

## Historic Resources Commission Meeting Minutes of August 13, 2014

- Members Present:** Brendan Ross, Jo Stephenson, Nan Chase, David Carpenter, William Eakins, J. Ray Elingburg, Richard Fast, David Nutter, Bryan Moffitt, Tracey Rizzo
- Members Absent:** Woodard Farmer
- Staff:** Stacy Merten, Peggy Gardner, Jannice Ashley
- Public:** Ted Alexander, N. Rachel Stein, Bruce Hazzard, Frank Hallstrom, Dave Driscoll, Erin Foy, Bruce Lowe, Brent Campbell, Gus Katsigianis, Rob Motley, Annie McDonald, Kevin Hackett, Hal Schuelke
- Call to Order:** Chair Ross calls the meeting to order at 4:00 pm with a quorum present.
- Adoption of Minutes:** Commissioner Eakins moves to adopt the July 9, 2014 minutes as written.  
Second by: Commissioner Moffitt  
Vote for: ALL

### Consent Agenda:

- 1)  
**Owner/Applicant:** Historic Biltmore Village, LLC  
**Subject Property** 10 Brook Street  
**Hearing Date:** August 13, 2014  
**Historic District:** Biltmore Village  
**PIN:** 9648.70-1141  
**Zoning District:** CB-II

*Commissioner Moffitt recuses himself.*

### MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – three photographs of project area; Exhibit C – site plan; Exhibit D – area plan; Exhibit E – existing elevation; Exhibit F – proposed elevation; Exhibit G – four pages of material specifications, including wood trim and thermal storefront items; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 30<sup>th</sup> day of July, 2014, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 30<sup>th</sup> day of July, 2014 as indicated by Exhibits H and I.

2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to replace two existing storefront windows with doors to accommodate new retail spaces. The style, materials, proportion and size of the new doors will be consistent with other storefronts on the structure and compatible with the character of Biltmore Village. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines found on page 15 in Chapter 4, Guidelines for New Construction in “Contemporary Styles” of Book 3: Design Guidelines for New Construction and Additions were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
  - a. The new storefront will have an anodized finish.
  - b. The scale, proportion and materials of the storefront alterations are consistent with the historic character of Biltmore Village.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Biltmore Village Historic District.

Motion by: Commissioner Chase

Second by: Commissioner Stephenson

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Chase

Second by: Commissioner Stephenson

Vote for: ALL

## Public Hearings:

### Agenda Item

**Owner/Applicant:** Erik Field  
**Subject Property:** 200 Montford Ave.  
**Hearing Date:** July 9, 2014  
**Historic District:** Montford  
**PIN:** 9649.02-6985

<b>Staff Comments</b>	Ms. Merten asks for a motion to continue another month, as she has not heard back from the applicant.
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**Commission Action**

**MOTION TO CONTINUE**

Motion by: Commissioner Eakins

Second by: Commissioner Moffitt

Vote for: ALL

**Agenda Item**

**Owner/Applicant:** Kessler Asheville/Lifetime Turf/  
**Subject Property** 11 Boston Way  
**Hearing Date:** August 13, 2014  
**Historic District:** Biltmore Village  
**PIN:** Right-of-way  
**Zoning District:** CB-II

<b>Staff Comments</b>	<p>Ms. Merten says a design team went to look at a sample of the proposed product onsite on July 25, and explains the following report.</p> <p><b>Property Description:</b> This is the grass planting strip between the street and the sidewalk on the south side of the Grand Bohemian Hotel. The project will require an encroachment agreement from the City of Asheville, as it is located in the public right-of-way.</p> <p><b>Certificate of Appropriateness Request:</b> Install “Pedigree” Easy Turf to replace the grass strip between the street and the sidewalk along Boston Way on the south side of the Grand Bohemian Hotel. <b>All permits, variances, or approvals as required by law must be obtained before work may commence.</b></p> <p><b>Staff Concerns per the Applicable Guidelines &amp; Submittal Requirements:</b></p> <p>As indicated in the National Register nomination for Biltmore Village, and depicted in early photographs of the area, the simple landscaping with grassy strips and shady tree-lines drives contributes to the original quaint manorial village atmosphere envisioned and executed by Frederick Law Olmsted and Richard Morris Hunt for George W. Vanderbilt at the entrance to Biltmore Estate. Although the entire Village was never completely built out, the As-built plan of 1917 indicates that the trees and tree lawns were in place at that time. Some of the original sycamore trees were still in place until recent years, but were removed prior to construction of the Gran Bohemian Hotel, as they were declining in vigor.</p> <p>While the character of Biltmore Village went into gradual decline after the sale of the Village in 1920, it has experienced a gradual comeback since the establishment of the historic district in 1987. The guidelines currently in place are intended to preserve what was left of the original intact structures and encourage compatible new structures to replace the auto-oriented infill development that became widespread in the intervening years.</p> <p>The General Goals found on page 7 in Chapter 2 of Book 1 of the Biltmore Village Guidelines and the guidelines for Site Design found on pages 24 &amp; 25 in</p>
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	<p>Chapter 5 of Book 1, Design Guidelines and Policies were used to evaluate this request. The objective is that the original village plan is to be restored where feasible and the landscaping policy states that the historic planting palette should be used where feasible. Guideline 5 states that the planting strip should be planted in grass and trees. Guideline 10 encourages the re-establishment of the planting-strip to develop a lawn-like image.</p> <p>Staff is also concerned about setting a precedent for an artificial material that is incompatible with the general character of the district, where the concepts of maintaining feeling and association are important to creating and maintaining the integrity of the historic character of the district.</p> <p><b>Staff Recommendation:</b> Staff recommends that the “Pedigree Easy Turf” not be approved for locating in the planting strip for the following reasons:</p> <p><b>Reasons:</b></p> <ol style="list-style-type: none"> <li>1. It is feasible to plant grass in the planting strip</li> <li>2. The simple lawn-like character of the planting strip will be preserved and maintained throughout the seasons.</li> <li>3. Retaining the natural turf will preserve the original feeling and association important to maintaining the historic character of the district.</li> </ol>
<b>Applicant(s)</b>	<p>Bruce Lowe, landscape architect representing Lifetime Turf, explains the Grand Bohemian is a dog-friendly hotel and the areas are for dog waste which kills the grass. Currently the areas need frequent re-sodding. He says he understands concerns about setting a precedent, but the product is needed to address specific concerns.</p>

**Public Comment**

<b>Speaker Name</b>	<b>Issue(s)</b>
None	

**Commission Comments/Discussion**

<p>Commissioner Carpenter says he agrees with Ms. Merten’s recommendation, and is concerned about setting a precedent. Commissioner Chase disagrees, and says she attended the onsite review where she was impressed by the convincing look of the material from across the street. While there, she also noticed that guidelines about the planting strips are not being enforced in the Village, and saw examples of bare spots with piles of gloppy mulch, inappropriate planter boxes and city-owned tree species that aren’t recommended. She says there is no definition of ‘grass’ in the guidelines though there is a mention of ‘lawn-like’. She cites other new materials that have been allowed, including hardie-plank, windows and solar panels. She thinks there could be environmental considerations, given the cost of lawn maintenance and watering.</p> <p>Commissioner Carpenter says he thinks the larger issue is whether the Commission wants to establish a precedent. Commissioner Nutter speaks of the design intent for the Village, noting nature plays a large part. Commissioner Carpenter agrees, saying natural materials are key to Arts and Crafts esthetics, and using astro-turf to replace grass is contrary to it.</p> <p>Commissioner Rizzo asks what ‘lawn-like’ means, and whether any artificial material has been proposed before. Ms. Merten says no, not in her twelve years. She reports she received an email from Robert Griffin expressing concern that allowing this product could set a precedent that does</p>
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not fit the intent of the guidelines. Ms. Merten thinks a request for artificial grass was not foreseen when they were written.

Commissioner Moffitt says ‘lawn-like’ has more to do with landscape style. Ms. Merten agrees, saying it refers to an open, simple English style. Commissioner Moffitt notes as an applicant he has been asked to justify any new materials, and explain how they meet the intent of the guidelines. He does not think the applicant has done this. Ms. Merten says there is a consideration of alternate building materials in the guidelines, but no reference to alternate landscape materials.

Commissioner Elingburg asks if the material ‘jumps out’ at you. Ms. Merten thinks it does up close, and thinks in other seasons it would even more. Commissioner Carpenter strongly agrees, and notes the applicant has not presented any supporting evidence otherwise. Commissioner Moffitt agrees that making the case is up to the applicant, not the Commission.

Attorney Ashley says if there needs to be a provision in the guidelines for flexibility with new materials for environmental or any other reasons, the Commission should revise the guidelines. She says the Biltmore Village guidelines are much more stringent regarding landscaping. Ms. Merten says they are because Olmstead’s planned landscape is very specific, and has national prominence. Commissioner Stephenson notes the landscape is as important in Biltmore Village as the buildings.

Commissioner Chase asks what if someone wanted to paint the grass to correct discoloration. Ms. Merten says historic standards typically do not allow painting of surfaces not previously painted, and painting grass was not typical practice historically. She notes there are alternatives for correcting discoloration from animal waste. Commissioner Moffitt says the product would be allowed in an interior space, such as the courtyard.

### Commission Action

#### MOTION TO ADOPT FINDINGS OF FACT

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – site plan; Exhibit C – three photographs of planting strips / turf areas; Exhibit D – product specifications (three pages); Exhibit E – 1’x1’ product sample; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 25<sup>th</sup> day of June and the 30<sup>th</sup> day of July, 2014, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 25<sup>th</sup> day of June, 2014 as indicated by Exhibits F and G.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to install “Pedigree” Easy Turf to replace the grass strip between the street and the sidewalk along Boston Way on the south side of the Grand Bohemian Hotel. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the General Goals found on page 7 in Chapter 2 of Book 1 of the Biltmore Village Guidelines and the guidelines for Site Design found on pages 24 & 25 in Chapter 5 of Book 1, Design Guidelines

and Policies were used to evaluate this request. as used to evaluate this request.

5. This application **does not** meet the design guidelines for the following reasons:
- a. It is feasible to plant grass in the planting strip.
  - b. The simple natural character of the planting strip will be preserved with grass.
  - c. Retaining the natural turf will preserve the original feeling and association important to maintaining the historic character of the district.
  - d. Per the guidelines, in accordance with Olmstead's plan for the district the strips should be planted in grass and trees.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are not** compatible with the historic aspects and character of the Biltmore Village Historic District.

Motion by: Commissioner Nutter

Second by: Commissioner Carpenter

Vote for: Commissioners Ross, Stephenson, Carpenter, Eakins, Elingburg, Fast, Nutter, Moffitt, and Rizzo

Vote against: Commissioner Chase

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **denied**.

Motion by: Commissioner Nutter

Second by: Commissioner Eakins

Vote for: Commissioners Ross, Stephenson, Carpenter, Eakins, Elingburg, Fast, Nutter, Moffitt, and Rizzo

Vote against: Commissioner Chase

### Agenda Item

**Owner/Applicant:** Rachel Stein  
**Subject Property:** 94 Pearson Dr.  
**Hearing Date:** August 13, 2014  
**Historic District:** Montford  
**PIN:** 9649.03-2140  
**Zoning District:** RS-8

<b>Staff Comments</b>	Ms. Merten says she asked the applicant to provide a revised drawing showing the 4x4 porch post consistent with the deck post, and to clarify the railing system on the deck area. <i>(The applicant has brought a revised drawing.)</i>
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	<p><b>Property Description:</b> Early 20th century plain 2-story vernacular shingle style dwelling with shingles over German siding.</p> <p><b>Certificate of Appropriateness Request:</b> Add roof over rear deck to create screened porch per attached plans. New roof material will match existing on house. Door will have wood frame. Porch posts will be 4” x 4” consistent with existing posts on deck. <b>All permits, variances, or approvals as required by law must be obtained before work may commence.</b></p> <p><b>Staff Concerns per the Applicable Guidelines &amp; Submittal Requirements:</b></p> <p>Staff has asked the applicant to submit a revise drawing depicting posts that will match those on the existing deck.</p> <p>The guidelines for Porches, Entrances and Balconies found on pages 72-73 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010 and amended August 2013, were used to evaluate this request.</p> <p><b>Staff Recommendation:</b> Staff recommends approval of the proposed application for the following reasons:</p> <p><b>Reasons:</b> The new porch will be located on the rear, consistent with the structure in roof form, scale and materials and does not obscure character defining features.</p>
<p><b>Applicant(s)</b></p>	<p>Nancy Rachel Stein, property owner, says there had been a covered porch in the same location, but when it was removed and the current deck was built it wasn't covered. As a result, water has been collecting and running into the house. The roof is needed to mitigate this moisture issue.</p>

**Public Comment**

Speaker Name	Issue(s)
None	

**Commission Comments/Discussion**

Commissioner Moffitt asks if there will be screening (*yes, but the drawing doesn't show this clearly*).

**Commission Action**

**MOTION TO ADOPT FINDINGS OF FACT**

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – project description; Exhibit B – engineer’s report; Exhibit C – footprint drawing of proposed screen porch; Exhibit D – three renderings of proposed screened porch; Exhibit E – screen door specification; Exhibit F – two photographs of existing deck; Exhibit G – photograph of previous porch structure; Exhibit H – 1925 Sanborn map showing house footprint; Exhibit I – site plan; Exhibit J – revised rendering (*submitted 8/13/14*); and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the

30<sup>th</sup> day of July, 2014, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 30<sup>th</sup> day of July, 2014 as indicated by Exhibits K and L.

2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to add roof over rear deck to create screened porch per attached plans. New roof material will match existing on house. Door will have wood frame. Porch posts will be 4" x 4" consistent with existing posts on deck. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Porches, Entrances and Balconies found on pages 72-73 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010 and amended August 2013, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
  - a. The new porch will be located on the rear, it will be consistent with the structure in roof form, scale and materials and does not obscure character defining features.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the Montford Historic District.

Motion by: Commissioner Chase

Second by: Commissioner Nutter

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Chase

Second by: Commissioner Eakins

Vote for: ALL

### Agenda Item

<b>Owner/Applicant:</b>	Robert Motley/ Gus Katsigiannis
<b>Subject Property:</b>	47 Short Street
<b>Hearing Date:</b>	August 13, 2014
<b>Historic District:</b>	Montford
<b>PIN:</b>	9649.11-8891
<b>Zoning District:</b>	RS-8

<p><b>Staff Comments</b></p>	<p>Ms. Merten explains this is an amendment to a previously approved CA, asking to move the footprint of the new house. She says she received an email from neighbor David Patterson saying he was not in favor of allowing a change to the setback. She notes Mr. Patterson is not in attendance.</p> <p><b>Property Description:</b> This is currently a vacant lot. Plans for new construction of a single family home were approved in March 2014</p> <p><b>Certificate of Appropriateness Request:</b> Amend CA #14-01127PZ to approve flexible development for a 10' front setback and a 2.5' north side setback per attached approved site plan to allow the home to be constructed closer to the street in a pattern more consistent with the historic setting of the neighborhood. <b>All permits, variances, or approvals as required by law must be obtained before work may commence.</b></p> <p><b>Staff Concerns per the Applicable Guidelines &amp; Submittal Requirements:</b></p> <p>The guidelines for New Construction – Primary Structures found on pages 92-93 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010 and amended August 2013, and the guidelines for Flexible Development found in Section 7-11-7(4) were used to evaluate this request.</p> <p><i>Structures undergoing design review.</i> Structures or lots subject to design review pursuant to this chapter by any official design review board established in this chapter which are found to comply with the applicable design guidelines shall be exempt from the signage, open space, landscaping, off-street parking, setback, building height and building floor area, lot width, and lot area requirements of the underlying zoning district to the extent that those requirements conflict with the applicable design guidelines.</p> <p><b>Staff Recommendation:</b> Staff recommends approval of the proposal for the following reasons:</p> <p><b>Reasons:</b></p> <ol style="list-style-type: none"> <li>1. The revised setback will allow the new construction to be located closer to the paved portion of the Cumberland Place right of way, more in keeping with the existing structure on the north side of Cumberland Place.</li> </ol>
<p><b>Applicant(s)</b></p>	<p>Gus Katsigiannis and Rob Motley, property owners, offer to answer questions. Mr. Motley explains there are visual balance issues involved, and they are trying to make the house seem more in character with the neighboring houses, which are located closer to the street than current setback allows. They show photographs of houses on Cumberland Place, one has a 6' or less setback, the house to the north of theirs has less than 9', 50 Cumberland Place has 8', and 2 Cumberland Place has 4'.</p>

**Public Comment**

Speaker Name	Issue(s)
David Driscoll	Mr. Driscoll lives at 55 Short Street, and says as a neighboring property

	<p>owner this does not seem not to be a problem for him. He wonders what the Commission thinks since he is new to the district. He asks Ms. Merten to clarify the difference involved (<i>setback is normally 7.5' for a side corner lot, zoning can administratively reduce 2', applicant is now asking for a 5' variance, which the HRC may approve based on the historical character of the district.</i>)</p> <p>Mr. Driscoll asks if there was any discussion about a compromise, and if there is a precedent or any concern with setting one. Commissioner Carpenter notes variances are reviewed as specific cases, so this would not be setting a precedent. Ms. Merten says this is one reason there is a Flexible Development Application.</p>
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**Commission Comments/Discussion**

Commissioner Fast says he walks on this street daily, and thinks the change makes perfect sense.

**Commission Action**

**MOTION TO ADOPT FINDINGS OF FACT**

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – flexible development application; Exhibit B – project description; Exhibit C – current site plan; Exhibit D – proposed site plan; Exhibit E – current streetscape; Exhibit F – proposed streetscape; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 30<sup>th</sup> day of July, 2014, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 30<sup>th</sup> day of July, 2014 as indicated by Exhibits G and H.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to amend CA #14-01127PZ to approve flexible development for a 10’ front setback and a 2.5’ north side setback per attached approved site plan to allow the home to be constructed closer to the street in a pattern more consistent with the historic setting of the neighborhood. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for New Construction – Primary Structures found on pages 92-93 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010 and amended August 2013, and the guidelines for Flexible Development found in Section 7-11-7(4) were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
  - a. The revised setback will allow the new construction to be located closer to the paved portion of the Cumberland Place right of way, more in keeping with the existing structure on the north side of Cumberland Place, and is consistent with the historic pattern in terms

of setback and spacing between historic structures.

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

Motion by: Commissioner Eakins

Second by: Commissioner Elingburg

Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Eakins

Second by: Commissioner Chase

Vote for: ALL

### Agenda Item

**Owner/Applicant:** Hal Schuelke  
**Subject Property:** 19 St. Dunstan's Circle  
**Hearing Date:** August 13, 2014  
**Historic District:** St. Dunstan's  
**PIN:** 9648.51-0472  
**Zoning District:** RS-8

<b>Staff Comments</b>	<p>Ms. Merten says she has asked the applicant to revise their application to reflect a change in the muntins on the patio doors to be more consistent with the windows, and to add plantings around the parking area. She has talked with some of the neighbors and none have expressed concern over any tree removal. She reviews the following staff report.</p> <p><b>Property Description:</b> Vacant lot</p> <p><b>Certificate of Appropriateness Request:</b> Construct new 2,000 sq. ft. two-story single family structure with front porch per attached approved plans and specifications. Structure will have sand finished stucco foundation, smooth sided Hardie-board horizontal siding with 7" reveal with smooth sided Hardie board and batten siding in gables. Roof will be gabled with a primary pitch of 8/12 and covered with "Weathered wood" asphalt shingles. Windows will be Aluminum Clad, SDL, double-hung, 3 over 1 in singles, pairs; triplets with some 3 light casements. Details include open cornice exposed rafter tails, frieze-board, 4" corner-boards and 6" window and door surrounds. Porch will have wooden decking, 2" x 2" rails, 6" on center, with painted stucco columns and concrete cap and EPDM roof. Front doors will be wood, 1/2 light. Chimney will be sand finished stucco. A single off-street parking space will be located on southeast corner of lot. Remove 7 trees (hemlocks and cherry) as indicated on site plan due</p>
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	<p>to poor health and interference with construction. Remove existing driveway and add 19' x 25' concrete parking area. Construct wooden pergola and 12' x 15' concrete patio on north side of house. <b>All permits, variances, or approvals as required by law must be obtained before work may commence.</b></p> <p><b>Staff Concerns per the Applicable Guidelines &amp; Submittal Requirements:</b></p> <p>Staff has asked for the following samples to be brought to the meeting:</p> <ol style="list-style-type: none"> <li>1. Manufactures specifications for windows</li> <li>2. Stucco sample for porch, foundation and chimney</li> <li>3. Siding material samples</li> <li>4. Roof color sample</li> <li>5. Muntins on patio doors should be more consistent with windows</li> <li>6. Additional parking area buffer plantings are required.</li> </ol> <p>The guidelines for New Construction – Primary Structures found on pages 84-85 and the guidelines for Landscaping and Trees found on pages 34-35 in the Design Review Guidelines for the St. Dunstan’s Historic District, adopted September 12, 2012, were used to evaluate this request.</p> <p><b>Staff Recommendation:</b> Staff recommends approval with concerns as noted.</p> <p><b>Reasons:</b></p> <ol style="list-style-type: none"> <li>1. The new structure is compatible with the surrounding historic buildings in the district in terms of siting, materials, scale, texture, and fenestration.</li> </ol>
<b>Applicant(s)</b>	Hal Schuelke, property owner, and Kevin Hackett, contractor, offer to answer questions. They pass around material samples.

**Public Comment**

<b>Speaker Name</b>	<b>Issue(s)</b>
None	

**Commission Comments/Discussion**

<p>Commissioner Moffitt asks if board and batten is typical of St. Dunstan’s, and says he could not determine this from the guidelines. He asks if the Commissioners’ review should be based on materials used during the time of significance, or existing materials. Ms. Merten says St. Dunstan’s is unique, in that each house style is different, and because of this there is more flexibility in the guidelines. Other houses in the district with similar siding are discussed, and Ms. Merten notes some examples would have been put in place before the neighborhood became an historic district in 2008, or the guidelines were adopted in 2012.</p> <p>Commissioner Moffitt questions the light colored plastic material for the flat porch roof, says he has not seen others like this in the district. Ms. Merten says the applicants decided earlier in the day to use flexible EDPM, and that it will be black. Commissioner Stephenson asks for the rationale behind the flat roof. Mr. Schuelke says the top will not be visible. He explains the flat roof fits better with the windows planned. Commissioner Moffitt notes he sees multiple styles in the house, and is trying to understand the overall intent. Mr. Schuelke says he is not concerned about heat transfer, and is planning to use a black color that will blend well with his dark bronze trim color.</p>
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**Commission Action**

**MOTION TO ADOPT FINDINGS OF FACT**

Madam Chair, based upon the evidence presented to this Commission, including Exhibit A – new construction worksheet; Exhibit B – 17 photographs of neighboring houses showing window styles, colors, pergola, and vertical siding; Exhibit C – streetscape; Exhibit D – site plan; Exhibit E – existing tree plan; Exhibit F – landscape plan; Exhibit G – basement, 1<sup>st</sup> and 2<sup>nd</sup> floor plans with window details; Exhibit H – south (side), west (front), east (rear) and north (side) elevations; Exhibit I – building section; Exhibit J – sample of stucco finish; Exhibit K – storyboard with color samples; Exhibit L – EDPM specification manual; Exhibit M – window specifications; Exhibit N – window finish sample; and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 30<sup>th</sup> day of July, 2014, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 30<sup>th</sup> day of July, 2014 as indicated by Exhibits O and P.
2. That at this hearing the applicant and affected property owners were all given the opportunity to offer oral and documentary evidence as well as submit questions to each other, the Historic Resources Commission staff and Commission members.
3. That the application is to construct new 2,000 sq. ft. two-story single family structure with front porch per attached approved plans and specifications. Structure will have sand finished stucco foundation, smooth sided Hardie-board horizontal siding with 7” reveal with smooth sided Hardie board and batten siding in gables. Roof will be gabled with a primary pitch of 8/12 and covered with “Weathered wood” asphalt shingles. Windows will be Aluminum Clad, SDL, double-hung, 3 over 1 in singles, pairs; triplets with some 3 light casements. Details include open cornice exposed rafter tails, frieze-board, 4” corner-boards and 6” window and door surrounds. Porch will have wooden decking, 2” x 2” rails, 6” on center, with painted stucco columns and concrete cap and EPDM roof. Front doors will be wood, 1/2 light. Chimney will be sand finished stucco. A single off-street parking space will be located on southeast corner of lot. Remove 7 trees (hemlocks and cherry) as indicated on site plan due to poor health and interference with construction. Remove existing driveway and add 19’ x 25’ concrete parking area. Construct wooden pergola and 12’ x 15’ concrete patio on north side of house. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for New Construction – Primary Structures found on pages 84-85 and the guidelines for Landscaping and Trees found on pages 34-35 in the Design Review Guidelines for the St. Dunstan’s Historic District, adopted September 12, 2012, were used to evaluate this request.
5. This application **does** meet the design guidelines for the following reasons:
  - a. The new structure is compatible with the surrounding historic buildings in the district in terms of the eclectic nature of the St. Dunstan’s district, siting, materials, scale, texture, and fenestration.
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** compatible with the historic aspects and character of the St. Dunstan’s Historic District.

Motion by: Commissioner Nutter  
Second by: Commissioner Moffitt  
Vote for: ALL

Based upon the foregoing FINDINGS OF FACT and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Commissioner Nutter  
Second by: Commissioner Eakins  
Vote for: ALL

**Preliminary Review:**

1)

**Owner/Applicant:** William Omark and Cheryl Morris  
**Subject Property:** (TBD) Short Street  
**Hearing Date:** August 13, 2014  
**Historic District:** Montford  
**PIN:** 9649.11-8703  
**Zoning District:** RS-8

<p><b>Staff Comments</b></p>	<p>Ms. Merten reviews the following staff report.</p> <p><b>Property Description:</b> This is currently a vacant lot.</p> <p><b>Certificate of Appropriateness Request:</b> Construct a new 1 ½ story single family structure with covered front porch per attached plans and specifications. <b>All permits, variances, or approvals as required by law must be obtained before work may commence.</b></p> <p><b>HRC Staff Concerns per the Applicable Guidelines &amp; Submittal Requirements:</b></p> <p>The guidelines for New Construction – Primary Structures found on pages 92-93 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010 and amended August 2013 were used to evaluate this request.</p> <ol style="list-style-type: none"> <li>1. The applicant should show historic examples of the mix of roofing materials they are proposing.</li> <li>2. Car ports are not typical for the historic district.</li> </ol> <p><b>Staff Recommendation:</b> Provide the applicant additional preliminary feedback.</p>
<p><b>Applicant(s)</b></p>	<p>Brent Campbell, project architect, says the owners live in Pennsylvania. He</p>

	shows a proposed drawing of the house, and says they don't need setback changes. He describes a concrete berm in front of the house they would like to obscure, they would like to add a privacy fence. Ms. Merten says to include this on their application.
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### Commission Comments/Discussion

Commissioner Carpenter says the proposed style doesn't seem compatible with Short Street. Ms. Merten says the Commission has to look at the district as a whole. Atty. Ashley agrees and cites a 'cherry picking' case.

Commissioner Carpenter says the carport does not seem congruent with the district, and says the few porte cocheres in the district are drive-thru. Mr. Campbell says he will consider this. Ms. Merten says some proposed carports have not been allowed. Commissioner Carpenter says it is the massing of the porch posts that concerns him most, and notes other cases of this style on new construction in the neighborhood.

Discussion follows about materials. Chair Ross says a change in roof material from the main house to front porch doesn't seem compatible, and asks if Ms. Merten knows of others in the neighborhood. She doesn't. Commissioner Moffitt asks about the horizontal siding around the base of the porch, Mr. Campbell says it would be slats, not siding. Commissioner Stephenson says there are other examples of this in the neighborhood.

Commissioner Carpenter reiterates the massing of front porch materials is very important. Atty. Ashley notes the references to massing in the guidelines mention it should be compatible with surrounding buildings.

Commissioner Fast asks about parking (*response unclear on tape*). Commissioner Carpenter wants to know more about the slope of the site, and says this is another important issue.

Mr. Campbell says he appreciates the Commissions' input and will bring material samples to the review and that the final drawing should show the slope accurately.

### Other Business:

**Local Landmark Application for Barrett/Ox-Ford Farm property.** Ms. Merten reviews the steps taken by the Landmark Committee to prepare for the hearing. She reports she received a letter of support for the nomination from Glenn Stach, Preservation Landscape Architect on 8/12/14, who is familiar with the site. She introduces Ted Alexander and Bruce Hazzard who are representing the property owner, Dr. Edith Hapke.

Ms. Merten says the initial hearing was postponed because there were concerns about the context in which the application was being considered, whether it should be county-wide or pertaining to the Reems Creek area. It was determined, with the help of the SHPO, that it should be considered only in the smaller regional context, given that the topography of Buncombe County led to isolation of mountain coves resulting in architectural variation from cove to cove.

Ms. Merten says there was no consensus among the committee members, which is unusual for a Landmark nomination and raised a red flag for her. She notes the property was placed on the National Register in May 2013, and that if designated a Local Landmark any future changes would have to be reviewed by the HRC.

Ms. Merten presents her findings for the discussion, and notes that individually the concerns do not seem overwhelming, but when added up they do present a question of sufficient integrity for the Landmark designation. She notes that setting is important, and that the most difficult assessment has to do with feeling and association. She details the number of original buildings, added structures, and lost elements. Commissioner Carpenter says the number of non-contributing structures is a key problem, but the lack of working farms in the area is important and the site as a whole has feeling.

Commissioner Nutter asks what harm would be done if the property was designated, and notes the paucity of large farm parcels in Buncombe County. Ms. Merten says if there is lack of integrity, setting a precedent would be a concern for future requests. She reads #10 and 11 from the findings. She says if it is not designated a Local Landmark, she would strongly recommend it for a Notable Historic Property designation, which is to recognize properties that may not meet the Local Landmark standards.

Chair Ross appreciates the work of Dr. Edith Hapke, the current owner of the farm, but is concerned about the lack of historic feel, she says it seems like a farm operating in modern buildings. Commissioner Rizzo asks if an historical interpretive display would help point out its history. Atty. Ashley says the site must convey as significant, without explanation. Commissioner Eakins points out the differences with this farm and the Vance Birthplace. Commissioner Elingburg agrees, and mentions the Johnson Farm in Hendersonville. Ms. Merten says these comparisons may not be fair ones. Commissioner Carpenter asks how many dependencies have been lost. Ms. Merten says a grist mill and an original log cabin were significant losses. She says the farm does have significant strength as an extant working farm. She and Commissioner Carpenter remark on how all farms evolve over time. Ms. Merten reminds the Commission that the Landmark program is not solely about architectural preservation, it is also about honoring sites that have a strong impact on the larger community over a period of time and significance to the broad pattern of history.

Ms. Merten introduces Ted Alexander from Preservation NC, who worked with Dr. Hapke on the nomination. Mr. Alexander thanks the Commission for the work they do in WNC. He says he is there on behalf of the property owner, Dr. Hapke, who wants to protect the property for the future. She has worked to restore it to its period of significance, 1895—1950. He reads from the National Register nomination compiled by Laura Phillips, and highlights the following: 1) the farm retains its historical setting; 2) there have been relatively few alteration, and those are in areas with the least impact and scattered around the property; 4) the association with the Barrett family has been kept. He notes these issues and others are addressed in the NR nomination and in the memorandum from Glenn Stach.

Commissioner Carpenter says the style of the main house and its front porch staircase are prime examples of vernacular architecture from that time period. He says the Preservation Society is actively seeking to identify and protect these types of properties in the County. He says it is also important to remember that John Barrett was a key historical figure in Reems Creek. He says though not convinced earlier, he now thinks the property deserves Landmark status.

Bruce Hazzard, Preservation NC board member, remarks that even though WNC has not seen a plethora of people wanting to protect historic places like Dr. Hapke's that are disappearing, that is not the right reason to make this property a Landmark. He says its significance is that is a clear representation of architecture, farm structure and lifestyle in the Reems Creek area during its period of significance. Its significance is a smaller, regional significance because people did not travel a lot then, he notes there are notable differences in architecture in this area from even the

nearby Reems Creek valley. He says Preservation NC has been working with Dr. Hapke to put in place levels of assurance that the integrity of the property is retained. He says tax savings are not her motivation, she already operates as an agricultural entity and receives tax benefits from this status.

Mr. Hazzard describes the topography of the site, and notes it has not changed and the way the structures are placed on the property directly reflect historical usage within such topography. The lower levels, though small, were prime agriculture sites, and the house and other structures had to be located above the flood plain. He notes the house is not grand, but it represents farm houses of the time. He mentions the changing context of farms in the Reems Creek area, and notes the property has been subdivided and sold off over the years. Dr. Hapke wants to do all she can to stop further degradation of the historical form.

Mr. Hazzard agrees there needs to be more definition of what is designated in the ordinance, if it is granted. He hopes the Commission considers agricultural landmarks equally important as Landmarks, and hopes more will be identified. He thanks the Commission for their consideration on behalf of Dr. Hapke.

Commissioners discuss whether a vote should be taken, or if the item should be continued, given concerns presented. Ms. Merten reminds the Commission they do not have to go by her recommendation. Atty. Ashley says whoever makes a motion needs to be clear and state the reasons, for or against, whenever it is made.

Annie McDonald, Preservation Specialist with the NC State Historic Preservation Office, says is very familiar with the property, as she shepherded the National Register nomination and has consulted with Dr. Hapke and Ted Alexander. She doesn't think it is appropriate for her to advocate one way or the other for any property in a local issue, but she does want to be clear about the state enabling legislation concerning such issues. She reads the following from 160A-400.1 Legislative findings:

“The conservation and preservation of historic districts and landmarks stabilize and increase property values in their areas and strengthen the overall economy of the State. This Part authorizes cities and counties of the State within their respective zoning jurisdictions and by means of listing, regulation, and acquisition:

- (1) To safeguard the heritage of the city or county by preserving any district or landmark therein that embodies important elements of its culture, history, architectural history, or prehistory; and
- (2) To promote the use and conservation of such district or landmark for the education, pleasure and enrichment of the residents of the city or county and the State as a whole.”

And 160A-400.5 Designation of landmarks; adoption of an ordinance; criteria for designation:

“No property shall be recommended for designation as a historic landmark unless it is deemed and found by the preservation commission to be of special significance in terms of its historical, prehistorical, architectural, or cultural importance, and to possess integrity of design, setting, workmanship, materials, feeling and/or association.”

After reading those two sections, she indicated that, by a strict reading of the AND/OR language above, a property does not need to retain integrity in all six stated areas.

Ms. McDonald says enabling legislation for local historic zoning is only one of the tools to actively preserve, and notes it is specific and general enough to allow each local authority to

determine what meets a level of integrity as long as benchmarks are met. She notes the Vance Birthplace could not be designated, because the house was reconstructed around the original chimneys.

Commissioner Carpenter asks Ms. McDonald if the interior of the main house was part of her NR nomination. She replies it was not clear when she did the report, because her office was in the process of changing their approach to the documentation process. In the past, interior information was required whether or not it was to be designated. Now this is not required unless the interior will also be protected, so as not to cause confusion in the future. Ms. Merten says it needs to be clear in the ordinances, and asks the applicants to be clear if this is wanted in their application. Ms. Merten notes she believes Dr. Hapke could go forward with her application to the County without a position from the HRC.

Commissioner Carpenter asks about the historical significance of Dr. John Barrett. Ms. McDonald says there is nothing additional in the Local Landmark application, and this significance was only anecdotal in the NR nomination. She notes the application is for agricultural significance.

Commissioner Eakins says there remains confusion about the special significance of the property, and he is not persuaded to vote in favor of Landmark status. He says if the applicant could provide more documentation, perhaps he would be persuaded to change his mind. Ted Alexander agrees, and says he had not seen the concerns until a day or two before this hearing. He thinks Dr. Hapke would not mind a request to provide more information.

Ms. Merten recommends the application be continued, and all agree.

Commissioner Nutter moves to adjourn the meeting.  
Second by: Commissioner Eakins  
Vote for: ALL

The meeting is adjourned at 6:46 pm.