

City of Spartanburg - Board of Architectural Design and Historic Review
Thursday, November 10th, 2022, at 5:30 PM
“In-Person Meeting” City Hall Council Chambers

The City of Spartanburg Board of Architectural Design and Historic Review (HARB) met in the City Hall Council Chambers on Thursday, November 10th, 2022, at 5:30 PM

The following Board Members were in attendance: Mark Olencki; Dr. Melissa Walker; J. Brandon Gaffney; Meg Reid; Sylvelie Franke and Bill Michels. Representing the City of Spartanburg’s Planning Department was Martin Livingston, Neighborhood Services Director; Nan Zhou, Planner I; and Tia Keitt, Planner II.

Roll Call:

Dr. Melissa Walker: Good Evening and I now call this meeting of the City of Spartanburg Historic Architectural Review Board to order. In compliance with the Freedom of Information Act, public notification of this meeting has been published posted and mailed in compliance with the Freedom of Information Act and the requirements of the City of Spartanburg Zoning Ordinance, and bless you! And could I ask the board members to state their names for the record, starting with you.

Mr. Olencki: Mark Olencki

Dr. Melissa Walker: Thank you.

Mr. Gaffney: Brandon Gaffney.

Ms. Reid: Meg Reid, Vice Chair

Dr. Walker: Melissa Walker, Chair.

Ms. Franke: Sylvelie Franke.

Mr. Michels: Bill Michels.

Dr. Walker: Thank you. And the next item on the agenda is to approve the agenda. Are there any changes or additions to the agenda? If not, I'll entertain a motion to approve it.

Approval of the Agenda:

On a motion by Mr. Michels, seconded by Mr. Olencki, the agenda was approved by a vote of 6 to 0

Mr. Michels: Motion.

Mr. Olencki: Second.

Dr. Walker: Motion from Mr. Michels. Second from Mr. Olencki. To approve the minutes, all in favor say aye.

Attendees: Aye.

Dr. Walker: Opposed? Okay. I'm sorry, that was to approve the agenda because the next step is to approve the minutes. I know that there were some revisions to the minutes that folks have sent in. Are there any additions or corrections still to be made to the minutes from the October meeting?

Approval of the minutes of October 13th, 2022:

On a motion by Mr. Gaffney, seconded by Ms. Reid, the minutes of October, was approved by a vote of 6 to 0.

Ms. Franke: Just the one I sent today. You got it? Thank you.

Dr. Walker: Okay. Any other additions or corrections? Okay, do I have a motion for approval?

Mr. Gaffney: Can I make a motion we approve?

Dr. Walker: Mr. Gaffney has a motion to approve.

Ms. Reid: Second.

Dr. Walker: Ms. Reid has seconded the motion. All in favor say aye.

Attendees: Aye.

Dr. Walker: Any opposed? Okay. Now, I believe we have two items of old business. So Mr. Livingston.

Old Business:

The Board of Architectural Design and Historic Review has received a request regarding a Certificate of Appropriateness for Major Works – 187 Carlisle Street (TMS# 7-12-14-286.00) in the Hampton Heights Historic District. Applicant is seeking approval of a Certificate of Appropriateness to build a single-family home on the lot in conformance to historic standards. The property is located in the R-8/Single-Family Residential Zoning District. Owner: Thomas Wooten / Applicant: Courtney James, Hunter Quinn Homes, LLC

Mr. Livingston: So the first item, Madam Chairman, we've contacted the owner and the applicant for 187 Carlisle Street, and they indicated that they would not be proceeding with this application. I did request that they submit a withdrawal request, however, we have not received it. So we will need a vote, a motion and a second, and a vote on this case.

Ms. Reid: Is that a motion to abandon or whatever?

Mr. Livingston: So what we can do is abandon it or you can deny the request.

Dr. Walker: Okay.

Mr. Livingston: I recommend denial.

Dr. Walker: Okay. Would someone like to put forth that motion?

On a motion by Mr. Gaffney, seconded by Ms. Franke the Certificate of Appropriateness for major works was denied by a vote of 6-0

Mr. Gaffney: I'll do it. I'll make the motion that we deny the request for 187 Carlisle Street.

Dr. Walker: Mr. Gaffney has made a motion to deny it. Any second?

Ms. Franke: Second.

Dr. Walker: Ms. Franke. All in favor of denying this motion, say aye.

Attendees: Aye.

Dr. Walker: Any opposed? Okay, thank you. Second item of business is the COA for major work at 397 Gentry Street.

Certificate of Appropriateness for Major Works – 397 Gentry Street (TMS# 7-08-16-034.00) in the Beaumont Mill Village Historic District. Owner / Applicant is seeking approval of a Certificate of Appropriateness to paint masonry a brick color to prevent damage to the masonry. The property is located in the R-6, General Residential District. Owner/Applicant: John Moore, Moore’s Medical, LLC.

Mr. Livingston: Madame Chairman, members of the board, at the request of the board, Donnie Love has met with the owner a consultant to look at the painting and masonry of the property. You have a copy of the email from Mr. Love with photos of some examples, samples of other projects, and Mr. Love's here to answer the questions and provide some additional information requested by the board. Mr. Love?

Dr. Walker: And for the record, I'll just remind the board that the applicant was seeking approval to paint the masonry at 397 Gentry a brick color rather than to remove the paint as we had requested back in August. So Mr. Love.

Mr. Love: Madame Chair, members of the board, thank you. I guess I should say I...

Dr. Walker: Just state-

Mr. Love: I'm Donnie Love, 608 Oaks Boulevard.

Dr. Walker: Thank you.

Mr. Love: If y'all have had a chance to look at the email that I sent, I can recap that for you quickly. I did have the opportunity to meet with Kenneth Hayes, who is the contractor that I know from working on a project that does this kind of work. He met with us yesterday and looked at the paint and talked with Mr. Moore and went through the whole process and line of thought with me. He basically echoed the same comments that I made to y'all the first time about the chemical paint strippers. It will get the paint off, but it may not get it all off, and it's hard to know exactly how much that it would get off at a time.

I think it was very helpful that he provided those photographs of something that he had been working on. I think those pictures are active in April where he had applied some chemical stripper and you could kind of see where it left some of it on there, and then basically he said the same thing that he can go around the whole house, but he can't say how much of it would come off and how much of it won't come off. What compounds that a little bit is that part of the brick was painted by Mr. Moore, but another part of the brick was painted previously and we don't really know when. So the type of paint and how long it's been on there and all that type of thing makes a difference as to how much of it will come off.

So this is kind of hit and miss as to how much will come off. I mean he volunteered to come and do a sample panel just to see how much would come off and make sure that it wouldn't hurt the

brick or the mortar, and that was one of the things that we talked about last time was about the possibility of hurting the mortar. I think he also echoed my thoughts there that we don't think it would hurt the brick or the mortar, but it's really more of a question of you may have to do it two or three times and even then it may still not take. So we can get most of it off, I think. I do think you could, honestly, say you could get most of it off, but it's going to be how much is enough I guess is the question that we can't really answer.

The part two of that was I wanted to look at and see if there was an alternative means of taking the paint off since we knew that the chemical stripper was not the most effective way to do it. So I remembered having seen some blasting done, and I've outlined in the email kind of the way that Park Service looks at it, and I understand why they look at it that way, but I also felt like that in this particular case, and it might be something that you would want to consider, since we do feel like the blasting would take more of the paint off of it, I feel like it'd probably take all the paint off of it as you can see in the photographs. So that's why I wanted to share that with you just to let you know that there was another option, but I wanted you to also know that it wasn't their preferred way of doing that.

Dr. Walker: It wasn't the National Park Services preferred method for removing paint, right?

Mr. Love: No, the Park Service, right.

Dr. Walker: Thank you.

Mr. Love: The other part of that, too, is that the blasting is going to be more expensive than the chemical stripper. So whether or not you'd need to take that into account or not. If you know it's going to work out, basically, you'd have to pay more for it. I think that really pretty much sums it up unless y'all have some other questions about the two things were for the process for either one of them.

I have seen some blasting done before, and it does do a good job, and it doesn't damage the substrate either. I've seen it done on wood and I've seen it done on brick, and even some steel. Some old cast iron, not steel, but old cast iron that it does it and it get most of it

Dr. Walker: Okay.

Mr. Love: But it's not same that's the main thing.

Dr. Walker: I'm sorry?

Mr. Love: That's not the same

Dr. Walker: Okay. So these first two photos in the packet where the paint is not fully removed.

Mr. Love: That's the chemical.

Dr. Walker: That's the chemical.

Mr. Love: The ones that are paired, before and after, those are the ones that are the blasting.

Dr. Walker: Okay.

Mr. Love: It's the first two you just showed that are the chemical strippers.

Dr. Walker: And I would just add from your, just to point out from your memo that Mr. Moore had questions about whether or not we considered the porch itself to be masonry. So that's something for our discussion to bear in mind. Are there any other questions for Mr. Love?

Mr. Love: That's correct, yeah.

Mr. Gaffney: One question. Mr. Love, do we know how long the green paint had been on the masonry before?

Mr. Love: I didn't ask him, and he didn't say. So I don't know if he knows, but I can find out if y'all want. So I can at least ask him if he knew.

Mr. Gaffney: It looks like it's been there a considerable amount of time.

Mr. Love: Yeah, that was my guess too.

Mr. Gaffney: No, that's not necessary.

Dr. Walker: Any other questions for Mr. Love? Okay.

Mr. Love: Thank you.

Dr. Walker: Thank you so much. We appreciate it. Okay, is the applicant here?

Mr. Moore: Yes.

Dr. Walker: Mr. Moore, would you like to make any statement?

Mr. Moore: Yes.

Dr. Walker: Okay. Please come forward and you will need to sign in as you remember that, but you can do that first or last.

Mr. Moore: Okay.

Dr. Walker: Okay. Thank you.

Mr. Moore: I want to thank you for letting me speak, Madame Chairman and the board. Like Mr. Love said verbatim and Mr. Hayes yesterday, what he mentioned in there was that also that chemical stripping wouldn't be fully effective, especially on the chimney because it was a

different type of brick that's on the foundation of the home. So in fact, he mention that he was pretty sure that he couldn't strip the paint off the chimney, and that and Mr. Love also ask them these questions. But when I talked to Mr. Hayes over the phone, he was like removing paint is hit or miss. You never know what you're going to get. So you can imagine if it's your home and you're talking to a guy about a job, and he's like this is hit or miss, we won't know if you can get it or not, it'll alarm you. I'm not recommending getting this done. Let's go another route.

And as far as the blasting, in fact, I've read that blasting is not allowed in this part of neighborhood. So that's in the Beaumont bylaws, and then Mr. Love said to, I think, the board committee, they found also, for different reasons. But again, if they found a comment, they found a comment for a reason. I think we should know the reason why they found it and I also showed Nan and Mr. Love of some pictures on my phone. I have the pictures if you guys want to see where the masonry was previously painted.

but Nan, or Mr. Love hadn't seen those pictures. So I would assume that you've seen those pictures when I showed him the pictures where the back was totally painted. I did show him pictures of where one of the sides was painted. I have those pictures where one of the sides was painted, too.

So I'm not coming in front of you guys like intentionally breaking the rules and breaking the bylaws. It was previously painted, so I felt like I had a right to paint it. But if we're not concentrating on that, we're just concentrating on what Mr. Cate said, he came out and said stripping the paint using chemical removal would not be fully effective and pretty sure he wouldn't be able to get maybe none off the chimneys, and there's two chimneys. And again, Nan and Mr. Love was there for that conversation.

Dr. Walker: Thank you, Mr. Moore. Are there questions for Mr. Moore?

Ms. Franke: Oh, I'm not sure I understood about the chimney. I thought you said the chimney was not painted originally, right? So it's pretty recent, the paint?

Mr. Moore: The chimney was not painted originally. It has a paint on it, but it was not like totally painted. It has white spots on it before I painted, and I had pictures of those, too. But Mr. Cates, he's a professional, so he was saying that the brick on the chimney is different from the brick on the foundation. So he definitely wouldn't be able to get the paint off the chimney just because I guess it's a different type of material or brick or mortar. The two chimneys would be very difficult for him he mentioned. And then that's when they also said it's hit or miss. Putting the chemicals on it would not be fully effective, and then Nan and Mr. Love was there for that part.

Ms. Franke: Okay. Thank you.

Mr. Moore: All right. And then just so you guys know, I don't mean to waste your time, again I have pictures of the back of the house. It was painted blue and the left and the right side of the house. The pictures that we sent showed the front of the house and the left side of the house. You never seen the back side of the house and the right side of the house. I showed Nan and Mr. Love those pictures of where it was painted. So that's, again, that's why I felt like I had the right to

paint it, and I'm not just some guy coming in breaking rules or bylaws. I follow them. So I want to make sure that's said, too.

Dr. Walker: Okay.

Mr. Moore: All right.

Dr. Walker: Would you like to see the pictures, board members? Could we see those pictures?

Mr. Moore: Yeah.

Dr. Walker: So why don't you start with Mr. Michels and come up this way.

Mr. Moore: Mr. Michel, this is one picture I have, for example. But if you see the blue on the paint. But you can see the blue up under the deck, and if you look at it.

Mr. Michels: All right.

Ms. Reid: I see it.

Mr. Moore: All right, that's one picture. All right, that's another little picture you can, you can see the paint, the whole back of the house.

Mr. Michels: That took an awful lot of time.

Dr. Walker: Yeah.

Mr. Moore: Yeah.

Mr. Michels: Yeah.

Mr. Moore: But me, I'm trying to do a good job. So I just couldn't paint half of the house blue and then not paint the other half.

Dr. Walker: Just a couple of them is sufficient.

Mr. Moore: Okay. Okay. So these are pictures you can see the blue paint before I painted. It's on the masonry. You can see the paint up under the deck also. Then I have one more picture that will show them. And then you can see blue paint here on the entire back of the house. So you can just imagine if you're redoing the house. You're painting something on the back side, and on the other side, you can't just paint those two sides. You know you have the house halfway painted.

Dr. Walker: Okay.

Mr. Moore: So again, you guys' bylaws are that masonry can't be painted unless it was previously painted. So that's what I went and tried to correct.

Mr. Moore: So you can look at that paint and tell that's old paint, and you know the color of my house, how I painted my house. So it's like totally painted.

Mr. Moore: So again, I wasn't trying to be just anybody come and break rules, and then I was trying to throw a olive branch, what I thought was, okay, I compromised. I felt like I was in the right to paint the house, but again, I'll compromise and take it to the original color as closely as I can and painted the brick red, but you guys chose to take the issue and had a third party come out. That third party came out. He said chemical stripping wouldn't be fully effective. That was his words. So Mr. Love, he suggested the blasting. So now, if you guys want to, we'll have to tackle the issue again, get a blaster to come out and see what's what.

Dr. Walker: Okay. Thank you, Mr. Moore. Are there any more questions for Mr. Moore?

Mr. Moore: Ms. Walker, just thank you for letting me speak. I have been here before and I wasn't able to speak. So just thank you a lot for letting me speak.

Dr. Walker: You're very welcome.

Mr. Moore: All right. I'm good.

Public Comment

Dr. Walker: Thank you. Okay. I think we'll move into the public comment portion of the meeting. Are there any members of the public who would like to comment on this? Hearing none, we'll move into board deliberations.

Mr. Gaffney: So if we go back to the original decision-

Mr. Gaffney: We based it upon it not being painted when there was no proof of it being painted. And if it was painted previously, it's grandfathered in and could then be repainted.

Dr. Walker: And we now have evidence that part of it was painted previously.

Mr. Michels: I think we were presented pictures from the city that were prior to the painting where the front and the sides were visible from the street.

Mr. Gaffney: No. Right.

Mr. Michels: But these pictures are from the city that they were not painted.

Mr. Gaffney: Right.

Mr. Michels: The front and the sides nor the chimneys. None of them were painted. That's the picture that I recall from all those. There may have been some dating on the back, and that looked like a little bit of painting to me like it was an overspray or something and he had it done,

but this has not been totally painted. But it's obvious from the pictures we have and all of us can see that the front sides and the chimneys had not been painted.

So I think I've asked Bob last time when Bob was here that we do not regulate colors. Is that correct? My understanding is, from everything I've read, we do not regulate color. We only regulate whether or not it can be painted it all. Would that be correct?

Mr. Coler: I think that's right. Just for clarification.

Mr. Coler: No, no, no, it's fine. I've been trying to follow this matter with Mr. Livingston.

Mr. Coler: Oh, I'm sorry. My name's Bob Coler. I'm at the City Attorney's Office.

Mr. Livingston: Thank you.

Mr. Coler: Let me make sure I understand the posture of this case to understand how we got to where we are and then glad to give you any counsel I can. As I understand it, and Martin, correct me if I'm wrong, Mr. Moore proceeded to paint the chimney or chimneys of his house. It was discovered he did so without the Certificate of Appropriateness.

Mr. Gaffney: Correct.

Mr. Coler: This board was then asked to get involved to decide whether or not what he had done would get him a retroactive Certificate of Appropriateness.

Ms. Walker: He applied, in August he submitted a Certificate of Appropriateness application to leave the paint, basically.

Mr. Coler: Right. Okay. So essentially on a retroactive basis.

Ms. Walker: Right.

Mr. Coler: This board has not rendered a decision on that certificate.

Ms. Walker: No, we have. We denied that.

Mr. Livingston: Yeah. Mm-hmm.

Mr. Coler: You denied that. Okay. So this board's job then is to... He is now in not in compliance with the city code. He does not have a Certificate of Appropriateness and the option is can he do something else or does he have to go back to square one or back to scratch?

Ms. Walker: He submitted a new Certificate of Appropriateness application to paint it a brick color over the blue to make it less obvious.

Mr. Coler: Then I would say that this board's authority is your decision would have to approve him to paint it and to accept the color of the paint, to make sure it conforms with the historical characteristics of the house and all the architectural appropriateness. So I think that's your authority to decide that. I've not followed it close enough. Has he provided a specific paint color to you all?

Mr. Michels: Okay.

Ms. Walker: Yeah.

Mr. Michels: Yeah.

Mr. Moore: Question, all that you suggest is fine.

Mr. Love: Can I ask a question?

Mr. Coler: Sure.

Mr. Love: I think Mr. Michels is correct in that the color doesn't really enter it. It's really the painting or not painting. So whether he painted it appropriately or not is really what the board can approve or not approve, and I think that was already basically come back and paint it a different color was initially suggested as like a worst case scenario, but it's not something really that conforms with the guidelines, etc.

Mr. Coler: Understood.

Mr. Love: Is not necessarily really even an option.

Mr. Coler: And I think I agree with Mr. Love's analysis. Maybe I said it in a different way. Step one is are you going to allow him to paint, but I still think it's important that he does not leave here tonight, if you allow that, to think he can paint it any color because pink probably would not be appropriate for this, so to speak. So I think the burden is upon him and only upon him. If you allow him to paint, also show specifically what that paint will look like as applied so you then know that as applied will match the historic and architectural characteristics.

So I think the answer is probably a little different than when you first... I think you have to decide whether or not to let him paint, and then I still think you retain the authority if you allow him to do that to dictate the paint that he's going to propose. It would be upon him to propose a paint or a number of options for this board to approve because, obviously, neon green would not be right.

Mr. Michels: Okay. Excellent.

Mr. Coler: I think that's what we wanted. And I'll be up here to answer any other questions.

Dr. Walker: Thank you.

Mr. Coler: Yes, ma'am.

Ms. Reid: Do we have any idea about the cost of the blasting? I wasn't here last month. So-

Dr. Walker: No, we do not.

Ms. Reid: Do we have any idea? More expensive, but 10 times?

Mr. Love: I was hoping to get a budget number for the blasting and it's going to be about eight to \$10,000 to blast the thing off of the masonry.

Ms. Reid: Yeah that's a lot.

Mr. Love: To chemical stripper, to do it one time is less than five, but then you're not guaranteed that you're going to get it all off. So that's the difference in what the cost of it is, and I don't know whether the cost actually comes into play in terms of the decision, but to answer your question, that's the answer.

Ms. Reid: Okay.

Dr. Walker: I think we're digesting.

Ms. Franke: I mean, potentially Mr. Love, would it be an option to do the chemical removal, so the 5K or whatever it is, and then whatever's left could be removed with a blast? Was the blast of for much less than the 10,000 that you mentioned?

Ms. Franke: Done in those two stages.

Mr. Love: I think that's certainly a possibility because if you went around and got as much of it off as you could, then you could get the other guy to come back out because it's two different contractors. Get the other guy to come out and look at it and see how much of it was left and what it would cost to blast it, because you're right, if it only left 10%, then it may not cost that much to go in and blast the rest of it off.

Dr. Walker: But it could also potentially cost more than just to blast it in the first place.

Mr. Love: Say that again.

Dr. Walker: It could potentially cost more to do chemicals and then blast than to blast it in the first place.

Mr. Love: Well, I was thinking if it only costs. Let's say you got 80% of the paint off and so you've got 20% of the cost to blast would be added to the cost of it. So I'm thinking it would be less than the total cost to blast, but it's still going to obviously be more than the cost of chemical stripping. So my thinking it would be somewhere in between the five and the eight or five and 10. So that-

Dr. Walker: I'm not sure... looking at this, a blaster's going to have to come in and blast all of that surface because they're still... it may only be 20%, but there's still 20%. So from the blaster's point of view, he's going to have the same investment in time and materials.

Mr. Love: Well now that part of it's true, too.

Dr. Walker: So I'm not sure that it would be cheaper to do chemicals first.

Mr. Love: That's another way to look at it. Yeah. So it's hard to know for sure.

Mr. Moore: May I approach?

Dr. Walker: Yes, sir.

Mr. Moore: Just to give you some clarification on my end, if I could show you guys pictures of what the masonry was previously painted, just say it was 40% of the home, is that not enough? In your bylaws where it said masonry can't be previously painted... can be painted if it's previously, should it not be enough to cover it? It don't say 100% of the masonry. It doesn't say 75% of the masonry. Again, I showed you pictures of the back. I do have pictures of the left side. I was explaining that the picture we sent was taken from the truck. So when you get up on it, you can't see the paint remnants on the chimney as well.

So the property was previously painted, that's for sure. I showed you guys pictures and according to the bylaws you can paint your masonry if it was previously painted. So I showed you guys pictures. You know it was previously painted. So I just feel like that should cover me.

Ms. Reid: Is it based on line of vision? Or is it just unclear? Is it just like painted or not? There's nothing about you can paint the back of your house masonry or anything like that, because like-

Ms. Reid: Because some of the bylaws are based on line of vision and seen from the road and things like that.

Mr. Livingston: So typically anything in the rear is typically the board has ruled out anything in the rear of the property to occur.

Ms. Reid: Right.

Mr. Livingston: So that's removal of windows, repairs in the back.

Mr. Livingston: But typically the sides and the front is where we typically require a lot of those approvals that would be minor or come before the board. Even in the rear, we require some situation where they provide us a Minor COA. But on this three sides, the front and the sides would require a either a Major COA if it's a major issue.

Ms. Reid And chimneys are obviously are visible from the street.

Dr. Walker: Yeah.

Mr. Livingston: As it regards to paint, it just says painting of masonry. It doesn't say if it's the full painting of masonry or partial painting of masonry. It doesn't say that photos we provided shows that there's no painting on the masonry back in 2019 when the property was purchased. At least nothing that was visible from the front.

Dr. Walker: Okay. Thank you.

Mr. Moore: Can I finish what I was saying as well?

Dr. Walker: Yes, sir.

Mr. Moore: All right. So yeah, I don't know anything about the back of the house and the side of the house in the bylaws. Just the bylaws that I've read, and everything that I've read just say the masonry. So then I showed you pictures of where the back was painted. I had pictures of where that right side was painted, and I have some pictures of what paint remnants are on the chimney. If you take a picture from the street, as we saw, you won't see, but I was up personally with the brick. So you'd be able to see more details of some paint remnants.

But you know again, I wasn't trying to break rules, I wasn't trying to break bylaws. I thought I was in the right. I still feel like I'm in the right, but the decision is you guys'. And again, I'm thinking I'm in right which I might not be, but I'm willing to repaint the home with the colors you guys suggest.

Dr. Walker: Thank you, Mr. Moore. And we do understand that you weren't deliberately trying to break the rules.

Mr. Moore: That's important for me because some people come here... like, I'm on the HOA with my neighborhood, and I'm on the Art Committee. So when people come through and get fences, we have a certain hub in my neighborhood where people come through and get rules. We have a set color in my rules. So the bylaws are important to me.

But again, if my masonry was previously painted, I feel like I'm in the law and the bylaws. I feel like I'm in the right to paint the property like I did. I just couldn't paint the rear and the right side and the other had unpainted the other half of house blue and the other half not painted. So again, I was just trying to do a good job, and not break any laws. But again, if I broke some bylaws and you guys find it just and you prove that I broke bylaws, then I'm fine taking my consequences.

Dr. Walker: Thank you. We really appreciate it.

Ms. Reid: What I'm struggling with is that is the burden that all of the paint, like 100% of the paint come off? Because if the paint stripper is what is recommended, like I understand getting the best result and getting 100% off is important to you know to an important historic property that needs to be preserved you know at that level, but I'm having trouble personal saying that twice the cost is necessary in this particular...

So I would just feel comfortable if maybe we could move away from the blasting because it seems to me like over the top for the situation. I have not heard that the stripper doesn't work. It's just that it takes a couple of applications and maybe there's... and blue is really hard to get rid of generally as a color. So I think that it's going to be a nightmare to get off. But I don't know. I just wonder if we can eliminate something in our conversation.

Mr. Moore: Nan and Mr. Love up there and asked him what the specialist said about the chemical paint stripper.

Ms. Reid: Yeah, I understand that it's not going to all come off, but what I'm saying is if you would prefer to be held to the standard of zero or 100, zero being repainting and 100 being getting all of that paint off, it might be better if we can eliminate getting all of that paint off so we can come to a compromise of removing with the lesser expensive option. Knowing full well that we are not saying that it's a perfect product, just to make progress.

Dr. Walker: And just a point of order, we are in board deliberations now. So we will proceed with that.

Mr. Michels: The brick on that house constitutes probably less than 5% of the volume of the house, other than the chimneys, which are both I would call prominent. There's a couple of other houses on that street where the foundation brick has been painted. However, the chimneys, some of them only expose though the roof line, and a couple of them exposed from the ground all the way up through the roof line or original brick, while the foundation, usually only a foot and, and a half to two feet high, is a color.

Ms. Reid: Yeah.

Mr. Love: Not necessarily neon blue, not necessarily a brick color, but most of them appear to be brick color or a light gray or something like that.

I would think of a compromise in that area was the part that people see the most and are going to recognize most on a house like that are the chimneys and the chimneys be stripped and/or blasted, whichever one is more economically feasible, back to their original color, which was brick, original wall brick, and that the foundation possibly could be painted a brick color since it is a much less prominence on the property. It would also match some of the work that had been done on some of the other properties in that neighborhood. That would be a compromise in some way.

Ms. Reid: My original thought when this came to us the first time was that we had to get the paint off the chimneys.

Ms. Reid: I'm not as wedded to it. So I'm in that space that you are in, I think, too. But maybe that requires getting a different quote for blasting of the... because if it's important for us to get the paint off the chimney and the best way to get it off is blasting and it's a smaller area, maybe it'd be better to try to get a quote for blasting the chimneys.

Dr. Walker: I would just remind you that the quote is sort of irrelevant to what we decide as a board. We have an application to paint it a brick color. If we denied that application, Mr. Moore would be required to remove the paint. We could also deny this application but have conditions that would allow him to only remove it from the chimneys and to do so in a method of his choice or we could dictate which method. So back to your point.

Ms. Reid: This doesn't have the application. Is the language just masonry or does the application space them out, just for wording, potential wording?

Dr. Walker: The application was to paint the masonry a brick color.

Ms. Reid: Okay.

Dr. Walker: Yeah.

Ms. Reid: But it says masonry just across the board?

Dr. Walker: Yeah.

Ms. Franke: I was just going to ask if there was any chance to see the house painted since it's been a while? If you have it, you have it.

Ms. Reid: Well, Bill, I don't know if you're not at a motion yet.

Mr. Michels: No, no. I was putting that out there to the board.

Ms. Reid: I am supportive of something like that.

Mr. Michels: Okay.

Mr. Olencki: Is the other chimney just roof level up?

Mr. Michels: That one comes up.

Dr. Walker: Yeah. So it's like a chimney and a half. Yeah. Any other thoughts from board members?

Mr. Michels: I mean I'll make a motion for it. I'll make a motion. I guess it's a drawn out motion. I'll make a motion that on the application to paint... I guess the not in how we're modifying?

Ms. Reid: Yeah, that's what I was trying to discern.

On a motion by Mr. Michels, seconded by Ms. Reid the Certificate of Appropriateness for major works was approved with condition to chemically or blasting remove paint from chimneys and paint foundation itself a brick color by a vote of 6-0

Mr. Michels: Okay, yeah. More than happy to do that. Approve pre-approve with conditions, the condition being that the paint either be with chemical or blasting removed from both chimneys, from the foundation, and/or roof line up to the tops, and that the foundation itself be allowed to be painted a more traditional brick color that can be approved by them, by city staff, and that'll be a motion.

Dr. Walker: Is there a second for that motion?

Ms. Reid: Second.

Dr. Walker: And Mr. Michels has made a motion which Ms. Reid has seconded to, let me be sure I've got it right, to approve the motion with conditions provided that the paint be removed from both chimneys either by chemical stripping or blasting, and that the remainder of the foundation be painted a brick color to be approved by city staff. Is that where we are?

Mr. Michels: Yes, that's where we are.

Ms. Reid: Yep.

Mr. Gaffney: Yes.

Speaker X: Mm-hmm.

Dr. Walker: Are we ready to vote?

Mr. Gaffney: Yes.

Ms. Reid: Yes.

Dr. Walker: All in favor say aye.

Attendees: Aye.

Dr. Walker: Any opposed? Any abstentions? All right, the motion carries for approval as modified. Thank you, Mr. Moore for your patience with the process.

Mr. Moore: Man, thank you all. Thank you all and sorry that this took so long.

Mr. Michels: That's all right.

Dr. Walker: It's all right.

Mr. Love: Thank you for patience.

Dr. Walker: Okay. The next, there is no new business. So the next item is a update on approved COAs for minor works.

Mr. Livingston: You should have the list of the minor works to you. I think that 102 Phifer was a code violation. We sent the owner a notice. The owner came in and submitted the minor COA. I think the brick foundation was painted.

Dr. Walker: Yes.

Mr. Livingston: It was painted, so we have proof of that.

Dr. Walker: Okay, good. Okay. Any questions for Mr. Livingston on those items?

Mr. Olencki: Two other items in. Do we have any feedback from the owners of 210 violations?

Mr. Livingston: I'm going to get to that.

Mr. Olencki: Okay. I'm sorry. Okay.

Mr. Livingston: I'm going to get to that.

Dr. Walker: Okay. Thank you.

Mr. Livingston: Under staff updates, continuing education, we have all board members required to have six hours of training as new members. So we encourage you to take the training if possible. Each of their training is three hours, qualifies for three hours, and board members that were previously approved would need to take three hours annually. So you will need to take that before June 30th of next year.

You have a couple of cases coming up next month. Window removal in Hampton Heights and pickets on 247 Hydrick Street where we sent the railing and all requirements to one of the property owners. They pointed out that the property had pictures of railings that were the same as his. So we sent the notice to that property owner and they submitted an application for a COA. So that'll come before you. A similar case, again, pickets and railings.

Dr. Walker: Okay.

Mr. Livingston: And then we also have the painted masonry violation. They were sent notices and they submitted an application for that as well. So we think it'll at least be three applications from Hampton Heights, one regarding pickets, one regarding painted masonry, another regarding the removal of windows. All three property owners were sent notices. Well, except for one of them. And 290 West Hampton was the siding, siding as well. So there's four cases.

We did send notice to the three property owners in Hampton Heights and three in Beaumont for violation of the historic standards. Two of those cases in Beaumont have been resolved. One of them we're getting ready to issue a summons. The three in Hampton Heights I think only one has been resolved and the other two are coming before the board.

Dr. Walker: Okay. Any questions for Mr. Livingston?

Ms. Reid: I do have a question. It's kind of a procedural question. Both those houses on Hydrick Street were both condemned at one point. I wonder if you could note if there's any sort of... it seems like houses that are condemned tend to get retroactive comment from things they've done wrong instead of during the process. Is there any way that we can... is there any addressing of that issue?

Ms. Reid: I've seen a lot... I have three condemned houses that have been repaired and it, you know. So you can kind of watch it happen. I know Bill does, too.

Mr. Livingston: One of the challenges with condemned houses is that they'll get a building permit for the interior and not always the exterior. The interior doesn't require a COA. So they'll slip through the process and just do something without getting one.

Ms. Reid: So I guess my question is if there are HARB members living on the street that see those violations, should we be recording them? Because we see them in slow motion sometimes and I wonder if we should say something.

Mr. Livingston: Oh no, report them.

Ms. Reid: Report them.

Mr. Livingston: Yes.

Ms. Reid: Okay. Because I saw the one down the street as well, but that was also condemned. So it always seems like that sort of slips through.

Mr. Livingston: Yeah. Report them. We're trying to, we have a procedure now in place for code violations in the historic district and a few other areas in the city.

Ms. Reid: Okay.

Mr. Livingston: So we can try to follow up on those quickly. We did that in Beaumont and followed up on those quickly and they got resolved quickly.

Ms. Reid: Great.

Mr. Livingston: As I mentioned, one of them we're getting ready to issue a summons. So I think they'll resolve it quickly once they get the summons.

Mr. Michels: We used to get that 210 Carlisle is the same thing. I mean through board resolve this and Buddy gets them putting a stop work on that kind of stops them.

Mr. Livingston: One of the things we can do with condemned houses in historic districts is that when they come in for a building permit, we can sit down and talk to them, make sure that they understand the requirements. Anything in the exterior will require some type of COA, whether it's minor or major. So we can do that as well.

Dr. Walker: Yeah, that would probably help avoid this.

Ms. Reid: Yeah.

Mr. Livingston: We have updated our NaviLine system, and one of the things that we're trying to find is a way to flag all the historic properties. So if someone pulls a permit, they immediately come to the Planning Department for a conversation before they get issued a permit.

Dr. Walker: That's great.

Mr. Livingston: So we're trying to figure out how to do that. There's a way to do that, but we haven't figured out yet.

Ms. Reid: Well good.

Dr. Walker: Okay.

Ms. Reid: Cool. Thank you.

Dr. Walker: Thank you. Anything else for Mr. Livingston? Right, hearing none and we have nothing else on the agenda, so I will entertain a motion for adjournment.

Mr. Gaffney: So moved.

Mr. Olencki: A question in the back.

Dr. Walker: Was there a question in the back?

Mr. Gaffney: Oh.

Dr. Walker: Yes, sir.

Mr. Steagalte: I'm at 210 Carlisle guy.

Dr. Walker: Ah, would you give us your name and-

Mr. Steagalte: Absolutely. Absolutely. And yeah, Tom Steagalte, S-T-E-A-G-A-L-T-E, and I've been here, I moved in in June. I just retired. I'm a Methodist pastor from western North Carolina, and I'm a complete naïve. I have lived in [inaudible] all my life, and the first house closed in and they were sliding papers in front of me, and I did initial that I understood I was in the historic district. I had no idea what that meant. As far as I knew, it was just a little sign on top of the street sign that had no idea.

The windows were in bad shape. They were caulked shut. They were all ready to replace windows in the building. I just didn't have any real sense I was doing anything wrong. I was just trying to upgrade my property, and including ordering the windows with a special coloring to match what was there, hoping then to paint the house in matching colors. I wanted it all to be the same. I love it. I love it. I want to live there the rest of my life. My grandbabies are here.

Anyway, but it's my fault because I signed the thing and I didn't know the process, and so what do we do? I mean I've got five... I've already lost all my dishes all of my dinnerware off on the floor, and I've got new dishes. Anyway, tell me what I need to do and how I can help you help me so I can maybe get through this and not have to go through the winter with half installed windows?

Mr. Livingston: Meet us at 440 S Church Street and we can discuss it.

Mr. Steagalte: I'm sorry?

Mr. Livingston: We can meet at 440 S Church Street.

Mr. Steagalte: Okay. You've been talking to Bob?

Mr. Livingston: Buddy

Mr. Steagalte: But it wasn't Buddy. The guy that I've been talking to Buddy. Yeah, so what time do I need to come.

Mr. Livingston: All right, just going to set it up.

Dr. Walker: We need a motion to adjourn.

Ms. Reid: Yes.

Mr. Steagalte: Anyway, I'm sorry.

Dr. Walker: No.

Ms. Reid: Well thank you... It's good.

Ms. Reid: Good introduction.

Dr. Walker: Staff will help.

Mr. Steagalte: I didn't mean to screw up everybody's life, but-

Ms. Reid: You aren't.

Mr. Steagalte: I'm just so-

Dr. Walker: Thank you. We understand how crazy it can be.

Ms. Reid: They're very good, competent people and they'll work you through it.

Mr. Steagalte: Thanks. Well anyway, so I'm Tom.

Ms. Reid: Nice to meet you.

Dr. Walker: And do we have a motion for adjournment?

Mr. Gaffney: So moved.

Mr. Michels: Second.

Dr. Walker: Okay. All in favor say aye.

Attendees: Aye.

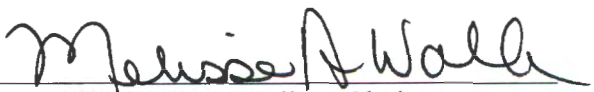
Dr. Walker: Any opposed?

Mr. Gaffney: I was first.

Mr. Michels: Second.

Dr. Walker: Bill was second.

The meeting was adjourned at 6:20 PM


Dr. Melissa Walker, Chairperson