

Asheville-Buncombe Historic Resources Commission Meeting  
Minutes of October 14, 2015  
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, Bryan Moffitt, David Nutter and Amanda Warren.

**Absent:** Rachel Sudnik and Joanne Stephenson

**Administrative**

- Mr. Eakins moved to approve the minutes of the September 9, 2015, meeting. This motion was seconded by Mr. Carpenter and carried unanimously.
- Mr. Carpenter moved to continue the Certificate of Appropriateness for 230 Pearson Drive until November 11, 2015. This motion was seconded by Mr. Farmer and carried unanimously.
- All those present in the audience and staff who anticipated speaking were sworn in.

**Consent Agenda - None**

**Public Hearings**

1. **Certificate of Appropriateness - 20 Woodlawn Avenue - Rehabilitation of Existing House, Including Rebuilding of Foundation Wall, Removal of Existing Aluminum Door and Two Windows and Installation of New Casement Windows at Basement Level, Removal of Chimney**

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

<b>Owner/Applicant:</b>	Emily & Dan Brown/Jane Mathews
<b>Subject Property:</b>	20 Woodlawn Avenue
<b>Hearing Date:</b>	October 14, 2015
<b>Historic District:</b>	Montford
<b>PIN:</b>	9649.22-5671
<b>Zoning District:</b>	RM-8

**Property Description:** Early 20th century 2-story vernacular dwelling with aluminum siding, weatherboards, exposed eaves.

**Certificate of Appropriateness Request:** That the application is for rehabilitation of existing house, including construction of a new reinforced concrete retaining wall, replacing failing 18' section of existing foundation wall along north elevation. Existing, non-original aluminum door and two aluminum windows in failing foundation wall will be removed and two new 9-lite wood casement windows will be installed. Area around new wall will be regarded to meet surrounding grade. New section of wall will be sided with 4" wood lap siding and painted. Aluminum siding on the rest of the house will be removed to expose the original 4" reveal wood lap siding. Roof, gutters, and downspouts will be replaced matching existing. Central brick chimney will be removed. Deteriorated wood at fascia, soffits, trim and siding will be repaired or replaced as needed matching existing in design and material. All wood windows will be repaired as needed. One existing window on the south elevation will be re-glazed with tempered glass to meet Building Code. Front porch railings and pickets will be repaired or replaced as needed matching existing in design and material. Existing wood front entry stairs will be replaced with new wood risers and treads matching existing in design and material, and new wood hand rails will be installed. Rear deck will be retained and repaired as needed. Should the condition of the rear deck warrant removal, a new wood landing and

stair will be installed with railing and pickets matching those on front porch, 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 the proposed handrail on entry stair.

That the guidelines for Porches, Entrances and Balconies found on pages 72-73, the guidelines for Windows and Doors found on pages 84-85, the guidelines for Chimneys & Chimney Caps found on pages 58-59, the guidelines for Materials: Wood found on pages 66-67, the guidelines for Decks found on pages 38-39, and 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 May 2015, were used to evaluate this request.

**Staff Recommendation:** Staff does recommend approval of the request for the following reasons: (1) Windows and door to be removed are non-original and window and door openings being modified are not on primary façade; (2) New windows will be wood; (3) Roof color will be medium to dark in color; (4) Replacement gutters will match the existing style; (5) Chimney to be removed is not character defining and is not highly visible; and (6) Historic porch materials will be preserved where possible, and replacement materials will match existing in composition, dimension, shape, color, pattern and texture.

Ms. Cole said that after talking with the applicant regarding the handrail, they would modify the design to install a metal handrail, rather than wood, if a handrail is required by the N.C. Building Code.

Ms. Jane Mathews, representing the applicant, said that they will change the design from four to three risers, allowing for the handrail to be eliminated from the design.

Chair Ross opened the public hearing at 4:09 p.m., and when no one spoke, she closed the public hearing at 4:09.

**ADOPTION OF FINDINGS OF FACT**

Based upon the evidence presented to this Commission, including Exhibit A - project description; Exhibit B – photographs of subject property (5 pages); Exhibit C – existing and proposed floor plans (2 pages); Exhibit D – existing and proposed elevation drawings; Exhibit E – existing and proposed renderings (2 pages); Exhibit F – front and rear porch details; and the Commission’s actual inspection and review of subject property, Mr. Eakins moved to adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 30th day of September, 2015, 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 29th day of September, 2015 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 for rehabilitation of existing house, including construction of a new reinforced concrete retaining wall, replacing failing 18’ section of existing foundation wall along north elevation. Existing, non-original aluminum door and two aluminum windows in failing foundation wall will be removed and two new 9-lite wood casement windows will be installed. Area around new wall will be regraded to meet surrounding grade. New section of wall will be sided with 4” wood lap siding and painted. Aluminum siding on the rest of the house may be removed to expose the original 4” reveal wood lap siding. Roof, gutters, and downspouts will be replaced matching existing. Central brick

chimney will be removed. Deteriorated wood at fascia, soffits, trim and siding will be repaired or replaced as needed matching existing in design and material. All wood windows will be repaired as needed. One existing window on the south elevation will be re-glazed with tempered glass to meet Building Code. Front porch railings and pickets will be repaired or replaced as needed matching existing in design and material. Existing wood front entry stairs will be replaced with new wood risers and treads matching existing in design and material. Rear deck will be retained and repaired as needed. Should the condition of the rear deck warrant removal, a new wood landing and stair will be installed with railing and pickets matching those on front porch, per attached drawings and plans. **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, the guidelines for Windows and Doors found on pages 84-85, the guidelines for Chimneys & Chimney Caps found on pages 58-59, the guidelines for Materials: Wood found on pages 66-67, the guidelines for Decks found on pages 38-39, and 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 May 2015, were used to evaluate this request.
5. This application does meet the design guidelines for the following reasons:
  - a. Windows and door to be removed are non-original and window and door openings being modified are not on primary façade.
  - b. New windows will be wood.
  - c. Roof color will be medium to dark in color.
  - d. Replacement gutters will match the existing style.
  - e. Chimney to be removed is not character defining and is not highly visible.
  - f. Historic porch materials will be preserved where possible, and replacement materials will match existing in composition, dimension, shape, color, pattern and texture.
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. Moffitt and carried unanimously.

Based upon the foregoing FINDING OF FACT and for the reasons set forth therein, Mr. Eakins moved that a Certificate of Appropriateness be issued with the condition that the revised elevation drawings be submitted for staff review showing the removal of the front handrail and stair step. This motion was seconded by Mr. Moffitt and carried unanimously.

## **2. Certificate of Appropriateness - Parker-Patton House - Installation of New Surface Parking and Landscaping; Construction of New Accessory Apartment Building**

Mr. Eakins moved to recuse Mr. Carpenter from participating in this matter due to a conflict of interest as he serves on the Board of the Preservation Society. This motion was seconded by Mr. Moffitt and carried unanimously.

Historic Resources Director Stacy Merten stated that at the conclusion of the Commission's last meeting, staff and the HRC were anticipating that the Commission would be able to conduct a final review of the entire project at the October meeting; however, staff is not recommending approval of the revised design for the accessory structure. She stated that she had discussed with the applicant, Mr. Jim Siemens, the Commission conducting a final review of all items on the application, including the proposed landscaping plan, parking and driveway layout, and footprint of the proposed accessory structure, but postponing review of the accessory structure. She stated that it would allow for the project to move forward at this time, and that the design for the accessory structure could be reviewed as a separate application at a later hearing. Staff is recommending approval of the rest of the application. Ms. Merten then showed photographs of the interior

area to be modified to meet ADA requirements for a first floor bathroom. She also shared with the Commission the entire site plan, showing the revised landscaping plan and the revised circular drive.

She provided the Commission with the following staff report:

**Owner/Applicant:** 95 Charlotte Street, LLC/Jim Siemens  
**Subject Property:** 95 Charlotte Street  
**Hearing Date:** October 14, 2015  
**Historic District:** Patton-Parker House, Local Landmark  
**PIN:** 9649.63-1039  
**Zoning District:** Office CZ

**Property Description:** The Patton Parker House is a vernacular Victorian era dwelling built in 1868 by Thomas Walton Patton and two African-American carpenters during the economic depression of the Reconstruction era. The Patton-Parker House pre-dates the majority of houses in the Chestnut-Liberty historic district and its 1.23 acres are the only tangible reminders of a residential estate along the Chestnut and Charlotte Street corridors. The site was also the location of a Civil War encampment and drill grounds used by both Confederate and Union Forces.

**Certificate of Appropriateness Request:** Rehabilitate structure and site for new use as an office per attached, drawings, plans and specifications. Work to include the following: minor modifications of interior floor plans, including relocation of interior door leaf adjacent to entry hall, and addition of three new door leafs on first floor. Removal of case work to modify toilet and relocate steam radiator for creation of ADA compliant facilities. Remove kitchen casework, plumbing and ceiling to reinforce and repair floor above. Complete other repairs as necessary to rehabilitate structure. Exterior site alterations include the construction of a circular feature to the existing driveway and the widening of the driveway to allow for 6 parking spaces in the front yard. New driveway will be Nolichucky stone. Reuse bricks from old outbuilding foundation combined with new bricks to construct an accessible entry and sidewalk on the rear of the structure. Construct surface parking for 12 spaces and widen gravel driveway in the rear yard. New parking area will be of Nolichucky stone. Rehabilitate landscape based on recommendation from NC State Agricultural Extension Office to include selective thinning of boxwood hedges, removal of white pines and Ligustrum along Chestnut Street wall in rear yard and replant with an evergreen hedge. Remove additional pine trees, oak trees, dogwood, and maple tree per final landscape plan. Relocate a 9.28' section of retaining wall on west side of Chestnut Street entrance to accommodate circular driveway. Relocate peonies and other perennials from existing landscape for incorporation into new rear parking area landscape. Repair front walkway as necessary. Repair stone walls as necessary following procedures outlined in Preservation Brief #2 – *Re-pointing Mortar Joints in Historic Masonry Buildings*. Design of a new 2,352 sq. ft. accessory structure with two apartment units to be constructed in rear yard will be submitted under a separate application. **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:** None.

**The Secretary of Interior's Standards for Rehabilitation were used to evaluate this request with specific reference to Spaces, Features, and Finishes, Building Site, and Setting.**

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property

- shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
  4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
  5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
  6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
  7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
  8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
  9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
  10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

- Regarding the removal of historic material such as rock or brick walls for driveway, bricks from patio and outbuilding foundation: Removal of the historic material should be avoided per the Secretary of Interior's Standards for Rehabilitation, #2 general guidelines.
- Regarding the parking: Recommended: design new on-site parking so that it is as unobtrusive as possible, thus minimizing the effect on the historic character of the setting and preserve the historic relationships between the buildings and the landscape. Not recommended to place parking facilities directly adjacent to historic buildings which cause damage to the historic landscape features, including removal of plant material, or relocation of paths and walkways.
- Regarding the circular driveway and other site features: Identify, retain and preserve buildings and their features as well as site features that are important in defining the overall historic character. Such features can include circulation systems such as walks, paths, roads or parking, vegetation, landforms, furnishings, and subsurface archeological features.

**Staff Recommendation:** Staff recommends the HRC approve the application to rehabilitate the existing structure and site for the new office use and approve the footprint for a new two unit accessory structure to be located in the rear yard per the final approved site plan, with the following conditions: (1) The applicant will submit the designs for the new accessory structure under a separate application; (2) The applicant will make an effort to save the mature maple tree in the front yard adjacent to the northern end of the circular drive; (3) The applicant will submit a final landscape and site plan for staff review, at the time of final TRC submittal. Site plan should show the location and species of all trees to be removed, location and species of all new or relocated landscape materials and detail all other site alterations and treatments; (4) The applicant should notify the Director of Historic Resources immediately if any archeological artifacts are uncovered during construction so that that the resources can be documented; for the following reasons (a) The proposed new use requires minimal changes to the character defining features of the historic building and its environment; (b) Distinctive features, finishes, and construction techniques or examples of

craftsmanship that characterize the historic property will be preserved; (c) The removal of historic materials or alteration of features and spaces that characterize the property have been minimized, while allowing for the new use; (d) Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and other visual qualities and, where possible, materials; and (e) The site alterations have been designed to minimize site disturbance while allowing for the change of use. If archeological resources are discovered, work will stop until the resources can be documented; and (5) Closer to the installation period, the applicant provide a brick sample of the new brick they will be using to construct an accessible entry and sidewalk on the rear of the structure, which will be a site approval by staff.

In response to Mr. Nutter, Ms. Merten said that design review comments for the accessory structure expressed by the Commission were provided to the applicant via the minutes from prior hearings.

Mr. Siemens said that he hoped to have the application for the revised accessory structure submitted to the Commission in time for review at the November hearing.

Mr. Jack Thomson, Executive Director of The Preservation Society of Asheville and Buncombe County, stated that he was pleased with the relationship between the applicant and the Preservation Society. He stated that he was confident in Mr. Siemens proposal for the property.

Chair Ross opened the public hearing at 4:28 p.m., and when no one spoke, she closed the public hearing at 4:28 p.m.

Mr. Farmer thanked Mr. Siemens for being flexible in working with the Commission on the site plan.

Mr. Nutter stated that he thought this project to be a wonderful addition to historic preservation efforts in the City of Asheville.

Assistant City Attorney Jannice Ashley clarified that there will be a new application for the design of the accessory structure.

Upon inquiry of Ms. Warren, Ms. Merten explained the reuse of the existing bricks and new bricks for a walkway at the rear of the house.

Mr. Thompson then clarified that the existing brick foundation of the historic kitchen outbuilding had been filled in with new brick at some point to create a patio. He stated that the newer brick would be reused elsewhere on the property, while the historic foundation would remain in place in its current location.

#### **ADOPTION OF FINDINGS OF FACT**

Based upon the evidence presented to this Commission, including Exhibit A - proposed site plan and photographs of site; Exhibit B – proposed elevation drawings and photographs of Patton-Parker House; Exhibit C – floor plans and elevation drawings of proposed accessory structure; Exhibit D – Ordinance No. 2679; Exhibit E – 1913 Sanborn Fire Insurance maps (9 pages); Exhibit F – parcel aerial; Exhibit G – existing site plan; Exhibit H – landscaping recommendation letter from Cliff Ruth of NC Agricultural Extension; Exhibit I – photographs of subject property (8 pages); Exhibit J – exterior photograph; Exhibit K – revised elevation section drawing; Exhibit L – revised floor plans and elevation drawings of Patton-Parker house; Exhibit M – revised floor plan and elevation drawings of proposed accessory structure; Exhibit N – site analysis and schematic site plan; Exhibit O – existing conditions and demolition plan; Exhibit P – layout and paving plan; Exhibit Q – grading, drainage, and erosion control plan; Exhibit R – landscape plan; Exhibit S – site work construction details; Exhibit T – site details; Exhibit U – photographs of mature maple tree in front yard (2 pages); Exhibit V – revised landscape plan; Exhibit W – revised elevation rendering of proposed accessory structure; Exhibit X – revised floor plans and elevation drawings (2 pages – received September 4, 2015); Exhibit Y – revised driveway plan (received September 9, 2015); Exhibit Z – revised landscape and site plan

(2 pages – received September 24, 2015); Exhibit AA – revised floor plan and elevation drawings for proposed accessory structure (received September 24, 2015); Exhibit BB – additional photographs of interior closet and stair (received October 13, 2015); Exhibit CC – HRC Combined Conditional Approval Plan (received October 14, 2015); and the Commission’s actual inspection and review of subject property; Mr. Nutter moved to the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 30th day of September, 2015, 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 29th day of September, 2015 as indicated by Exhibits (DD) and (EE).
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. Rehabilitate the existing structure and site for the new office use and approve the footprint for a new two unit accessory structure to be located in the rear yard per the final approved site plan and attached drawings, plans and specifications. Work to include the following: minor modifications of interior floor plans, including relocation of interior door leaf adjacent to entry hall, and addition of three new door leafs on first floor. Removal of case work to modify toilet and relocate steam radiator for creation of ADA compliant facilities. Remove kitchen casework, plumbing and ceiling to reinforce and repair floor above. Complete other repairs as necessary to rehabilitate structure. Exterior site alterations include the construction of a circular feature to the existing driveway and the widening of the driveway to allow for 6 parking spaces in the front yard. New driveway will be Nolichucky stone. Reuse bricks from old outbuilding foundation combined with new bricks to construct an accessible entry and sidewalk on the rear of the structure. Construct surface parking for 12 spaces and widen gravel driveway in the rear yard. New parking area will be of Nolichucky stone. Rehabilitate landscape based on recommendation from NC State Agricultural Extension Office to include selective thinning of boxwood hedges, removal of white pines and Ligustrum along Chestnut Street wall in rear yard and replant with an evergreen hedge. Remove additional pine trees, oak trees, dogwood, and maple tree per final landscape plan. Relocate a 9.28’ section of retaining wall on west side of Chestnut Street entrance to accommodate circular driveway. Relocate peonies and other perennials from existing landscape for incorporation into new rear parking area landscape. Repair front walkway as necessary. Repair stone walls as necessary following procedures outlined in Preservation Brief #2 – *Re-pointing Mortar Joints in Historic Masonry Buildings*. Design of a new 2,352 sq. ft. accessory structure with two apartment units to be constructed in rear yard will be submitted under a separate application. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the Secretary of Interior’s Standards for Rehabilitation were used to evaluate this request with specific references to Spaces, Features, Finishes, Building Site, and Setting.
5. This application does meet the design guidelines for the following reasons:
  - a. The proposed new use requires minimal changes to the character defining features of the historic building and its environment.
  - b. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize the historic property will be preserved.
  - c. The removal of historic materials or alteration of features and spaces that characterize the property have been minimized, while allowing for the new use.
  - d. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and other visual qualities and, where possible, materials.
  - e. The site alterations have been designed to minimize site disturbance while allowing for the change of use. If archaeological resources are discovered, work will stop until the resources can be documented.

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 Patton-Parker House.

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. Nutter moved that a Certificate of Appropriateness be issued, with the following conditions: (1) The applicant will submit the designs for the new accessory structure under a separate application; (2) The applicant will make an effort to save the mature maple tree in the front yard adjacent to the northern end of the circular drive; (3) The applicant will submit a final landscape and site plan for staff review, at the time of final TRC submittal. Site plan should show the location and species of all trees to be removed, location and species of all new or relocated landscape materials and detail all other site alterations and treatments; (4) The applicant should notify the Director of Historic Resources immediately if any archeological artifacts are uncovered during construction so that the resources can be documented; and (5) The landscape architect should submit a brick sample for HRC staff review and approval. This motion was seconded by Mr. Moffitt and carried unanimously.

### 3. Certificate of Appropriateness - 24 Woodlawn Avenue - Construction of One-Story Rear Addition

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

**Owner/Applicant:** Mr. & Mrs. Charlie Thomas/Tony Hunter  
**Subject Property:** 24 Woodlawn Avenue  
**Hearing Date:** October 14, 2015  
**Historic District:** Montford  
**PIN:** 9649.22-5646  
**Zoning District:** RM-8

**Property Description:** Early 20th century 2-story vernacular shingle dwelling. Shingles over aluminum siding, wide eaves, porch posts on pedestals.

**Certificate of Appropriateness Request:** That the application is to construct a one-story addition on the rear elevation. Addition will have wood lap siding, asphalt shingle roof, and concrete foundation matching existing building. Windows will be 1/1 wood with diamond mullions on upper sash or wood diamond-pane casement. Door will be half-lite wood paneled, 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 the scale of the addition in relation to the existing house.
2. Staff has asked that the applicant submit a revised site plan indicating fence and trees to be removed.
3. Staff has asked that the applicant submit skylight specifications.

That the guidelines for Additions found on pages 88-89, the guidelines for Fences and Walls found on pages 36-37, and the guidelines for Landscaping and Trees found on pages 40-41 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, and amended May 2015, were used to evaluate this request.

**Staff Recommendation:** Staff does recommend approval of the request for the following reasons: (1) New addition will be sited on the rear elevation and will not damage or obscure

character defining features; (2) New addition will be inset from the existing building and will be compatible in height, massing, roof form and pitch; (3) Visual impact of the addition will be reduced by limiting scale and size; (4) Addition will not overpower the site; (5) Windows in addition will be similar to those in the original building in their proportions, spacing and materials; and (6) Fencing and trees to be removed are not historic and do not contribute to the overall historic character of the district.

Ms. Cole said that at the Executive Committee meeting they discussed inset of the addition and possibly reorienting it so that it would not extend so far from the rear of the existing house. She stated that she had discussed that with the applicant. The applicant did submit a revised set of drawings, but staff still had the following additional concerns (1) the south elevation is not inset; (2) the existing landing being sandwiched between the existing house and the addition; and (3) proposed roof form. She did discuss those concerns with the applicant and he asked that both proposals be presented to the Commission.

In response to Mr. Nutter, Historic Resources Director Stacy Merten said that the Montford Guidelines do have specific guidelines regarding accessibility, but that they are not necessarily intended for review in this type of use. She said that staff is not recommending any revisions that would prohibit this use.

Mr. Moffitt said that the initial proposal was not meeting the guidelines in several specific ways, including the fact that the addition is not inset from the rear corner of the existing house. The Executive Committee did have concerns with the length of the addition.

Mr. Charlie Thomas, applicant, showed the Commission a picture of his wife, who has a rare immune disease, and described her need to have a therapeutic pool. He said that they had hired an architect and made a good faith effort to comply with the guidelines. Additionally, he said the rear yard is large enough to accommodate the addition and that it would be virtually invisible from the street. He asked for support of the original plan, but if not, then requested approval of the revised plan that will allow a smaller pool to be installed.

Mr. Moffitt stated that the Commission is not indicating the applicant cannot build the addition, but that the design of the addition does need to meet the guidelines. He reiterated that the addition needs to be inset to comply with the guidelines. In addition, if the addition could be reoriented, the shorter elevation would then be visible from the street rather than the longer elevation.

Mr. Farmer said that the Commission has the charge of trying to preserve the character of the neighborhood and the original design as much as possible, and that the Commission is trying to help the applicant by suggesting ways to meet the guidelines.

There was considerable discussion with contractor Tony Hunter, and architect Peter Vasquez, who prepared the original drawing, about trying to accommodate Mr. Thomas' needs, while still meeting the guidelines. Ms. Merten said that the Commission can approve a Certificate of Appropriateness with the condition that a revised set of plans be submitted for staff approval reflecting any changes agreed upon by the Commission.

Chair Ross opened the public hearing at 5:14 p.m., and when no one spoke, she closed the public hearing at 5:14 p.m.

After discussion, it was the consensus of the Commission that the following conditions be incorporated into the original proposal: 23 foot length addition with a 1.6-inch inset, roof overhang to match existing house such that it does not extend past the plane of the existing elevation, windows be double-hung, wood with diamond pane upper sash to match the existing windows, and that revised elevation drawings and floor plans be submitted for staff review.

#### **ADOPTION OF FINDINGS OF FACT**

Based upon the evidence presented to this Commission, including Exhibit A - doctor's letter on behalf of patient; Exhibit B – site plan; Exhibit C – existing floor plans (2 pages); Exhibit D – photographs of subject property (4 pages); Exhibit E – renderings of existing house with addition; Exhibit F –project description; Exhibit G – existing conditions details; Exhibit H – foundation, floor, and framing plans; Exhibit I – roof framing plan; Exhibit J – elevation drawings and photographs; Exhibit K – section details (2 pages); Exhibit L - revised site plan; Exhibit M – photo of subject property (taken by staff October 14, 2015); Exhibit N – skylight specifications (received September 13, 2015); Exhibit O – landscape and fence plan (received October 14, 2015); Exhibit P revised floor plans and elevation drawings (received October 14, 2015); and the Commission's actual inspection and review of subject property by all members, Mr. Moffitt moved to adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 30th day of September, 2015, 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 29th day of September, 2015 as indicated by Exhibits (Q) and (R).
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 a one-story 287.5 square foot addition on the rear elevation. Addition will have wood lap siding, asphalt shingle roof, and concrete foundation to match existing building. Windows will be wood sash with diamond panes on upper sash or wood diamond-pane casement to match existing windows. Door will be half-lite wood paneled. Two 22 ½" x ½" Velux skylights extending 5 ½" above roof line will be installed, 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 Additions found on pages 88-89, the guidelines for Fences and Walls found on pages 36-37, and the guidelines for Landscaping and Trees found on pages 40-41 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, and amended May 2015, were used to evaluate this request.
5. This application does meet the design guidelines for the following reasons:
  - a. New addition will be sited on the rear elevation and will not damage or obscure character defining features.
  - b. New addition will be inset from the existing building and will be compatible in height, massing, roof form and pitch.
  - c. Visual impact of the addition will be reduced by limiting scale and size.
  - d. Addition will not overpower the site.
  - e. Windows in addition will be similar to those in the original building in their proportions, spacing and materials.
  - f. Fencing and trees to be removed are not historic and do not contribute to the overall historic character of 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 Mr. Nutter 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 conditions: (1) that the length of the addition be reduced from 26' to 23 feet; (2) that the inset be increased to 1.6 inches (3) that the roof overhang match that of the existing house and not extend beyond the side elevation of the existing house; (4) that the wood windows match those on the existing house in design and material; and (5) that revised

elevation drawings be submitted for staff review and approval. This motion was seconded by Mr. Nutter and carried unanimously.

**4. Certificate of Appropriateness - 186 Pearson Drive - Construction of One-Story Addition to Existing Accessory Structure**

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

**Owner/Applicant:** Mike & Sally Beth Shore  
**Subject Property:** 186 Pearson Drive  
**Hearing Date:** September 14, 2015  
**Historic District:** Montford  
**PIN:** 9639.93-4765  
**Zoning District:** RS-8

**Property Description:** Edwin L. Ray House - Early 20th century 2-story bungalow with typical details. Shingles over weatherboards, oversized brackets, gable protrusions. Constructed prior to 1917.

**Certificate of Appropriateness Request:** That the application is to construct a one-story 150 square foot addition and a 225 square foot deck on the rear elevation of the existing accessory structure. Addition will have wood siding and trim matching existing. Wood siding on existing building will be repaired or replaced as needed, and repainted matching existing. Existing, non-historic wood garage doors will be replaced with two 4-paneled, wood garage doors with four 4-lite casement windows. Two wood paneled pedestrian doors will be constructed on addition. Window and door openings on rear elevation will be modified to allow for one existing 12-lite wood casement window to be reused, one pair of new half-lite wood paneled French doors to be installed, and one existing 12-lite wood casement window to be removed at location of new addition. Existing 12-lite wood casement windows will be refurbished and converted to awning windows. Roof of existing building will be replaced with asphalt shingles matching existing, as needed. New deck will be inset from side elevation by 12" and will have railings and pickets matching those on primary structure. New gutters will be installed matching existing in material and color, 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 new doors on addition and deck inset, and has asked the applicant to submit drawings clarifying inset and revised door design.

That the guidelines for Carriage Houses, Garages and Accessory Structures found on pages 34-35, the guidelines for Additions found on pages 88-89, and the guidelines for Decks found on pages 38-39 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, and amended May 2015, were used to evaluate this request.

**Staff Recommendation:** Staff does recommend approval of the request for the following reasons: (1) Character defining elements of existing accessory structure are being retained and preserved; (2) Addition will be sited on the rear elevation and will be inset from existing accessory structure; (3) Addition will be compatible with the existing building in height, massing, roof form and pitch and will be limited in size and scale so as to reduce visual impact; (4) Deck will be located on the rear of the building and will be inset 12 inches from the rear corners; and (5) Deck will be compatible in scale, proportion, materials and detail with the historic building.

Ms. Cole said that staff was concerned that the proposed door shown on the side elevation was reading more like a third garage door, which is not allowed per the guidelines unless there were 3 bays on the building historically. Staff suggested that something more pedestrian in nature would be more appropriate to provide access to the interior space and still meet the guidelines. She also noted that the door on the rear elevation of the addition also is like a garage door in its appearance, and that it also should also be more pedestrian in nature.

Mr. Michael Shore, applicant, said they are committed to the preservation of their historic house, both inside and outside. They have accepted all the suggestions from Ms. Cole, noting that they have revised the door designs to be pedestrian in nature and similar to the design of existing wood-paneled door on the front elevation.

Chair Ross opened the public hearing at 5:26 p.m., and when no one spoke, she closed the public hearing at 5:26 p.m.

Mr. Farmer stated that he thought this to be a significant improvement to the property and would support the addition.

### **ADOPTION OF FINDINGS OF FACT**

Based upon the evidence presented to this Commission, including Exhibit A - existing and proposed elevations; Exhibit B – site plan; Exhibit C – existing and proposed floor plans; Exhibit D – garage door detail; Exhibit E – photographs of subject property (5 pages); Exhibit F - revised door plan dated October 14, 2015; and the Commission’s actual inspection and review of subject property by all members, Mr. Farmer moved to adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 30th day of September, 2015, 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 29th day of September, 2015 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 construct a one-story 150 square foot addition and a 225 square foot deck on the rear elevation of the existing accessory structure. Addition will have wood siding and trim matching existing. Wood siding on existing building will be repaired or replaced as needed, and repainted matching existing wood siding. Existing, non-historic wood garage doors will be replaced with two 4-paneled, wood garage doors with four 4-lite casement windows. Two wood paneled pedestrian doors will be constructed on addition. Window and door openings on rear elevation will be modified to allow for one existing 12-lite wood casement window to be reused, one pair of new half-lite wood paneled French doors to be installed, and one existing 12-lite wood casement window to be removed at location of new addition. Existing 12-lite wood casement windows will be refurbished and converted to awning windows. Roof of existing building will be replaced with asphalt shingles matching existing, as needed. New deck will be inset from side elevation by 12” and will have railings and pickets matching those on primary structure. New gutters will be installed matching existing in material and color, per attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**
4. That the guidelines for Carriage Houses, Garages and Accessory Structures found on pages 34-35, the guidelines for Additions found on pages 88-89, and the guidelines for Decks found on pages 38-39 in the Design Review Guidelines for the Montford Historic District, adopted on April 14, 2010, and amended May 2015, were used to evaluate this request.
5. This application does meet the design guidelines for the following reasons:

- a. Character defining elements of existing accessory structure are being retained and preserved.
  - b. Addition will be sited on the rear elevation and will be inset from existing accessory structure.
  - c. Addition will be compatible with the existing building in height, massing, roof form and pitch and will be limited in size and scale so as to reduce visual impact.
  - d. Deck will be located on the rear of the building and will be inset 12 inches from the rear corners.
  - e. Deck will be compatible in scale, proportion, materials and detail with the historic building.
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. Hansbury and carried unanimously.

Based upon the foregoing FINDING OF FACT and for the reasons set forth therein, Mr. Farmer moved that a Certificate of Appropriateness be issued, with the condition that a revised rear elevation drawing illustrating doors to be installed on new addition be presented to staff for review and approval. This motion was seconded by Mr. Moffitt and carried unanimously.

**5. Certificate of Appropriateness - 14 Lodge Street - After the Fact Approval to Install Metal Planters and Metal Plates covering on Front Facade**

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

**Owner/Applicant:** Miller Williams – Wilvest LLC/Constance Williams  
**Subject Property:** 14 Lodge Street  
**Hearing Date:** October 14, 2015  
**Historic District:** Biltmore Village  
**PIN:** 9648.60-4279  
**Zoning District:** CB-II

**Property Description:** One-story brick commercial building with recessed front entry, pink granite kick plates, and glass display windows.

**Certificate of Appropriateness Request:** That the application is for after-the-fact approval to install metal planters and metal panels covering existing pink granite kick plates, per attached drawings and plans.

**HRC Staff Concerns per the Applicable Guidelines & Submittal Requirements:**

1. Staff has concerns regarding original materials and details that contribute to the historic significance of the structure not being preserved.
2. Staff has concerns regarding architectural features being replaced or obscured, rather than repaired.

That the guidelines for Repairing Original Qualities found in Book 2 General Guidelines for Rehabilitation, Chapter 2, pages 6-7 in the Design Review Guidelines for the Biltmore Village Historic District, adopted on October 1, 1988, were used to evaluate this request.

**Staff Recommendation:** Staff does not recommend approval of the request for the following reasons: (1) Original materials and details that contribute to the historic significance of the structure are qualities that should be preserved whenever feasible. Rehabilitation work should not destroy the distinguishing character of the property or its environment; and (3) Deteriorated architectural features should be repaired rather than replaced, wherever

possible; and (3) In the event replacement is necessary, the new material should match that being replaced in design, color, texture, and other

Ms. Cole said that the Commission was presented with an application for 14 Lodge Street in April 2015 for replacement of the existing pink granite kick plates. She stated that the applicant was proposing to replace the existing kick plates with black granite rather than pink. Staff advised the applicant at that time that staff was not recommending approval based on the guidelines stating that existing architectural features should be repaired rather than replaced, when possible; if replacement is deemed necessary, new material should match existing in material, color, and detail. The applicant requested to continue to a later public hearing, and the application was eventually withdrawn. At a later date, it was brought to the City's attention that metal planters and metal kick plates had been physically attached covering the existing granite. A Notice of Violation was issued to the property owner. The application being reviewed at this hearing is for an after-the-fact Certificate of Appropriateness for the metal planters and kick plates.

Ms. Katie Avant, Director of the Surface Gallery, said that she was told by Rock Star Granite and Marble that one section of the kick plates was granite and the other was concrete. She stated that the steel planters are not physically attached to the building, but the steel kick plates are. She said that was a miscommunication with the person who installed the kick plates. The kick plates were supposed to be attached to the planters so that nothing was physically attached to the building.

In response to Mr. Moffitt, Ms. Avant said their intent was to create a planter in the front that could be removed. Their stated reason for withdrawing was because, after inspecting the façade of the building, David Ross of Falcon Construction noticed that one of the windows was slipping out of place. They stated that they were concerned replacing the granite would then cause more issues with the windows. They thought the planters would be a good compromise.

When Chair Ross asked what the purpose of the planters are, Ms. Avant said that the planters are aesthetic and they hide the cracks and holes in the kick plates.

Chair Ross recalled that staff recommended that if a change was made that pink granite be installed matching the existing granite. She also recalled giving a recommendation of two companies that you could find granite that might be suitable for the project. Ms. Avant stated that they were trying to match the color scheme of the original floor tiles in the entry way.

Mr. Moffitt understood that their intent was not to fix or replace anything, but to hide the cracks and holes by constructing a planter on independent stations with an independent kick plate. Ms. Merten said that even if the planters were not attached, their design is not in keeping with the character of the district.

Mr. Noel Williams, owner of the building, said that they acquired the building in January of 2015 and completed an extensive renovation of the building. He stated the granite kick plate is cracked on one side, and the other side is concrete. When talking with the contractor about replacing the granite, Mr. Ross warned them that if the kick plates were replaced it might necessitate the windows being replaced, and the project would then be more expensive. He stated that they had maintained the existing copper trim, and that it was their intent to come up with a solution for the kick plates that met the goals of the project. It was his understanding that planters were allowed. He apologized that the kick plates were attached and felt they could detach them in some manner. He stated that they were not trying to obscure the granite.

Ms. Merten pointed out several sections of the guidelines that indicate the proposal is not appropriate. She did not think that staff could recommend approval based on the referenced guidelines.

Mr. Carpenter stated that if there was some structural problem within the facade, this might be a good opportunity to make some type of small investigative opening to see what the structural elements are and address any issues. He noted that it might be possible to install temporary supports for the windows so that the copper trim does not have to be removed.

Chair Ross opened the public hearing at 5:56 p.m.

Mr. Rob Blake, contractor, agreed with Mr. Carpenter and stated that typically any structural repairs should be made sooner rather than later.

Chair Ross closed the public hearing at 5:57 p.m.

### **ADOPTION OF FINDINGS OF FACT**

Based upon the evidence presented to this Commission, including Exhibit A - July 9, 2015, email to City staff in response to Notice of Violation; Exhibit B – description and photographs of granite kick plates and tile entryway; Exhibit C – photographs of subject property (4 pages); and the Commission’s actual inspection and review of subject property by all members, Mr. Moffitt moved to adopt the following FINDINGS OF FACT:

1. That notice of public hearing on this application was published in the Asheville Citizen-Times on the 30th day of September, 2015, 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 29th day of September, 2015 as indicated by Exhibits (D) and (E).
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 after-the-fact approval to install metal planters and metal panels covering existing pink granite kick plates, per attached drawings and plans.
4. That the guidelines for Repairing Original Qualities and Replacing Original Features found in Book 2 General Guidelines for Rehabilitation, Chapter 2, pages 5-7 and the guidelines for Rehabilitation of “Commercial Type” Buildings found in Book 2 General Guidelines for Rehabilitation, Chapter 3, pages 11 and 16 (Item 28) in the Design Review Guidelines for the Biltmore Village Historic District, adopted on October 1, 1988, were used to evaluate this request.
5. This application does not meet the design guidelines for the following reasons:
  - a. Original materials and details that contribute to the historic significance of the structure are qualities that should be preserved whenever feasible. Rehabilitation work should not destroy the distinguishing character of the property or its environment.
  - b. Deteriorated architectural features should be repaired rather than replaced, whenever possible.
  - c. In the event replacement is necessary, the new material should match that being replaced in design, color, texture, and other visual qualities.
  - d. The guidelines encourage that original building materials should be uncovered rather than obscured
6. That the action and improvements proposed in the application before us for a Certificate of Appropriateness are not congruous with the special historic character of the Biltmore Village 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. Moffitt moved that a Certificate of Appropriateness be denied. This motion was seconded by Mr. Farmer and carried unanimously.

### **Other Business**

### **Rob Blake - Storm Window Alternative Product Presentation**

Mr. Rob Blake, contractor with Home Health and Energy Solutions, presented the Commission with a sample of an interior storm window insert.

### **Historic Resources Commission Policy Recommendations for City Council Retreat**

Historic Resources Director Stacy Merten said that City Council has asked all boards and commissions to present up to three policy recommendations so that they can include them in their January retreat discussion for possible inclusion in their Strategic Operating Plan. She provided the Commission with a copy of the implementation matrix of the Historic Preservation Master Plan and suggested the following two items out of that Plan for possible policy recommendations to Council: (1) develop a plan for the adaptive reuse of the Thomas Wolfe Cabin and rehabilitate the Cabin to accommodate the new use and explore funding opportunities; (2) establish a City policy to preserve the historic character-defining elements of public grounds City-wide including all City-owned real property. She asked that the Commission send her any suggested policy recommendations and she would have a document prepared for the Commission's November meeting to discuss.

Mr. Carpenter said that there has been some discussion by the Preservation Society about a landmark designation application for the Merrimon Avenue Fire House.

At the request of Mr. Carpenter, Ms. Merten said that she would add to the November agenda an update from the Preservation Society on the Thomas Wolfe Cabin.

### **Landmark Committee Report**

Historic Preservation Specialist Alex Cole said that the Landmark Committee made a site visit to Biltmore Industries and encouraged any other Commission member to take the very informative behind-the-scenes tour.

### **Comments from Commissioners, Public and Staff**

Historic Resources Director Stacy Merten said that once the insurance requirement is worked out by the Montford Neighborhood Association, the agreement for the HRC-owned community garden property will be completed. She noted that insurance is always required for use of City property. She said that once the agreement is completed in draft form, she will ask the Commission for a motion to issue a use agreement with the Montford Neighborhood Association for a community garden. The buildable lot (approximately .5 acre) came into the HRC's ownership because the previous owner donated it to the HRC. The agreement will not have an end date, but it can be terminated with 30 days notice.

Historic Resources Director Stacy Merten said that because there were not a lot of merchants at the Biltmore Village Olmstead landscape presentation, she suggested a scaled down version of that presentation at one of the merchant's meetings.

Ms. Warren said that the Town Manager of Biltmore Forest has invited the Commission to visit the Town Hall of Biltmore Forest to view the massive 1927 original painting of the Town of Biltmore Forest that is now located in their community center.

Historic Resources Director Stacy Merten said that she, Chair Ross and Ms. Cole had visited the Kenilworth Inn to inspect the bowling alley in the basement. The owner of the property was contemplating moving the bowling alley to a different location, or potentially giving it to an heir of the company that manufactured it. Staff communicated that the bowling alley was specifically called out in the ordinance and that it would be more appropriate to leave it in its current location. The owner's representative stated that they would leave it in that location, and that they intend to use it as an interpretive and educational part of the Inn. Chair Ross said that they invited the Commission to visit the Inn.

## **Adjournment**

At 6:30 p.m., Mr. Nutter moved to adjourn the meeting. This motion was seconded by Mr. Farmer and carried unanimously.