

**Spencer Historic Preservation Commission
Regular Meeting Agenda
Monday, August 19, 2024, 7:00 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 (**3** Regular Business)]
- Approval of Minutes & Agenda
 - Adoption of Minutes for May 20 & June 17 Meetings.
 - Adoption of Agenda for August 19, 2024, Regular Meeting.

New Business:

1. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-24-011– 409 South Spencer Avenue – TLC of Spencer, LLC (Owner/Applicant);
Caroline Greene (Owner/Applicant); Rowan County Parcel ID: 033 236**

Proposed Project:

- Replace existing wood tongue-and-groove (T&G) porch floor with synthetic porch floor replacement materials.

2. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-24-012– 310 South Salisbury Avenue – OCEANS 52 LLC (Owner);
Francisco Madrid (Applicant); Rowan County Parcel ID: 032 146**

Proposed Project:

- Pave rear off-street parking area; install new solid wood privacy fence at rear of property enclosing a new chain link security fence, not to exceed height of privacy fence.

3. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-24-013– 460 South Salisbury Avenue – Town of Spencer (Owner/Applicant);
Skye Allan (Authorized Agent) Rowan County Parcel ID: 032 194**

Proposed Project:

- Installation of new public mural on 5th Street side façade of Town Hall building.

4. Board to Review Concept Designs for New Historic District Street-Sign Toppers.

5. Board to Review Concept Designs for New COA Notice Yard Signs.

Meeting Agenda & Instructions for Remote Zoom Participation

- **Public Comment**
 - **Comments from Staff**
 - **Comments from Board Members**
 - **Announcements**
 - Next meeting is Monday, September 16, 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=QjlyL1dma0hMSFVMMnnpnYWdVMmZ3UT09>

Or call 301 715 8592

Meeting ID: 872 3260 9059, Passcode: 226177

One tap mobile

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Monday, May 20, 2024, 7:00 P.M.

- The meeting was called to order at 7:00 PM by Leslie Ann Talbott, Chair.
- Leslie Ann Talbott led the Pledge of Allegiance and a moment of silence.
- Board members present were Leslie Ann Talbott, Robert Bish, Josh James, John Haddock. Nancy Boyd was absent. Office staff, Kyle Harris, Planner and Office Assistant, Allison Myers were also present.
- On a motion by Josh James and second by John Haddock, all approved, the current agenda was adopted with no changes.
- Leslie Ann Talbot read the mission statement of The Historic Preservation Committee.
- Overview of process of meeting given by Leslie Ann Talbot

Leslie Ann Talbot recused herself from the board on the first case **COA-24-002– 500 South Carolina Avenue**) (because she held a conversation with the contractor during installation on a site fact and finding visit. She also has a personal relationship with the owners.)

All other board members had no conflicts of interest prior to tonight's meeting.

Motion to recuse by Bob Bish, 2nd by John Haddock, all approved. Josh James will be chair for this specific case.

Kyle Harris swearing in gave presentation for COA 24-002, 500 S. Carolina Ave. Spencer, NC.

1. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

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: Code of Ordinances Chapter 35 (Civil Citations).

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COA-24-002– 500 South Carolina Avenue – Sarah & Roger-Paul Sorkin (owner/applicant)
Rowan County Parcel ID: 033 348

Proposed Project:

- Replace existing pressed tin metal shingle roof with new standing seam metal panel roof.

2. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

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: Code of Ordinances Chapter 35 (Civil Citations).

Kyle Harris provided facts and findings for the case for after the fact roof replacement.

Swearing in of witness, Roger Sorkin, owner, 500 S. Carolina Ave., gave testimony for the reason roof was replaced.

2nd witness, Eric Langille, 185 Hackett St. Spencer, gave testimony in support of homeowner.

Roger Sorkin, applicant and Eric Langille, witness was asked for their qualifications by John Haddock.

Bob Bish asked questions about the state of house at purchase time and if homeowner was aware of property in historic district.

Witness stated name Lady Sara Parish, 500 Carolina Ave. homeowner,

Spoke in support of application; name stated as Robert Oswell, 506 S. Carolina Ave.

Spoke in support of application; name stated as Mark Angel 880 Bridgeport Concord NC.

Spoke in support of application; name stated as Lady Sara Parish Sorkin, 500 S. Carolina

No more information from staff or applicants

Board open to discussion among themselves.

Kyle review facts and findings

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Motion to approve facts & findings. Bob Bish motion, Josh James 2nd, John Haddock, opposed.

Motion to approve COA 500 S. Carolina Ave. Motion Bob Bish, 2nd Josh James, opposed John Haddock. Motion carries.

After the fact fees \$250.

Motion by Bob Bish for Leslie Ann Talbot to come back to the board, 2nd John Haddock, all approved for next case.

5-minute break taken before the next case.

2. MAJOR WORK # COA-24-003: 607 3RD STREET

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: Code of Ordinances Chapter 35 (Civil Citations).

Applicant; Yetta Taylor Bailey

CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

COA-24-003– 607 3rd Street – BAILEYS NEXTLEVEL LLC & MENDOZA APARICIO HOLDINGS LLC;

Rowan County Parcel ID: 033 275

Proposed Project:

- Replacement of original wood 4-over-1 authentic divided lite (ADL) grid windows with 6-over-6 grilles-between-the-glass (GBG) grid vinyl replacement windows.

Leslie Talbot asked if any one on the board has had exposure of info to the case, no one has.

Swearing in of Kyle Harris Planner, applicant and witness.

Kyle Harris gave staff presentation.

Kyle submitted suggested findings & facts.

Testimony from Yetta Taylor Bailey, 607 3rd St. and submitted a letter into evidence to Klye from John Overby, closing attorney.

Testimony given by Gary Russell, 608 3rd St. in support of applicant.

No one else to speak in support or opposition.

Board asked questions of applicant.

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Board Discussion and open discussion of facts & findings.

Motion to adopt facts & findings Josh James, 2nd John Haddock, all approve.

Motion to adopt facts & findings by Josh James, 2nd John Haddock, all approve.

Motion to approve application by Josh James, 2nd Bob Bish, all in favor.

Motion to adjourn by John Haddock, 2nd by Josh James, all approved.

Meeting adjourned at 10:50 pm.

DRAFT



Monday, June 17, 2024, 7:00 P.M.

- The meeting was called to order at 7:00 PM by Leslie Ann Talbott, Chair.
- Leslie Ann Talbott led a moment of silence and the Pledge of Allegiance.
- Board members present were Leslie Ann Talbott, Josh James, John Haddock, and Nancy Boyd. Office staff, Kyle Harris, Planner and Office Assistant, Allison Myers were also present. Robert Bish, was absent.
- On a motion by Josh James and second by Nancy Boyd, all approved the current agenda with one modification to move first order of business (COA-24-005-408 S. Salisbury Ave.) to last with Kyle Harris, planner presenting the case and speaking on behalf of the applicant, Melissa Schneider, who was not able to be present.
- Adoption of minutes from the March and April 2024 minutes were approved with a motion by Josh James and 2nd by John Haddock, all approved.
- Leslie Ann Talbot read the mission statement of The Historic Preservation Committee.

New Business

1. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

COA-24-006– 601 South Carolina Avenue – Gregory & Evelyn Bernard (Owner/Applicant)

Rowan County Parcel ID: 032 013

Proposed Project:

Expansion of existing paved (concrete) off-street (side street) parking area. Driveway width not to exceed 24 ft.

Swearing in of Kyle Harris and Gregory Bernard.

Kyle Harris made a presentation of the proposed driveway expansion and submitted it into evidence.

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Gregory Bernard, owner, 601 S. Carolina Ave. gave testimony as to why paving was needed. Board asked questions. Kathryn Sweeny 212 N Salisbury Ave. Spencer, NC sworn in to ask a question about proposed driveway expansion.

Open discussion of fact and findings conducted.

Leslie Ann Talbot closed public hearing.

FINDINGS OF FACT

The Commission finds that the following proposal is **not incongruous** with the character of the District:

Expansion of existing paved (concrete) off-street (side street) parking area by approximately 30% of existing. Driveway width not to exceed 24 ft.

...Because:

- 1) The proposed parking pad is compatible in location, patterns, spacing, width, configuration, dimensions, traditional materials, and color of existing off-street parking areas in the district (Standard 1.2.7). The proposed parking pad is located in the rear yard of this corner lot and connects unobtrusively to the side street. The width of the driveway does not exceed the maximum width of 24' per the Town's development ordinance. The material will be matching paved concrete.
- 2) The proposed parking pad substantially retains the original balance of paved to unpaved area of the property (Standard 1.2.11). The proposal would only expand the existing off-street paved parking area by approximately 30%.
- 3) The rear yard features an existing 6 ft. wood privacy fence. The proposed expanded parking area will be satisfactorily screened and buffered by the existing privacy fencing (Standard 1.2.14).

J. James made a motion to approve the above Findings of Fact, **N. Boyd** seconded. The motion was supported by 4 members (J. James, J. Haddock, L. Talbott, and N. Boyd). The motion was opposed by 0. The motion was approved unanimously. Vote tally: **4-0. Approved.** MAJOR WORK # COA-24-006: 601 SOUTH CAROLINA AVENUE (PARCEL # 032 013) CERTIFICATE OF APPROPRIATENESS (COA) FINDINGS OF FACT & CONCLUSIONS OF LAW

(APPROVAL)

CONCLUSIONS OF LAW

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, the Spencer Historic Preservation Commission **approves** a Certificate of Appropriateness for the proposal heretofore described at 601 South Carolina Avenue (Tax Parcel ID # 032 013), located in the Spencer Local Historic District, **subject to the following conditions:**

1) 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.

J. James made a motion to approve the above Conclusions of Law, **N. Boyd** seconded. The motion was supported by 4 members (J. James, J. Haddock, L. Talbott, and N. Boyd). The motion was opposed by 0. The motion was approved unanimously. Vote tally: **4-0. Approved.**

2. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

COA-24-007– 212 North Salisbury Avenue – Kathryn E. Sweeney (Owner/Applicant)

Rowan County Parcel ID: 035 164

Proposed Project:

Modification of existing chimney and installation of stainless-steel chimney cap.

Swearing in of Kyle Harris and Kathryn Sweeney. Kyle Harris gave a presentation of staff report.

Kathryn Sweeney, 202 N Salisbury Ave. Spencer gave testimony about the work needed to repair chimney.

Open floor for questions from board, applicant was asked questions about the work needed to repair chimney.

Open discussion for board members

Kyle Harris read suggested findings and facts.

FINDINGS OF FACT

The Commission finds that the following proposal is **not incongruous** with the character of the District:

Modification of existing chimney and installation of stainless-steel chimney cap.

...Because:

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1) The proposed project retains the existing chimney, making necessary modifications to prevent further water damage (Standards 2.2.1 & 2.5.1). The proposed changes are not so significant that they would damage the overall historic character of the home (Standards 2.2.1 & 2.5.1).

J. James made a motion to approve the above Findings of Fact, **N. Boyd** seconded. The motion was supported by 4 members (J. James, J. Haddock, L. Talbott, and N. Boyd). The motion was opposed by 0. The motion was approved unanimously. Vote tally: **4-0. Approved.**

DRAFT

(APPROVAL)

CONCLUSIONS OF LAW

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, the Spencer Historic Preservation Commission **approves** a Certificate of Appropriateness for the proposal heretofore described at 601 South Carolina Avenue (Tax Parcel ID # 032 013), located in the Spencer Local Historic District, **subject to the following conditions:**

1) 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.

J. James made a motion to approve the above Conclusions of Law, **N. Boyd** seconded. The motion was supported by 4 members (J. James, J. Haddock, L. Talbott, and N. Boyd). The motion was opposed by 0. The motion was approved unanimously. Vote tally: **4-0. Approved.**
ACCORDINGLY,

Based on the above Findings of Fact and the applicable standards of the Spencer Historic District Standards, the Spencer Historic Preservation Commission **approves** a Certificate of Appropriateness for the proposal heretofore described at 212 N. Salisbury Ave. (Tax Parcel ID # 035 164), located in the Spencer Local Historic District, **subject to the following conditions:**

1) 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.

J. Haddock made a motion to approve the above Conclusions of Law, **J. James** seconded. The motion was supported by 4 members (J. James, J. Haddock, L. Talbott, and N. Boyd). The motion was opposed by 0. The motion was approved unanimously. Vote tally: **4-0. Approved.**

3. Board to Consider Recommending to the Board of Aldermen Approval of Historic Preservation Incentive Grant in the amount of \$2,000.00 to Kathryn Sweeney for a chimney repair project at 212 North Salisbury Avenue (Rowan County Parcel ID # 035 164).

Kathryn Sweeney, 212 N. Salisbury Ave. has submitted application and cost estimate for repair work.

Board suggested modification of wording changed to **up to \$2000** in grant money.

HPC has recommended to the Board of Aldermen approval of a Historic Preservation Incentive (HPI) Grant of up to \$2,000 to assist with the cost of the project
Motion to approve grant by Josh James, 2nd by John Haddock, all approved.

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4.CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-24-005– 408 South Salisbury Avenue – RBC Holdings of Rowan, LLC (Owner);
Melissa Schneider, Spencer Deli LLC (Applicant/Business Tenant) Rowan County Parcel
ID: 032 174**

Proposed Project: Installation of new business signage.

FINDINGS OF FACT

The Commission finds that the following proposal is **not incongruous** with the character of the District:

Installation of new business signage.

...Because:

1) The proposed signage is compatible in material, size, color, scale, location, and character with the building and district (Standard 1.6.4). Business signage in the Park Plaza is characterized by uniformity of material (metal), shape (rectangular), type (flush-mounted), and placement (within the upper-façade signboard area), but diversity in color, font, and visual style. The proposed sign is not inconsistent with existing signage design in the immediate context and is therefore not incongruous with the character of the Park Plaza or the district.

J. James made a motion to approve the above Findings of Fact, **J. Haddock** seconded. The motion was supported by 3 members (J. James, J. Haddock, and L. Talbott). The motion was opposed by 1 (N. Boyd). The motion was carried by the majority and was approved. Vote tally: **3-1. Approved.**

No meeting scheduled in July

Josh James made a motion to adjourn, Nancy Boyd seconded. All in favor. Meeting adjourned at 8:38 pm.



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

HEARING DATE: August 19, 2024

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-24-011

APPLICANT: Tom & Caroline Greene (Owner/Applicant)

ADDRESS: 409 South Spencer Avenue (Spencer Local Historic District)

PARCEL ID: 033 236

PROJECT TYPE: *Front Porch Floor Replacement*

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-24-011– 409 South Spencer Avenue – TLC of Spencer, LLC (Owner/Applicant);
Caroline Greene (Owner/Applicant); Rowan County Parcel ID: 033 236**

Proposed Project:

- Replace existing wood tongue-and-groove (T&G) porch floor with synthetic porch floor replacement materials.

Exhibits:

- A. Staff Photographs
- B. Applicant-Submitted Project Specifications



Existing Conditions

Staff Discussion:

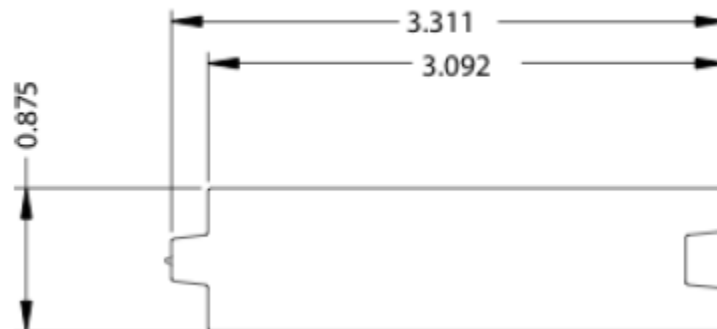
The commentary below represents the staff's opinion and is offered to provide the Commission with some general guidance and points for discussion. The HPC is not bound by this opinion.

Summary:

- The applicant proposes to replace the existing wood tongue-and-groove (T&G) porch floor with synthetic porch floorboards, preferably polymer T&G boards.
- The project will involve removing all existing porch flooring and making necessary structural repairs to deteriorated joists to stabilize the porch floor. This will be followed by the installation of new porch flooring, which will either be treated wood T&G boards or a composite material that will also be tongue-and-groove (T&G). In either scenario, the proposed replacement material replicates the original T&G.

Staff Analysis:

- The Commission has approved synthetic porch floorboards in the past. Specifically, the Commission has approved T&G polymer floorboards. The “Aeratis Heritage” double-sided T&G porch board is a PVC polymer product that has the appearance of wood and natural color variation to mimic wood. The individual boards are 3-1/8” wide and 7/8” thick, as shown below:



- The T&G polymer floorboards substantially replicate original wood tongue-and-groove boards in terms of overall appearance and have a demonstrated record of quality and durability.
- The Commission should ensure that the finished porch should be painted an appropriate color, such as battleship grey, which is common. The existing light blue color may also be acceptable.



Samples of Composite Polymer Replacement Boards



Rendering of a Porch w/ Aeratis Heritage Floorboards (polymer)

Applicable Historic District Standards:

(Based on 2022 Updated Standards)

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

- 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.
- Standard 2.1.12. Certain synthetic materials such as cementitious siding can be reviewed on a case-by-case basis, provided:
 - They are used only when the original material is no longer available or feasible;
 - They are installed in a traditional manner that includes the installation of corner boards, architectural trim around windows and doors, etc.
 - They match the original in width of exposure, thickness, profile, texture, grain, color, and overall outer appearance.
 - Their texture must be a smooth, non-grained (e.g. faux woodgrain) finish.
- Standard 2.1.13. When a Certificate of Appropriateness (COA) 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 2.8. Entrances, Porches & Balconies (Standards, pp. 36-37)

- 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.

Staff Suggested Findings:

FINDINGS OF FACT

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

- Replace existing wood tongue-and-groove (T&G) porch floor with synthetic porch floor replacement materials.

...Because:

- 1) The proposed replacement board matches the original as closely as possible in terms of design, dimensions, detail, and texture. The replacement board is approximately identical to the existing in terms of overall width and replicates the tongue-and-groove interlocking system. Although it is a polymer product instead of wood, the overall appearance of the polymer product closely imitates wood (Standard 2.1.5).

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 South Spencer Avenue (Tax Parcel ID #033 236), located in the Spencer Local Historic District, **subject to the following conditions:**

- 1) The tongue and groove boards shall be laid perpendicular to the front elevation of the house; and
- 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.

END OF REPORT

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





August 9, 2024

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, August 19, 2024, at 7:00 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-24-011– 409 South Spencer Avenue – TLC of Spencer, LLC (Owner/Applicant);
Caroline Greene (Owner/Applicant); Rowan County Parcel ID: 033 236**

Proposed Project:

- Replace existing wood tongue-and-groove (T&G) porch floor with synthetic porch floor replacement materials.

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, August 19, 2024. 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: August 19, 2024

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-24-012

APPLICANT: OCEANS 52 LLC (Owner/Applicant)
Francisco Madrid (Applicant/Authorized Agent)

ADDRESS: 310 South Salisbury Avenue (Spencer Local Historic District)

PARCEL ID: 032 146

PROJECT TYPE: *Rear Off-Street Paving & Installation of Rear Fence*

EXISTING LAND USE: Historic 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-24-012– 310 South Salisbury Avenue – OCEANS 52 LLC (Owner);
Francisco Madrid (Applicant); Rowan County Parcel ID: 032 146**

Proposed Project:

- Pave rear off-street parking area; install new solid wood privacy fence at rear of property enclosing a new chain link security fence, not to exceed height of privacy fence.

Exhibits:

A. Staff Photographs



Existing Conditions

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 the following:
 - (1.) Pave the existing partially-graveled rear off-street parking area with new asphalt. The project will involve grading and leveling the rear of the property.
 - (2). Install a new 6-ft. solid wood privacy fence at the rear of the property. The solid wood fence would enclose a second fence, specifically a new secure chain link security fence, not to exceed the height of the privacy fence. The chain link fence would be hidden from view behind the solid privacy fence and, according to the applicant, is intended solely for additional security.

Staff Analysis:

- **Chain Link Fencing:** The Historic District Standards typically do not allow new chain link fencing in the historic district. Standard 1.3.16 states that “it is not appropriate to introduce chain-link fencing in the historic district”. However, there may be “mitigating factors” in this case which could allow some flexibility.
 - **Mitigating Factors for Chain Link Fencing:**
 - The proposed chain link fencing would be entirely hidden from view behind a solid wood privacy fence that would match or exceed the height of the chain link fence. From the public (alley) view, the chain link fence would not be visible.
 - **Zoning Requirements:** The Spencer Development Ordinance (SDO) allows chain link fences in Spencer only if they are hidden behind a solid privacy fence. SDO Sec. 2.13-2(B) says that “chain link, welded wire, or similar fencing materials, if used, shall be placed on the interior side of a masonry wall, solid wood fence, or decorative wood or vinyl fence that is equal to or greater in height than the secure fencing and demonstrates effective screening capability”.
 - The proposed fencing is located behind the building abutting an alley. The alley is largely obscured from public view.
- **Recommendation on Fencing:** Staff recommends approval of the chain link + solid wood privacy fence combo, *on the explicit condition that the solid wood privacy fence must be constructed before or within 30 days of the chain link fence, or the fence will be in violation.* (See recommendation motion, conditions, at end of this report).
- **Off-Street Parking & Paving:** For a commercial building in the downtown MS (Main Street) district, grading and paving the rear of the property for enhanced off-street parking is allowed by the zoning standards.

- **Use of Asphalt:** The applicant proposes to pave the rear area with asphalt. The Historic District Standards typically do not support asphalt in the historic district. Standard 1.2.8 states that “asphalt is not an appropriate material” (for driveways). However, once again, there may be “mitigating factors” in this case which could allow for some needed flexibility.
 - **Mitigating Factors for Asphalt Paving:** While asphalt should never be allowed for driveways or off-street parking for typical residential properties, the proposal here is for a commercial alley-access parking area at the rear of a downtown building. The alley itself is already paved with asphalt, and the entire area is largely hidden from public view. Staff recommends that the location of the proposed paving and the land use of the building and the immediate context allow for use of asphalt in this unique case.
- **Recommendation on Paving & Asphalt:** Staff recommends approval of the proposal to pave the rear of the property with asphalt.

Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 1.3. Fences & Walls (Standards, 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 1.3.13. 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.

Section 1.2. Walkways, Driveways, and Off-Street Parking (Standards, pp. 10-11)

- Standard 1.2.1. New driveways and parking areas in the historic district require both a Certificate of Appropriateness (COA) as well as a permit from the Town's Planning Department conforming to the requirements of the Spencer Development Ordinance.
- Standard 1.2.7. Design new walkways, driveways, and off-street parking areas to be compatible in location, patterns, spacing, width, configuration, dimensions, traditional materials, and color with existing walkways, driveways, and off-street parking areas that contribute to the overall historic character of the district. The proportion should always be appropriate for the structure and existing driveways in the district.
- Standard 1.2.8. Typical walkways are made of brick, stone, gravel, concrete, or similar materials. Appropriate materials for driveways include gravel, stone, brick, granite, and concrete. Asphalt is not an appropriate material.
- Standard 1.2.10. Locate new off-street parking areas as unobtrusively as possible in rear yards whenever possible. It is not appropriate to locate off-street parking in front yards in residential neighborhoods.

Staff Suggested Findings:

FINDINGS OF FACT

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

- Pave rear off-street parking area; install new solid wood privacy fence at rear of property enclosing a new chain link security fence, not to exceed height of privacy fence.

...Because:

- 1) The proposed fencing is compatible with the character of the building and the district and uses traditional and appropriate materials (Standard 1.3.9). Specifically, the portion of the fence visible to the public will be a traditional solid wood privacy fence, which is typical of fences throughout the district. The fence is also an appropriate height (6 ft.), which is also typical (Standard 1.3.13).
- 2) The proposal includes a new chain link fence. Typically, introducing new chain-link fencing in the historic district is not appropriate (Standard 1.3.16). However, in this case, there are sufficient mitigating factors to allow new chain-link fencing. Specifically, the proposed chain-link fencing will be entirely hidden from public view behind the solid wood privacy fence. Therefore, the chain-link fence will perform to the standards required by SDO Sec. 2.13-2(B), which says that “chain link, welded wire, or similar fencing materials, if used, shall be placed on the interior side of a masonry wall, solid wood fence, or decorative wood or vinyl fence that is equal to or greater in height than the secure fencing and demonstrates effective screening capability”. Additionally, the new chain-link fencing will abut an alley, which is largely obscured from public view.
- 3) The proposed off-street paved parking area is compatible in location, patterns, spacing, width, configuration, dimensions, and materials (Standard 1.2.7). The proposed off-street parking area is located unobtrusively behind the commercial building in an alley (Standard 1.2.8). While asphalt is typically not supported as a paving material, there are mitigating factors in this case, specifically: the existing alley is paved with asphalt, and the entire area is largely hidden from public view being in an alley in a commercial area.

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 310 South Salisbury Avenue (Tax Parcel ID #032 146), located in the Spencer Local Historic District, **subject to the following conditions:**

- 1) The chain link fence shall be placed on the interior side of the solid wood fence, and such solid fence must be equal to or greater in height than the chain link fencing and demonstrate effective screening capability so that the chain link fence is entirely hidden from public view (SDO Sec. 2.13-2(B)).

- 2) The solid wood privacy fence, which is the screening fence, must be built before or within 30 days of the installation of the chain link fence. If this requirement is not met, the fence will be in violation of the Town of Spencer Code of Ordinances. (Note: 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: Code of Ordinances Chapter 35 (Civil Citations)).
- 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.

END OF REPORT

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



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





August 9, 2024

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, August 19, 2024, at 7:00 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-24-012– 310 South Salisbury Avenue – OCEANS 52 LLC (Owner);

Francisco Madrid (Applicant); Rowan County Parcel ID: 032 146

Proposed Project:

- Pave rear off-street parking area; install new solid wood privacy fence at rear of property enclosing a new chain link security fence, not to exceed height of privacy 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, August 19, 2024. 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: August 19, 2024

SUBJECT: Certificate of Appropriateness (COA) Staff Report

CASE PLANNER: Kyle Harris, Town Planner

CASE: COA-24-013

APPLICANT: Town of Spencer (Owner/Applicant)
Skye Allan (Authorized Agent)

ADDRESS: 460 South Salisbury Avenue (Spencer Local Historic District)

PARCEL ID: 032 194

PROJECT TYPE: *Installation of Mural (Public Art)*

EXISTING LAND USE: Civic (Town Hall)

EXISTING ZONING: CIV (Civic) | 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-24-013– 460 South Salisbury Avenue – Town of Spencer (Owner/Applicant);
Skye Allan (Authorized Agent) Rowan County Parcel ID: 032 194**

Proposed Project:

- Installation of new public mural on 5th Street side façade of Town Hall building.

Exhibits:

- A. Staff Photographs
- B. Mural Art



Mural Rendering

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 & Analysis:

- The Town of Spencer has contracted with professional muralist Max Dowdle for the installation of a large work of public art to adorn the 5th Street (side) elevation of the Town Hall building.
- The existing wall is a blank, white wall (see Exhibit A: Staff Photographs) which will be painted over with a large professional mural.
- The Spencer Public Art Committee was involved in every stage of the concept and development process of the mural. Both the Public Art Committee and the Board of Aldermen have already approved the final design, which is planned to be painted beginning in September 2024, pending approval from the HPC.
- The HPC is reminded that its role in evaluating the mural is limited to the Historic District Standards. Specifically, the Commission should determine if the overall color scheme is appropriate. The artist intentionally adopted a somewhat muted color scheme to avoid overly-saturated colors, and to lend a “vintage” look to the mural. The final art can be found in Exhibit B: Mural Art.
- As a helpful reference case, the HPC may consider the restoration of the vintage advertisements and ghosts signs on 5th Street. In those cases, the artist used a similar approach, using softer and more muted colors, or “vintage” colors, to ensure compatibility with the historic character of the buildings and the district.
- Standard 2.4.3 states that paint colors should be “appropriate to the historic building and district”.
- Staff recommends that the Commission should approve the installation of the mural on the basis that the color scheme is appropriate to the building and the district, specifically insofar as the color scheme is intentionally soft and muted to avoid visual conflicts.

Applicable Historic District Standards:

(Based on 2022 Updated Standards)

Section 2.4. Paint & Paint Color *(Standards, p. 29)*

- Standard 2.4.3. When repainting, select paint colors appropriate to the historic building and district. Enhance the features of a building through appropriate selection and placement of paint color consistent with its architectural style. In particular, foundation color is usually darker than the body of the building in order to visually anchor it to the ground.

Secretary of the Interior's Standards for Rehabilitation:

- Standard 9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- Standard 10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

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 public mural on 5th Street side façade of Town Hall building.

...Because:

- 1) The proposed mural uses a color scheme that is appropriate to the historic building and the district. Specifically, the artist intentionally utilizes a soft and muted color scheme to avoid overly-saturated or overly-bright visuals that might otherwise detract from the historic character of 5th Street, which has some of Spencer's best preserved historic commercial buildings (Standard 2.4.3).

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 460 South Salisbury Avenue (Tax Parcel ID #032 194), located in the Spencer Local Historic District.

END OF REPORT

Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit A: Staff Photographs



Exhibit B: Mural Art





August 9, 2024

NOTICE TO ADJACENT PROPERTY OWNER

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

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CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

COA-24-013– 460 South Salisbury Avenue – Town of Spencer (Owner/Applicant);

Skye Allan (Authorized Agent) Rowan County Parcel ID: 032 194

Proposed Project:

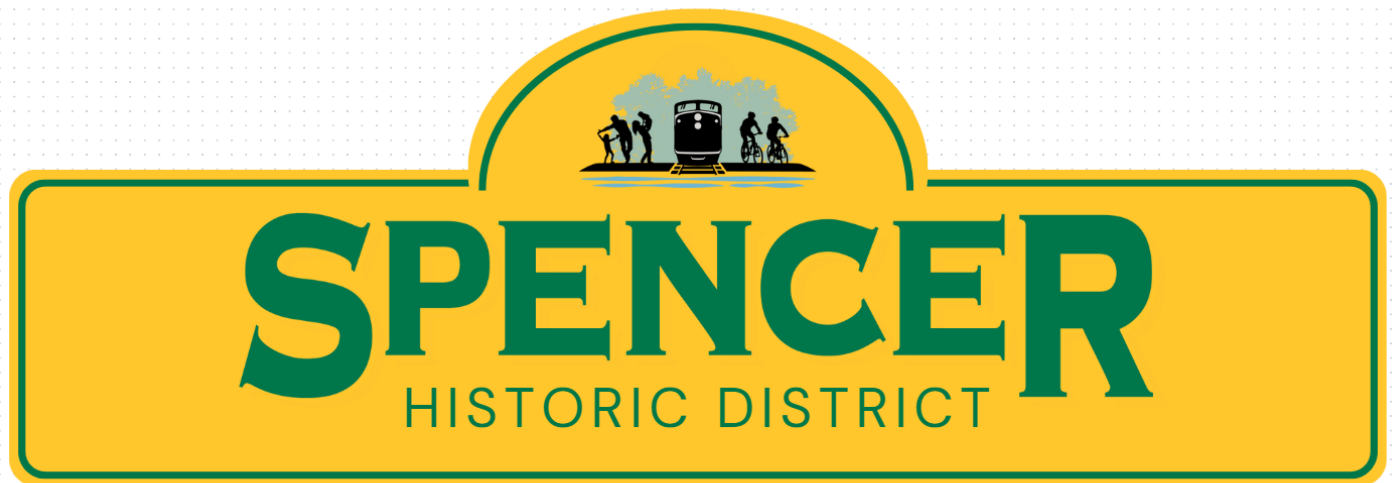
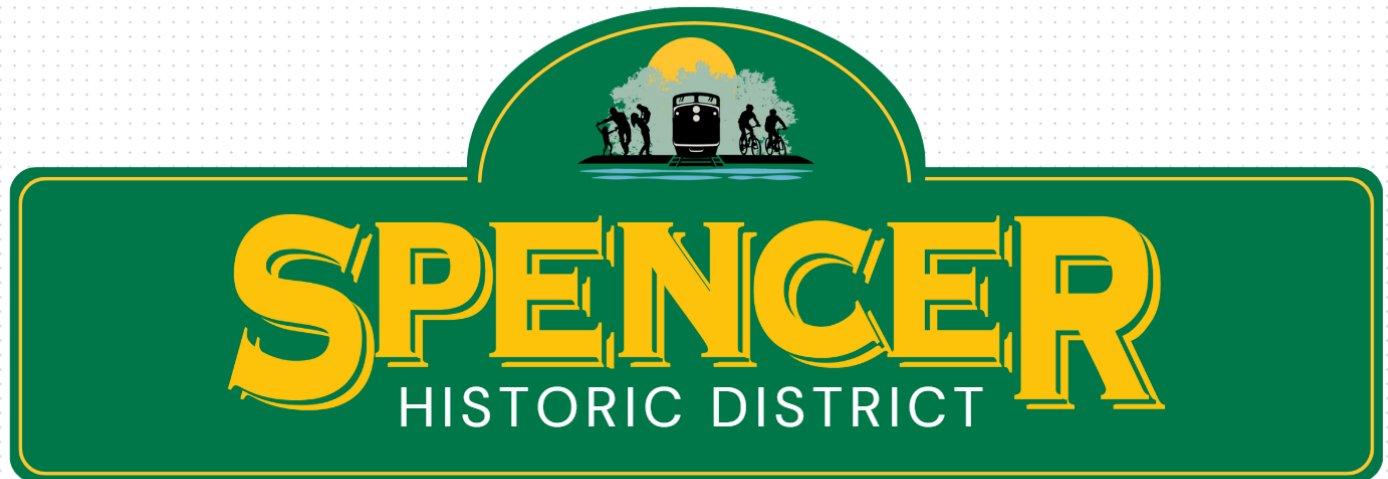
- Installation of new public mural on 5th Street side façade of Town Hall building.

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, August 19, 2024. 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).

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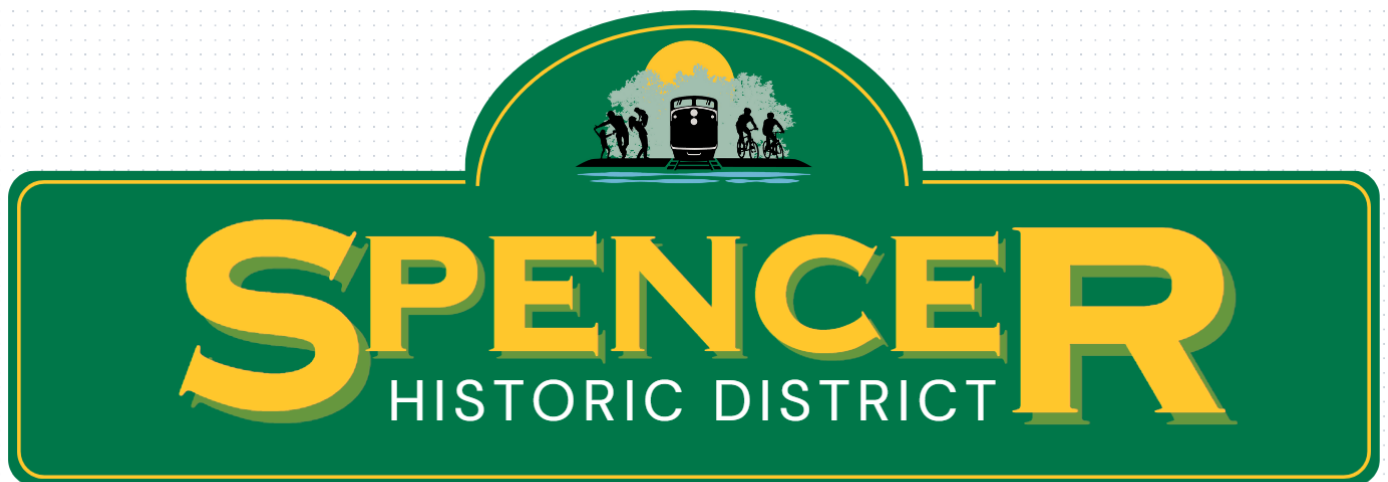
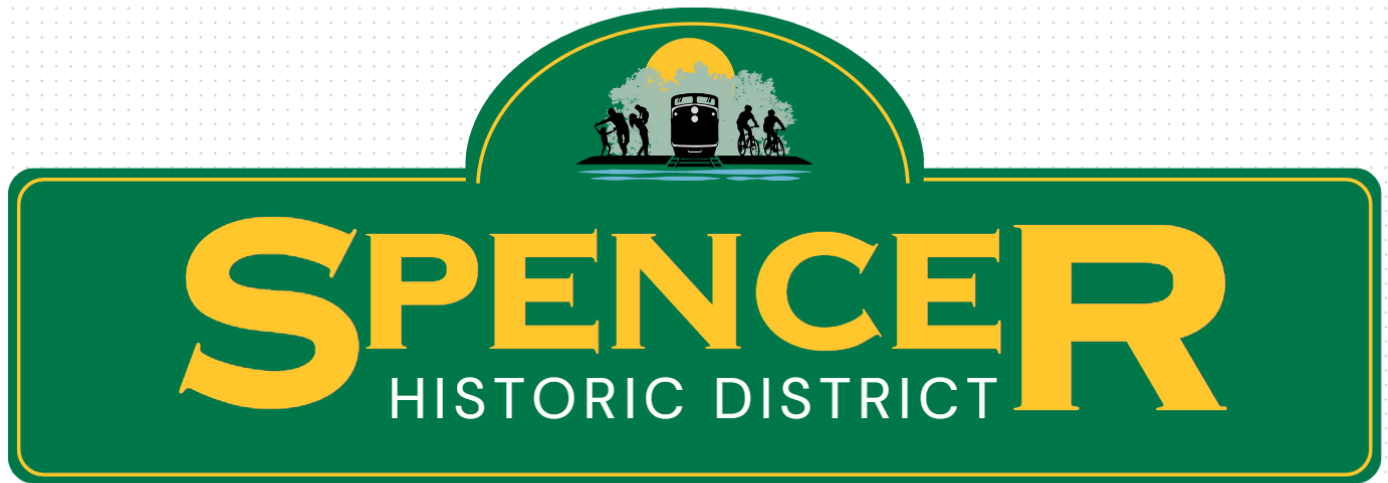
Board to Review Concept Designs for New Historic District Sign-Toppers & Select Preferred Design/Color Scheme

CONCEPT RENDERINGS ONLY



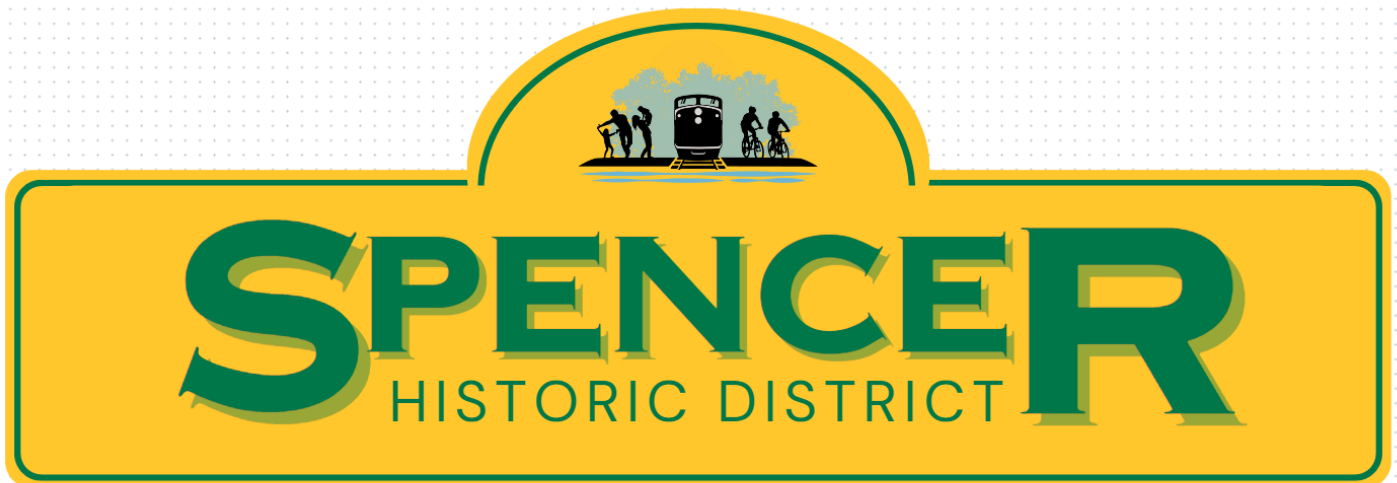
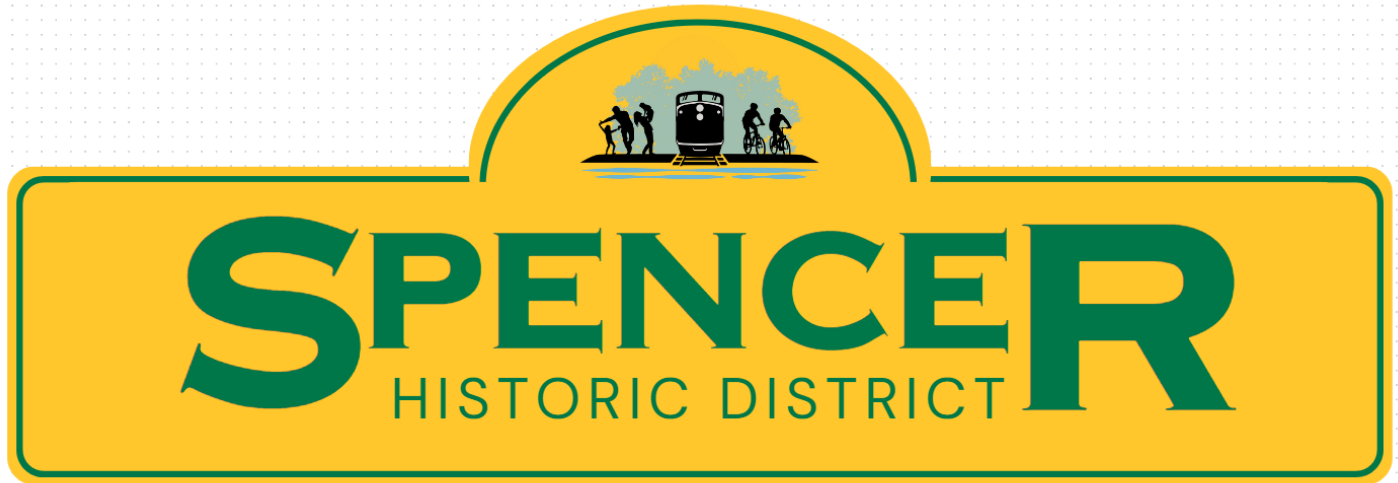
Board to Review Concept Designs for New Historic District Sign-Toppers & Select Preferred Design/Color Scheme

CONCEPT RENDERINGS ONLY



Board to Review Concept Designs for New Historic District Sign-Toppers & Select Preferred Design/Color Scheme

CONCEPT RENDERINGS ONLY



Board to Review Concept Designs for New Historic District Sign-Toppers & Select Preferred Design/Color Scheme

CONCEPT RENDERINGS ONLY

INSPIRATION / SOUTHERN RAILROAD LOGOS



Board to Review Concept Designs for New Historic District Sign-Toppers & Select Preferred Design/Color Scheme

CONCEPT RENDERINGS ONLY



Board to Review Concept Designs for New Historic District Sign-Toppers & Select Preferred Design/Color Scheme

CONCEPT RENDERINGS ONLY



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www.alamy.com

Board to Review Concept Designs for New Historic District Sign-Toppers & Select Preferred Design/Color Scheme

CONCEPT RENDERINGS ONLY



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**Board to Review Concept Designs for New COA Public Notice Yard
Signs (Prepared by Miller Davis)**



HISTORIC DISTRICT

PERMIT APPROVED

This sign indicates that a Certificate of Appropriateness (COA) permit, which supports historic preservation, has been approved for a project at this address.

704-633-2231 ext.20
kharris@spencernc.gov

Scan QR code
to learn more



**Board to Review Concept Designs for New COA Public Notice Yard
Signs (Prepared by Miller Davis)**



HISTORIC DISTRICT

PUBLIC HEARING

Permit #:

Address:

Hearing:

Location:

Spencer Town Hall
460 South Salisbury Ave.

704-633-2231 ext.20
kharris@spencernc.gov

**Scan QR code
to learn more**





**SPENCER HISTORIC PRESERVATION COMMISSION (HPC)
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, August 19, 2024, at 7:00 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 HPC to conduct the following items of Business:

New Business:

1. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-24-011– 409 South Spencer Avenue – TLC of Spencer, LLC (Owner/Applicant);
Caroline Greene (Owner/Applicant); Rowan County Parcel ID: 033 236
Proposed Project:**

- Replace existing wood tongue-and-groove (T&G) porch floor with synthetic porch floor replacement materials.

2. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-24-012– 310 South Salisbury Avenue – OCEANS 52 LLC (Owner);
Francisco Madrid (Applicant); Rowan County Parcel ID: 032 146
Proposed Project:**

- Pave rear off-street parking area; install new solid wood privacy fence at rear of property enclosing a new chain link security fence, not to exceed height of privacy fence.

3. CERTIFICATE OF APPROPRIATENESS (COA) APPLICATION:

**COA-24-013– 460 South Salisbury Avenue – Town of Spencer (Owner/Applicant);
Skye Allan (Authorized Agent) Rowan County Parcel ID: 032 194
Proposed Project:**

- Installation of new public mural on 5th Street side façade of Town Hall building.

4. Board to Review Concept Designs for New Historic District Street-Sign Toppers.

5. Board to Review Concept Designs for New COA Notice Yard Signs.

Meeting Notice & Instructions for Remote 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. Please contact the Town Planner for information on how to participate remotely by Zoom.