



# Town of Southern Shores

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## 10 MEETING MINUTES

11 SOUTHERN SHORES HISTORIC LANDMARKS COMMISSION-OCTOBER 25, 2022, 9:00 A.M.

12 LOCATION: PITTS CENTER-5377 N VIRGINIA DARE TRAIL, SOUTHERN SHORES, NC 27949

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14

### 15 I. CALL TO ORDER:

16 Chairperson Whitley called the meeting to order at 9:00 a.m. Historic Landmarks

17 Commission Members Lee Whitley (Chairperson), Kristine Kiousis, Richard Perkins, and Michael

18 Guarracino were present. Also in attendance were Deputy Town Manager/Planning Director Wes

19 Haskett, and Town Clerk Sheila Kane.

20

### 21 II. PLEDGE OF ALLEGIANCE:

22 Chairperson Whitley led the Pledge of Allegiance.

23

### 24 III. APPROVAL OF AGENDA:

25 Kristine Kiousis **moved** to approve the agenda, Seconded by Michael Guarracino. The motion

26 passed unanimously Michael Guarracino (4-0).

27

### 28 IV. ELECTION OF OFFICERS

29 Richard Perkins **moved** to nominate Lee Whitley as Chairperson, Seconded by Kristine Kiousis.

30 The motion passed unanimously (4-0).

31

32 Kristine Kiousis **moved** to nominate Tony DiBernardo as Vice Chairperson, Seconded by Michael

33 Guarracino. The motion passed unanimously (4-0).

34

### 35 V. APPROVAL OF MINUTES

36 Michael Guarracino **moved** to approve the July 27, 2021 meeting minutes as presented,

37 Seconded by Kristine Kiousis. The motion passed unanimously (4-0).

38

### 39 VI. PUBLIC COMMENT

40 None

41

### 42 VII. OLD BUSINESS

43 None

44

45

### 46 VIII. NEW BUSINESS

47 COA-22-01, an application for a Certificate of Appropriateness submitted by Courtney Clements  
48 to construct an outdoor shower and storage structure and deck expansion at 23 Porpoise Run  
49

50 Applicant: Courtney Clements

51 Requested Action: An application for a Certificate of Appropriateness (COA) submitted by  
52 Courtney Clements to construct an outdoor shower and storage structure and deck  
53 expansion.

54 PIN #: 986707790313

55 Location: 23 Porpoise Run

56 Zoning: RS-1, Single-Family Residential District  
57

58 Chairperson Whitley opened the quasi-judicial hearing and called on those wishing to give  
59 testimony to be sworn in.  
60

61 Chairperson Whitley asked of the board:

62 Has any commission member communicated with the other commission members the  
63 applicant or town staff about this application? All members replied no.  
64

65 Does any commission member have a fixed opinion that is not susceptible to change? All  
66 members replied no.  
67

68 Does any commission member have a close familial business or associational relationship  
69 with the applicant? All members replied no.  
70

71 Does any commission member have a financial interest in the outcome of this matter? All  
72 members replied no.  
73

74 Chairperson Whitley called on the applicant Courtney Clements to give her testimony/evidence.  
75 Ms. Clemens stated she is seeking a COA for an addition that's not attached to the existing flat  
76 top. A 6 foot by 16 addition divided in half to be an outdoor shower and storage area that's  
77 attached to the existing decking.  
78

79 Courtney Clements provided the following to the board:  
80

81 *Proposed NEW BUILD- 23 Porpoise Run*

82 *1. Total BUILDING dimensions: 6' x 16'*

83 *Wood frame structure, halved equally by 1 wall separating the:*

84 *A. Outdoor shower: 6' x 8'*

85 *B. Storage area: 6' x 8'*  
86

87 *2. DECK dimensions: 6' x 12'8"*

88 *Existing boardwalk extended and attached to new deck area.*

89 *New application to be 5/4" x 6" salt treated clear deck boards fastened to 2" x 6' joists,*  
90 *set in ground. Boards to be secured with stainless steel nails. Clear sealant applied for*  
91 *weather protection.*  
92

93 *3. Location of building and deck: west, to southwest side of existing structure and south side*  
94 *of existing concrete pad*

95

96 4. ROOF

97 *Roof shape and material in keeping with existing structure:*

98 *-Flat Top with TPO heat adhered membrane*

99

100 5. SIDING

101 *-Soffit overhang 18", as existing structure, or in proportion to size*

102 *-Fascia board 6"-8", as existing structure and in proportion to size of structure*

103 *-Gutter system, white vinyl, to blend with white overlay of TPO roofing, installed*

104 *east and south sides of new structure to minimize moisture/rain damage*

105 *to boardwalk*

106

107 *Note that the siding will be painted as existing structure to maintain original integrity of*  
108 *property and to keep cost within reason.*

109 *Salt treated, Fiber Cement siding, ship lap, panels 4' x 8', installed vertically between*  
110 *salt treated wood casings*

111 *Wood casings 1" x 4", salt treated pine*

112 *Stained/Painted exterior walls/trim/casings- to match existing cottage*

113 *Stud walls-salt treated 2' x 4'*

114

115 Kristine Kiousis asked the applicant if she planned on getting a new survey done prior to doing  
116 the work or are the contractors okay with the one from 2000? Ms. Clements stated if one is  
117 required to be updated it will be obtained.

118

119 Kristine Kiousis also asked if the existing septic could accommodate the new plumbing from the  
120 shower to the septic or would work have to be done there? Ms. Clements stated the septic was  
121 just replaced last year and it will be able to accommodate the new plumbing.

122

123 Kristine Kiousis inquired about the vinyl gutters and if it was the intention of the applicant to  
124 install vinyl gutters? Courtney Clements stated there are vinyl gutters already there.

125

126 Chairperson Whitley asked if the new structure was going to be painted the same color as the  
127 house? Ms. Clements stated yes, she would like to keep it the same color.

128

129 Planning Director Haskett stated the applicant indicated there is approximately 4 feet from the  
130 side property setback of 15 feet and asked for clarification. Applicant Courtney Clements stated  
131 that was her approximation based off the pin, the marker, located on the west side of the  
132 property off of the street.

133

134 Planning Director Haskett stated according to the application it is estimated then the outermost  
135 and western most portion of the structure would be 19 feet from the property line. If the COA is  
136 approved today and the applicant moves forward with applying for a building permit and zoning  
137 permit, the setback will need to be verified.

138

139 Planning Director Haskett stated an as-built survey will be required prior to the issuance of a CO  
140 (Certificate of Occupancy). He stated he would accept a site plan similar to what's submitted  
141 today showing that it meets the 15-foot side setback and then we would require an as-built at  
142 the end, demonstrating compliance.

143  
144 Kristine Kiousis asked if an affidavit could be used? Planning Director Haskett stated an as-built  
145 survey will be required.  
146  
147 Richard Perkins asked if the as-built survey was a requirement of the HLC or the Building  
148 Inspector? Planning Director Haskett stated it is a requirement from the Planning/Code  
149 Enforcement Department.  
150  
151 Applicant Courtney Clements asked how is she to know that all is correct with the last survey, so  
152 that the contractor builds outside of the setback? Chairperson Whitley stated she can call a  
153 surveyor now and they will come out and flag the lines, and then flag the edge of the proposed  
154 structure.  
155  
156 Kristine Kiousis stated that the concrete slab is well within the lot coverage allowance.  
157  
158 Chairperson Whitley called on the town to present evidence.  
159  
160 Planning Director Haskett presented the staff report which he read into the record, the applicant  
161 is proposing to construct an outdoor shower and storage structure and deck expansion at 23  
162 Porpoise Run which was designated as a Historic Landmark on October 3, 2017. Town Code  
163 Section 17-4, (b), (1) states that from and after the designation of a landmark, no exterior  
164 portion of any building or other structure (including masonry walls, fences, light fixtures, steps  
165 and pavement, or other appurtenant features), nor any above-ground utility structure nor any  
166 type of outdoor advertising sign shall be erected, altered, restored, moved or demolished on  
167 such landmark until after an application for a Certificate of Appropriateness (COA) as to exterior  
168 features has been submitted to and approved by the Commission.  
169  
170 Such a Certificate is required to be issued by the Commission prior to the issuance of a building  
171 permit or other permit granted for the purposes of construction, altering, moving, or  
172 demolishing structures, which Certificate may be issued subject to reasonable conditions  
173 necessary to carry out the purposes of the requirements. Section 17-6, (a) states that no COA  
174 shall be granted unless the Commission finds that the application complies with the principles  
175 and guidelines adopted by the Commission for review changes. It is the intent of these  
176 regulations to insure insofar as possible that construction, reconstruction, alteration, restoration,  
177 moving or demolition of buildings, structures, appurtenant fixtures, outdoor advertising signs, or  
178 other significant features of landmarks shall be congruous with the special character of the  
179 landmark.  
180  
181 The Commission's currently adopted Principles and Guidelines contain the following guidelines  
182 that are applicable to the proposed work:  
183  
184 (b) Rehabilitation means the act or process of making possible an efficient compatible use for  
185 a property through repair, alterations and additions while preserving those portions or  
186 features that convey its historical, cultural or architectural values.  
187  
188 (9) New additions, exterior alterations or related new construction will not destroy  
189 historic materials, features and spatial relationships that characterize the property. The  
190 new work will be differentiated from the old and will be compatible with the historic

191 materials, features, size, scale and proportion, and massing to protect the integrity of the  
192 property and its environment.

193  
194 (10) New additions and adjacent or related new construction will be undertaken in such a  
195 manner that, if removed in the future, the essential form and integrity of the historic  
196 property and its environment would be unimpaired.

197  
198 Town Staff recommends approval of the COA without vinyl gutters. The use of fiber cement  
199 siding for new construction and additions to historic buildings is not uncommon.

200  
201 Kristine Kiousis asked if the contractor would submit a list of materials? Planning Director  
202 Haskett stated if the COA is approved, then the contractor can only use materials the board has  
203 approved. Staff will request a materials list and review to confirm everything is consistent with  
204 what was approved.

205  
206 Courtney Clements asked for clarification of the necessary steps once approved. Planning  
207 Director Haskett stated if the commission approves the COA, then the applicant will receive a  
208 copy of all the documentation submitted and a written decision of what was approved. Planning  
209 Director Haskett further stated that if the applicant wanted to change the proposed materials  
210 after the commission approved her request, then she would need to come before the  
211 commission again and seek another approval.

212  
213 Richard Perkins asked for clarification of the vinyl gutters and if there currently was vinyl gutters  
214 on the house? Courtney Clements stated there are vinyl gutters currently on the house and they  
215 were installed before the house was designated as a historic landmark.

216  
217 Richard Perkins asked if the COA is approved, excluding the vinyl gutters, will the applicant be  
218 required to remove the vinyl gutters she currently has installed? Planning Director Haskett stated  
219 she would not, the approval would be just for the addition.

220  
221 Applicant Courtney Clements asked if there was another material that could be used for the  
222 gutter as it was recommended to protect the desking? Kristine Kiousis recommended Ms.  
223 Clements speak to her contractor and see what they recommend.

224  
225 Richard Perkins stated the staff recommendation is not to put up vinyl gutters, but the property  
226 already has vinyl gutters. He stated he was trying to see the rationale in that. Planning Director  
227 Haskett stated vinyl is not commonly used for historic properties and that is staff's  
228 recommendation.

229  
230 Chairperson Whitley stated the last house the commission considered was not approved  
231 because of the abundance of vinyl. Smaller quantities used on some of the designated properties  
232 may have just been missed. Courtney Clements stated it is hard to tell what is gutters or facia on  
233 the property.

234  
235 Richard Perkins stated he is inclined to approve the COA with staff's recommendation of not  
236 allowing the vinyl gutters.

237

238 **MOTION:** Kristine Kiouis moved to approve the Certificate of Appropriateness with the  
239 exception of vinyl gutters and that it complies with the principals and guidelines adopted by the  
240 commission for review changes, and it is congruous with the special character of the landmark,  
241 Seconded by Richard Perkins. The motioned passed unanimously (4-0).

242  
243 Chairperson Whitley closed the hearing.

244  
245 Planning Director Haskett explained to Ms. Clements, with the approval of the COA, your  
246 contractor can start the process of submitting an application, a surveyor can mark the property  
247 for you and you and your contractor can discuss submitting your application for a building permit  
248 and we'll go from there.

249  
250 Applicant Courtney Clements asked if the COA came with a timeline? Planning Director Haskett  
251 stated he did not believe there was an expiration on the COA, but as far as the building permit is  
252 concerned you have six months to start work once the permit is obtained. Starting work is  
253 considered when you have at least one inspection within the six-month timeframe.

254  
255 Planning Director Haskett reviewed what will be required for a building permit per Ms. Clements'  
256 request.

257  
258 **IV. Public Comment**

259 None

260  
261 **X. Historic Landmarks Commission Member Comments**

262 None

263  
264 **XI. Announcements**

265 None

266  
267 **XII. Adjourn**

268 Hearing no other business, Chairperson Whitley made a motion to adjourn, Seconded by Richard  
269 Perkins. Motion passed unanimously (4-0). The time was 9:45 a.m.

270  
271  
272  
273 **ATTEST:**

Respectfully submitted,

274 \_\_\_\_\_

\_\_\_\_\_

275 Lee Whitley, Chairperson

Sheila Kane, Town Clerk

276