Asheville-Buncombe Historic Resources Commission Meeting
Minutes of May 11, 2016
1st Floor North Conference Room - City Hall
4:00 p.m.

Present: Chair Brendan Ross; David Carpenter, William Eakins, Woodard Farmer, Julie Hansbury, Leslie Klingner, Bryan Moffitt and David Nutter

Absent: Richard Fast and Amanda Warren

Administrative

- Mr. Nutter moved to approve the minutes of the April 13, 2016 meeting. This motion was seconded by Mr. Eakins and carried unanimously.
- After Chair Ross explained the public hearing rules, all those present in the audience and staff who anticipated speaking were sworn in.

Consent Agenda

1. Certificate of Appropriateness - 19 Short Street - Modification of rear window to convert to a door and installation of wood picket fence in front yard

Owner/Applicant:	Mona Lipman/Bill Sprowls
Subject Property:	19 Short Street
Hearing Date:	May 11, 2016
Historic District:	Montford
PIN:	9649.21-1513
Zoning District:	RM-8

Property Description: Late 19th early 20th century 2-story plain triple-A. Porch with turned posts.

Certificate of Appropriateness Request: Conversion of window opening on first floor of rear elevation to a door opening with 3-lite wood paneled door matching existing. Entryway will have a new wood stair landing connecting to adjacent entry. Construction of 10' x 12' utility building; building will have cedar lap siding and trim painted to match primary structure, 1/1 double-hung windows, and dark gray asphalt shingle roof. Installation of wood picket fence 42" in height in front yard, per attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements: Staff has no concerns.

The guidelines for Windows and Doors found on pages 84-85, Carriage Houses, Garages and Accessory Structures found on pages 34-35, and Fences and Walls found on pages 36-37 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010 and amended August 14, 2015 were used to evaluate this request.

Staff Recommendation: Staff recommends approval of the request for the following reasons:

1. Window opening being modified is on the rear elevation.
2. New door will be wood and is compatible with the overall design of the building.
3. New fence is not being installed on a prominent historic property.
4. New fence is in keeping with the historic character of the neighborhood and

architectural style of the house.

5. New fence will not exceed 4' in height (including posts and finials), and will be no more than 65% solid.
6. Accessory building will be located in rear yard and will use traditional roof form, materials, and details compatible with the main building.

ADOPTION OF FINDINGS OF FACT

Based upon the evidence presented to this Commission, including Exhibit A - project description; Exhibit B – photographs of subject property (14 pages); Exhibit C – floor plan; Exhibit D – rendering of new door opening; Exhibit E – site plans (2 pages); Exhibit F – rendering of proposed utility building; Exhibit G – rendering of proposed fence; Exhibit H – examples of fences in the district (4 pages); Exhibit I – additional examples of fences in the district (4 pages – received May 10); and the Commission's actual inspection and review of subject property by all members, Mr. Moffitt moved that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of April, 2016, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of April, 2016 as indicated by Exhibits (J) and (K).

2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.

3. That the application is to convert one window opening on first floor of rear elevation to a door opening with 3-lite wood paneled door matching existing. Entryway will have a new wood stair landing connecting to adjacent entry. Construction of 10' x 12' utility building; building will have cedar lap siding and trim painted to match primary structure, 1/1 double-hung windows, and dark gray asphalt shingle gable roof. Installation of wood picket fence 42" in height in front yard, per attached drawings and plans. **All necessary permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the guidelines for Windows and Doors found on pages 84-85, Carriage Houses, Garages and Accessory Structures found on pages 34-35, and Fences and Walls found on pages 36-37 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

5. This application does meet the design guidelines for the following reasons:

   a. Window opening being modified is on the rear elevation.
   b. New door will be wood and is compatible with the overall design of the building.
   c. New fence is not being installed on a prominent historic property.
   d. New fence is in keeping with the historic character of the neighborhood and architectural style of the house.
   e. New fence will not exceed 4' in height (including posts and finials), and will be no more than 65% solid.
   f. Accessory building will be located in rear yard and will use traditional roof form, materials, and details compatible with the main building.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness are congruous with the special historic character of the Montford Historic District.

This motion was seconded by Mr. Eakins and carried unanimously.

As there was no objection to 19 Short Street Certificate of Appropriateness being placed on the Consent Agenda, the FINDINGS OF FACT were adopted and the Certificate of Appropriateness was issued.

2. Certificate of Appropriateness - 111 Pearson Drive - Modification of existing rear addition and Deck

Owner/Applicant: Lee Brown
Subject Property: 111 Pearson Drive
Hearing Date: May 11, 2016
Historic District: Montford
PIN: 9649.03-2444
Zoning District: RM-8

Property Description: Early 20th century plain 1-story bungalow. Stucco walls. 1917-1925 (S)

Certificate of Appropriateness Request: Reconstruction of existing rear addition and enclosure of existing deck with screen. Roof over addition and porch will be gable end with asphalt shingles, extending from existing roof line. Exterior will consist of wood lap siding matching existing. One existing window and existing door will be reused on reconstructed addition, per attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements: Staff has no concerns.

The guidelines for Additions found on pages 88-89 and Porches, Entrances, and Balconies found on pages 72-73 for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

Staff Recommendation: Staff recommends approval of the request for the following reasons:

1. Proposed modification of existing addition will increase compatibility with existing building in terms of height, massing, roof form and pitch.
2. Addition is on the rear of the building, and is inset from an existing bump out on the side elevation, making it less visible from the right of way.
3. Exterior surface siding and details are compatible with the existing building in material, texture, color, and character.
4. Deck to be enclosed is on rear elevation and will be compatible with existing structure in terms of roof form, scale, details, materials, and color.

ADOPTION OF FINDINGS OF FACT

Based upon the evidence presented to this Commission, including Exhibit A - project description; Exhibit B – photographs of subject property (4 pages); Exhibit C – site plan; Exhibit D – existing and proposed floor plans; Exhibit E – existing and proposed elevation drawings (2 pages); Exhibit F – section details; and the Commission's actual inspection and review of subject property by all members, Mr. Moffitt moved that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of April, 2016, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of April, 2016 as indicated by Exhibits (G) and (H).

2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.

3. That the application is to reconstruct existing rear addition and enclosure of existing deck with screen. Roof over addition and porch will be gable end with asphalt shingles, extending from existing roof line. Exterior will consist of wood lap siding matching existing. One existing window and existing door will be reused on reconstructed addition, per attached drawings and plans. **All necessary permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the guidelines for Additions found on pages 88-89 and Porches, Entrances, and Balconies found on pages 72-73 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

5. This application does meet the design guidelines for the following reasons:

   a. Proposed modification of existing addition will increase compatibility with existing building in terms of height, massing, roof form and pitch.
   b. Addition is on the rear of the building, and is inset from an existing bump out on the side elevation, making it less visible from the right of way.
   c. Exterior surface siding and details are compatible with the existing building in material, texture, color and character.
   d. Deck to be enclosed is on rear elevation and will be compatible with existing structure in terms of roof form, scale, details, materials, and color.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness are congruous with the special historic character of the Montford Historic District.

This motion was seconded by Mr. Eakins and carried unanimously.

As there was no objection to 111 Pearson Drive Certificate of Appropriateness being placed on the Consent Agenda, the FINDINGS OF FACT were adopted and the Certificate of Appropriateness was issued.

Public Hearings

1. Certificate of Appropriateness - 139 Montford Avenue - Construction of new accessory structure

Historic Preservation Specialist Alex Cole used site plans while she reviewed the following staff report:

Owner/Applicant:	Barry Halperin/Julie Moran
Subject Property:	139 Montford Avenue
Hearing Date:	April 13, 2016
Historic District:	Montford
PIN:	9649.12-2492
Zoning District:	RM-8

Property Description: Constructed in 2014. Two-story single family residence with stucco foundation, lap siding, hip roof, 1/1, double-hung windows, corner turret and wrap-around porch.

Certificate of Appropriateness Request: Construction of 1,352 square foot accessory building with cedar lap siding and asphalt shingle hip roof. Windows will be 1/1, double-hung, aluminum clad in singles, pairs, and triples. Doors will be metal with single lite, and garage

doors will consist of paneling with two lites above. All architectural details will match those of primary structure in material and color. Area between primary structure and accessory structure will be landscaped, including installation of circular area of brick pavers surrounded by grass and stone pathway that will be flush with the ground. Plantings will be installed with low voltage lighting interspersed. An 18" tall granite retaining wall with 16" x 16" piers and lighting will be installed extending from rear of primary structure. A concrete driveway will be installed from alley way for access to accessory structure. New 42" tall post and wire fence will be installed along driveway and side of accessory structure meeting existing privacy fence, per attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:

1. New accessory structure should be no taller than 1 ½ stories.
2. Staff has asked that the applicant provide renderings illustrating brick pavers and retaining wall.

The guidelines for Carriage Houses, Garages and Accessory Structures found on pages 34-35, Landscaping and Trees found on pages 40-41, Fences and Walls found on pages 36-37, and Walkways, Driveways and Off-Street Parking found on pages 50-51, and Lighting found on pages 42-43 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

Staff Recommendation: Staff recommends approval of the request provided concerns are addressed.

Ms. Julie Moran, architect, stated that while she understood staff's concern that the accessory structure be no taller than 1 ½ stories, she felt that the structure she designed met that guideline in its form.

Ms. Moran responded to Mr. Farmer stating that the total square footage of the new structure is approximately 50 percent of the total square footage of the main house. Historic Resources Director Stacy Merten said that the guidelines for accessory structures state that they should not exceed 30 percent of the scale of the main building, but noted that the guideline is intended to relate to all aspects of the buildings not just square footage. Ms. Moran was confident that the accessory structure does meet the guideline for scale.

Chair Ross opened the public hearing at 4:20 p.m., and when no one spoke, she closed the public hearing at 4:20 p.m.

There was considerable discussion regarding the size and massing of the accessory structure. In particular the Commission noted that an accessory structure is to be subordinate to the main building. The Commission discussed ways to possibly reduce the mass, with one suggestion being increasing the pitch of the roof noting. They noted that it may be difficult to design the structure with a steeper roof pitch, and make it compatible with the main building.

Ms. Merten said that the Commission can vote on the application as is and if it is denied, the applicant would have to come back with a different design; or the applicant can ask for a continuance and revise the plan to meet the guidelines.

Ms. Moran said that she would request a continuance because they were not aware that they had the option of modifying the roof pitch to be different than the main building.

Mr. Farmer acknowledged that the applicant does have flexibility for the roof pitch, but noted that the structure should still be compatible with the main building and other accessory structures in the district.

Mr. Farmer moved to continue the Certification of Appropriateness application for 139 Montford Avenue until June 8, 2016. This motion was seconded by Mr. Eakins and carried unanimously.

2. Certificate of Appropriateness - 6 Arborvale Road - Construction of new accessory structure

Historic Preservation Specialist Alex Cole used site plans while she reviewed the following staff report:

Owner/Applicant:	Rob & Lindsay Moody
Subject Property:	6 Arborvale Road
Hearing Date:	May 11, 2016
Historic District:	Montford
PIN:	9649.01-7837
Zoning District:	RM-8

Property Description: Two-story house recessed porch, 1/1 and single-lite casement windows, and gable roof. Constructed 2006.

Certificate of Appropriateness Request: Construction of new one-story, 532 square foot accessory building with pier foundation, Hardie-plank lap siding and wood shingle siding above trim board. Roof will be architectural shingle matching primary structure. Front entry porch will consist of wood railing and 2" x 2" wood pickets 3" on center, wood deck board flooring and architectural shingle hip roof. Windows will be wood 1/1, double-hung or casement; door will be ¼ lite wood. New gravel driveway and walkway will be installed along north elevation and a gravel patio will be installed along east elevation, per attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:

1. Staff has concerns regarding retention of green space on site.
2. Staff has concerns regarding details of accessory structure being compatible with those of the primary structure and other accessory structures in the district.

The guidelines for Carriage Houses, Garages and Accessory Structures found on pages 34-35, Landscaping and Trees found on pages 40-41, Fences and Walls found on pages 36-37, and Walkways, Driveways and Off-Street Parking found on pages 50-51, and Lighting found on pages 42-43 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

Staff Recommendation: Staff recommends approval of the request, provided concerns are addressed, for the following reasons:

1. Proportion of new accessory structure is compatible with the primary structure in terms of height, footprint and massing.
2. Location of new accessory structure will be in keeping with the historic pattern in terms of relationship to primary structures, traditional location of ancillary buildings, orientation, setback, retention of green space and spacing between structures.
3. New accessory structure will use traditional roof form, materials, and details compatible with the main building and other historic accessory structures in the district.
4. New driveway and walkway will be compatible with the site and district in terms of dimension, configuration, materials, color and texture.

Ms. Cole said that the applicant has submitted revised drawings and site plans, with changes to materials, overall footprint, and orientation of the building. She noted that there is a substantial amount of

space taken up in the yard by gravel areas. She also noted staff's concern regarding the architectural detailing of the accessory structure. She stated that in staff's opinion there is more architectural detailing proposed than would be typical of an accessory structure.

Mr. Carpenter noted that the architectural details of an accessory structure should reference the main building, and perhaps not include every element of the main building.

Mr. Rob Moody, applicant, said that the accessory structure is being constructed for his mother. He noted that it is about one quarter of the size of the main house in square footage. He explained the materials being proposed for the structure. He said that he revised his site plan after receiving comments from staff and the Executive Committee. He reduced the footprint by removing the porch from the south side and putting it all on the east side. He addressed the site plan, in particular the areas of proposed gravel, repurposing of rocks, 4 trees to be removed, trees that will remain, and the relocation of a cherry tree. He stated that he would be willing to leave off the porch brackets but asked that he be able to keep gable detailing.

Since Mr. Moody would be removing some trees, Mr. Nutter inquired if it was possible to plant any trees somewhere else on his property or in some manner provide for new trees off-site. Ms. Merten responded that HRC cannot require him to plant trees off his property. She also noted that while the HRC would prefer that new trees be planted, the site is fairly limited in size.

In response to Mr. Farmer, Mr. Moody explained other proposed landscaping on the site.

In response to Mr. Moffitt, Mr. Moody said the porch is either 13' x 7' or 13' x 10'. He also said he would prefer to not have a railing.

Chair Ross opened the public hearing at 4:55 p.m., and when no one spoke, she closed the public hearing at 4:55 p.m.

ADOPTION OF FINDINGS OF FACT

Based upon the evidence presented to this Commission, including Exhibit A - lighting examples; Exhibit B – examples of exterior finishes (2 pages); Exhibit C – accessory structure rendering and site map; Exhibit D – site plans (2 pages); Exhibit E – photographs of primary structure; Exhibit F – storyboard; Exhibit G – floor plan; Exhibit H – elevation drawings (4 pages); Exhibit I – revised plans and elevation drawings (11 pages – received May 11, 2016); Exhibit J – rendering of accessory and primary structures (received May 11, 2016); Exhibit K – revised site plan (received May 11, 2016); and the Commission's actual inspection and review of subject property by all members, Mr. Nutter moved that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 27th day of April, 2016, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 27th day of April, 2016 as indicated by Exhibits (L) and (M).

2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.

3. That the application is to construct new one-story, 532 square foot accessory building with pier foundation, Hardie-plank smooth lap siding with 6" reveal and wood shingle siding above trim board. Roof will be architectural shingle matching primary structure. Front entry porch will consist of wood deck board flooring and architectural shingle hip roof. Windows will be wood 1/1, double-hung or casement; door will be ¼ lite wood. New gravel driveway and walkway will be installed along north elevation and a gravel patio will be installed along east elevation, per attached drawings and plans.

All necessary permits, variances, or approvals as required by law must be obtained before work may commence.

4. That the guidelines for Carriage Houses, Garages and Accessory Structures found on pages 34-35, Landscaping and Trees found on pages 40-41, Fences and Walls found on pages 36-37, Walkways, Driveways and Off-Street Parking found on pages 50-51, and Lighting found on pages 42-43 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

5. This application does meet the design guidelines for the following reasons:

   a. Proportion of new accessory structure is compatible with the primary structure in terms of height, footprint, and massing.
   b. Location of new accessory structure will be in keeping with the historic pattern in terms of relationship to primary structures, traditional location of ancillary buildings, orientation, setback, retention of green space and spacing between structures.
   c. New accessory structure will use traditional roof form, materials, and details compatible with the main building and other historic accessory structures in the district.
   d. New driveway and walkway will be compatible with the site and district in terms of dimension, configuration, materials, color and texture.

6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness are congruous with the special historic character of the Montford Historic District.

This motion was seconded by Mr. Moffitt and carried unanimously.

Based upon the foregoing FINDING OF FACT and for the reasons set forth therein, Mr. Nutter moved that a Certificate of Appropriateness be issued, with the following conditions: (1) that the applicant leave off the brackets currently shown on the porch with plans to be approved by staff; (2) applicant will submit landscaping plan with shrubs and bushes between accessory structure and Houston, as well as relocation of existing 5-inch cherry tree to a suitable location on the site to be approved by staff. This motion was seconded by Ms. Klingner and carried unanimously.

3. Certificate of Appropriateness - 339 Cumberland Avenue - Removal of mature sycamore tree for installation of previously approved driveway

Historic Resources Director Stacy Merten used site plans while she reviewed the following staff report:

Owner/Applicant:	Jonathan Mark Ferguson
Subject Property:	339 Cumberland Avenue
Hearing Date:	May 11, 2016
Historic District:	Montford
PIN:	9649.05-5252
Zoning District:	RM-8

Property Description: Unopened alley leading from subject property to the public right of way.

Certificate of Appropriateness Request: Removal of large mature sycamore tree (60") to allow for driveway construction, per attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:

Ms. Merten stated that the Historic Resources Commission approved the removal of the large mature sycamore tree on October 8, 2008, as part of the original plans for construction of the driveway. The driveway was not constructed and the permits, although extended under the permit extension act, eventually expired. A revised plan was approved by the Historic Resources Commission for construction of the retaining wall and driveway in July, 2015, but removal of the tree was not included as part of that application. The applicant is now requesting removal of the tree for access to the site. Ms. Merten noted that beyond the 10' minimum curb cut width, the City of Asheville does not require a minimum width for residential driveways.

The City arborist has looked at the tree and did not find any evidence of disease; however he commented that the tree is leaning slightly toward the house located at 343 Cumberland Ave, and its roots have likely been slightly compromised due to installation of sewer lines, a culvert and the driveway.

The guidelines for Landscaping and Trees found on pages 40-41 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

Staff Recommendation: Staff recommends that the applicant exhaust all remedies to access the site through alternative means, but otherwise recommends approval of the removal of the tree for the following reasons:

1. Removal of healthy mature trees is allowed to accommodate new construction in conjunction with an approved landscape plan.
2. The HRC previously approved a request to remove the large mature sycamore tree.

Ms. Merten said that that the applicant is having issues with large trucks being able to access the building site. He has been unable to obtain a temporary access easement from the neighboring property to the south. Staff would encourage the applicant to seek all other possible means of access and to exhaust those means before removing the tree.

In response to Mr. Farmer, Assistant City Attorney Jannice Ashley said that the driveway is considered a public right-of-way, but it is not a City-owned right-of-way.

When Mr. Farmer asked about the prior Certificate of Appropriateness, Ms. Merten said that the removal of the sycamore tree was not a part of Mr. Ferguson's application because he hoped to save it.

Mr. Mark Ferguson, applicant and owner of 339 Cumberland Avenue, showed a picture of the tree. He said that he deeply regrets having to remove the tree, but the construction vehicles for his house, mainly his well-drilling truck cannot pass as the driveway is only 8' wide. When he started the project, his survey showed that he had 10 feet to the south of the tree; however, it now turns out that he only has 8 feet to the south, and 2 feet makes a huge difference. Their first course of action was to contact the the property owner to the south to see if they could obtain a temporary easement, because after the house is built they won't require the extra 2 feet. Ms. Martha Ferguson, applicant, said that they sent a letter to the property owner to the south requesting a temporary easement. They then received a letter from an attorney representing Francis Apartments that stated they are not to come onto their property for any reason at all. She said she would provide the Commission with a copy of the letter.

There was considerable discussion on ways to avoid the removal of the large sycamore tree, including, but not limited to, the use of narrower or smaller trucks. The Commission also discussed any potential for the property owners to the north of the tree agreeing to a temporary easement, but noted that it would destroy quite a bit of landscaping and possibly damage the roots of the tree on that side as well. The other alternative discussed was the possibility of tapping into City water as opposed to drilling a well.

Chair Ross opened the public hearing at 5:28 p.m.

Mr. Michael Smith, owner of the property to the north of the tree, explained that the 150 year old tree is beautiful and healthy and shades his backyard. In 2003, his wife granted the Metropolitan Sewerage District (MSD) a 20' easement along the southern portion of their property. He felt that because they already have an easement with MSD that would preclude them from granting a temporary easement to Mr. Ferguson. To consider granting Mr. Ferguson an easement would require him discussing the matter with his wife, noting that they have a relatively small backyard and his wife has spent a lot of time in its beautification.

The following individuals spoke in opposition of removing the sycamore tree, suggesting the same options as the Commission for saving the tree:

Mr. Chardin Detrich, 27 Catawba Street
Ms. Susan Roderick, 265 Pearson Drive
Ms. Carol Polsgrove, 169 Pearson Drive
Mr. Steve Norman, 357 Cumberland Avenue
Mr. T.J. Dutton, certified arborist who temporarily resides on Cumberland Avenue

Mr. Neil Drendel, 37 Catawba Street, spoke in opposition of removing the sycamore tree, and said that he would consider granting Mr. Ferguson an easement through his property to hook up to City water.

Chair Ross closed the public hearing at 6:10 p.m.

Mr. Ferguson stated that they also would prefer to keep the tree, and could potentially hook up to City water; however, the water tap is at the top of Cumberland and they would have to dig a trench for the waterline that would potentially affect the roots of the tree.

Mr. Drendel said that he would be amenable to working with Mr. Anderson on an easement through his property.

Ms. Merten said that the applicant could continue his application in order to work out the details and explore his options. If the details are worked out for a waterline easement from Catawba Street, the applicant would not have to come back to the Commission.

There was a brief discussion regarding the potential waterline easement from Catawba Street. If the waterline must connect to Cumberland instead, the Commission noted that there are different options for precluding any damage to the root system, including using an air drill so as not to damage the roots. If they applicant chooses this route, Ms. Merten noted that they could work with HRC staff and the City Arborist for review of the project. In the event that the waterline expense is too great for the applicant, he can come back to the Commission with other alternatives.

After a brief discussion about whether the applicant should amend his application or simply withdraw it, Mr. Ferguson asked that his application be withdrawn.

Other Business

At the request of Mr. Carpenter, Historic Resources Director Stacy Merten said that she would have Major Work applications amended to include square footage of the main structures and accessory structures. Ms. Merten also noted that the guidelines are somewhat vague for accessory structures and would welcome input from the Commission to review them.

There was a brief discussion, initiated by Mr. Farmer, regarding fines when someone requests retroactive approval for a Certificate of Appropriateness. Assistant City Attorney Jannice Ashley said that she will review the possibility of a one-time fine or increasing the application fees for retroactive approvals.

Adjournment

At 6:34 p.m., Mr. Nutter moved to adjourn the meeting. This motion was seconded by Mr. Moffitt and carried unanimously.