

**MINUTES OF THE REGULAR MEETING OF THE
SANFORD HISTORIC PRESERVATION COMMISSION
WEST END CONFERENCE ROOM
7:00 PM, MONDAY, AUGUST 26, 2013
SANFORD MUNICIPAL BUILDING**

In accordance with General Statutes the Public Hearing was advertised, once a week for two successive calendar weeks prior to the meeting date.

Roll Call:

Commissioners Present: David Nestor, Carla G Thomann, Ash Worboys, and Jonah Godfrey

Commissioners Absent: John Sheuring, Christy Crouch, and Cheryl Myers

**Staff Present: Susan Patterson, City Attorney
Liz Whitmore, Staff
Bruno Pursche, Board Clerk**

Government Official Present: Sam Gaskins

APPROVAL OF THE AGENDA FOR AUGUST 26, 2013

Chair Nestor called the meeting to order. Board Clerk, Bruno Pursche called the roll. Chair Nestor asked for approval of the revised agenda. Commissioner Worboys moved to approve the revised agenda. Seconded by Commissioner Godfrey, the motion passed unanimously.

APPROVAL OF THE JULY 22, 2013 MINUTES

Chair Nestor entertained a motion to approve the July, 2013 minutes; Commissioner Godfrey moved to approve the minutes and seconded by Commissioner Thomann and passed unanimously

There was no Public Comment.

5a. PUBLIC HEARINGS

In accordance with General Statutes the Public Hearing was advertised, once a week for two successive calendar weeks prior to the meeting date.

Matt Sakurada and Liz Whitmore were given the oath.

COA-13-57-Application by Matthew and Susan Sakurada owners of 310 Green Street who wish to install a six foot tall privacy fence in the rear yard of 310 Green Street that exceeds forty two (42) inches in height.

There was no conflict of interest among the Commissioners which would prejudice the decision

making process.

Ms. Whitmore summarized the staff report for COA-13-57. Ms. Whitmore indicated that all public notifications required by the general statutes had been fulfilled. The fence will not exceed the rear façade of the house and will not be attached to the house. She referred to the supportive material in the package submitted to the Commission which included a picture of the type of fence to be used and map of the back yard to be fenced as shown in Exhibits A and B.

Chair Nestor opened the Public Hearing.

According to Matthew Sakurada, someone qualified will be installing the fence with treated materials.

Chair Nestor closed the Public Hearing.

FINDING OF FACT: Commissioner Worboys moved that the Historic Preservation Commission find as fact that the proposed project COA 13-57, 310 Green Street, if done in accordance with the decision by the Historic Preservation Commission, is congruous with the character of the district, for the reasons that the materials, architectural detailing, or appurtenant features and fixtures are for the following reasons, the wood shadow fence is of proper height and of a material, wood and the colors are congruous to those of the other properties and for the safety of the family and their pets are generally in harmony with the criteria in the design guidelines and the special character of the neighboring properties and the historic district as a whole. Seconded by Commissioner Thomann and passed unanimously.

FINAL MOTION: Based on the preceding finding of fact, Commissioner Worboys moved that the Historic Preservation Commission grant a Certificate of Appropriateness to Matthew and Susan Sakurada and approve the proposal as shown in COA-13-57, 310 Green Street. Seconded by Commissioner Thomann and passed unanimously.

6. OLD BUSINESS:

a. Rosemount McIver Park Historic District guidelines Final Draft

1. Boarded structures – Ms. Whitmore provided a proposed ‘City of Sanford NC Historic District Boarding and Security Guideline’ (included by reference) for discussion. There are some concerns regarding this by City Manager Hegwer. Chair Nestor acknowledged that the commission can talk about this tonight but made a recommendation to take this guideline home for review and make sure Mr. Hegwer, City Manager has a copy. Susan advised there is a statewide effect in order to do anything under North Carolina law; Cities have to have authority granted by the statutes. In North Carolina you have to have an authorizing statute to do anything. The concern becomes do we have anything that authorizes us to require art on somebody’s house. You can have something that requires things to be boarded for safety and you can require them to be painted for unoccupied structures. There is an ordinance which requires bare wood to be painted to preserve the wood. This guideline is somewhat different, since it requires a certain design and decorative paint for structures possibly damaged by fire or natural disaster which may still be under consideration by an insurance company. There are some legal issues involved which must be resolved before Attorney Patterson could endorse this guideline. Chair Nestor stated, who is to judge the art work;

which is one of his concerns. Ms. Whitmore, staff, explained that Goldsboro does not allow any boarding of windows and she needs to find out how Goldsboro handles this situation. She'll try to do more research on this matter and get some additional information. There was additional general discussion by board members regarding boarding windows. Attorney Patterson did iterate that governments must watch that they do not over reach their authority upon its citizens.

2. Parking - During National-Night-Out Ms. Whitmore, staff, was approached by numerous individuals regarding parking in front yards in Rose-Mount McIver historic district. Chair Nestor is personally in favor of a parking regulation to prevent parking in the front yard. According to a survey done by Ms. Whitmore, staff, all houses in Rosemount McIver Historic District have driveways; some have garages behind the houses. People do not like to play the car shuffle game; they do not like to park their cars on the street, for fear of the car getting wrecked. Most people want to park their vehicles close to the house. Parking in front yards is across the board by all demographics of the population. Chair Nestor stated that he did not want to reinvent the wheel but use an ordinance which has been proven to work. Ms. Whitmore cited the draft Parking Ordinance, the City of Monroe Ordinance and City of Monroe parking citation (included by reference). According to Attorney Patterson, the vehicle owner is cited for parking violations on public property in the City of Sanford and would most likely be the same on private property. There was a discussion regarding the penalty amount and who should be cited. Ms. Whitmore, staff, stated that in Concord, NC the property owner is fined for parking in the front yard; property owners of rental property put it in their leases that the renters cannot park in the front yard. Concord has a \$300.00 a day fine for parking in the front yard. At least 10% of the vehicles in the neighborhood park in the front yards. There was a discussion regarding the pervious surface for parking areas. The Board will look at this, mark it up and bring it back for further discussion.

7. NEW BUSINESS:

a. Staff update:

1. 2013/2014 meeting schedule

Ms. Whitmore, staff, discussed the meeting schedule for FY 14 (included by reference). November and December dates to be discussed at next meeting.

2. Paint What Matters – The representative for Benjamin Moore met with David Montgomery, Director Downtown Sanford, and did a walk-a-about downtown. They will do an assessment and get back with Mr. Montgomery as to their recommendations.

3. Bond Referendums – Ms. Whitmore, staff, provided the Commission what was on the website regarding downtown Sanford (included by reference).

Ms. Whitmore, staff, briefed the Commission on houses which were sold in the Rosemount- McIver Historic District. She provided each commissioner a Rosemount-McIver Park Historic District Timeline from 1910 to the present (included by reference). There is illegal signage in the window on 145 & 147 N Steele Street which is not allowed by the downtown guidelines, AK&K has been notified in writing; Ms. Whitmore is not comfortable approving the signage at staff level because it does not meet the guidelines. It was determined to bring this COA before the Commission as a major COA.

4. COA's

Staff provided updates on minor approved COA's (included by reference).

The Rosemount-McIver Park Guidelines were given to the Commissioners for review to be discussed at the September meeting.

ADJOURNMENT:

Commissioner Worboys made a motion to adjourn. Seconded by Commissioner Godfrey, the motion passed unanimously. The meeting adjourned at 8:05 PM.

Adopted this _____ day of _____

Respectfully submitted,

Chair, David Nestor

ATTEST: _____
Clerk,