof: Metal

Color Roof: Old Town Gray - SR .42 S

Workbench: 1 - 8'

Lofts: 2 - 12'

Partition Wall: 1 - 8'

Receptacle: 2 - Rec

Door Style: 1 - Double Wood Door

Floor: 1 - 3/4" OSB

Notes:

Sale Amount:

\$11,874.00

Custom Discount:

\$-3,562.20

Sub-Total:

\$8,311.80

County Tax:

\$187.02

State Tax:

\$394.81

Total:

\$8,893.63



November 17, 2023

NOTICE TO ADJACENT PROPERTY OWNER

**SPENCER HISTORIC PRESERVATION COMMISSION (HPC)
NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARING**

This Notice is to inform you that you own property within one-hundred and fifty (150) feet of a property which is the subject of a Certificate of Appropriateness (COA) application. The Spencer Historic Preservation Commission (HPC) has scheduled a public quasi-judicial evidentiary hearing for **Monday, December 4, 2023, at 6:00 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Commission to consider a Certificate of Appropriateness (COA) application for a project, described below, which is in the Spencer Historic District:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-026 – 505 South Iredell Avenue – Susan Morris (Owner); Diana Wallace (Applicant)
Rowan County Parcel ID: 033 345**

Proposed Project:

- Installation of rear yard storage shed.

All interested persons are invited to participate in the public hearing at Town Hall. Applicants and other individuals who participate in the evidentiary hearings at this meeting will be required to sign-up and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 12:00 P.M. on Monday, December 4, 2023. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov as soon as possible. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website at www.spencernc.gov/preservation or contact the Town Planner.



**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: December 4, 2023

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-027

APPLICANT: James McCall & Kristin English (Owners/Applicants)

ADDRESS: 600 South Yadkin Ave. (Spencer Local Historic District)

PARCEL ID: 032 065

PROJECT TYPE: *Installation of Front & Side Yard Fence*

EXISTING LAND USE: Historic Residential

EXISTING ZONING: RMST (Residential Main Street Transition) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-027 – 600 South Yadkin Avenue – James McCall & Kristin English
(Owner/Applicant)**

Rowan County Parcel ID: 032 065

Proposed Project:

- Installation of new front and side yard 4-ft. wood and welded wire fence.

Exhibits:

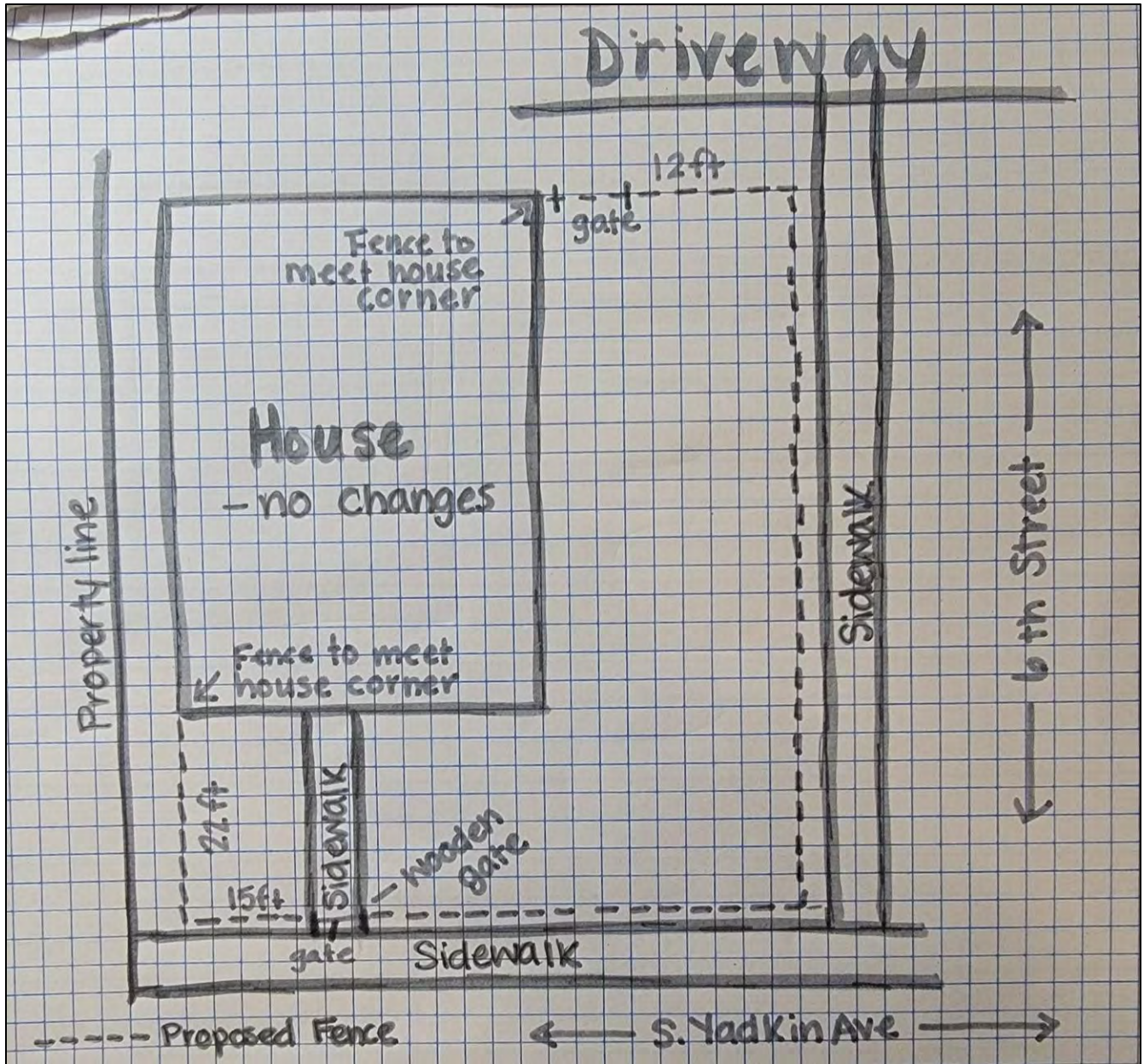
- A. Staff Photographs (Site Visit 11/28/2023)
- B. Applicant-Submitted Site Plan & Fence Specifications

Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission with some general guidance and points for discussion. The HPC is not bound by this opinion.

Background:

- The applicant proposes to install a new front and side yard 4-ft. (48-in.) H “wood and welded wire” fence, as depicted in the applicant-submitted Site Plan & Fence Specifications (Exhibit B). The proposed fence would fully enclose both the front and side yards of the property and would feature two (2) wooden gates at the front (sidewalk) entrance and rear (driveway) entrance. The fence would be oriented to meet the house at the front (left) corner and rear (right) corner, as depicted on the Site Plan (Exhibit B).
- The proposed wood and welded wire fence would be the first of its type in the district. The Commission should consider if the materials and design are compatible in terms of materials, height, design, and finish. See below:
 - o Materials: The Standards encourage “traditional materials” for fencing (Standard 1.3.9). The Standards also discourage “chain-link” fencing (Standard 1.3.16). While the wood and welded wire is not necessarily chain-link, the Commission should consider the appropriateness of the material.
 - o Height: The proposed fence would be 4-ft (48-in.). The Standards encourage to “keep the height of new fences...consistent with the height of traditional fences...in the district” (Standard 1.3.9). The Standards say that “new front yard fences should not exceed a maximum height of 36-inches above ground level” (Standard 1.3.10). The proposed fence is taller than the Standards recommend.
 - o Design: The Standards encourage new front yard fences to be “substantially open” in character (Standard 1.3.11). They should also follow property lines (Standard 1.3.14). The proposed fence appears to be “substantially open” insofar as the welded wire is transparent.
 - o Finish: The Standards encourage new front yard fences to be “stained or painted white or an [appropriate] color” (Standard 1.3.12).
- To staff's knowledge, there are no other examples of this type of fence in the historic district. The Commission should carefully consider the materials, height, design, and finish in determining the appropriateness of the proposed fence.



Applicant-Submitted Site Plan (Exhibit B)



Applicant-Submitted Representative Images of Fence Design





Applicant-Submitted Representative Images of Fence Design





Applicant-Submitted Sketch Showing Location of Fence (Red)

Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 1.3. Fences & Walls (pp. 12-13)

- Standard 1.3.1. New fences and walls in the historic district require both a Certificate of Appropriateness (COA) as well as a fence permit from the Town's Planning Department conforming to the requirements of the Spencer Development Ordinance.
- Standard 1.3.9. Introduce compatible new fences and walls constructed of traditional materials only in locations and configurations that are characteristic of the historic district. Keep the height of new fences and walls consistent with the height of traditional fences and walls in the district.
- Standard 1.3.10. New front yard fences should not exceed a maximum height of 36" above ground level, provided that decorative post caps may exceed 36" as appropriate.
- Standard 1.3.11. New front yard fences should be kept substantially open in character. It is not appropriate to introduce visually opaque solid fencing in front yards.
- Standard 1.3.12. New front yard fences should be stained or painted white or a color appropriate to the character of the district.
- Standard 1.3.13. New rear yard fences should not exceed a maximum height of 6'. For rear side yard fences, it is not appropriate for the 6' maximum height to extend forward beyond the rear corner of the house. The purpose of this standard is to prevent tall privacy fences from inappropriately obscuring architectural features or elements of the building. For rear yard fences on corner lots, the fence may be up to 6' in height but should be screened and/or softened with appropriate landscaping on the exterior public-facing side of the fence.
- Standard 1.3.14. Generally, construct new fences or walls to follow property lines and not to abut existing buildings.
- Standard 1.3.16. It is not appropriate to introduce chain-link fencing in the historic district. Whenever possible, screen existing chain link fences with vegetation, such as climbing vines, ivy, or shrubbery.

Staff Suggested Findings:

FINDINGS OF FACT

Planning staff finds that the following proposal is incongruous with the character of the District:

- Installation of new front and side yard 4-ft. wood and welded wire fence.

...Because:

- 1) The proposed fence is incompatible with the historic character of the district in terms of its materials (Standard 1.3.9). Specifically, the “wood and welded wire” material is not a traditional material found in the district (Standard 1.3.9), Welded wire is substantially similar to chain-link fencing, which is not appropriate in the district (Standard 1.3.16).
- 2) The proposed fence is incompatible with the historic character of the district in terms of its height (Standard 1.3.9). Specifically, the proposed 4-ft. (48-in) height is taller than the maximum height of 36-in. permissible in front yards (Standard 1.3.10).
- 3) The proposed fence is incompatible with the historic character of the district in terms of its overall non-traditional design (Standard 1.3.9). Fences in the historic district should use traditional materials and design, such as 36-in. open picket fences in front yards, painted white or a color appropriate to the house.

MOTION (TO DENY)

Staff Recommendation:

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission deny a COA for the proposal heretofore described at 600 South Yadkin Avenue (Tax Parcel ID # 032 065), located in the Spencer Local Historic District.

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit B – Applicant-Submitted Fencing Site Plan & Specifications

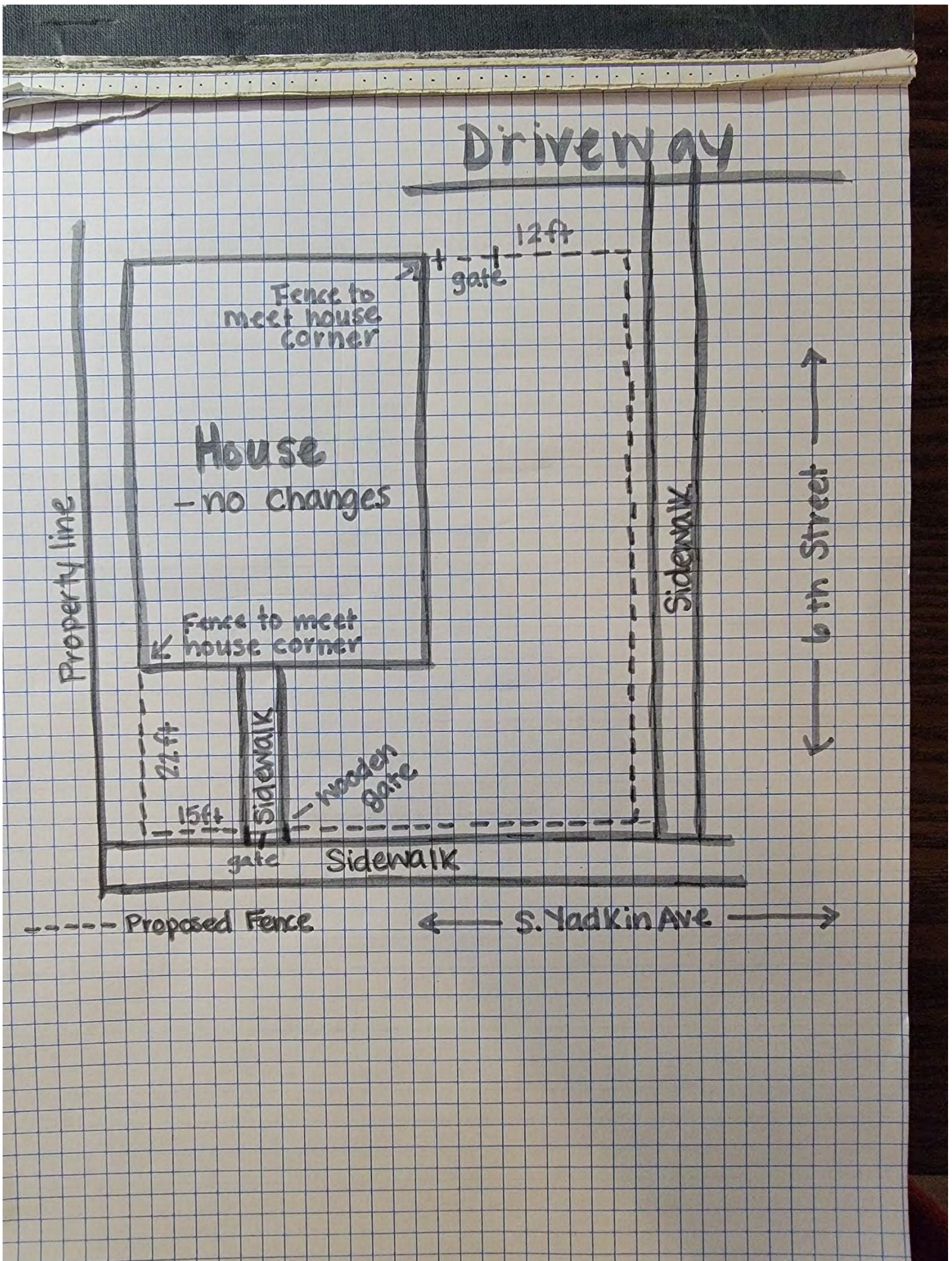


Exhibit B – Applicant-Submitted Fencing Site Plan & Specifications



Exhibit B – Applicant-Submitted Fencing Site Plan & Specifications



Exhibit B – Applicant-Submitted Fencing Site Plan & Specifications



Exhibit B – Applicant-Submitted Fencing Site Plan & Specifications



Exhibit B – Applicant-Submitted Fencing Site Plan & Specifications





November 17, 2023

NOTICE TO ADJACENT PROPERTY OWNER

**SPENCER HISTORIC PRESERVATION COMMISSION (HPC)
NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARING**

This Notice is to inform you that you own property within one-hundred and fifty (150) feet of a property which is the subject of a Certificate of Appropriateness (COA) application. The Spencer Historic Preservation Commission (HPC) has scheduled a public quasi-judicial evidentiary hearing for **Monday, December 4, 2023, at 6:00 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Commission to consider a Certificate of Appropriateness (COA) application for a project, described below, which is in the Spencer Historic District:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-027 – 600 South Yadkin Avenue – James McCall & Kristin English (Owner/Applicant)
Rowan County Parcel ID: 032 065**

Proposed Project:

- Installation of new front and side yard 4-ft. wood and welded wire fence.

All interested persons are invited to participate in the public hearing at Town Hall. Applicants and other individuals who participate in the evidentiary hearings at this meeting will be required to sign-up and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 12:00 P.M. on Monday, December 4, 2023. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov as soon as possible. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website at www.spencernc.gov/preservation or contact the Town Planner.



**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: December 4, 2023

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-030

APPLICANT: Curtis Allman, Allman Properties LLC (Owner/Applicant)

ADDRESS: 127 5th Street (Spencer Local Historic District)

PARCEL ID: 032 122

PROJECT TYPE: *Installation of Commercial Awnings*

EXISTING LAND USE: Commercial

EXISTING ZONING: MS (Main Street) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

COA-23-030 – 127 5th Street – Curtis Allman, Allman Properties LLC (Owner/Applicant)

Rowan County Parcel ID: 032 122

Proposed Project:

- Installation of new awnings on side façade to match existing awnings on front façade.

Exhibits:

A. Staff Photographs (Site Visit 11/28/2023)

Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission with some general guidance and points for discussion. The HPC is not bound by this opinion.

Background:

- The applicant proposes to construct and install new metal awnings over both upper and lower side doors of the building. The awnings will match the same material, color, type and style of the existing metal awnings already installed on the front and rear of the building.



Proposed Awnings to Match Front Awnings Exactly



Proposed Awnings to be Installed Over Both Upper and Lower Side Doors



Proposed Awnings to Match Rear Awnings

Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 2.9. Sustainability & Energy Retrofit (pp. 38-39)

- Standard 2.9.2. Increase the thermal efficiency of historic buildings by observing appropriate traditional practices, such as weather-stripping and caulking, and by introducing energy-efficient features, such as awnings, operable shutters, and storm windows and doors, where appropriate.
- Standard 2.9.7. If desired and where historically appropriate, install fabric awnings over window, door, storefront, or porch openings with care to ensure that historic features area not damaged or obscured. New awnings should be appropriately designed to fit the opening and compatible with the character of the property.

Staff Suggested Findings:

FINDINGS OF FACT

Planning staff finds that the following proposal is **not incongruous** with the character of the District:

- Installation of new awnings on side façade to match existing awnings on front façade.

...Because:

- 1) The proposed awnings will be installed in historically appropriate locations over existing door openings. They are appropriately designed and compatible with the character of the property in terms of their color (dark), material (standing-seam metal), type and style (shed-style). They will identically match the existing awnings on the front (storefront) and rear elevations of the building, which are also dark standing-seam metal shed-style awnings (Standard 2.9.7)

MOTION (TO APPROVE)

Staff Recommendation:

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission **approve** a COA for the proposal heretofore described at 127 5th Street (Tax Parcel ID # 032 122), located in the Spencer Local Historic District, **subject to the following conditions:**

- 1) The awnings shall be installed with care to ensure that historic features are not damaged or obscured (Standard 2.9.7).
- 2) Planning staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a Minor Work, prior to commencement of that portion of the project.

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)





November 17, 2023

NOTICE TO ADJACENT PROPERTY OWNER

**SPENCER HISTORIC PRESERVATION COMMISSION (HPC)
NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARING**

This Notice is to inform you that you own property within one-hundred and fifty (150) feet of a property which is the subject of a Certificate of Appropriateness (COA) application. The Spencer Historic Preservation Commission (HPC) has scheduled a public quasi-judicial evidentiary hearing for **Monday, December 4, 2023, at 6:00 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Commission to consider a Certificate of Appropriateness (COA) application for a project, described below, which is in the Spencer Historic District:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-030 – 127 5th Street – Curtis Allman, Allman Properties LLC (Owner/Applicant)
Rowan County Parcel ID: 032 122**

Proposed Project:

- Installation of new awnings on side façade to match existing awnings on front façade.

All interested persons are invited to participate in the public hearing at Town Hall. Applicants and other individuals who participate in the evidentiary hearings at this meeting will be required to sign-up and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 12:00 P.M. on Monday, December 4, 2023. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov as soon as possible. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website at www.spencernc.gov/preservation or contact the Town Planner.



**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: December 4, 2023

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-031

APPLICANT: Cyntra Lee (Applicant)
Cyntra Lee et al. (Owner(s))

ADDRESS: 707 3rd Street (Spencer Local Historic District)

PARCEL ID: 033 168

PROJECT TYPE: *Demolition of Deteriorated Shed*

EXISTING LAND USE: Historic Residential

EXISTING ZONING: RMST (Residential Main Street Transition) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

COA-23-031 – 707 3rd Street – Cyntra Lee, Cyntra Lee et al. (Owner/Applicant)

Rowan County Parcel ID: 033 168

Proposed Project:

- Demolition of deteriorated rear yard storage shed.

Exhibits:

- A. Staff Photographs (Site Visit September 2023)

Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission with some general guidance and points for discussion. The HPC is not bound by this opinion.

Summary:

- The applicant proposes to demolish a deteriorated rear yard storage shed. Based on a staff investigation of the shed, the structure does not appear to have any historical, architectural, or cultural value or significance. The structure features vinyl siding, vinyl windows, and a standing-seam metal roof. The overall construction does not appear to possess any architecturally or historically significant materials or elements, examples of skilled craftsmanship, etc.
- Staff recommends that the Commission should find that the structure has no special significance or value toward maintaining the character of the district. Staff also recommends that the Commission should waive all demolition delays and authorize immediate demolition.



Additional photographs are available in Exhibit A (Staff Photographs)

Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Chapter 4: Demolition & Relocation (pp. 56-59)

Pursuant to § NCGS 160D-949, an application for a Certificate of Appropriateness (COA) authorizing the relocation, demolition, or destruction of a designated landmark or a building, structure, or site within the historic district may not be denied, provided, however, that the effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval. The maximum period of delay shall be reduced by the preservation commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay.

The intent of the delay is to provide sufficient time to exhaust all possibilities of saving the building. During the delay period, the preservation commission shall negotiate with the owner and with any other parties in an effort to find a means of preserving the building or site. The HPC should also publicize that a significant building is threatened with demolition and that alternatives are sought.

If the preservation commission finds that a building or site within the district has no special significance or value toward maintaining the character of the district, it shall waive all or part of such period and authorize earlier demolition or removal.

If the preservation commission or planning board has voted to recommend designation of a property as a landmark or designation of an area as a historic district, and final designation has not been made by the governing board, the demolition or destruction of any building, site, or structure located on the property of the proposed landmark or in the proposed district may be delayed by the preservation commission or planning board for a period of up to 180 days or until the governing board takes final action on the designation, whichever occurs first.

An application for a Certificate of Appropriateness authorizing the demolition or destruction of a building, site, or structure determined by the State Historic Preservation Office as having statewide significance as defined in the criteria of the National Register of Historic places may be denied except where the preservation commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

Demolition of a structure in the historic district is an irreversible step and should be carefully deliberated. Once historic resources are destroyed, they can never be replaced. In considering demolition, the property owner and the HPC should give careful thought to the following questions:

- Could another site service the purpose equal well or better?
- Could the existing building be adapted to meet the owner's needs?
- Could the property be sold to someone willing to use the existing building?
- Could the existing building be moved to another site?

In reviewing a request to demolish a building in the district, the HPC also considers whether the proposed demolition will adversely affect other historic buildings in the district or the overall character of the district. The HPC discourages demolition when no subsequent use has been proposed for the site. When considering demolition of a historic building, the property owner should work closely with the commission in reviewing all alternatives.

Section 4.1. Demolition (p. 58)

1. Before demolition, work with the Town of Spencer and the Historic Preservation Commission to pursue all alternatives to demolition.
2. Before demolition, make a permanent record of the structure. The record shall consist of high-quality, color, physical and digital photographs and other documents such as measured drawings and detailed written descriptions conveying the architectural character and specific features of the building. The HPC determines on a case-by-case basis the precise documentation of a specific building that is required and the person who is responsible for producing such documentation. The documentation must be submitted for review by the HPC before the demolition. The record is retained by the Town of Spencer.
3. Before demolition, work with the HPC and other interested parties to salvage usable architectural materials and features. The removal of all salvageable building materials before demolition is encouraged, and may be required depending on the significance of the building.
4. Before demolition, submit a site plan to the commission illustrating proposed site development, plantings, and/or landscaping to be completed following demolition.
5. During demolition, ensure the safety of any adjacent properties and historic resources. Also, during and after demolition, protect trees on the site from damage due to compaction of the soil by equipment or materials.
6. It is appropriate to implement a tree protection plan prior to the commencement of the demolition activities.
7. After demolition, clear the site promptly and thoroughly.
8. After demolition, plant or develop the site promptly as approved in the proposed site plan. Plant the site or appropriately maintain it until it is reused. If the site is to remain vacant for any period of time, it should be improved to reflect an appearance consistent with other open areas in the district. At minimum, the site should be graded and seeded with grass and maintained appropriately.

Staff Suggested Findings:

FINDINGS OF FACT

Planning staff finds that the following proposal is **not incongruous** with the character of the District:

- Demolition of deteriorated rear yard storage shed.

...Because:

- 1) The Commission finds that the structure has no special significance or value toward maintaining the character of the district, and that the structure may be demolished immediately (Historic District Standards, Chapter 4: Demolition & Relocation, pp. 56-59). The Commission waives all demolition delays.
- 2) The Commission also finds that it is appropriate to waive all other demolition standards (Section 4.1. Demolition, p. 58), except for Standards 4.1.5, 4.1.7, and 4.1.8.

MOTION (TO APPROVE)

Staff Recommendation:

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission **approve** a COA for the proposal heretofore described at 707 3rd Street (Tax Parcel ID # 033 168), located in the Spencer Local Historic District, **subject to the following conditions:**

- 1) During demolition, ensure the safety of any adjacent properties and historic resources. Also, during and after demolition, protect trees on the site from damage due to compaction of the soil by equipment or materials (Standard 4.1.5).
- 2) After demolition, clear the site promptly and thoroughly (Standard 4.1.7).
- 3) After demolition, plant the site or appropriately maintain it until it is reused. The site should be improved to reflect an appearance consistent with other open areas in the district. At minimum, the site should be graded and seeded with grass and maintained appropriately (Standard 4.1.8).

Exhibit A: Staff Photographs (Site Visit September 2023)

Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A: Staff Photographs (Site Visit September 2023)

Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A: Staff Photographs (Site Visit September 2023)

Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A: Staff Photographs (Site Visit September 2023)

Exhibit A: Staff Photographs (Site Visit September 2023)

Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A: Staff Photographs (Site Visit September 2023)

Exhibit A – Staff Photographs (Site Visit September 2023)



Exhibit A – Staff Photographs (Site Visit September 2023)





November 17, 2023

NOTICE TO ADJACENT PROPERTY OWNER

**SPENCER HISTORIC PRESERVATION COMMISSION (HPC)
NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARING**

This Notice is to inform you that you own property within one-hundred and fifty (150) feet of a property which is the subject of a Certificate of Appropriateness (COA) application. The Spencer Historic Preservation Commission (HPC) has scheduled a public quasi-judicial evidentiary hearing for **Monday, December 4, 2023, at 6:00 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Commission to consider a Certificate of Appropriateness (COA) application for a project, described below, which is in the Spencer Historic District:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-031 – 707 3rd Street – Cyntra Lee, Cyntra Lee et al. (Owner/Applicant)
Rowan County Parcel ID: 033 168**

Proposed Project:

- Demolition of deteriorated rear yard storage shed.

All interested persons are invited to participate in the public hearing at Town Hall. Applicants and other individuals who participate in the evidentiary hearings at this meeting will be required to sign-up and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 12:00 P.M. on Monday, December 4, 2023. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov as soon as possible. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website at www.spencernc.gov/preservation or contact the Town Planner.



**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: December 4, 2023

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-032

APPLICANT: Jay Biggins, OCEANS 52 LLC (Owner)
Francisco Madrid (Applicant)

ADDRESS: 310 South Salisbury Ave. (Spencer Local Historic District)

PARCEL ID: 032 146

PROJECT TYPE: *Installation of Commercial Awnings & Repainting Facade*

EXISTING LAND USE: Commercial

EXISTING ZONING: MS (Main Street) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

COA-23-032 – 310 South Salisbury Avenue – Jay Biggins, OCEANS 52 LLC (Owner);

Francisco Madrid (Applicant); Rowan County Parcel ID: 033 146

Proposed Project:

- Installation of new storefront awnings (metal).
- Paint previously-unpainted front brick façade.

Exhibits:

- A. Staff Photographs (Site Visit 11/28/2023)

NOTE: As of the time of publishing this staff report, the applicant has not provided specific product specifications for the proposed awning(s) or paint color for the front façade.

Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission with some general guidance and points for discussion. The HPC is not bound by this opinion.

Project Summary:

- The applicant proposes to install new metal storefront awnings (**awning product selection and specifications not yet provided**). The Commission should ensure that the proposed awnings meet Standard 2.9.7: "If desired and where historically appropriate, install fabric awnings over window, door, storefront, or porch openings with care to ensure that historic features area not damaged or obscured. New awnings should be appropriately designed to fit the opening and compatible with the character of the property." (Note: Although the Standards encourage fabric awnings, standing-seam metal shed-style awnings are also found in the district.)
- The applicant also proposes to paint the previously-unpainted front brick façade. The Standards are clear that it is not appropriate to paint previously-unpainted brick (Standard 2.4.5, Standard 2.4.9, Standard 2.2.2, and Standard 2.2.10), and staff recommends denial of this request.



The proposal would install metal awnings across all three (3) storefronts.

Each storefront would feature two (2) awnings flanking the entrances.



Existing Storefronts at 310 South Salisbury Ave.





An Example of Metal Awnings in Downtown Spencer (127 5th Street)



Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 2.9. Sustainability & Energy Retrofit (pp. 38-39)

- Standard 2.9.7. If desired and where historically appropriate, install fabric awnings over window, door, storefront, or porch openings with care to ensure that historic features area not damaged or obscured. New awnings should be appropriately designed to fit the opening and compatible with the character of the property.

Section 2.4. Paint & Paint Color (p. 29)

- Standard 2.4.5. It is not appropriate to paint brick, stone, copper, bronze, concrete, or cement block surfaces that were historically unpainted.
- Standard 2.4.9. It is not appropriate to apply paint or other coatings to unpainted foundations or to unpainted wall materials that were historically not coated.

Section 2.2. Masonry (pp. 25-26)

- Standard 2.2.2. Protect and maintain historic masonry materials, such as brick, terra-cotta, limestone, granite, stucco, slate, concrete, cement block, and clay tile, and their distinctive construction features, including bond patterns, corbels, water tables, and historically painted and unpainted surfaces.
- Standard 2.2.10. Repaint previously painted masonry surfaces in colors that are appropriate to the historic material, building, and district. It is not appropriate to paint unpainted masonry surfaces that were not painted historically.

Staff Suggested Findings:

FINDINGS OF FACT

Planning staff finds that the following proposal is **not incongruous** with the character of the District:

- Installation of new storefront awnings (metal).

...Because:

- 1) The proposed awnings will be installed in historically appropriate locations over storefront window openings. They are appropriately designed and compatible with the character of the property in terms of their color, material (standing-seam metal), type and style (shed-style). (Standard 2.9.7)

Provided, however, that Planning staff finds that the following proposal is incongruous with the character of the District: “Paint previously-unpainted front brick façade”. Because: The Standards are clear that it is not appropriate to paint previously-unpainted brick walls or surfaces that were historically not painted or coated (Standard 2.4.5, Standard 2.4.9, and Standard 2.2.10). The Standards require that historically unpainted surfaces should be protected and maintained, especially to protect distinctive construction features such as brick bond patterns (Standard 2.2.2).

MOTION (TO APPROVE AS AMENDED)

Staff Recommendation:

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission **approve (as amended)** a COA for the proposal heretofore described at 310 South Salisbury Ave. (Tax Parcel ID # 032 146), located in the Spencer Local Historic District, **subject to the following conditions:**

- 1) The awnings shall be installed with care to ensure that historic features are not damaged or obscured (Standard 2.9.7).
- 2) The proposal to paint the previously-unpainted front brick façade is **denied** and is **not** included in this permit. The applicant **shall not** paint any previously-unpainted brick walls or surfaces (Standard 2.4.5, Standard 2.4.9, and Standard 2.2.10).
- 3) Planning staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a Minor Work, prior to commencement of that portion of the project.

Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A – Staff Photographs (Site Visit 11/28/2023)



Exhibit A: Staff Photographs (Site Visit 11/28/2023)

Exhibit A – Staff Photographs (Site Visit 11/28/2023)





UPDATED NOTICE

This notice updates and revises a previous notice concerning Certificate of Appropriateness (COA) Application # COA-23-032 – 310 S. Salisbury Ave. This notice supersedes the previous notice.

November 17, 2023

NOTICE TO ADJACENT PROPERTY OWNER

SPENCER HISTORIC PRESERVATION COMMISSION (HPC) NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARING

This Notice is to inform you that you own property within one-hundred and fifty (150) feet of a property which is the subject of a Certificate of Appropriateness (COA) application. The Spencer Historic Preservation Commission (HPC) has scheduled a public quasi-judicial evidentiary hearing for **Monday, December 4, 2023, at 6:00 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Commission to consider a Certificate of Appropriateness (COA) application for a project, described below, which is in the Spencer Historic District:

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-032 – 310 South Salisbury Avenue – Jay Biggins, OCEANS 52 LLC (Owner);
Francisco Madrid (Applicant); Rowan County Parcel ID: 033 146**

Proposed Project:

- Construction of rear covered “loading dock” canopy/shelter structure.
- **(Added) Installation of new storefront awnings (metal).**
- **(Added) Paint previously-unpainted front brick façade.**

All interested persons are invited to participate in the public hearing at Town Hall. Applicants and other individuals who participate in the evidentiary hearings at this meeting will be required to sign-up and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 12:00 P.M. on Monday, December 4, 2023. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov as soon as possible. Additional information will also be posted on the Town’s website (www.spencernc.gov).

To review Spencer’s Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town’s website at www.spencernc.gov/preservation or contact the Town Planner.



**Planning & Zoning Administration:
Certificate of Appropriateness (COA) Staff Report**

HEARING DATE: December 4, 2023

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-23-024

APPLICANT: Let There Be Light Renovations LLC (Owner)
Juan Arias (Applicant)

ADDRESS: 305 South Iredell Avenue (Spencer Local Historic District)

PARCEL ID: 033 312

PROJECT TYPE: *Major Rehabilitation*
AFTER-THE-FACT COA IN REMEDIATION OF VIOLATION

EXISTING LAND USE: Historic Residential

EXISTING ZONING: RMST (Residential Main Street Transition) | Corporate Limits

REPORT PREPARED BY: Kyle Harris, Town Planner

Per Town Code Sec. 32.43, no exterior portion of any building or other structure located in Spencer's Historic District shall be erected, altered, restored, moved, or demolished until after an application for a Certificate of Appropriateness (COA) has been submitted to and approved by the Historic Preservation Commission.

Applicant Proposal:

AFTER-THE-FACT COA IN REMEDIATION OF VIOLATION

This is an after-the-fact COA permit application. This means that a project was carried out without approved permits in violation of Town of Spencer Code of Ordinances Chapter(s) 32.43 "Certificate of Appropriateness Required". The Town of Spencer is authorized to enforce code requirements including levying civil penalties and seeking a court order from Rowan County requiring the owner to correct the violation. See also: SDO Sec. 23.7-4, continuing violations and penalties; see also SDO Article 23, procedures for cumulative violations, repeat violations, demand for payment, nonpayment, state law remedies, revocation of permits, stop work orders, and injunctions.

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

COA-23-028 – 305 South Iredell Avenue – Let There Be Light Renovations LLC (Owner);

Juan Arias (Applicant); Rowan County Parcel ID: 033 312

Proposed Project:

- Major Rehabilitation. Including, but not limited to, removing and replacing windows, demolition and reconstruction of deteriorated structural components, including reconstruction of rear façade/rear room(s), and appurtenant exterior changes.

Exhibits:

- A. Staff Photographs (Preliminary Site Investigation 11/6/2023)
- B. Staff Photographs (Site Visit 11/28/2023)
- C. Notice of Violation Letter

STAFF RECOMMENDATION FOR AFTER-THE-FACT COA:

Staff recommends that the Commission should direct staff to coordinate with the Town of Spencer Police Department & Code Enforcement Office on levying from the property owner a reasonable and appropriate civil penalty for the following reason: the project was carried out without approved permits in violation of Town of Spencer Code of Ordinances Chapter(s) 32.43 "Certificate of Appropriateness Required". The Town of Spencer is authorized to enforce code requirements including levying civil penalties. See also: SDO Sec. 23.7-4, continuing violations and penalties; see also SDO Article 23, procedures for cumulative violations, repeat violations, demand for payment, nonpayment, state law remedies, revocation of permits, stop work orders, and injunctions.

Staff Discussion:

The commentary below represents the staff's opinion and is offered to provide the Commission with some general guidance and points for discussion. The HPC is not bound by this opinion.

Background:

- On Monday, November 6, staff received a tip that non-compliant work was being performed at 305 South Iredell Avenue. Staff conducted a site visit on the same day and observed un-permitted work taking place (Exhibit A – Preliminary Site Investigation). Specifically, staff observed the following:
 - o All (or most) of the windows had been replaced with vinyl “stock” windows that appeared to be smaller than the original windows. (“Reliabl Premium Vinyl Windows”)
 - o Original window openings had been resized and reframed to fit the new smaller windows;
 - o A large portion of the rear of the structure was demolished. Brick chimney also demolished.
- Staff drafted and issued a Notice of Violation (NOV) (Exhibit C) to the property owner (Juan Arias):

LET THERE BE LIGHT RENOVATIONS LLC
306 VILLA ST
ROCKY MOUNT, NC 27804-5853

November 8, 2023

This letter is to inform you that the structure and/or property located at **305 South Iredell Avenue, Spencer NC 28159 (Rowan County Parcel ID # 033 312)** is in violation of the Town of Spencer Code of Ordinances Chapter(s): **32.43 CERTIFICATE OF APPROPRIATENESS REQUIRED**. On 11/7/2023 the Town of Spencer Planner/Historic Preservation Commission Liaison observed the following violation(s):

The following work was carried out without an approved Certificate of Appropriateness (COA) permit: **EXTERIOR CHANGES INCLUDING BUT NOT LIMITED TO THE FOLLOWING: REMOVING/REPLACING WINDOWS, DEMOLITION AND ALTERATION OF REAR FACADE. PERMIT REQUIRED.**

Staff photographs of the exterior changes that are in violation of the Town Code are attached as **EXHIBIT A**. To review the specific sections of the Town Code and/or the Spencer Development Ordinance (SDO) of which you are in violation, visit the Town’s website at www.spencernc.gov.

As the owner of the property, **you or an authorized agent have until Monday, November 20, 2023**, to correct the violation, or the Town will take further steps to enforce the requirements of the Spencer Code of Ordinances, which may include levying civil penalties and seeking a court order from Rowan County requiring you to correct the violation. If the Town determines that any of the violations constitute a public nuisance, the Town may also summarily abate the nuisance and bill you for the cost of abatement pursuant to the Spencer Code of Ordinances.

To correct the violation, you must do the following by 11/20/2023: **You must halt all un-permitted work (STOP WORK ORDER) and submit a Certificate of Appropriateness (COA) permit application to the Town Planner at kharris@spencernc.gov or 704-633-2231 ext. 20 at Spencer Town Hall, 460 South Salisbury Ave., Spencer NC 28159. NO FURTHER EXTERIOR CHANGES ARE PERMITTED UNLESS AND UNTIL A PERMIT HAS BEEN SUBMITTED AND APPROVED.**

- The Notice of Violation required the property owner to halt all un-permitted work and submit a COA permit application to the Town Planner. “No further exterior changes are permitted unless and until a permit has been submitted and approved”. The Notice set a deadline of Monday, November 20, 2023, to submit the permit application. A permitted application was not submitted by deadline.
- On November 28, staff re-visited the property to take additional staff photographs (Exhibit B). Staff observed that further exterior work had been completed in repeat violation of the Notice of Violation. Staff observed the following:
 - o Where the rear of the structure had been demolished, a new or reconstructed rear addition had been constructed.
 - o Compare Exhibit A & Exhibit B to review the un-permitted work performed between November 6 and November 28.

After-the-Fact Proposal:

The Scope of Work includes all the following:

- Replace all existing windows with new one-over-one (1-over-1) vinyl windows.
- Reframe and resize all existing window openings to fit smaller vinyl windows.
- Build new (or reconstruct deteriorated) rear addition.
- Demolish brick chimney.

Here are some questions that the Commission should consider, and some suggested questions for the applicant that may be necessary to ask during the hearing:

- o Is there any plan to remove or replace any front porch elements such as ceiling, columns, railing?
- o Is there any plan to cover or replace any of the original wood soffit or fascia?
- o Is there any plan to paint any existing previously-unpainted brick?
- o What type of siding is proposed for the rear addition? Will it match the size, dimensions, and appearance of the horizontal clapboard siding across the rest of the house?
- o How will the rear addition windows be framed?
- o Are there any other planned exterior changes not included in this application that need to be discussed and reviewed at this time?



The home as it appeared in June, 2023, before work was started. (Google StreetView)



Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 2.1. Wood (pp. 23-24)

- Standard 2.1.1. Retain and preserve wooden features that contribute to the overall historic character of a building and a site, including such functional and decorative elements as siding, shingles, cornices, architraves, brackets, pediments, columns, balustrades, and architectural trim.
- Standard 2.1.4. If replacement of a deteriorated detail or element of a historic wooden feature is necessary, replace only the deteriorated detail or element in kind rather than the entire feature. Match the original detail or element in design, dimension, and material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.1.5. If replacement of an entire historic wooden feature is necessary, replace it in kind, matching the original in design, dimension, detail, material, and texture. Consider compatible substitute materials only if using the original material is not technically feasible.

Section 2.2. Masonry (pp. 25-26)

- Standard 2.2.1. Retain and preserve masonry features that contribute to the overall historic character of a building and a site, including walls, foundations, roofing materials, chimneys, cornices, quoins, steps, buttresses, piers, columns, lintels, arches, and sills.

Section 2.5. Roofs (pp. 30-31)

- Standard 2.5.1. Retain and preserve roofs and roof forms that contribute to the overall historic character of a building, including their functional and decorative features, such as roofing materials, cresting, dormers, chimneys, cupolas, and cornices.
- Standard 2.5.4. If replacement of a partially deteriorated historic roof feature is necessary, replace only the deteriorated portion in kind to match the original feature in design, dimension, detail, color, and material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.5.5. If full replacement of a deteriorated historic roofing material or feature is necessary, replace it in kind, matching the original in scale, detail, pattern, design, material, color, and detail such as ridge and hip caps. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.5.7. When an entire roof area must be replaced, contemporary substitute materials that closely imitate historic roofing materials appropriate to the structure, and that have demonstrated a record of quality and durability, may be used. The physical properties of the new roof area should closely match or compliment other roofed areas on the building. When a Certificate of Appropriateness is being sought for the use of synthetic materials, the applicant should include with the application a sample of the new material as well as the existing material that is being replaced.

Section 2.6. Exterior Walls, Trim & Foundations (pp. 32-33)

- Standard 2.6.5. If replacement of a deteriorated detail or element of a historic exterior wall is necessary, replace only the deteriorated portion in kind rather than the entire feature. Match the original in design, dimension, detail, texture, pattern, color, and material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.6.6. If replacement of an entire historic exterior wall or feature is necessary because of deterioration, replace it in kind, matching the original in design, dimension, detail, texture, color, and material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.6.7. If a historic exterior wall or feature is completely missing, replace it with a new wall or feature based on accurate documentation of the original or a new design compatible with the historic character of the building and the district.
- Standard 2.6.9. It is not appropriate to remove or cover any material or detail associated with historic exterior walls, including decorative shingles, panels, brackets, bargeboards, and corner boards, unless an accurate restoration requires it.

Section 2.7. Windows & Doors (pp. 34-35)

- Standard 2.7.1. Retain and preserve windows that contribute to the overall historic character of a building, including their functional and decorative features, such as frames, sashes, muntins, sills, heads, moldings, surrounds, hardware, shutters, and blinds.
- Standard 2.7.2. Retain and preserve doors that contribute to the overall historic character of a building, including their functional and decorative features, such as frames, glazing, panels, sidelights, fanlights, surrounds, thresholds, and hardware.
- Standard 2.7.4. Repair historic windows and doors and their distinctive features through recognized preservation methods for patching, consolidating, splicing, and reinforcing.
- Standard 2.7.5. If replacement of a deteriorated historic window or door feature or detail is necessary, replace only the deteriorated feature in kind rather than the entire unit. Match the original in design, dimension, material, and quality of material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.7.6. If a historic window or door unit is deteriorated beyond repair, replace the unit in kind, matching the design and the dimension of the original sash or panels, pane configuration, architectural trim, detailing, and materials. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.7.7. If a historic window or door is completely missing, replace it with a new unit based on accurate documentation of the original or a new design compatible with the original opening and the historic character of the building.
- Standard 2.7.11. It is not appropriate to remove original doors, windows, shutters, blinds, hardware, and trim from a character-defining façade.
- Standard 2.7.12. It is not appropriate to remove any detail or material associated with windows and doors, such as stained glass, beveled glass, textured glass, or tracery, unless an accurate restoration requires it.

- Standard 2.7.16. It is not appropriate to replace windows or doors with stock items that do not fill the original openings or duplicate the unit in size, material, and design.
- Standard 2.7.18. If an original window has previously been replaced with a non-wooden window, it is appropriate to replace the existing window with a new non-wooden window, if the proposed window is appropriate in size, scale, proportion, pane or panel division, method of operation, and detail with the style of the building.

Section 2.8. Entrances, Porches, & Balconies (pp. 36-37)

- Standard 2.8.1. Retain and preserve entrances, porches, and balconies that contribute to the overall historic character of a building, including such functional and decorative elements as columns, pilasters, piers, entablatures, balustrades, sidelights, fanlights, transoms, steps, railings, floors, ceilings, brackets, soffits, and trim.
- Standard 2.8.4. If replacement of a deteriorated historic detail or element of an entrance, porch, or balcony feature is necessary, replace only the deteriorated detail or element in kind rather than the entire feature. Match the original in design, dimension, and material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.8.5. If replacement of an entire historic entrance, porch, or balcony feature is necessary because of deterioration, replace it in kind, matching the original in design, dimension, detail, texture, and material. Consider compatible substitute materials only if using the original material is not technically feasible.
- Standard 2.8.6. If a historic feature or an entire entrance, porch, or balcony is missing, replace it with a new feature based on accurate documentation of the original or a new design compatible with the historic character of the building and the district.

Section 3.2. Residential Additions (pp. 46-48)

- Standard 3.2.1. Design additions to be compatible with the existing historic building. The new work should be differentiated and discernible from the original while maintaining compatibility in terms of architectural style, massing, form, scale, height, orientation, setbacks, directional expression, roof forms, foundation, fenestration, materials, colors, and relationship of solids to voids in the exterior walls. Where applicable, conform to the design standards found in Section 3.1 when designing new additions.
- Standard 3.2.2. Avoid duplicating the form, material, style, and detail of the historic building so closely that the integrity of the original building is lost or compromised. Either reference design motifs from the historic building or introduce a contemporary design that is compatible with the historic building.
- Standard 3.2.3. Design additions so that the placement, configuration, materials, and overall proportion of windows and doors are compatible with those of the historic building. Select exterior surface materials and architectural details that are compatible with the existing building in terms of composition, module, texture, pattern, and detail.
- Standard 3.2.4. Limit the size and scale of the addition in relationship to the historic building so that it does not diminish or visually overpower the building.

- Standard 3.2.5. Attempt to locate the addition on the rear elevation so that it is as inconspicuous as possible and is minimally visible from the street.
- Standard 3.2.6. Construct additions, if feasible, to be structurally self-supporting to reduce any damage to the historic building. Sensitively attach them to the historic building so that the loss of historic materials and details is minimized. Attempt to attach new additions to existing buildings in such a manner that, if the addition were to be removed in the future, the essential form and integrity of the building would be unimpaired.
- Standard 3.2.7. Design the roof form to be compatible with the historic building and consistent with contributing roof forms in the historic district. Maintain the existing roof pitch. Roof lines for new additions should be secondary to those of the existing structure. Typically, the original roof as visible from the public right-of-way should not be raised.
- Standard 3.2.8. Design the foundation height and the eave lines of additions generally to align with those of the historic building.
- Standard 3.2.9. Design additions so that the overall character of the site, site topography, character-defining site features, trees, and significant district vistas and views are retained.
 - o It is recommended to evaluate in advance and limit any disturbance to the site's terrain during construction to minimize the possibility of destroying unknown archaeological resources.
 - o Protect large trees and other significant site features from immediate damage during construction and from delayed damage due to construction activities, such as loss of root area or compaction of the soil by equipment. It is especially critical to avoid compaction of the soil within the critical root zone.
 - o It is recommended to implement a tree protection plan prior to the commencement of construction activities.
- Standard 3.2.10. It is not appropriate to construct an addition if it will detract from the overall historic character of the principal building and the site, or if it will require the removal of a significant building element or site feature.
- Standard 3.2.11. It is not appropriate to construct an addition that significantly changes the proportion of original built mass to open space on the individual site.
- Standard 3.2.12. It is not appropriate to construct an addition if the overall proportion of built mass to open space on its site will significantly vary from the surrounding buildings and sites that contribute to the special character of the historic district.
- Standard 3.2.13. For a single-family use, no more than 50% of the rear yard should be of impermeable material including additions to original buildings, paving, decks, patios, pools, and accessory buildings.

Staff Suggested Findings:

FINDINGS OF FACT

Planning staff finds that the following proposal is **not incongruous** with the character of the District:

- TBD

...Because:

- 1) TBD

Provided, however, that the following proposal is **incongruous** with the character of the District:

- TBD

...Because:

- 1) TBD

MOTION (TBD)

Staff Recommendation:

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, planning staff recommends that the Commission **TBD** a COA for the proposal heretofore described at 305 South Iredell Avenue (Tax Parcel ID # 033 312), located in the Spencer Local Historic District, **subject to the following conditions:**

- 1) The Commission directs staff to coordinate with the Town of Spencer Police Department & Code Enforcement Office on levying from the property owner a reasonable and appropriate civil penalty for the following reason: the project was carried out without approved permits in violation of Town of Spencer Code of Ordinances Chapter(s) 32.43 "Certificate of Appropriateness Required". The Town of Spencer is authorized to enforce code requirements including levying civil penalties. See also: SDO Sec. 23.7-4, continuing violations and penalties; see also SDO Article 23, procedures for cumulative violations, repeat violations, demand for payment, nonpayment, state law remedies, revocation of permits, stop work orders, and injunctions.

- 2) TBD

Exhibit A: Staff Photographs (Preliminary Site Investigation 11/6/2023)

Exhibit A – Staff Photographs (Preliminary Site Investigation 11/6/2023)



Exhibit A – Staff Photographs (Preliminary Site Investigation 11/6/2023)



Exhibit A – Staff Photographs (Preliminary Site Investigation 11/6/2023)



Exhibit A – Staff Photographs (Preliminary Site Investigation 11/6/2023)



Exhibit A: Staff Photographs (Preliminary Site Investigation 11/6/2023)

Exhibit A – Staff Photographs (Preliminary Site Investigation 11/6/2023)



Exhibit A – Staff Photographs (Preliminary Site Investigation 11/6/2023)



Exhibit A – Staff Photographs (Preliminary Site Investigation 11/6/2023)



Exhibit A – Staff Photographs (Preliminary Site Investigation 11/6/2023)



Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B: Staff Photographs (Site Visit 11/28/2023)

Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



Exhibit B – Staff Photographs (Site Visit 11/28/2023)



NOTICE OF VIOLATION & STOP WORK ORDER

LET THERE BE LIGHT RENOVATIONS LLC
306 VILLA ST
ROCKY MOUNT, NC 27804-5853

November 8, 2023

This letter is to inform you that the structure and/or property located at **305 South Iredell Avenue, Spencer NC 28159 (Rowan County Parcel ID # 033 312)** is in violation of the Town of Spencer Code of Ordinances Chapter(s): **32.43 CERTIFICATE OF APPROPRIATENESS REQUIRED**. On 11/7/2023 the Town of Spencer Planner/Historic Preservation Commission Liaison observed the following violation(s):

The following work was carried out without an approved Certificate of Appropriateness (COA) permit: **EXTERIOR CHANGES INCLUDING BUT NOT LIMITED TO THE FOLLOWING: REMOVING/REPLACING WINDOWS, DEMOLITION AND ALTERATION OF REAR FACADE. PERMIT REQUIRED.**

Staff photographs of the exterior changes that are in violation of the Town Code are attached as **EXHIBIT A**. To review the specific sections of the Town Code and/or the Spencer Development Ordinance (SDO) of which you are in violation, visit the Town's website at www.spencernc.gov.

As the owner of the property, **you or an authorized agent have until Monday, November 20, 2023**, to correct the violation, or the Town will take further steps to enforce the requirements of the Spencer Code of Ordinances, which may include levying civil penalties and seeking a court order from Rowan County requiring you to correct the violation. If the Town determines that any of the violations constitute a public nuisance, the Town may also summarily abate the nuisance and bill you for the cost of abatement pursuant to the Spencer Code of Ordinances.

To correct the violation, you must do the following by 11/20/2023: **You must halt all un-permitted work (STOP WORK ORDER) and submit a Certificate of Appropriateness (COA) permit application to the Town Planner at kharris@spencernc.gov or 704-633-2231 ext. 20 at Spencer Town Hall, 460 South Salisbury Ave., Spencer NC 28159. NO FURTHER EXTERIOR CHANGES ARE PERMITTED UNLESS AND UNTIL A PERMIT HAS BEEN SUBMITTED AND APPROVED.**

Please carefully note the following:

- Per Town Code Sec. 32.43 CERTIFICATE OF APPROPRIATENESS REQUIRED, “no exterior portion of any building or other structure...shall be...altered [or] restored...within the historic district until after an application for a Certificate of Appropriateness as to exterior features has been submitted to and approved by the Commission... ‘exterior features’ shall include the architectural style, general design, and general arrangement of the exterior of a building or other structure, including the kind and texture of the building material, the size and scale of the building, and the type and style of all windows, doors, light fixtures, signs and other appurtenant features”.
- Per Town Code Sec. 32.51. ENFORCEMENT AND REMEDIES: “Compliance with the terms of the Certificate of Appropriateness shall be enforced by the Zoning Administrator. Failure to comply with the Certificate shall be a violation of the zoning ordinance and is punishable according to the established procedures and penalties for such violations”.
- Per North Carolina General Statute §160D-404 ENFORCEMENT, “If a building or structure is...altered...in violation of this Chapter or of any development regulation or other regulation made under this Chapter, the local government, in addition to other remedies, may institute any appropriate action or proceedings to prevent the unlawful...alteration; to restrain, correct or abate the violation”.
- Article 23 (ADMINISTRATION AND ENFORCEMENT) of the Spencer Development Ordinance (SDO) establishes additional enforcement procedures, including a schedule of penalties. Per SDO Sec. 23.7-4, continuing violations could subject you to daily civil penalties for each day that a violation is not corrected. SDO Article 23 also establishes procedures for cumulative violations, repeat violations, demand for payment, nonpayment, state law remedies, revocation of permits, stop work orders, and injunctions. The Town retains the right to utilize any of these remedies, as may be deemed appropriate.

If you have any questions, please do not hesitate to call me at (704) 633-2231 EXT: #20 or email me at kharris@spencernc.gov.

Thomas Kyle Harris

Kyle Harris
Planner (Historic Preservation Commission Liaison)
Town of Spencer

EXHIBIT A: STAFF PHOTOGRAPHS OF EXTERIOR CHANGES IN VIOLATION OF CODE

BEGIN EXHIBIT A:















END EXHIBIT A



November 17, 2023

NOTICE TO ADJACENT PROPERTY OWNER

**SPENCER HISTORIC PRESERVATION COMMISSION (HPC)
NOTICE OF PUBLIC MEETING & EVIDENTIARY HEARING**

This Notice is to inform you that you own property within one-hundred and fifty (150) feet of a property which is the subject of a Certificate of Appropriateness (COA) application. The Spencer Historic Preservation Commission (HPC) has scheduled a public quasi-judicial evidentiary hearing for **Monday, December 4, 2023, at 6:00 P.M.** The meeting will be held at Spencer Town Hall located at 460 South Salisbury Avenue, Spencer NC 28159. The purpose of this meeting is for the Commission to consider a Certificate of Appropriateness (COA) application for a project, described below, which is in the Spencer Historic District:

AFTER-THE-FACT COA IN REMEDIATION OF VIOLATION

This is an after-the-fact COA permit application. This means that a project was carried out without approved permits in violation of Town of Spencer Code of Ordinances Chapter(s) 32.43 "Certificate of Appropriateness Required". The Town of Spencer is authorized to enforce code requirements including levying civil penalties and seeking a court order from Rowan County requiring the owner to correct the violation. See also: SDO Sec. 23.7-4, continuing violations and penalties; see also SDO Article 23, procedures for cumulative violations, repeat violations, demand for payment, nonpayment, state law remedies, revocation of permits, stop work orders, and injunctions.

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-23-028 – 305 South Iredell Avenue – Let There Be Light Renovations LLC (Owner);
Juan Arias (Applicant); Rowan County Parcel ID: 033 312**

Proposed Project:

- Major Rehabilitation. Including, but not limited to, removing and replacing windows, demolition and reconstruction of deteriorated structural components, including reconstruction of rear façade/rear room(s), and appurtenant exterior changes.

All interested persons are invited to participate in the public hearing at Town Hall. Applicants and other individuals who participate in the evidentiary hearings at this meeting will be required to sign-up and provide copies of all documents, exhibits, and any other materials they wish to present at the hearing, no later than 12:00 P.M. on Monday, December 4, 2023. If you have any questions about participating in this meeting, please contact Kyle Harris, Town Planner, at (704) 633-2231 ext. 20 or kharris@spencernc.gov as soon as possible. Additional information will also be posted on the Town's website (www.spencernc.gov).

To review Spencer's Historic District Standards and to find more information about the local historic district review and permitting process, please visit the Town's website at www.spencernc.gov/preservation or contact the Town Planner.