Asheville-Buncombe Historic Resources Commission Meeting
Minutes of March 9, 2016
1st Floor North Conference Room - City Hall
4:00 p.m.

Present: Chair Brendan Ross; David Carpenter, William Eakins, Woodard Farmer, Richard Fast, Julie Hansbury, Amanda Warren (arrived in meeting at 4:12 p.m.), Bryan Moffitt and David Nutter (left meeting at 6:08 p.m.)

Absent: Rachel Sudnik and Leslie Klingner

Administrative

- Mr. Nutter moved to approve the minutes of the February 10, 2016, meeting. This motion was seconded by Mr. Eakins and carried unanimously.
- At the request of the applicant, Mr. Eakins moved to continue the public hearing for the property at 99999 McDowell Street (construction of new two-story primary structure with attached accessory building) until April 13, 2016. This motion was seconded by Mr. Nutter and carried unanimously.
- At the request of the applicant, Mr. Eakins moved to continue the public hearing for 139 Montford Avenue until April 13, 2016. This motion was seconded by Mr. Moffitt and carried unanimously.
- At the request of the applicant, Mr. Moffitt moved to continue the public hearing for the property at 9999 McDowell Street (construction of new two-story duplex; flexible development application for reduced setback) until April 13, 2016. This motion was seconded by Ms. Hansbury and carried unanimously.
- After Chair Ross explained the public hearing rules, all those present in the audience and staff who anticipated speaking were sworn in.

Consent Agenda

Public Hearings

1. Certificate of Appropriateness - 246 Montford Avenue - Retroactive approval for metal roof

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

Owner/Applicant:	Glenn Evans
Subject Property:	246 Montford Avenue
Hearing Date:	March 9, 2016
Historic District:	Montford
PIN:	9649.03-4405
Zoning District:	RM-8

Property Description: Early 20th century 1 1/2 story vernacular cottage. Shingles with asbestos siding and false masonry veneer. Before 1917 (S)

Certificate of Appropriateness Request: Retroactive approval for installation of medium color orange metal roof over existing asphalt shingle roof with original metal shingle roof underneath, per attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:

1. Snow bars are not permitted.

The guidelines for Roofs found on pages 74-75 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

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

1. Roof is medium to dark in color.
2. Original roofing material was metal shingle and metal roofing is consistent with the style of the house.
3. Metal roof is compatible with historic styles in the district.

Ms. Cole said she had spoken with the applicant, and he is amenable to removing the snow bars.

Mr. Glenn Evans, owner of 246 Montford Avenue, stated that his wife performed a search on-line regarding whether they needed to obtain a Certificate of Appropriateness for their metal roof and that she had concluded they did not. He apologized for having to request retroactive approval.

Mr. Farmer noted that the Commission is trying to instill in the community that work in the historic districts require approval.

Chair Ross opened the public hearing at 4:13 p.m., and when no one spoke, she closed the public hearing at 4:13 p.m.

There was considerable discussion, initiated by Mr. Farmer, regarding levying fines on applicants asking for retroactive approval. Historic Resources Director Stacy Merten stated that writing an article for the Montford Neighborhood Association newsletter would perhaps be a good way to bring attention to the need for compliance. She said that punitive action is part of the Unified Development Ordinance, and at present is $100 per day fine. However, administrative policy has been to provide property owners with an opportunity to come into compliance prior to fines being issued. She said that the City does have a mechanism for a one-time, flat fine, in the event the action is something that cannot be reversed. For example, tree removal or removal of architectural features that cannot be restored result in a flat fine that is based on the size of the tree or amount of material removed.

ADOPTION OF FINDINGS OF FACT

Based upon the evidence presented to this Commission, including Exhibit A - photographs of subject property and metal roof examples (2 pages); Exhibit B – metal specifications; Exhibit C – original metal shingle sample; Exhibit D - sample of new metal; and the Commission's actual inspection and review of subject property by all members, Mr. Nutter moved that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of February, 2016, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 25th day of February, 2016 as indicated by Exhibits (E) and (F).

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 for retroactive approval for installation of medium color orange metal roof over existing asphalt shingle roof with original metal shingle roof underneath, per attached drawings and plans. **All necessary permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That guidelines for Roofs found on pages 74-75 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

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

   A. Roof is medium to dark in color.
   B. Original roofing material was metal shingle and metal roofing is consistent with the style of the house.
   C. Metal roof is compatible with historic styles in the district.

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

This motion was seconded by Ms. Hansbury and carried unanimously.

Based upon the foregoing FINDING OF FACT and for the reasons set forth therein, Mr. Nutter moved that a Certificate of Appropriateness be issued. This motion was seconded by Mr. Moffitt and carried unanimously.

2. Certificate of Appropriateness - 135 Flint Street - Removal of existing rear deck and construction of new rear deck and screened porch

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

Owner/Applicant:	Darrah Noble/Griff Gamble
Subject Property:	135 Flint Street
Hearing Date:	March 9, 2016
Historic District:	Montford
PIN:	9649.22-4614
Zoning District:	RM-8

Property Description: Early 20th century 2-story vernacular dwelling with bungaloid details. Shingle siding, bay windows, oversized brackets, ornamental sash. 1917-1925 (S)

Certificate of Appropriateness Request: Removal of existing rear deck and construction of a new, larger rear deck. A portion of the deck will be enclosed with screen and will be covered with an asphalt shingle roof, per attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:

1. Staff has concerns regarding addition of exterior wall on the north elevation.
2. Staff has concerns regarding the porch roof as proposed, and has asked the applicant to submit revised drawings illustrating accurate roof form/pitch.
3. Staff has concerns that character defining features of the house are being obscured by the proposed porch.
4. Enclosure of a porch is discouraged.

The guidelines for Porches, Entrances, and Balconies found on pages 72-73 and Decks found on pages 38-39 in the Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

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

1. Deck will be compatible in scale, proportion, materials and detail with the historic building, without directly duplicating details.
2. Character defining features of the historic building are not being obscured, damaged, or destroyed.
3. Deck will not visually overpower the building or site or require removal of significant trees.
4. New porch will be on rear elevation and will be compatible with the existing structure, in terms of roof form, scale, details, materials and color.

Ms. Cole outlined staff's concerns, noting that she and Ms. Merten met with the property owner earlier today to discuss. She noted that the applicant only had a small window to make revisions based on those concerns, and may not have revised drawings ready to present to the Commission.

Ms. Darrah Noble, owner of 135 Flint Street, said that the meeting with staff earlier today was very beneficial. She provided the Commission with revised elevation drawings and site plan, and noted the revised roof form/pitch which reflected the suggestions made by staff.

In response to Mr. Moffitt, Ms. Noble provided the Commission with a sample of the screening material they intend to use to screen the rear porch, noting that the existing rear porch is not an original feature of the house.

Mr. Moffitt stated that in his opinion the revised roof form was more consistent with the rest of the house. He urged the applicant to make sure that they preserve the flared eve within the new porch, so that if the porch is later removed those architectural features are still there.

Chair Ross opened the public hearing at 4:37 p.m., and when no one spoke, she closed the public hearing at 4:37

ADOPTION OF FINDINGS OF FACT

Based upon the evidence presented to this Commission, including Exhibit A - photographs of subject property (5 pages); Exhibit B – existing and proposed elevation drawings (6 pages); Exhibit C – existing and proposed deck footprint; Exhibit D – existing and proposed site plans (2 pages); Exhibit E – existing and proposed plat plan (2 pages); Exhibit F - revised elevation drawings and site plans (4 pages); Exhibit G - screen material; and the Commission's actual inspection and review of subject property, Mr. Moffitt moved that this Commission adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 24th day of February, 2016, and that each owner of real property situated within two hundred feet of the subject property was notified of this hearing in the mail on the 25th day of February, 2016 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 remove existing rear deck and construction of a new rear deck. A portion of the deck will be enclosed with screen and will be covered with an asphalt shingle roof, per attached drawings and plans. **All necessary permits, variances, or approvals as required by law must be obtained before work may commence.**

4. That the guidelines for Decks found on pages 38-39 and Porches, Entrances and Balconies found on pages 72-73 in the Montford Design Guidelines adopted April 14, 2010, and amended August 14,

2015, were used to evaluate this request.

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

   A. Deck will be compatible in scale, proportion, materials and detail with the historic building without directly duplicating details.
   B. Character defining features of the historic building are not being obscured, damaged, or destroyed.
   C. Deck will not visually overpower the building or site or require removal of significant trees.
   D. New porch will be on the rear elevation and will be compatible with the existing structure, in terms of roof form, scale, details, materials and color.

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

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

Based upon the foregoing FINDING OF FACT and for the reasons set forth therein, Mr. Moffitt moved that a Certificate of Appropriateness be issued, with the following condition: that the applicant ensure the existing architectural features including the flared eve is preserved during the construction process. This motion was seconded by Mr. Farmer and carried unanimously.

3. Certificate of Appropriateness - 23 Tacoma Street - Construction of new primary structure

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

Owner/Applicant:	Mary & Will Motley/Robert S. Motley
Subject Property:	23 Tacoma Street
Hearing Date:	March 9, 2016
Historic District:	Montford
PIN:	9639.84-7367
Zoning District:	RM-8

Property Description: .28 acre vacant lot.

Certificate of Appropriateness Request: Construction of new one-and-a-half story 4,000 square foot house with finished basement with stucco foundation, smooth fiber cement siding with 5” reveal, cedar shake siding within gable ends, and asphalt shingle roof. Chimney will be stucco with concrete cap. Windows will be 4/1, double-hung, SDL aluminum clad or 4- or 8-lite SDL aluminum clad casement. Front porch will have 11” x 11” wood columns and tongue-and-groove flooring and ceiling. Rear porch will be screened, per attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:

1. Staff has asked the applicant to submit revised site plan.
2. Staff has asked the applicant to submit material specifications.
3. Staff has asked the applicant to submit a landscape plan.
4. Staff has asked the applicant to submit a story board.
5. Staff has asked the applicant to submit corrected floor plans.

The guidelines for New Construction: Primary Structures found on pages 84-85, Fences and Walls found on pages 36-37, Walkways, Driveways, and Off-Street Parking found on pages 50-51, Landscaping and Trees found on 40-41, and Lighting found on pages 42-43 in the

Design Review Guidelines for the Montford Historic District adopted on April 14, 2010, and amended August 14, 2015, were used to evaluate this request.

Staff Recommendation: Provide the applicant additional feedback for final review in April.

Ms. Cole said that the Executive Committee, as well as staff, felt comfortable with the direction of the project. She also noted that staff had communicated to the applicant the additional items needed for final review.

Mr. Rob Motley, applicant, explained that the site plan for the project is not final because he wanted to seek the Commission's thoughts on various aspects before their architect in Nashville, Tennessee, finalizes their drawings.

Mr. Motley explained that they are undecided about several features on the house and asked for the Commission's feedback. Commission members offered suggestions on the design of the columns on the front of the house, chimney, fenestration, and placement of the shed dormer. They also asked questions regarding the tapered trim on the front gable, whether the applicant is proposing a porch off the kitchen, the proposed material for the rear retaining wall, and other details.

Chair Ross opened the public hearing at 5:08 p.m., and when no one spoke, she closed the public hearing at 5:08 p.m.

Mr. Moffitt moved to continue this matter until the April 13, 2016, meeting. This motion was seconded by Ms. Hansbury and carried unanimously.

Other Business

Lillie Wright Cabin - Local Landmark Application Update

Historic Resources Specialist Alex Cole provided the Commissioners with a copy of a preliminary local landmark application of the Lissie Wright Cabin located in Fairview. The Landmark Committee is recommending that the applicant proceed with the final designation report.

Because of the expense and time associated with a full report, there was discussion, initiated by Mr. Carpenter, about the criteria for local landmark designation what, if any, is the special significance of the site.

Ms. Cole was directed to schedule a site visit for the Commission members so that the full Commission could have an opportunity to review prior to making a formal vote on whether the applicant should proceed with the final report.

Nominating Committee

When Chair Ross asked Mr. Fast if he would serve on the Nominating Committee, he replied that he would. Mr. Fast then asked Ms. Hansbury and Mr. Nutter if they would serve on the Nominating Committee. Both Ms. Hansbury and Mr. Nutter agreed to serve.

Historic Resources Director Stacy Merten said that the Nominating Committee will meet during the next month. Prior to June 30, the Nominating Committee will present the Commission with a recommended slate of officers, to take effect the first meeting in July.

Sondley Award Nominations

Historic Resources Director Stacy Merten asked that the Commission send suggestions for the Sondley Award nominations to her over the next week in order to have a recommendation ready for the April 13 meeting. The Award will be presented in the month of May during Preservation Month.

Subcommittee Schedule Update

Due to the concern of attendance at subcommittee meetings, it was the consensus of the Commission to reduce subcommittee meetings to once a quarter. Ms. Merten will revise the schedule and e-mail it to the Commission members.

Comments from Commissioners, Public and Staff

Historic Resources Director Stacy Merten updated the Commission on the Thomas Wolfe Cabin discussion. She has a meeting with the Parks & Recreation staff on Friday to talk about next steps, and that it is her understanding that the City is moving forward with an agreement with The Preservation Society. She will update the Commission in April. She noted there is interest in not only doing the stabilization, but also further restoration. She said that she elected to not send the letter directing to the City Manager encouraging this, as the process is currently moving forward.

Mr. Nutter reminded the Commission that the Thomas Wolfe Society is meeting in Asheville on May 20-21 and the North Carolina Chapter of the American Planning Association is also meeting in Asheville September 13-15. He wondered if there was any possibility that the Historic Resources Commission might do something in connection with the Thomas Wolfe Society.

Mr. Carpenter urged the Commission to think about applications for the Griffin Awards.

Mr. Jack Thomson, Executive Director of The Preservation Society of Asheville-Buncombe County updated the Commission on the following (1) Griffin Award nominations; (2) Thomas Wolfe Cabin; (3) support for Lissie Wright Cabin local landmark application; and (4) donation of three preservation easements on downtown properties.

Mr. Thomson said that on March 8 City Council voted to demolish 33-35 Page Avenue, which is a contributing structure in the Downtown National Register District. This is the first demolition since Council adopted the Downtown Master Plan and the Historic Preservation Master Plan. The Preservation Society e-mailed Council to delay the motion pointing out strategies listed in the Master Plans. City staff advised Council that the strategies were not codified; therefore, were not mandatory. There was considerable discussion regarding the disappointment of the Commission that City Council chose not to ask for a recommendation from this Commission (noting that the Downtown Commission has mandatory review/voluntary compliance guidelines). Historic Resources Director Stacy Merten said that she will meet with the City's Planning & Urban Design Director for clarification and advise the Commission on whether they should contact the City Manager or their City Council liaison on this procedural infraction.

Mr. Eakins was concerned that the City of Asheville had cut down a large amount of trees on the Starnes Avenue side of Hummingbird Park. Historic Resources Director Stacy Merten said that she would investigate this matter.

Discussion was initiated by Mr. Farmer regarding enforcement when someone asks for retroactive approval for a Certificate of Appropriateness. Assistant City Attorney Jannice Ashley explained the violation provisions of the Unified Development Ordinance (UDO). Historic Resource Director Stacy Merten stressed that staff strives to gain compliance rather than cite people for violations. After discussion, one suggestion was to amend the UDO to levy a one-time fine for failing to get a Certificate of Appropriateness, otherwise the UDO violation provision of $100 a day until the violation is corrected applies. It was suggested that the Education Committee research ways to let the public know that the guidelines must be followed.

Adjournment

At 6:28 p.m., Mr. Farmer moved to adjourn the meeting. This motion was seconded by Ms. Hansbury and carried unanimously.