



**WASHINGTON HISTORIC PRESERVATION  
COMMISSION**

Regular Scheduled Meeting - Agenda  
Tuesday, October 4th, 2016  
7:00 PM

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**I. Opening of the meeting**

**II. Invocation**

**III. Roll call**

**IV. Old Business**

1. A request has been made by Mr. John Moseley for a Certificate of Appropriateness to remove a magnolia tree located in the western side of the property on 243 East Main Street.

**V. Certificate of Appropriateness**

**A. Major Works**

2. A request has been made by Mr. Jim Wiley, acting as agent for Beacon Street, for a Certificate of Appropriateness to construct a new single family, two-story dwelling on Lot #21. The home will be consistent and will match single family residences in the development.
3. Demolition by Neglect Ordinance: Hearing for the owner of 120 McNair Street.

**B. Minor Works**

1. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 511 West Second Street to install a new gas furnace under the house and an outdoor condenser located on the east side of the house on the property.
2. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 509 West Second Street to install a split heat pump and a condenser on the deck on the tertiary elevation of the property.
3. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 211 West Main Street to replace the existing HVAC on the roof of the property.
4. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 432 East Main Street to re-install a new

white picket fence around the mechanicals located on the east side of the property.

5. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 105 West Main Street to install a new HVAC unit in place of the previous one on the roof of the property.
6. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 110 North Academy Street to install a new HVAC unit in place of the previous one on the tertiary elevation of the property.
7. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 122 South Harvey Street to install a 24"x30" freestanding sign in the primary elevation of the property.
8. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 624 West Main Street to do the following items on the property:
  - a. Repair/ Replace rotten siding, trim, porch flooring, columns, and posts around the house using like materials.
  - b. Remove dead landscaping in public right of way to replace with something more appropriate.
9. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 705 West Second Street to repair/replace siding, roofing, and windows using like materials on the property.\*\*\*

\*\*\*Denotes a Demolition by Neglect property.

## **VI. Other Business**

1. Demolition By Neglect Ordinance: Property Status

## **VII. Approval of Minutes – September 6th, 2016**

## **VIII. Adjourn**

**OLD  
BUSINESS**

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**243 East Main  
Street**

**Removal of a Tree**

APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

Historic Preservation Commission  
Washington, NC

To: Washington Historic Preservation Commission  
102 East 2nd Street  
Washington, NC 27889

Please use Black Ink

Street Address of Property: 243 East Main Street

Historic Property/Name (if applicable): \_\_\_\_\_

Owner's Name: John Loseley

Lot Size: \_\_\_\_\_ feet by \_\_\_\_\_ feet.  
(width) (depth)

Brief Description of Work to be Done:

Would like to remove a magnolia tree located in the back yard of the property. The tree's root system is impeding on the foundation of the house

I understand that all applications for a Certificate of Appropriateness that require review by the Historic Preservation Commission must be submitted by 5:00 p.m. on the 15th of the month prior to the meeting I wish to attend; otherwise consideration will be delayed until the following HPC meeting. An incomplete application will not be accepted. I understand approved requests are valid for one year.

Office Use Only	
(Date Received)	(Initials)
<b>ACTION</b>	
<input type="radio"/> Approved	_____
<input type="radio"/> Approved with Conditions	_____
<input type="radio"/> Denied	_____
<input type="radio"/> Withdrawn	_____
<input type="radio"/> Staff Approval	_____
(Date)	(Authorized Signature)

John Loseley  
(Name of Applicant - type or print) 28513

348 3rd St Ayden NC  
(Mailing Address) 27889  
(Zip Code)

8/30/16 252.916.1177  
(Date) (Daytime Phone Number)

John E. Mosely  
(Signature of Applicant)

Upon being signed and dated below by the Planning Department or designee, this application becomes a Minor Works Certificate of Appropriateness. It is valid until \_\_\_\_\_. Issuance of a Minor Works Certificate shall not relieve the applicant, contractor, tenant, or property owner from obtaining any other permit required by City code or any law. Minor work projects not approved by staff will be forwarded to the Historic Preservation Commission for review at its next meeting.

\_\_\_\_\_  
(Minor Work Auth. Sig.) (Date)

Applicant's presence or that of your authorized representative is required at the meeting of the Historic Preservation Commission at which the application is to be considered. You must give written permission to your authorized representative to attend the hearing on your behalf.



Parcels



Property Land Owners



Interior Tract Lines

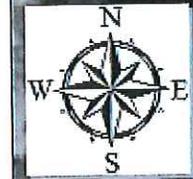
Centerlines

County Line



County Line (Solid)

State



1 : 33 Feet

<b><u>PIN</u></b>	<b><u>GPIN</u></b>	<b><u>GPIN LONG</u></b>
01018155	5675-97-4362	5675-97-4362
<b><u>OWNER NAME</u></b>	<b><u>OWNER NAME2</u></b>	<b><u>MAILING ADDRESS</u></b>
MOSELEY JOHN ELMURE JR	MOSELEY SHERRY LAFAVE	348 THIRD STREET
<b><u>MAILING ADDRESS2</u></b>	<b><u>CITY</u></b>	<b><u>STATE</u></b>
348 THIRD STREET	AYDEN	NC
<b><u>ZIP</u></b>	<b><u>PROPERTY ADDRESS</u></b>	<b><u>ACRES</u></b>
28513	243 E MAIN ST	0.26
<b><u>NBR BLDG</u></b>	<b><u>DATE</u></b>	<b><u>DEED BOOK and PAGE</u></b>
2	2014-01-10	1837/00237
<b><u>LAND VAL</u></b>	<b><u>BLDG VAL</u></b>	<b><u>DEFR VAL</u></b>
70350	85399	0
<b><u>TOT VAL</u></b>	<b><u>NBHD CDE</u></b>	<b><u>NBHD DESC</u></b>
155749	H	HISTORICAL
<b><u>STAMPS</u></b>	<b><u>SALE PRICE</u></b>	<b><u>LAND USE</u></b>
	0.00	
<b><u>PROP DESC</u></b>	<b><u>MBL</u></b>	<b><u>EXEMPT AMT</u></b>
1 LOT CORNER MAIN AND HARVEY ST	56751242	
	<b><u>ROAD TYPE</u></b>	<b><u>YR BUILT</u></b>
	PAVED	1883
<b><u>SQ FT</u></b>	<b><u>SUB CDE</u></b>	<b><u>SUB DESC</u></b>
3088	BLUS01	SINGLE FAMILY RESIDENCE
<b><u>NBR BED</u></b>	<b><u>NBR BATHS</u></b>	<b><u>EFF YR</u></b>
4	3.00	1968
<b><u>REID</u></b>	<b><u>PREV ASSES</u></b>	<b><u>TOWNSHIP</u></b>
43088	184072	01
<b><u>EXEMPT PROP</u></b>	<b><u>NBR STORIES</u></b>	<b><u>NBR HALF BATHS</u></b>
	1	0.00
<b><u>OBJECTID</u></b>	<b><u>TAXABLE VA</u></b>	
7092	155749	

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September 19, 2016

Edwards Tree Service  
17 Lewis Hwy  
Chocowinity NC 27817  
252- 402- 6669

To Whom It May Concern:

John Moseley called me to inspect a magnolia tree at 243 E. Main St. Washington, Sunday September 11, 2016.

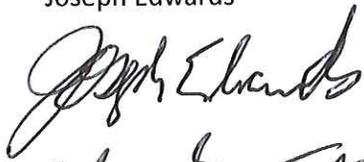
I could see where the root system is growing along the foundation on the west side of the house.

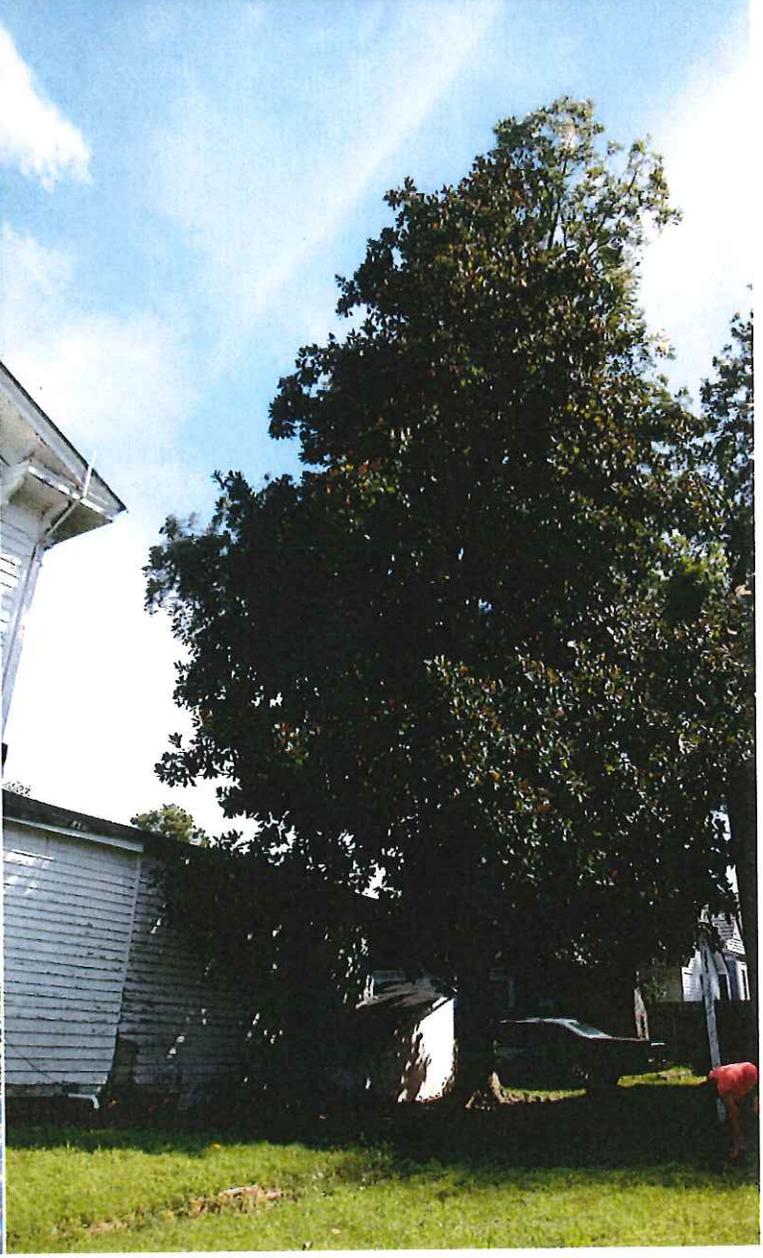
The roots are getting into the foundation and has grown into the basement. I saw where the roots have cracked the foundation at the back corner of the house. The tree has over grown the space between the tree and the back corner of the house. Roots are also reaching over to the workshop and out into the yard, pushing over a small retaining wall.

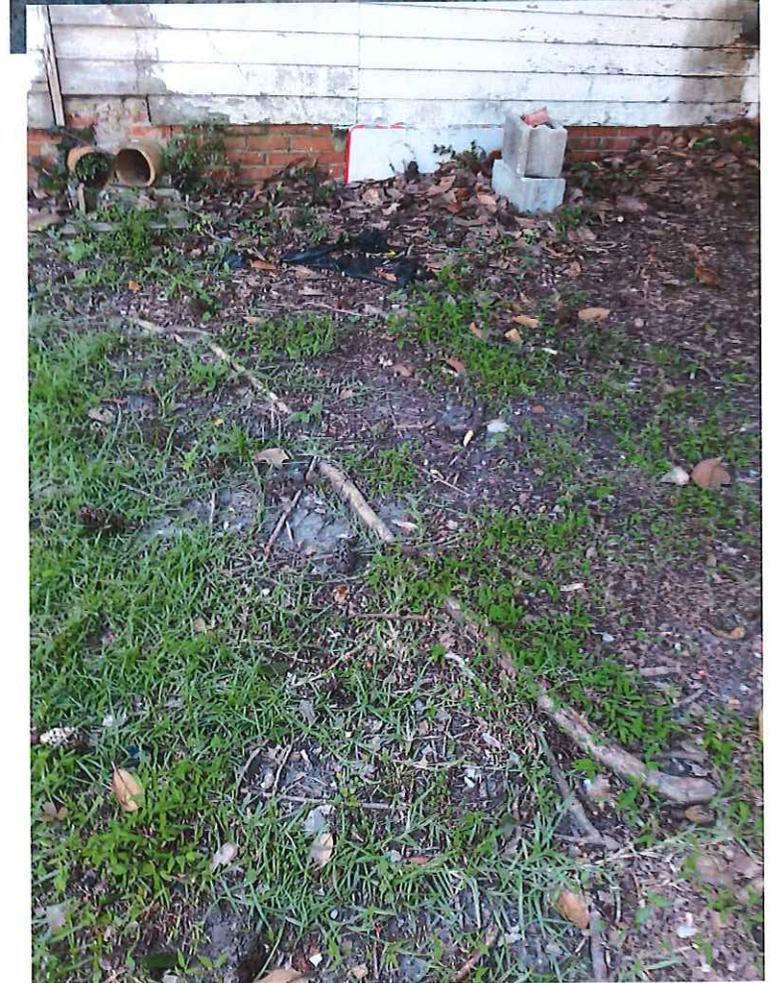
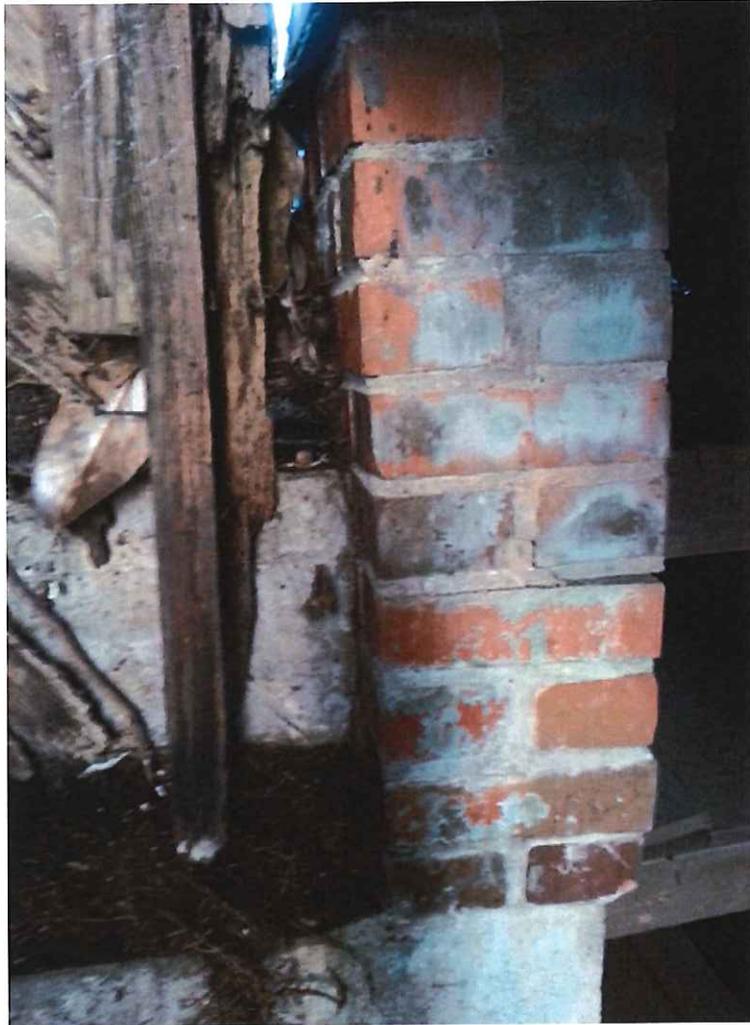
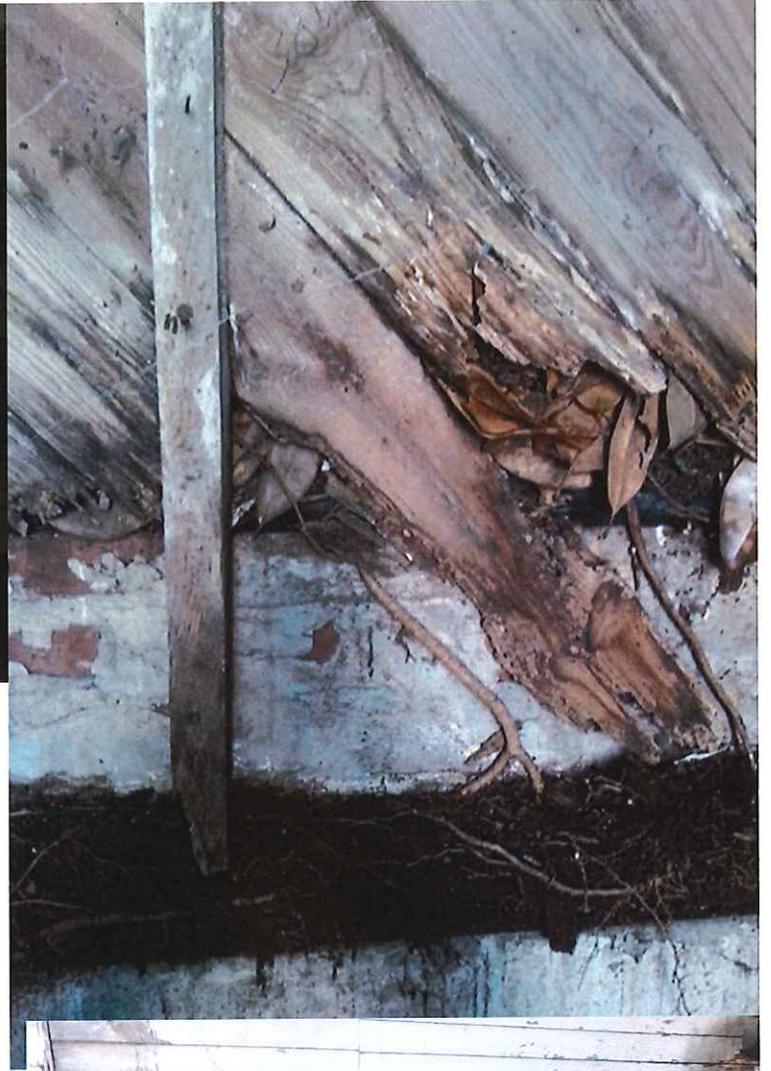
It is my opinion that the tree will continue to grow into the foundation. It should be removed to stop any further damage.

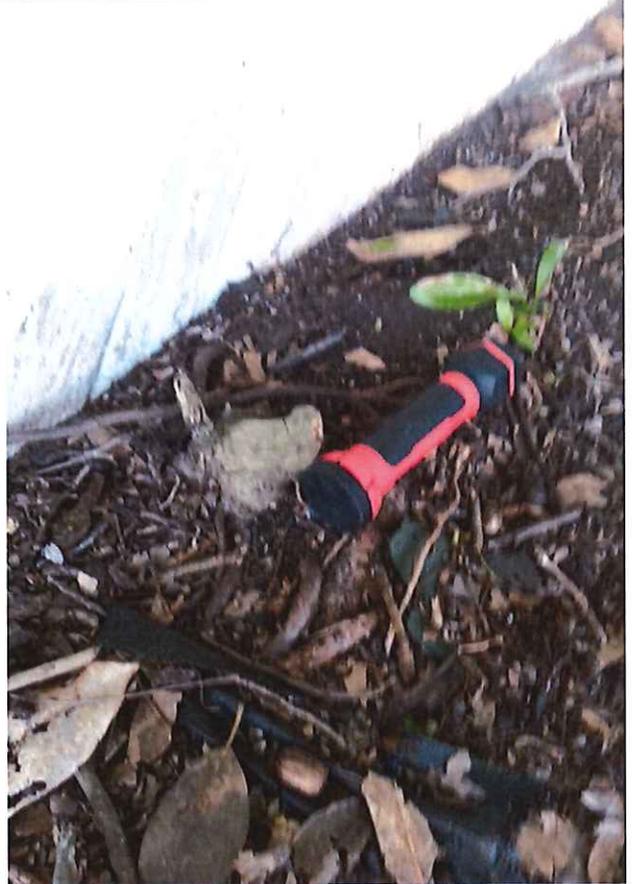
Sincerely,

Joseph Edwards

  
Edwards Tree Service







# Adjoining Property Owners

## 243 East Main Street

LITCHFIELD HOLDINGS LLC  
135 HARBOR RD  
WASHINGTON NC 27889

AIDEUIS DIANNA L  
122 SOUTH HARVEY STREET  
WASHINGTON NC 27889

ROBERSON BOBBY E  
235 E MAIN ST  
WASHINGTON NC 27889

KLANN RICHARD C  
239 E MAIN STREET  
WASHINGTON NC 27889

TYNDALL ARTHUR T  
110 SOUTH HARVEY STREET  
WASHINGTON NC 27889

MOSELEY JOHN ELMURE JR  
348 THIRD STREET  
AYDEN NC 28513

DOTSON VICKIE C  
620 DUCK CREEK ROAD  
WASHINGTON NC 27889

CUTLER DOUGLAS EARL  
238 E MAIN STREET  
WASHINGTON NC 27889

RADER STEVEN P  
113 S HARVEY STREET  
WASHINGTON NC 27889

GIRARD ROBERT M  
303 E MAIN STREET  
WASHINGTON NC 27889

FIRST BAPTIST CHURCH  
113 N HARVEY STREET  
WASHINGTON NC 27889



DOWNTOWN DEVELOPMENT  
& HISTORIC PRESERVATION

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August 30, 2016

Subject: Certificate of Appropriateness – 243 East Main Street

Dear Adjoining Property Owner,

Whenever exterior renovation work is being conducted in the Washington Historic District all property owners within 100 feet of the proposed construction activities are required to be notified by the City of Washington. According to the application submitted by the owner of 243 East Main Street, your property is located adjacent to the above subject property.

**A request has been made by Mr. John Moseley for a Certificate of Appropriateness to remove a magnolia tree on the eastern side of the property located at 243 East Main Street.**

If you would like to see plans for this work, please visit the City Planning Office prior to the meeting. Additionally, the full application is available on the city website.

You are welcomed and encouraged to attend the regularly scheduled meeting of the Washington Historic Commission. Please note the following date, time, and place:

**Date:** Tuesday September 6, 2016

**Place:** City Hall - Municipal building, 102 East Second Street. Enter from the Market Street side of the building and go to the second floor.

**Time:** 7:00 PM

In the meantime, should you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Rebert".

Emily Rebert  
Community Development Planner  
Historic Preservation  
252-946-0897  
erebert@washingtonnc.gov

# Staff Report

## 243 East Main Street

The application for the property located at 243 East Main Street has submitted a request to remove a magnolia tree located in the west side of the property. Provided images show the root system impeding on the foundation of the house. The property owners have included a letter from a tree service supporting their claim to remove the tree.

**Design Guidelines Chapter 4.1.8 Landscaping** states “removal of significant trees should only be done if it has disease or storm damage, or is a safety hazard to historic structures.” Upon observation, the tree does appear to need trimming. **4.1.9** states “If a diseased, storm damaged or safety hazard tree is removed, it should be replaced by a suitable species, as designated in an approved landscaping plan, within sixty (60) days from time of removal.” Property owner will be replacing the diseased tree with a magnolia.

# REQUEST FOR COMMISSION ACTION

To: Historic Preservation Commission

From: Emily Rebert, Planning & Development

Re: The owner of 243 East Main Street has submitted a request to remove a tree in the west side of the property.

*A request has been made by Mr. John Moseley to remove a magnolia tree located in the west side of the property located at 243 East Main Street.* To grant such a request, the Historic Preservation Commission must make findings of fact, which are included in the sample motions below. Any conditions the Commission feels appropriate may be attached to the motion.

## Possible Actions

I move that the Historic Preservation Commission **grant a Certificate of Appropriateness** to Mr. John Moseley *to remove the magnolia tree located in the western side of the property located at 243 East Main Street.* This motion is based on the following findings of fact: *the application is congruous with the Historic Preservation Commission Design Guidelines, specifically **Section 4.1 Landscaping.***

Or

I move that the Historic Preservation Commission **grant a Certificate of Appropriateness** to Mr. John Moseley *to remove the magnolia tree located in the western side of the property located at 243 East Main Street.* This motion is based on the following findings of fact: *the application is congruous with the Historic Preservation Commission Design Guidelines, specifically **Section 4.1 Landscaping.*** I further move that the Historic Preservation Commission **place the following conditions** on the approval:

Or

I move that the Historic Preservation Commission **deny a Certificate of Appropriateness** to Mr. John Moseley *to remove the magnolia tree located in the western side of the property located at 243 East Main Street.* This motion is based on the following findings of fact: *the application is not congruous with the Historic Preservation Commission Design Guidelines, specifically **Section 4.1 Landscaping.***

# MAJOR WORKS

**Lot #21**

**New construction of a  
two-story dwelling in  
Moss Landing  
Development**

CITY OF WASHINGTON  
HISTORIC PRESERVATION COMMISSION  
APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

Date 9/14/2016

Fee \_\_\_\_\_

**A: Information on Structure Under Consideration**

Address: 239 Water St.

Current Owner: Beacon-Street Moss, LLC

Tax Parcel Number: 5675-96-3950

This document does not constitute the issuance of a Building Permit. It is the responsibility of the applicant to obtain all necessary permits before commencing work. Contact the Inspections Dept. at 975-9383. Has a Building Permit been obtained? YES \_\_\_\_\_ NO / N/A \_\_\_\_\_.

**B: Information on Person Making Application**

Name: Jim Wiley

Address: P.O. Box 6474

City: Raleigh State: NC Zip: 27628 Phone: 919-785-1445

**C: Proposed Changes to Structure**

I (We) respectfully request a Certificate of Appropriateness be issued in accordance with the City of Washington Zoning Ordinance for the following reason: (details of the proposed project)

Construct a new home on Lot 21 in the Moss Landing Harbor Homes neighborhood. The plan is the Magnolia version II

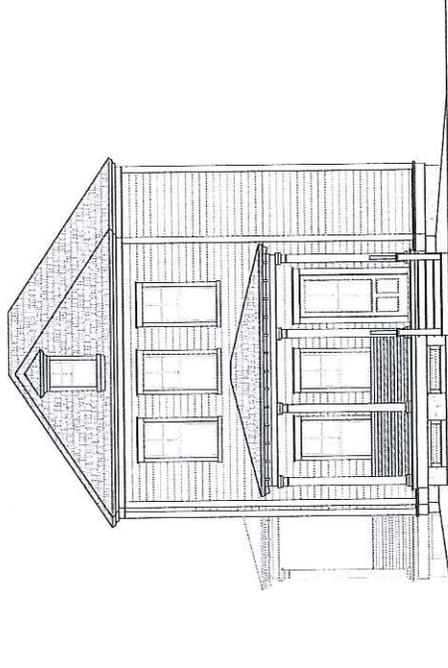
**D: I (We) understand approved requests are valid for one year.**

Note: Applicants, and/or their agents or parties of interest are prohibited from any contact in relation to this matter with Historic Preservation Commission members prior to the public hearing.

FOR OFFICE USE ONLY:	
ACTION	DATE
<input type="checkbox"/> Approved	_____
<input type="checkbox"/> Approved with Conditions	_____
<input type="checkbox"/> Denied	_____
<input type="checkbox"/> Withdrawn	_____
<input type="checkbox"/> Staff Approval	_____

Respectfully Submitted,

Jim Wiley  
Signature by Carolyn B. Nash



**GENERAL NOTES**

1. CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS AT THE PROJECT SITE PRIOR TO COMMENCEMENT OF WORK. NOTIFY ARCHITECT IMMEDIATELY IN WRITING OF ANY DISCREPANCIES AND/OR ANY EXISTING SITE CONDITIONS THAT ARE INCONSISTENT WITH THE DRAWINGS.
2. ALL DRAWINGS SHALL BE USED IN CONJUNCTION WITH ALL OTHER DRAWINGS AND SPECIFICATIONS. CONTRACTOR SHALL VERIFY ALL DIMENSIONS AND CONDITIONS PRIOR TO COMMENCEMENT OF WORK. CONTRACTOR SHALL CHECK AND CORRECT ALL DIMENSIONS AND CLEARANCES WITH THE WORK OF ALL TRADES.
3. THE DRAWINGS HEREIN ARE GRAPHIC IN NATURE AND ARE NOT INTENDED TO CONVEY ALL INFORMATION NECESSARY FOR PROPER CONSTRUCTION. CONTRACTOR SHALL COORDINATE SYSTEMS INSTALLATION, REQUIREMENTS, THROUGH CONNECTIONS, AND MATERIALS REQUIREMENTS FOR VENTILATION, ETC.
4. DIMENSIONS ARE TO FACE UNLESS OTHERWISE NOTED.

**INDEX:**

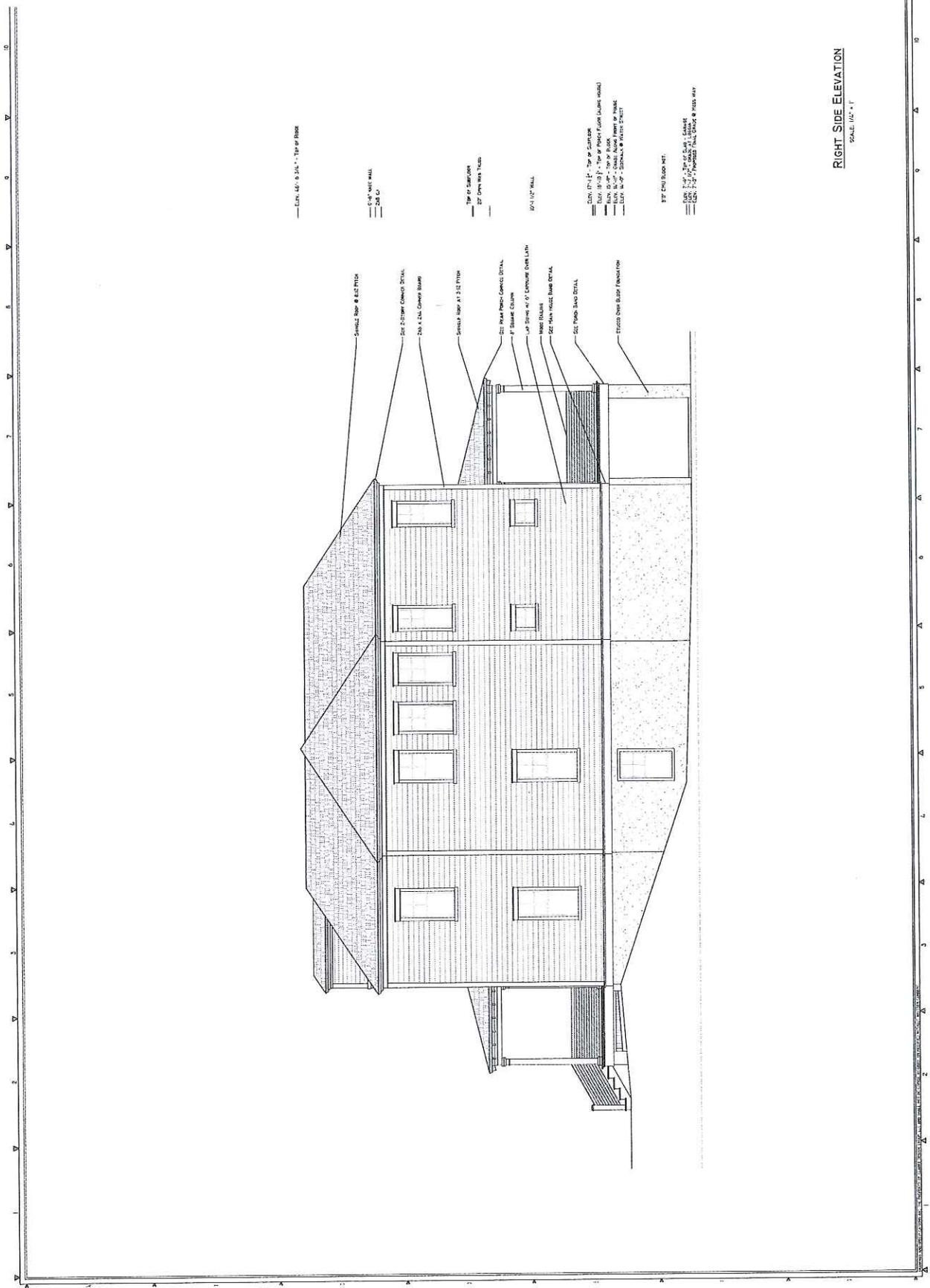
- A102 GROUND AND FIRST FLOOR PLAN
- A103 SECOND FLOOR AND ROOF PLAN
- A104 WINDOW/DORNER SCHEDULE
- A201 ELEVATIONS
- A202 ELEVATIONS
- A203 ELEVATIONS
- A204 ELEVATIONS
- A401 SECTION
- A402 SECTION
- A403 SECTION
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- A500 SECTION
- E102 ELECTRICAL PLANS
- E103 ELECTRICAL PLANS

# RESIDENCE

## LOT 21, MOSS LANDING

### WASHINGTON, N.C.





Elev. 40' - 9.54' - Top of Base

1/4" x 1/2" WALL  
2x4 G

Top of Sillcourse  
2" Green Glass Ins.

1/4" x 1/2" WALL

Elev. 17' - 11' - Top of Sillcourse  
Elev. 15' - 0" - Top of Window Sill (Light Wood)  
Elev. 14' - 0" - Top of Window Sill (Dark Wood)  
Elev. 12' - 0" - Outside Above Floor of Walk  
Elev. 10' - 0" - Outside of Main Street

2" x 4" (WOOD) INT.

Elev. 17' - 0" - Top of Sillcourse  
Elev. 15' - 0" - Top of Window Sill (Light Wood)  
Elev. 14' - 0" - Top of Window Sill (Dark Wood)  
Elev. 12' - 0" - Outside Above Floor of Walk  
Elev. 10' - 0" - Outside of Main Street

SHINGLE ROOF @ 12:12 PITCH

2x12 Z-CURVED CEDAR SHINGLES

2x6 x 24" Green Glass Ins.

SHINGLE ROOF @ 12:12 PITCH

2x6 RAFTERS @ 24" ON CENTER

2" INSULATED CEILING

1/4" x 1/2" x 1/2" CEDAR SHINGLES

1/2" x 1/2" x 1/2" CEDAR SHINGLES

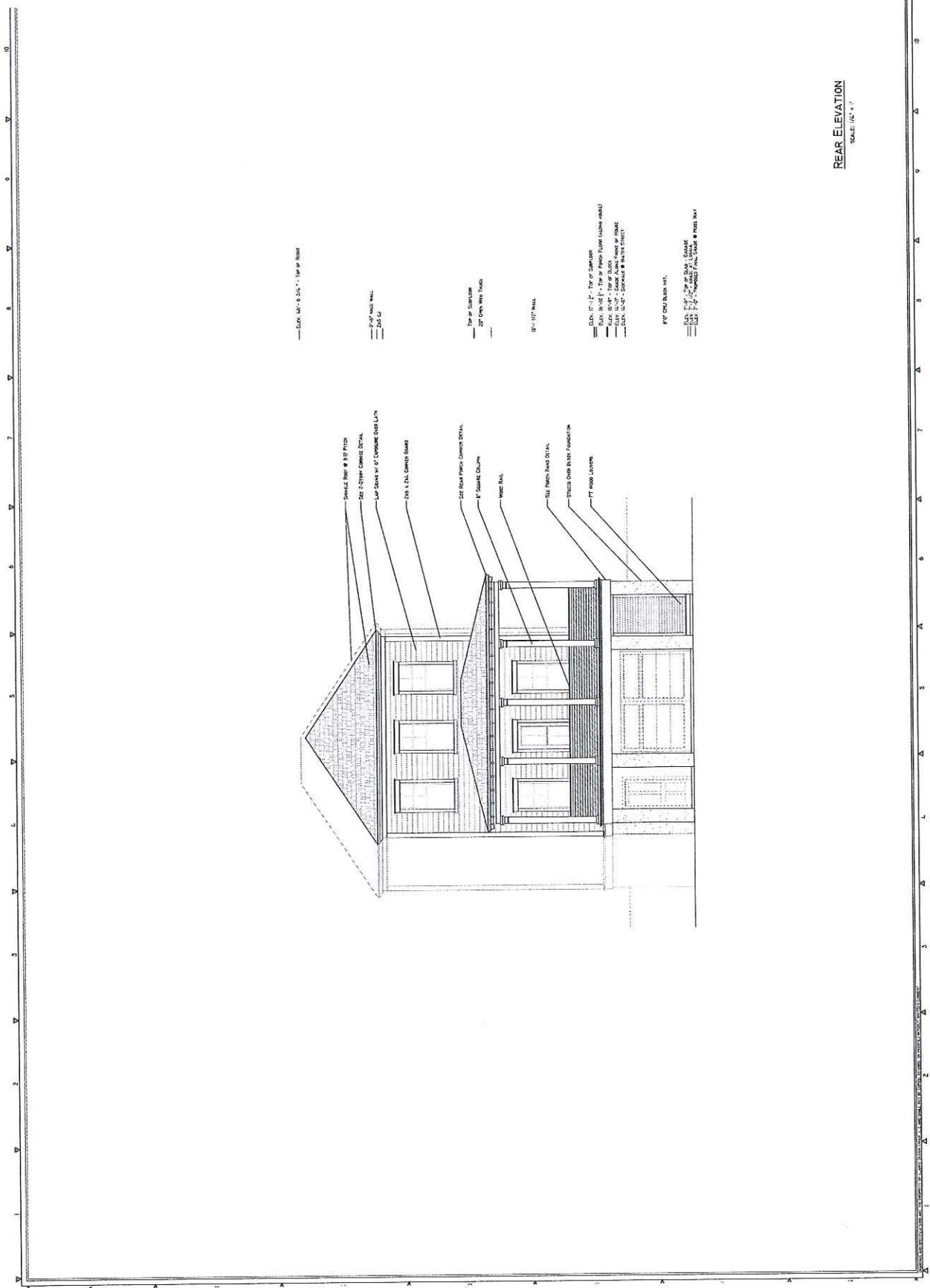
2x4 MAIN FLOOR

2x4 FLOOR JOIST

2x4 FLOOR JOIST

CEILING OVER BASE FLOOR FINISH

**RIGHT SIDE ELEVATION**  
SCALE: 1/4" = 1'



CLAY TILE ROOF - TOP OF ROOF

2\"/>

TOP OF SHINGLES  
12\"/>

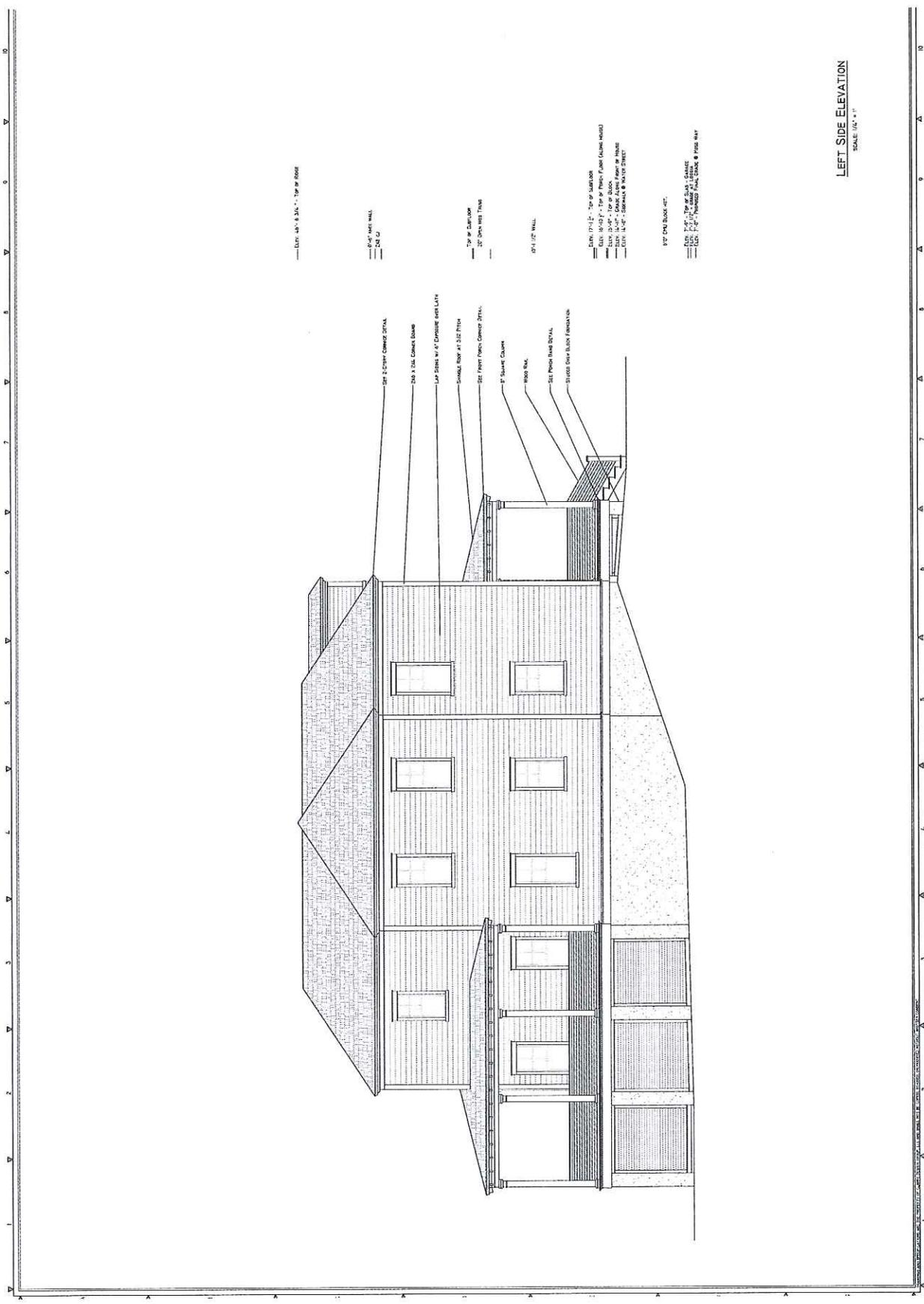
8\"/>

CLAY TILE ROOF - TOP OF SHINGLES  
CLAY TILE ROOF - TOP OF SHINGLES (LOWER PORTION)  
CLAY TILE ROOF - TOP OF SHINGLES (UPPER PORTION)  
CLAY TILE ROOF - TOP OF SHINGLES (UPPER PORTION)  
CLAY TILE ROOF - TOP OF SHINGLES (UPPER PORTION)

8\"/>

CLAY TILE ROOF - TOP OF SHINGLES  
CLAY TILE ROOF - TOP OF SHINGLES (LOWER PORTION)  
CLAY TILE ROOF - TOP OF SHINGLES (UPPER PORTION)  
CLAY TILE ROOF - TOP OF SHINGLES (UPPER PORTION)

**REAR ELEVATION**  
SCALE: 1/4\"/>



1/2" x 4" x 8" Top of Roof

1/2" x 4" x 8" Wall  
 2x4 Joist

Top of Sill Plate  
 2x4 Sill Plate

1/2" x 4" x 8" Wall

1/2" x 4" x 8" Top of Sill Plate  
 2x4 Sill Plate  
 1/2" x 4" x 8" Wall  
 2x4 Joist  
 1/2" x 4" x 8" Wall  
 2x4 Joist

1/2" x 4" x 8" Wall

1/2" x 4" x 8" Wall  
 2x4 Joist  
 1/2" x 4" x 8" Wall  
 2x4 Joist

1/2" x 4" x 8" Top of Sill Plate

2x4 Sill Plate

1/2" x 4" x 8" Top of Sill Plate

2x4 Sill Plate

1/2" x 4" x 8" Top of Sill Plate

2x4 Sill Plate

1/2" x 4" x 8" Top of Sill Plate

2x4 Sill Plate

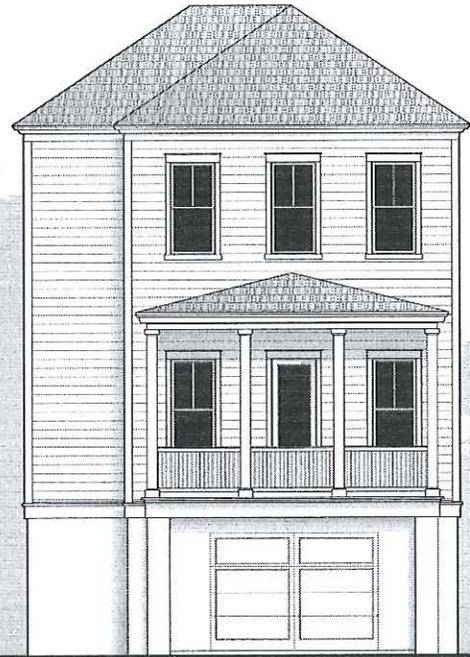
1/2" x 4" x 8" Top of Sill Plate

2x4 Sill Plate

**LEFT SIDE ELEVATION**  
 SCALE 1/4" = 1'



WATER STREET ELEVATION



MOSS WAY ELEVATION

**Magnolia**

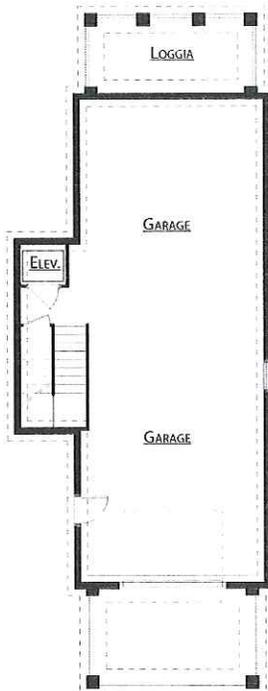
HTD SQ. FT.  
**2,129**

BEDS  
**3**

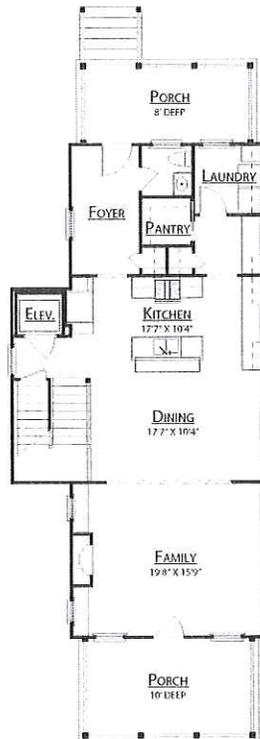
BATHS  
**2 FULL 1 HALF**

DIM.  
**67'8" X 25'8"**

**6**  
 GROUND FLOOR  
**1,120 sq. ft.**



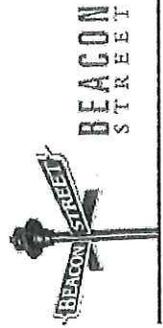
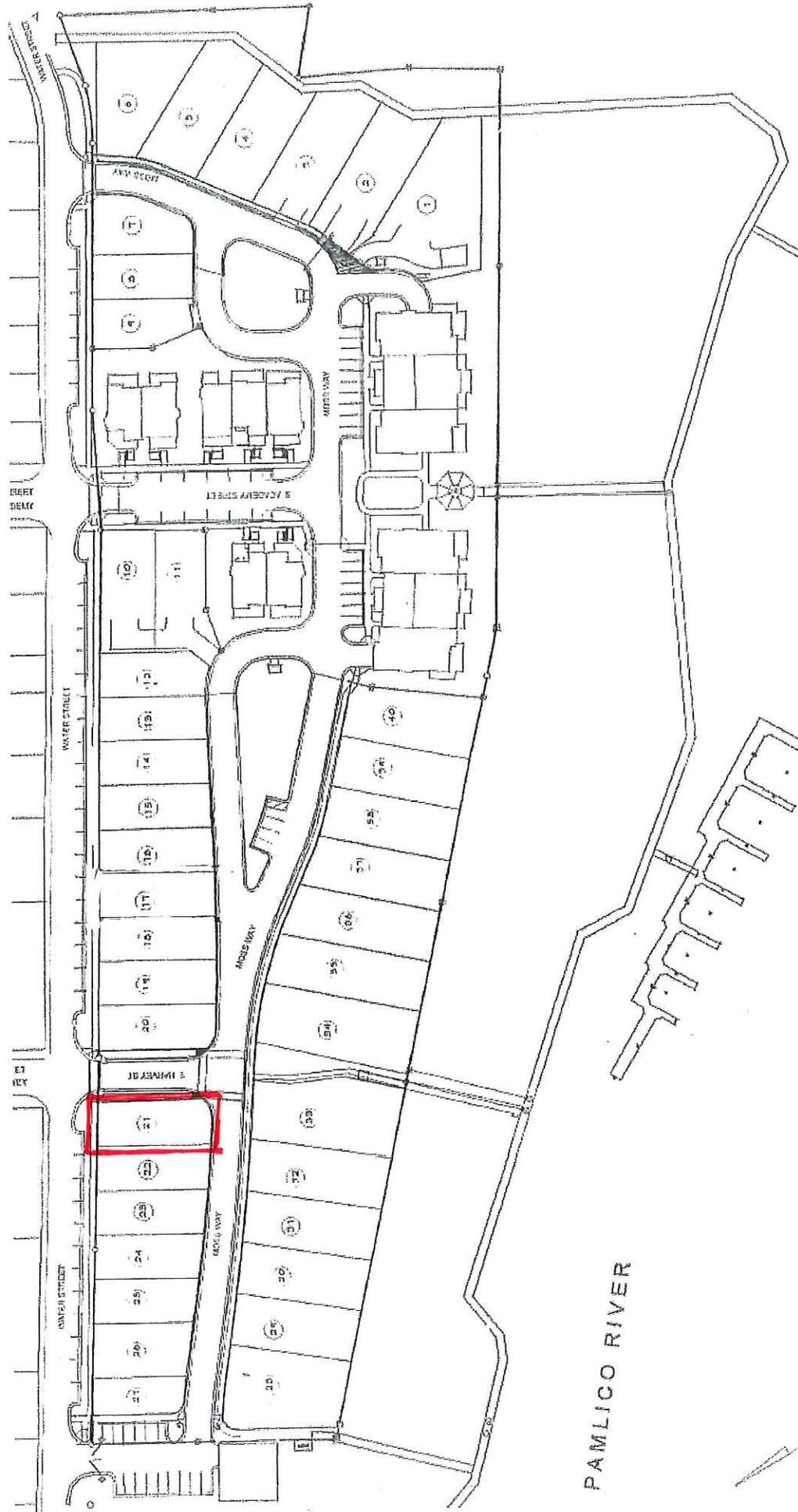
**1**  
 1ST FLOOR  
**1,120 sq. ft.**



**2**  
 2ND FLOOR  
**1,009 sq. ft.**



# Moss Landing – Approved Subdivision Plan



PAMLICO RIVER

## Adjacent Property Owners – Moss Landing – Harbour Homes

Jim Nance  
PO Box 2247  
Washington, NC 27889

Stan Friedman  
401 Moss Way Ste 301  
Washington, NC 27889

Vickie Dotson  
620 Duck Creek Rd  
Washington, NC 27889

Moss Property Partners  
1589 West 5<sup>th</sup> Street  
Washington, NC 27889

Ms. Dee Congleton  
210 Water Street  
Washington, NC 27889

Herman Gaskins Jr.  
PO Box 933  
Washington, NC 27889

NC Estuarium  
223 E. Water Street  
Washington, NC 27889

Charlie Hough  
201 S. Academy Street  
Washington, NC 27889

William Toler  
224 Water Street  
Washington, NC 27889

Rebecca Clark  
203 S. Academy Street  
Washington, NC 27889

Richard H. Hodges  
1537 Craig Street  
Greenville, NC 27834

Litchfield Holdings, LLC  
135 Harbor Road  
Washington, NC 27889

Dianna Aideuis  
122 S. Harvey Street  
Washington, NC 27889

A.L. Crisp  
122 S. Academy Street  
Washington, NC 27889

Charlotte N. Mason  
119 S. Harvey Street  
Washington, NC 27889

Victoria Rader  
113 S. Harvey Street  
Washington, NC 27889

Maurice M. Bridgeman  
204 Yukon Street  
Hampton, Va. 23663

Walter T. Hannah  
1721 Anderson Street  
Wilson, NC 27893

Margaret Gray Howdy  
326 Water Street  
Washington, NC 27889

Steve Gallo  
300 Southberry Wynd  
Greenville, NC 27834

Gary Shippy  
109 Sonoma Valley Drive  
Cary, NC 27518

Jeffrey Davis  
315 Yadkin Drive  
Raleigh, NC 27609

Steven Ballard  
605 East 5<sup>th</sup> Street  
Greenville, NC 27858

Dennis P. Kane  
PO Box 1197  
Island Heights, NJ 08732

Arthur Tyndall  
110 S. Harvey Street  
Washington, NC 27889

Cheryl V. Vaughn  
210 S. Academy Street  
Washington, NC 27889

Dorothy Wheeler  
512 Hickory Woods Way  
Antioch, TN 37013

Richard Couch  
207 S Academy Street  
Washington, NC 27889

Robert L Rose  
309 Moss Way Ste 201  
Washington, NC 27889

Emerson Strader  
309 Moss Way Ste 202  
Washington, NC 27889

Robert Farrar  
309 Moss Way Ste 203  
Washington, NC 27889

Ronald L Faulk  
309 Moss Way Ste 101  
Washington, NC 27889

Bonnie Greenhalgh  
309 Moss Way Ste 102  
Washington, NC 27889

Lawrence Berman  
309 Moss Way Ste 103  
Washington, NC 27889

Jay D. Jacobs  
401 Moss Way Ste 103  
Washington, NC 27889



DOWNTOWN DEVELOPMENT  
& HISTORIC PRESERVATION

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September 22, 2016

Subject: Certificate of Appropriateness – Moss Landing- Lot #21

Dear Adjoining Property Owner,

Whenever exterior renovation work is being conducted in the Washington Historic District all property owners within 100 feet of the proposed construction activities are required to be notified by the City of Washington. According to the application submitted by Moss Landing and Beacon Street Development your property is located adjacent to the above subject property.

**A request has been made by Beacon Street for a Certificate of Appropriateness to construct a new single family dwelling on the property located on Lot #21 at Moss Landing on East Water Street.**

If you would like to see plans for this work, please visit the City Planning Office prior to the meeting. Additionally, the full application is available on the city website. You are welcomed and encouraged to attend the regularly scheduled meeting of the Washington Historic Commission. Please note the following date, time, and place:

**Date:** Tuesday October 4, 2016

**Place:** City Hall - Municipal building, 102 East Second Street. Enter from the Market Street side of the building and go to the second floor.

**Time:** 7:00 PM

In the meantime, should you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Rebert", written in a cursive style.

Emily Rebert  
Community Development Planner  
Historic Preservation  
252-946-0897  
erebert@washingtonnc.gov

# Staff Report

## Moss Landing: Lot #21

The application for the property located at Moss Landing, Lot #21, has submitted a request to construct a new, two-story dwelling on the property. The proposed design is primarily the pre-approved *The Magnolia* building plan (included in agenda). This building has 3 differences:

1. A wrap around porch
2. A dormer
3. Different style of railing

The wrap around porch and dormer is included in the preapproved plans for other design types. The horizontal railing is not in the collection of pre-approved plans. However, the Historic Preservation Commission has approved that style on an earlier design plan (The Marina) last year.

**Design Guidelines Chapter 5.0 New Construction** states “New construction within a historic district can have a substantial impact on adjacent historic properties and the district as a whole. While contemporary design is always encouraged in the historic district, it is important that this new development be compatible with the overall character of the district. Design characteristics such as building form (scale, massing, height, and orientation) and architectural elements (materials, architectural detail, windows, doors, and roof forms) must be considered when evaluating any proposed new building within a historic district. New design that mimics historic structures to the point that there is no clear distinction between the two is strongly discouraged in the historic district.

Since the Washington Historic District includes downtown and the waterfront as well as adjacent residential areas, the guidelines in previous sections have included provisions for different building types together. Considering the differences between commercial and residential building construction and site planning, as it relates to new construction, they are presented separately in this section.”

**Design Guidelines Chapter 5.2 New Construction:** Please review this entire section.

## REQUEST FOR COMMISSION ACTION

To: Historic Preservation Commission  
From: Emily Rebert, Planning and Development  
Re: Lot # 21 Moss Landing – Construction of a single family dwelling

A request has been made by Mr. Jim Wiley of Beacon Street Development for a Certificate of Appropriateness to construct a new single family dwelling on the property located at Lot #21 Moss Landing. Please review the Design Guidelines, specifically Chapter 5.0 New Construction Section 5.2 Residential Construction.

To grant such a request, the Historic Preservation Commission must make findings of fact, which are included in the sample motions below. Any conditions the Commission feels appropriate may be attached to the motion.

### *Possible Actions*

I move that the Historic Preservation Commission grant a Certificate of Appropriateness to Mr. Jim Wiley of Beacon Street Development to construct a new single family dwelling on the property located at Lot #21 Moss Landing. This motion is based on the following findings of fact: the application is congruous with the Historic Preservation Commission Design Guidelines, specifically Chapter 5.0 New Construction Section 5.2 Residential Construction.

*or*

I move that the Historic Preservation Commission grant a Certificate of Appropriateness to Mr. Jim Wiley of Beacon Street Development to construct a new single family dwelling on the property located at Lot #21 Moss Landing. This motion is based on the following findings of fact: the application is congruous with the Historic Preservation Commission Design Guidelines, specifically Chapter 5.0 New Construction Section 5.2 Residential Construction. I further move that the Historic Preservation Commission place the following conditions on the approval:

*or*

I move that the Historic Preservation Commission deny a Certificate of Appropriateness to Mr. Jim Wiley of Beacon Street Development to construct a new single family dwelling on the property located at Lot #21 Moss Landing. This motion is based on the following findings of fact: the application is not congruous with the Historic Preservation Commission Design Guidelines, specifically Chapter 5.0 New Construction Section 5.2 Residential Construction.

**120 McNair Street**

**Demolition By Neglect  
Ordinance:  
Hearing**

# Staff Report

## 120 McNair Street

The property located at 120 McNair Street has fallen into a state of disrepair that deems it a worthy candidate for the demolition by neglect ordinance. Upon receiving a complaint, City of Washington building inspector, Allen Pittman, and Historic Preservation Planner, Emily Rebert, reviewed the property to find the building falls under the demolition by neglect ordinance with three categories:

1. Deterioration of flooring or floor supports, roof, or other vertical supports that cause leaning, sagging, splitting, listing, or buckling.
2. Deterioration or crumbling of exterior plasters or mortars.
3. Defective protection or lack of weather protection for exterior walls and roof coverings, including lack of paint, or weathering due to lack of paint and/or other protective coverings.

Please review the ordinance and the timeline progression to make a motion.

**Design Guidelines Chapter 6.1.1 Demolition** states in regard to Demolition By Neglect “City Council can determine that, due to the failure of an owner to conduct routine maintenance over time, the structure is continually deteriorating to the point that it is effectively being demolished by neglect. In such a case, City Council can issue an ordinance causing the property owner to repair those conditions requiring the continued deterioration.”

# Demolition by Neglect Flow Chart

Address: 120 McNair Street

Owner: Gregory and Wendy Wilkinson  
120 McNair Street  
Washington NC 27889



1. Date of Initial Notification: Spring 2016
2. Date Investigation was Conducted: 1 April 2016
3. Date Owner Receives Complaint: Letter sent 6 April 2016  
*Within 7 Days of Investigation*
4. Date Hearing Notice was Sent via Certified Mail: Sent 3 June 2016 Received 8 June 2016
5. Date Hearing with HPC on Complaint occurred: extended  
*Not prior to 30 days from sent complaint*
- REPEAT #4&5**
4. Date Hearing Notice was Sent via Certified Mail: Sent 10 Aug 2016 Received 13 Aug 2016
5. Date Hearing with HPC on Complaint occurred: 4 October 2016  
*Not prior to 30 days from sent complaint*
- Finding of Cause:
  6. Claim of Undue Economic Hardship
  7. Plan of Action for Hardship *Conclude*
- OR
- No Finding of Hardship Found:
8. Date Notice of Decision was Approved:
9. Date Letter of Order to Repair was sent: *Owner has 10 days to Appeal to BOA*  
BOA Date:  
Upheld or Denied?
10. Date of COA to Repair:
11. Penalties for Failure to Repair

## **SECTION 27-162.1. PREVENTION OF DEMOLITION BY NEGLECT OF BUILDINGS AND STRUCTURES IN THE HISTORIC DISTRICT**

### (a) Definitions.

- (1) "Certificate of Appropriateness" shall mean a certificate issued by the Historic Preservation Commission certifying that the changes proposed to a structure located within the historic district meet the historic design guidelines.
- (2) "Historical Significance" shall mean a structure located within the historic district determined by inventory to have been constructed during the period of significance of the historic district and that possesses historic integrity.
- (3) "Historic District" shall mean an area established by the City through zoning that has local historical significance. Properties within this area must meet local design guidelines.
- (4) "Historic Preservation Commission" (Commission) shall mean the Commission established by the City to protect and preserve local historical resources. The Commission evaluates the appropriateness of exterior changes to buildings and new construction proposed for properties located within the historic district.
- (5) "Demolition by Neglect" shall mean and include the failure by the owner or such other person who may have legal possession, custody, and control of any building or structure (including walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant feature), either designated as an historic landmark or found to have historical significance, to keep the exterior features free of decay, deterioration, and structural defects, in order to ensure that the same shall be preserved. Demolition by neglect shall also include the failure of such owner, or other person having such legal possession, custody, and/or control, to repair, upon written request by the City, such exterior features as are found to be deteriorating, or to correct any condition contributing to deterioration, including but not limited to the following defined and prohibited conditions of neglect and defects:
  - a. Deterioration of exterior walls, foundations, or other vertical supports that cause leaning, sagging, splitting, listing, or buckling.
  - b. Deterioration of flooring or floor supports, roofs, or other horizontal members that cause leaning, sagging, splitting, listing, or buckling.
  - c. Deterioration of external chimneys causing leaning, sagging, splitting, listing, or buckling.
  - d. Deterioration or crumbling of exterior plasters or mortars.

- e. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors.
- f. Defective protection or lack of weather protection for exterior walls and roof coverings, including lack of paint, or weathering due to lack of paint and/or other protective coverings.
- g. Rotting, holes, and other forms of decay.
- h. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes the delamination, instability, loss of shape and form, or crumbling.
- i. Heaving, subsidence, or cracking of sidewalks, steps or pathways.
- j. Deterioration of fences, gates, and/or accessory structures.
- k. Deterioration of any exterior feature so as to create, or permit the creation of, any hazardous or unsafe conditions to life, health, or other property.

(6) "Planning Director" shall mean and include the duly appointed Director of Planning and Development of the City of Washington, his designee, or his agent.

(b) Applicability.

In order to promote the purposes of the historic district, this section requires the owners of certain historic properties to maintain their properties and not allow them to fall into a state of disrepair constituting demolition by neglect. The requirements of this section are applicable only to properties located in the historic district.

The Planning Director, upon his own motion or upon the petition of the Commission, may require the correction of deterioration, making of repairs, or the remedy of any condition constituting demolition by neglect to any historic landmark or structure located within the historic district so that such structure or landmark shall be preserved and protected in accordance with the purposes of the historic district.

(c) Procedures for Hearing.

- (1) Whenever the Planning Director receives a petition or other sufficient information to believe a property including structure is undergoing or constitutes demolition by neglect, the Planning Director shall, if the preliminary investigation discloses a basis for such charges, within 7 days issue and cause to be served upon the owner and such other persons who may have legal possession, custody, and control thereof, a complaint stating the charges and containing a notice that a

hearing will be held before the Commission at the Commission's regular meeting place, at a fixed date and time not less than 30 days after the serving of such complaint; that the owner and parties in interest shall be given the right to answer such charges and to give testimony at the place and time established in the complaint. The purpose of the hearing is for the Commission to receive evidence, determine if the property is undergoing or constitutes demolition by neglect, and, if so, issue an order to remedy the same. At this hearing, the owner or party in interest will also be allowed the opportunity to present a claim of undue economic hardship as provided hereinafter.

- (2) If, after such notice and hearing, the Commission determines that the property including structure is undergoing or constitutes demolition by neglect according to the standards hereinabove and does not find undue economic hardship as provided for hereinafter, it shall cause the Planning Director to prepare and serve upon the owner and parties in interest a written order including findings of fact in support of its determinations and order to repair, within the time specified by the Commission, those elements deteriorating, contributing to deterioration, deteriorated, or otherwise undergoing or constituting demolition by neglect. Said order shall serve as a certificate of appropriateness for such repair consistent with its terms.

(d) Safeguards from undue economic hardship.

- (1) When a claim of undue economic hardship is made owing to the effects of this section, the owner and parties in interest shall present the information provided under subsection (2) to the Commission. The Commission may require that an owner and parties in interest furnish such additional information as is relevant to its determination of undue economic hardship. The Commission may direct staff to furnish additional information that the Commission believes is relevant. The Commission shall also state which form of financial proof it deems relevant and necessary to a particular case. In the event that any of the required information is not reasonably available to the owner and parties in interest or cannot be obtained by the owner, the owner shall describe the reasons why such information cannot be obtained.
- (2) When a claim of undue economic hardship is made owing to the effects of this section, the owner and parties in interest must provide evidence during the hearing upon the claim, describing the circumstances or hardship. The minimum evidence shall include for all properties:
  - a. Nature of ownership (individual, business, or nonprofit) or legal possession, custody and control.
  - b. Financial resources of the owner and parties in interest.
  - c. Estimated costs of repairs.

- d. Assessed value of land and improvements (existing).
- e. Real estate taxes for the previous two years.
- f. Amount paid for the property, date of purchase, and party from whom purchased, including a description of the relationship between the owner and the person from whom the property was purchased, or other means of acquisition of title, such as by gift or by inheritance.
- g. Annual debt service, if any, for the previous two years.
- h. Any listing of the property for sale or for rent, the price asked, and offers received, if any.
- i. Any financial or practical circumstance deemed relevant by the owner or parties in interest.

In addition, for all income producing properties, the owner and parties in interest must also provide the following:

- a. Annual gross income from the property for the previous two years.
- b. Itemized operating and maintenance expenses for the previous two years, including proof that adequate and competent management procedures were followed.
- c. Annual cash flow, if any, for the previous two years.

(3) No later than the close of the second meeting of the Commission following the Commission's hearing on the claim, the Commission shall cause to be made a finding of undue or no undue economic hardship and shall enter the reasons for such finding into the official record.

(4) In the event of a finding of undue economic hardship, the finding shall be accompanied by a recommended plan to relieve the economic hardship. This plan may include, but is not limited to the following: property tax relief as may be allowed under North Carolina law; loans or grants from the City, County, or other public, private, or non-profit sources; acquisition by purchase or eminent domain; building code modifications; changes in applicable zoning regulations; or obtaining a variance proving sufficient to mitigate the undue economic hardship. The Commission shall report such finding and the recommended plan to the Planning Director. The Planning Director shall cause to be issued an order for such property to be repaired within the time specified according to the provisions of the recommended plan which shall serve as a certificate of appropriateness for such repair consistent with its terms.

(e) Stay of Proceedings.

An approved Certificate of Appropriateness and arrangements to bring the property into compliance agreed upon by the property owner and other parties of interest and the Commission will stay all proceedings under this section so long as progress, as determined in the sole discretion of the Commission, is made consistent with the terms of the Certificate of Appropriateness.

(f) Remedies.

- (1) If the owner of said property fails to comply with an order to repair issued hereunder, the owner shall be subject to such remedies and penalties as may be provided for by State law and/or sections 27-232 through 27-235 of the Code of the City of Washington.
- (2) Any notice or order served hereunder shall satisfy the notice requirement for issuance of a civil penalty under section 27-233 of the Code of the City of Washington.
- (3) Protective action.

The Commission may order that a building be secured temporarily by boarding up, temporary reinforcement or other appropriate measures and that an intrusion alarm system and fire detection system be installed and actively monitored by connection to a licensed alarm company which remains in ready contact with the Washington Police and Fire Departments.

(4) Administrative Fees.

- (1) No administrative fees shall be charged for the first inspection following an order to repair in order to ascertain compliance with any notices or orders issued hereunder. For each inspection, beginning with the second inspection, an administrative fee shall be assessed as written.
- (2) In addition to any other charge, any owner of a building or structure designated as an historic landmark or found to have historical significance located within the historic district shall be subject to the administrative fee, upon any additional hearings hereunder disclosing defects defined in this section within the same 12 month period beginning on the date of the violation and ending on the same date in the following year. The property may also be assessed any costs incurred in obtaining service including legal publication of notice of compliant charges, hearing notice and findings of fact and orders related to the dwelling.

(5) Order of Abatement.

In addition to any other remedy provided for hereunder, the Commission may apply for and the Court may enter an Order of Abatement. An Order of Abatement may direct that improvements or repairs be made, or that any other action be taken that is necessary to bring the property into compliance with this section. Whenever the party is cited for contempt by the Court and/or the Commission executed the Order of Abatement, the Commission and/or City shall have a lien, in the nature of a mechanic's and materialman's, on the property for the cost of executing the Order of Abatement.

(g) Methods of Service

Complaints or orders issued by the Planning Director or his designee shall be served upon persons either personally or by registered or certified mail. If the whereabouts of such person(s) is/are unknown, the same cannot be ascertained by the Planning Director in the exercise of reasonable diligence, the Planning Director makes an affidavit to that effect and in said affidavit affirms the steps taken to determine and locate the person(s) of interest, then the serving of such complaint or order may be made by publishing the same once each week for two successive weeks in a newspaper generally circulated within the City. Where such service is by publication, a notice of the pending proceedings shall also be posted in a conspicuous place on the premises thereby affected.

(h) Appeals.

Findings and orders made by the Planning Director or his designee or by the Commission may be appealed to the Board of Adjustment. To perfect such an appeal, the application must be filed by an aggrieved party with the Board of Adjustment within 10 days following receipt of the order for repair of the property or other determination. Appeals shall be in the nature of certiorari.

(i) Other City powers.

Nothing contained within this section shall diminish the City's power to declare a building to be unsafe or a violation of the minimum housing code.

(j) That all ordinances and portions of ordinances in conflict herewith are hereby repealed.

(k) That these amendments shall become effective upon enactment.

**Demolition By Neglect  
Checklist**

120 Mc Nair St.

(1) "Demolition by Neglect" shall mean and include the failure by the owner or such other person who may have legal possession, custody, and control of any building or structure (including walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant feature), either designated as an historic landmark or found to have historical significance, to keep the exterior features free of decay, deterioration, and structural defects, in order to ensure that the same shall be preserved. Demolition by neglect shall also include the failure of such owner, or other person having such legal possession, custody, and/or control, to repair, upon written request by the City, such exterior features as are found to be deteriorating, or to correct any condition contributing to deterioration, including but not limited to the following defined and prohibited conditions of neglect and defects:

- a. Deterioration of exterior walls, foundations, or other vertical supports that cause leaning, sagging, splitting, listing, or buckling.
- b. Deterioration of flooring or floor supports, roofs, or other horizontal members that cause leaning, sagging, splitting, listing, or buckling.
- c. Deterioration of external chimneys causing leaning, sagging, splitting, listing, or buckling.
- d. Deterioration or crumbling of exterior plasters or mortars.
- e. Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors.
- f. Defective protection or lack of weather protection for exterior walls and roof coverings, including lack of paint, or weathering due to lack of paint and/or other protective coverings.
- g. Rotting, holes, and other forms of decay.
- h. Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes the delamination, instability, loss of shape and form, or crumbling.
- i. Heaving, subsidence, or cracking of sidewalks, steps or pathways.
- j. Deterioration of fences, gates, and/or accessory structures.
- k. Deterioration of any exterior feature so as to create, or permit the creation of, any hazardous or unsafe conditions to life, health, or other property.

Allen Pittman  
Authorizing Official

4/1/2016  
Date

Property Address	Photograph	Property Owner	Owner Address	Initial Notification	Investigation	Informal Letter	Result	Hearing Notice Letter	Date of Hearing	Result	Notice of Decision
4-2 120 McNair ST		Gregory & Wendy Wilkinson	120 McNair ST	Jan-16	31-Mar-16	6-Apr-16	Called 11April: Process delayed 1 month to accommodate a development of plan of action	Certified letter sent 3June2016	10June2016 ordered new posts	10Aug2016 Notice of Hearing Sent Accepted 13Aug2016	4October2016 Hearing with HPC



- Parcels
- Property Land Owners
- Interior Tract Lines
- Centerlines
- County Line
- County Line (Solid)
- State

<b><u>OBJECTID</u></b> 10987	<b><u>PIN</u></b> 01021760	<b><u>GPIN</u></b> 5685-07-4158
<b><u>GPIN LONG</u></b> 5685-07-4158	<b><u>OWNER NAME</u></b> WILKINSON GREGORY D	<b><u>OWNER NAME2</u></b> WILKINSON WENDY S
<b><u>MAILING ADDRESS</u></b> 120 MCNAIR ST	<b><u>MAILING ADDRESS2</u></b>	<b><u>CITY</u></b> WASHINGTON
<b><u>STATE</u></b> NC	<b><u>ZIP</u></b> 27889	<b><u>PROPERTY ADDRESS</u></b> 120 MCNAIR ST
<b><u>ACRES</u></b> 0	<b><u>ACCT NBR</u></b> 53814	<b><u>MAP SHEET</u></b> 568509
<b><u>NBR BLDG</u></b> 1	<b><u>DATE</u></b> 05/29/1991	<b><u>DEED BOOK and PAGE</u></b> 941/432
<b><u>LAND VAL</u></b> 31680	<b><u>BLDG VAL</u></b> 15924	<b><u>DEFR VAL</u></b> 0
<b><u>TOT VAL</u></b> 47604	<b><u>NBHD CDE</u></b> H	<b><u>NBHD DESC</u></b> HISTORICAL
<b><u>SUB CDE</u></b>	<b><u>SUB DESC</u></b>	<b><u>STAMPS</u></b>
<b><u>SALE PRICE</u></b>	<b><u>ZONE</u></b> RHD	<b><u>LAND USE</u></b>
<b><u>DISTRICT</u></b> 1	<b><u>PROP DESC</u></b> 1 LOT 120 MCNAIR STREET	<b><u>MBL</u></b> 568509105
<b><u>EXEMPT PROP</u></b>	<b><u>EXEMPT AMT</u></b>	<b><u>ROAD TYPE</u></b> P
<b><u>CENSUS BLOCK</u></b>	<b><u>FLOOD PLAIN</u></b>	<b><u>YR BUILT</u></b> 1920
<b><u>NBR STORIES</u></b> 2	<b><u>SQ FT</u></b> 2254	<b><u>NBR BED</u></b> 4
<b><u>NBR BATHS</u></b> 1	<b><u>EFF YR</u></b> 1945	<b><u>NBR HALF BATHS</u></b> 0

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DOWNTOWN DEVELOPMENT  
& HISTORIC PRESERVATION

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April 6, 2016

Gregory and Wendy Wilkinson  
120 McNair Street  
Washington NC 27889

**RE: Demolition By Neglect Ordinance: 120 McNair Street**

Dear Mr. and Mrs. Wilkinson,

At the request of the Historic Preservation Commission and after due consideration, the City of Washington recently enacted a Preservation of Demolition by Neglect Ordinance that attempts to protect the integrity of the Historic District by preventing the loss of historic structures through avoidable deterioration. Demolition by neglect, among other things, means and includes the failure by an owner of any structure in the Historic District to keep the same free of decay, deterioration and structural defect.

The Historic Preservation Commission has determined that your structure located at 120 McNair Street is falling or has fallen into a state of disrepair that may constitute demolition by neglect. Please contact my office to schedule an appointment within 30 days to discuss the conditions of your structure that you must address and the process required in order to obtain a Certificate of Appropriateness to perform the necessary work.

If I do not hear from you in the next 30 days and/or if you do not take the steps necessary to address the offending condition within a reasonable period of time, I will be forced to issue and serve upon you a formal complaint and notice of hearing before the Historic Preservation Commission.

I am confident you wish to avoid the time, inconvenience and formality of a complaint, notice, and hearing. On behalf of the City, I look forward to hearing from you shortly and working with you to remedy the situation.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Rebert", written in a cursive style.

Emily Rebert  
Community Development Planner  
Historic Preservation  
erebert@washingtonnc.gov  
252.946.0897

Cc: John Rodman, AICP: Planning and Community Development Director  
Wayne Harrell, Building Inspections



DOWNTOWN DEVELOPMENT  
& HISTORIC PRESERVATION

April 11, 2016

Gregory and Wendy Wilkinson  
120 McNair Street  
Washington NC 27889

**RE: Demolition By Neglect Ordinance: 120 McNair Street: Stopping the Process**

Dear Mr. and Mrs. Wilkinson,

In order to stop the Demo by Neglect Process, the historic commission and planning department would like you to develop a plan of action to repair the property located at 120 McNair Street. The following are areas of concern:

1. Repair and paint dormers
2. Replace rot on structure (see images for examples)
3. Paint house

The we would like following to happen from the date of this letter:

1. Within 30 Days: A written time-line showing when these items will be repaired submitted to the Planning Department at 102 East Second Street Washington NC 27889
2. Within 60 Days: Work on the property will commence.
3. Within 1 year: Work on the property will be completed.

Stages of repair based on your financial status may be necessary. I would be happy to help you prioritize the necessary repairs from most imperative to least. You have the opportunity to use tax credits to rehabilitate this property. Please call Preservation/Resotiration Specialist John Wood: 252.830.6580 at the State Historic Preservation office in Greenville so he can help you set this up.

Please remember to receive all proper approvals prior to work (permits and Certificate of Appropriateness). Failure to comply will result in the continuation of the Demolition By Neglect Ordinance process with out delineation. Please call or stop by my office with questions. It is important to take action to preserve our historic properties as it is a representation of ourselves. Owning property in the historic district, it's up to you to help carry that legacy.

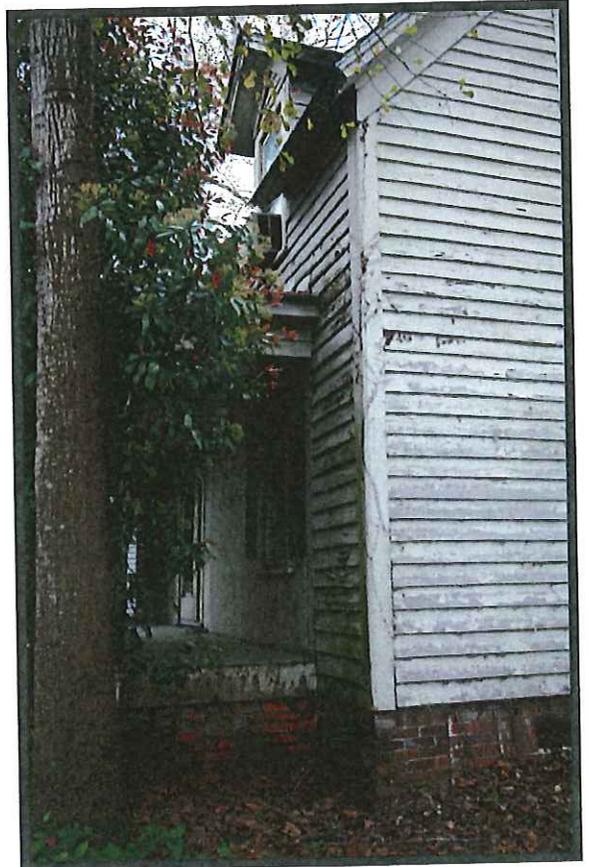
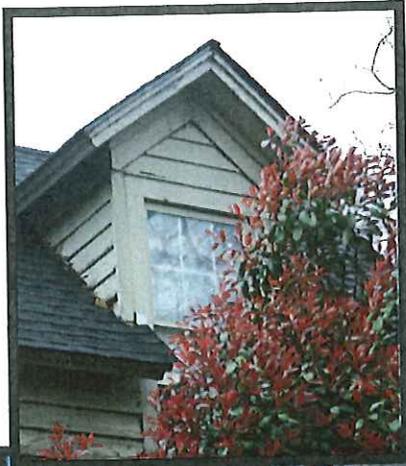
Very Respectfully,

A handwritten signature in black ink, appearing to read "Emily Rebert".

Emily Rebert  
Community Development Planner  
Historic Preservation  
erebert@washingtonnc.gov  
252.946.0897

cc: John Rodman, AICP: Planning and Community Development Director, Wayne Harrell: Building Inspections

PHOTO DOCUMENTATION: AREAS OF CONCERN







## DOWNTOWN DEVELOPMENT & HISTORIC PRESERVATION

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June 3, 2016

Case No. 16-04-02

If, after such notice and hearing, the Commission determines that the property is undergoing or constitutes demolition by neglect according to the applicable standards and finds undue economic hardship, the Commission shall report such finding along with a recommended plan to relieve the economic hardship to the Planning Director. The Planning Director shall prepare and serve upon the owner and parties in interest a written order, including findings of fact in support of the Commission's determinations, to repair, within the time specified by said recommended plan, those elements deteriorating, contributing to deterioration, deteriorated, or otherwise undergoing or constituting demolition by neglect. Said order shall serve as a Certificate of Appropriateness for such repair consistent with its terms.

If you have any questions or I may assist you in any way please do not hesitate to let me know.

Sincerely,

A handwritten signature in black ink, appearing to read 'Emily Rebert', written in a cursive style.

Emily Rebert  
Community Development Planner  
Historic Preservation  
erebert@washingtonnc.gov  
252.946.0897

Enclosures

Cc: Mr. Bobbie Roberson, City Manager  
Mr. Franz Holscher, City Attorney  
Mr. John Rodman, Director of Community and Cultural Resources  
Mr. Wayne Harrell, Chief Building Inspector

August 10, 2016  
Case No. 16-04-02

## COMPLAINT AND NOTICE OF HEARING

Gregory and Wendy Wilkinson  
120 McNair Street  
Washington NC 27889

**REF: Demolition By Neglect Ordinance: 120 McNair Street Washington NC 27889**

To: Mr. and Mrs. Wilkinson/Owner/ Parties in Interest in the above referenced Property.

The Historic Preservation Commission has determined that your structure located at 120 McNair Street is falling or has fallen into a state of disrepair that may constitute demolition by neglect. PLEASE TAKE NOTICE that the undersigned has made a preliminary inspection of the above referenced property and the same appears to be in violation of the City of Washington Zoning Ordinance, Article XV, Special Districts, Section 27-162.1, Prevention of Demolition by Neglect. Demolition by neglect, among other things, means and includes the failure of an owner of any structure in the Historic District to keep the structure free of decay, deterioration and structural defect. This is the same property that was referenced to you in a letter dated April 6, 2016. *The promised repair plan was never received.*

YOU ARE FURTHER NOTIFIED that a hearing will be held before the Historic Preservation Commission at the City Council Chambers, on the 2nd floor, in the City of Washington Municipal Building at 7:00 p.m. on Tuesday, October 4, 2016 for the purpose of determining whether said property is in violation of the Demolition By Neglect Ordinance.

You have the right to answer this complaint, to appear and/or be represented at the hearing, and to give testimony and present evidence concerning said complaint and property. The purpose of the hearing is for the Commission to receive evidence, determine if the property is undergoing or constitutes demolition by neglect, and, if so, issue an order to remedy the same. At this hearing, the owner or party in interest will also be allowed the opportunity to present a claim of undue economic hardship as provided herein. If you intend to claim undue economic hardship you must be prepared to present information on the claim, as provided in Section 27-162.1(d) of the Ordinance, at the October hearing.

If, after such notice and hearing, the Commission determines that the property is undergoing or constitutes demolition by neglect according to the applicable standards and does not find undue economic hardship, it shall cause the Planning Director to prepare and serve upon the owner and parties in interest a written order, including findings of fact in support of its determinations, to repair, within the time specified by the Commission, those elements deteriorating, contributing to deterioration, deteriorated, or otherwise undergoing or constituting demolition by neglect. Said order shall serve as a Certificate of Appropriateness for such repair consistent with its terms.



DOWNTOWN DEVELOPMENT  
& HISTORIC PRESERVATION

August 10, 2016

Case No. 16-04-02

If, after such notice and hearing, the Commission determines that the property is undergoing or constitutes demolition by neglect according to the applicable standards and finds undue economic hardship, the Commission shall report such finding along with a recommended plan to relieve the economic hardship to the Planning Director. The Planning Director shall prepare and serve upon the owner and parties in interest a written order, including findings of fact in support of the Commission's determinations, to repair, within the time specified by said recommended plan, those elements deteriorating, contributing to deterioration, deteriorated, or otherwise undergoing or constituting demolition by neglect. Said order shall serve as a Certificate of Appropriateness for such repair consistent with its terms.

If you have any questions or I may assist you in any way please do not hesitate to let me know.

Very Respectfully,

A handwritten signature in black ink, appearing to read "Emily Rebert", written in a cursive style.

Emily Rebert  
Community Development Planner  
Historic Preservation  
erebert@washingtonnc.gov  
252.946.0897

Enclosures:

The "Stopping the Process" letters mailed to 120 McNair Street on April 11th, 2016

Cc: Mr. Bobbie Roberson, City Manager  
Mr. Franz Holscher, City Attorney  
Mr. John Rodman, Director of Community and Cultural Resources  
Mr. Wayne Harrell, Chief Building Inspector

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## **Adjacent Property Owners – 120 McNair Street**

GREEN BETTY JANE  
307 EAST MAIN STREET  
WASHINGTON NC 27889

SHEPPARD BARTEMUS  
8354 CHERRY RUN RD  
WASHINGTON NC 27889

O'NEILL JOHN JOSEPH  
420 E MAIN STREET  
WASHINGTON NC 27889

POSTON MARGARET  
8770 N CUMBERNAULD CIRCLE  
GERMANTOWN TN 38139

HARDT KEITH A  
424 EAST MAIN STREET  
WASHINGTON NC 27889

WALKINSHAW NELLIE  
125 MCNAIR STREET  
WASHINGTON NC 27889

MESSNER MICHAEL  
428 E MAIN STREET  
WASHINGTON NC 27889

MATTHEWS MARTHA H  
140 EAST MAIN STREET  
WASHINGTON NC 27889

CROMPTON TIMOTHY L  
421 E 2ND STREET  
WASHINGTON NC 27889

ELKS BARBARA S  
106 MCNAIR STREET  
WASHINGTON NC 27889

JENKINS AUDREY  
15455 NW 128TH STREET  
PLATTE CITY MO 64079

WILKINSON GREGORY D  
120 MCNAIR STREET  
WASHINGTON NC 27889

WALL JAYNE D  
111 S REED DR  
WASHINGTON NC 27889

STOKES SHIRLEY D  
423 E 2ND ST  
WASHINGTON NC 27889

FREEMAN FORD WORTHY  
100 RIVERSIDE DRIVE  
WASHINGTON NC 27889

MOLON TOM  
113 MCNAIR STREET  
WASHINGTON NC 27889

REISIG DOMINIC  
117 MCNAIR STREET  
WASHINGTON NC 27889



DOWNTOWN DEVELOPMENT  
& HISTORIC PRESERVATION

September 23, 2016

Subject: Demolition by Neglect Ordinance Hearing – 120 McNair Street

Dear Adjoining Property Owner,

Whenever exterior renovation work is being conducted in the Washington Historic District all property owners within 100 feet of the proposed construction activities are required to be notified by the City of Washington. According to the application submitted on behalf of 120 McNair Street your property is located adjacent to the above subject property.

**A request has been made by the city of Washington for a hearing to address the status of 120 McNair Street as a property that has fallen into the Demolition by Neglect ordinance.**

If you would like to see plans for this work, please visit the City Planning Office prior to the meeting. Additionally, the full application is available on the city website. You are welcomed and encouraged to attend the regularly scheduled meeting of the Washington Historic Commission. Please note the following date, time, and place:

**Date:** Tuesday October 4, 2016

**Place:** City Hall - Municipal building, 102 East Second Street. Enter from the Market Street side of the building and go to the second floor.

**Time:** 7:00 PM

In the meantime, should you have any questions please feel free to contact me.

Sincerely,

A handwritten signature in black ink, appearing to read "Emily Rebert".

Emily Rebert  
Community Development Planner  
Historic Preservation  
252-946-0897  
erebert@washingtonnc.gov

# REQUEST FOR COMMISSION ACTION

To: Historic Preservation Commission

From: Emily Rebert, Planning & Development

Re: 120 McNair Street: Pursuing the Demolition by Neglect Ordinance process

***The property owners of 120 McNair Street have failed to contact the planning department to solidify a timeframe of completion.***

## Possible Actions

I move that the Historic Preservation Commission find, based upon the following findings of fact and conclusions, that the property at 120 McNair Street is undergoing or constitutes demolition by neglect, but that no undue economic hardship exists and that the property owner shall begin within ninety (90) days of receipt of this Decision and Order and complete within six (6) months of said beginning date the repair of those elements deteriorating, contributing demolition by neglect.

Or

I move that the Historic Preservation Commission ***does not*** find, based upon the following findings of fact and conclusions, that the property at 120 McNair Street is undergoing or constitutes demolition by neglect, but that no undue economic hardship exists and that the property owner shall begin within ninety (90) days of receipt of this Decision and Order and complete within six (6) months of said beginning date the repair of those elements deteriorating, contributing demolition by neglect.

**MINOR**

**WORKS**

## B. Minor Works

1. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 511 West Second Street to install a new gas furnace under the house and an outdoor condenser located on the east side of the house on the property.
2. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 509 West Second Street to install a split heat pump and a condenser on the deck on the tertiary elevation of the property.
3. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 211 West Main Street to replace the existing HVAC on the roof of the property.
4. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 432 East Main Street to re-install a new white picket fence around the mechanicals located on the east side of the property.
5. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 105 West Main Street to install a new HVAC unit in place of the previous one on the roof of the property.
6. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 110 North Academy Street to install a new HVAC unit in place of the previous one on the tertiary elevation of the property.
7. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 122 South Harvey Street to install a 24"x30" freestanding sign in the primary elevation of the property.
8. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 624 West Main Street to do the following items on the property:
  - a. Repair/ Replace rotten siding, trim, porch flooring, columns, and posts around the house using like materials.
  - b. Remove dead landscaping in public right of way to replace with something more appropriate.
9. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 705 West Second Street to repair/replace siding, roofing, and windows using like materials on the property.\*\*\*

\*\*\*Denotes a Demolition by Neglect property.

# OTHER BUSINESS

**Washington's  
Demolition by Neglect  
Ordinance:  
Property Status**

# MINUTES

**WASHINGTON HISTORIC PRESERVATION COMMISSION**

Regular Scheduled Meeting – Minutes

Tuesday, September 6<sup>th</sup> 2016

7:00pm

**Members Present**

Cheri Vaughn

Ed Hodges

Mark Everett

William Kenner

**Members Absent**

Mary Pat Musselman

Geraldine McKinley

Judi Hickson

**Others Present**

Emily Rebert, Historic Planner

John Rodman, Director

Jessica Green, Administrative Support

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**I. Opening of the meeting**

The Chairman called the meeting to order.

**II. Invocation**

A moment of silence was taken.

**III. Roll Call**

A silent roll call was taken by staff.

Mark Everett made a motion to accept the agenda. Cheri Vaughn seconded the motion. All voted in favor.

**IV. Old Business**

1. A request has been made by Mr. Dominic Reisig for a Certificate of Appropriateness to extend the existing fence around the backyard of the property located at 117 McNair Street.

Dominic Reisig came forward and was sworn in. He explained that he just wanted to extend the existing fence around his backyard. He stated that the new section of that fence would match the original fence. Mr. Reisig answered questions from the Commission.

The Chairman opened the floor. No one came forward.

Cheri Vaughn made the following motion: I move that the Historic Preservation Commission grant a Certificate of Appropriateness to Mr. Dominic Reisig to extend the existing fence around the back yard of the property located at 117 McNair Street. This motion is based on the following findings of fact: the application is congruous with the Historic Preservation Commission Design Guidelines, specifically Chapter 4.0 Streetscape and Site Design Section 4.6 Fences and Walls. Mark Everett seconded the motion and all voted in favor.

## **V. Certificate of Appropriateness**

### **A. Major Works**

1. A request has been made by Mr. John Butler for a Certificate of Appropriateness to remove a tree located in the front, eastern side yard of the property on 731 West Second Street.

This tree came down in the storm, so the item was removed with no motion needed.

2. A request has been made by Mr. John Moseley for a Certificate of Appropriateness to remove a magnolia tree located in the western side of the property on 243 East Main Street.

Mr. John Moseley came forward and was sworn in. Mr. Moseley stated that the tree roots are starting to grow along the house's foundation all the way to the front of the house. He stated that they would like to take the tree down before it causes damage to the foundation and basement if it hasn't already. Cheri Vaughn stated that she looked at the tree and she couldn't see any evidence at this point of the tree damaging the foundation. Mr. Moseley stated that he did not know if the root system has grown into the foundation, but he does know that it is very close to the house and if it falls it will damage the house or the neighbor's house. Ms. Vaughn asked if the tree was diseased and Mr. Moseley stated that he was not sure. Ed Hodges stated that he also didn't see any evidence of the root system hurting the foundation of the house at this point in time. Mr. Moseley spoke more about the size of the tree and its root system. William Kenner spoke about preventative measures that could be taken in order to prevent the root system from getting any larger. Mr. Hodges stated that the larger the tree grows the root system will be more of an issue. Mr. Hodges stated that he'd hate to see the tree come down, but there will definitely be an issue in the future. Cheri Vaughn asked if Mr. Moseley could get an arborist to come look at the tree to see if there was anything that could be done to save the tree. Mr. Moseley stated that due to the tree's age if they start trimming it then it will die. Ed Hodges asked if the root system can be seen growing into the basement. Mr. Moseley stated that he hasn't looked.

The Chairman opened the floor. Emily Rebert then read an email she received from Richard and Patty Klann of 239 E Main Street supporting the removal of the tree.

The Commission discussed the request further.

Cheri Vaughn made the following motion: I move that the Historic Preservation Commission deny a Certificate of Appropriateness to Mr. John Moseley to remove the magnolia tree located in the western side of the property located at 243 East Main Street. This motion is based on the following findings of fact: the application is not congruous with the Historic Preservation Commission Design Guidelines, specifically Section 4.1 Landscaping. William Kenner seconded the motion. The motion passed with a majority vote with Ed Hodges voting in opposition. Ed Hodges recommended that let have a professional look at the tree and bring back a recommendation to the Commission.

3. A request has been made by the First United Methodist Church for a Certificate of Appropriateness to extend the fence and install a shed on the playground of the property located at 304 West Second Street.

Kim Edwards, representing the First United Methodist Church came forward. She explained that church does operate a full time licensed childcare program. She explained the state wide requirements pertaining to the playground area. Ms. Edwards stated that due to the number of child they have they are requesting to extend the existing playground and extend the existing rod-iron fence about 20ft towards 3<sup>rd</sup> Street. Ms. Edwards then spoke about the proposed shed. Ms. Edwards stated that the shed would not be a permanent structure because they would be able to move it when needed. She also explained where the shed would be located. Ms. Edwards stated that another reason they are extending the playground is incorporate the natural shade from the shade tree instead of having to build another covered area. Diane Van Staldean came forward and explained that appearance of the fence and how the exiting playground area will step down into the new section.

Dee Congleton came forward and was sworn in. She expressed her concerns with the storage shed.

The Commission asked that the church use a color that is unobtrusive for the shed.

Mark Everett made the following motion: I move that the Historic Preservation Commission grant a Certificate of Appropriateness to the First United Methodist Church install a fence to extend the playground and install an 8x10' shed within the playground of the property located at 304 West Second Street. This motion is based on the following findings of fact: the application is congruous with the Historic Preservation Commission Design Guidelines, specifically Chapter 4.6 Fences and Walls and Chapter 3.12 Outbuildings and Accessory Structures. His motion was seconded by William Kenner. All voted in favor and the motion carried.

4. A request has been made by Mr. Bobby Roberson for a Certificate of Appropriateness to make the following changes on the property located at 235 East Main Street. A. Update the front door. B. Replace plants with brick pavers in the front yard. C. Extend 4 foot fence on western side of the property. D. Construct a screened in porch on tertiary elevation.

Bobby Roberson came forward and was sworn in. Mr. Roberson went through and explained each of his requests. Mr. Roberson explained the location of the requested pavers. He then explained that his current door is an interior door, so he would like to replace it with a wooden exterior door. He then went on to explain the details and locations of the fence and screened porch. The Commission discussed the request. Mr. Kenner stated that he went out to the property and didn't have an issue with any of Mr. Roberson's request.

The Chairman opened the floor. Emily Rebert read an email she received from Richard and Patty Klann speaking in favor of the request.

Cheri Vaughn made the following motion: I move that the Historic Preservation Commission grant a Certificate of Appropriateness to Mr. Bobby Roberson to: 1. Add a 16x20' screen porch on the back left side of the house. The materials will match the existing materials; 2. Remove interior door being used as exterior door and replace the exterior door; 3. Construct 4' high and 20' long wooden fence along west property line; and 4. Remove plant material and replace with brick pacers to match existing all on the property located at 235 East Main Street. Please review the Design Guidelines, specifically Chapter 3.0 Changes to Existing Buildings Section 3.6 Porches and Entryways and Chapter 5.0 New Construction Section 5.3 Additions. This motion is based on the following findings of fact: the application is congruous with the Historic Preservation Commission Design Guidelines, specifically Chapter 3.0 Changes to Existing Buildings Section 3.6 Porches and Entryways and Chapter 5.0 New Construction Section 5.3 Additions. William Kenner seconded the motion and all voted in favor.

5. A request has been made the City of Washington for a Certificate of Appropriateness to construct a new storage building on property located at the lighthouse on Stewart Parkway.

John Rodman came forward and was sworn in. Mr. Rodman talked about the improvements that have been done to the western end of Stewart Parkway. He explained that the Dock attendants currently do not have anywhere to store their golf chart. He stated that the City would like to replace the existing shed with a new 12x26' storage building. He explained that the building would have gray hardi-plank siding and a red roof to match the Lighthouse Dock master station. He stated that they are trying to clean up that area and make it more attractive. He explained that the current vending machines would be moved to the new shed and would not be visible from the street. Mr. Rodman then asked for suggestions from the Commission for the door on the shed. Ed Hodges stated that he didn't have a problem

with garage type doors. Mark Everett agreed. William Kenner stated that they do make stylish doors and he would prefer something with windows to provide some natural light. Mr. Rodman stated that they have been approved through the Division of Water Quality and the Division of Coastal Management. William Kenner suggested that if the budget allows it for them to use swinging doors to step up the appearance.

Bobby Roberson came forward and spoke in favor of the shed and talked about the future plans for the area.

Susan Zachery came forward and stated that she had a problem with putting a shed on the waterfront after everyone has worked so hard to make it look so nice. Ms. Zachery spoke about her concerns.

Mark Everett made the following motion: I move that the Historic Preservation Commission grant a Certificate of Appropriateness to the City of Washington to construct a new storage building for the dock attendants to park a golf cart and store materials on the western end of Stewart Parkway. The building will be 12x26' in size. The roof will be a hip roof to match the lighthouse in style and color. It will use hardi-plank siding to match the lighthouse. The existing building will be removed. This motion is based on the following findings of fact: the application is congruous with the Historic Preservation Commission Design Guidelines, specifically Chapter 3.0 Changes to Existing Buildings Section 3.12 Outbuildings and Accessory Structure. His motion was seconded by Cheri Vaughn. All voted in favor and the motion carried.

## **B. Minor Works**

1. A request has been made and approved by staff for a Certificate of Appropriateness for Beaufort County to perform roof repair using like materials on the following properties:
  - a. 111, 112, and 132 West Second Street
  - b. 158, 173, 210, and 220 North Market Street
2. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 524 West Main Street to install a new HVAC unit in place of the previous one on the tertiary elevation of the property.
3. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 605 East Second Street to install a new gas pack in place of the previous one of the property.
4. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 329 North Bonner Street to repair the front porch and siding using like materials on the front façade of the property.
5. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 409 East Second Street to install a new gas pack unit in place of the previous one on the tertiary elevation of the property.

6. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 113 North Harvey Street to install a new HVAC and gas furnace unit in place of the previous one on the tertiary elevation of the property.
7. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 101 North Bonner Street to install a new HVAC unit in place of the previous one on the tertiary elevation of the property.
8. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 509 West Second Street to install a new HVAC unit in place of the previous one on the tertiary elevation of the property.
9. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 323 East Main Street to install a new HVAC unit in place of the previous one on the tertiary elevation of the property.
10. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 220 East Water Street to repair broken glass panes and porch ceiling using like materials on the property.\*\*\*
11. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 627 West Main Street to install a new HVAC unit in place of the previous one on the tertiary elevation of the property.
12. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 219 East Third Street to repair broken glass panes and wood siding using like materials on the property.\*\*\*
13. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 425 West Main Street to replace the current modern interior door with an exterior door on the non-contributing property.
14. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 155 North Market Street to install a 15"x20" sign over the entrance of the primary elevation of the property.
15. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 740 West Main Street to replace the standing seam roof using like materials on the property.
16. A request has been made and approved by staff for a Certificate of Appropriateness for the owner of 523 East Main Street to repair metal roof using like materials on the property.

Mark Everett made a motion to approve all minor works. His motion was seconded by William Kenner. All voted in favor.

## **VI. Other Business**

## 1. Demolition By Neglect Ordinance: Property Status

Emily Rebert presented an update to the Commission and answered any questions. The Commission spoke about the need for a non-profit to help some of the property owners on this list before all of their financial details are made public in order to declare economic hardship.

Emily Rebert then introduced Rob Sanns and Allison Greene, who have come to Washington to develop a non-profit named Pamlico Rose Institute. Rob explained how they became interested in Washington and the purpose and the mission of the Pamlico Rose Institute.

## **VII. Approval of Minutes**

Mark Everett made a motion to approve the minutes. William Kenner seconded the motion. All voted in favor and the motion carried.

## **VIII. Adjourn**

There being no other business the meeting was adjourned.