

**CITY OF HENDERSONVILLE**  
**Historic Preservation Commission**

**Minutes of Special Meeting of November 21, 2011**

**Commissioners Present:** Ralph Bastedo, Cheryl Jones, John Ogletree, Marty Payton, Brooke Tate (Chair), Jo Tyler

**Commissioners Absent:** Phillip Allen, Julie Jones

**Staff Present:** Tim Murphy, City Planner; Lu Ann Welter, Administrative Assistant

- I Call to Order.** The Chair called this meeting of the Hendersonville Historic Preservation Commission to order at 5:00 pm
- II Agenda.** *On motion of Commissioner Tyler seconded by Commissioner Ogletree, the Commission approved the agenda as amended.*
- III Minutes.** *On motion of Commissioner Ogletree, seconded by Commissioner Tyler, the minutes of October 19, 2011 were approved.*
- IV Election of Vice Chair.** The Chair opened the floor for nominations. *Commissioner Payton nominated Commissioner C. Jones. The nomination was seconded by Commissioner Tyler and passed unanimously.*
- V Findings of Fact and Conclusions of Law, File No. H11-53-COA.** Mr. Murphy gave the following analysis:

On October 19, 2011, the Historic Preservation Commission held a quasi-judicial hearing regarding an application for a certificate of appropriateness permit for improvements to 1208 Highland Avenue. The applicant proposed to install metal roofing on a roof currently covered in shingles. City Attorney Sam Fritschner has prepared Findings of Fact and Conclusions of Law regarding the Commission's decision.

*Commissioner Payton moved the Commission to adopt the Findings of Fact and Conclusions of Law for file number H11-53-COA. The motion was seconded by Commissioner Tyler and passed unanimously.*

- VI 202-206 N. Main Street, Certificate of Appropriateness, File # H11-62-COA.** Prior to opening the public hearings, the Chair announced that any persons desiring to testify at this hearing must first be sworn as witnesses and will be subject to cross-examination by parties or persons whose position may be contrary. A copy of the protocol for a quasi-judicial hearing is provided on the back table next to the agenda. As this is a quasi-judicial hearing, it is very important that we have an accurate record of what goes on. Therefore, refrain from speaking until recognized by the Chair and, when recognized, come forward to the podium and begin by stating your name and address. Anyone present who has knowledge of anything of value that has been given or promised in exchange for a position to be taken on this application should disclose it now.

After swearing in potential witnesses for both hearings, the Chair opened this public hearing. At the request of Tim Murphy, City Planner, Commission File No. H11-61-COA was admitted into evidence and the Commission took official notice of the Code of Ordinances of the City of Hendersonville and the Commission's Design Guidelines. Mr. Murphy gave the following analysis:

The Planning Department is in receipt of an application for a certificate of appropriateness permit from Leta Properties, LLC to undertake the following work at 202-206 North Main Street:

1. Enclose windows with brick on the rear and northern side façade.
2. Install wooden double doors on the rear façade.
3. Replace one window with a wooden door on the northern side façade.

The subject property is listed as **contributing** in the Main Street Local Designation Report and is described as:

**202-206 N. Main Street. Commercial Building. ca. 1920.** Plain, one-story painted brick Commercial Style building with recessed brick panels above a modern storefront, and a stepped parapet above. Transoms remain above north end of storefront. In 1943, this building was in use for ice cream manufacturing.

The subject property is listed as **contributing** on the National Register and described as:

**202-206 N. Main Street. Late 1920s.** Plain one-story painted brick commercial structure with recessed panels above modern storefront. Transoms with structural glass remain above modern aluminum awning.

On June 16, 2010, the Historic Preservation Commission approved a certificate of appropriateness permit for substantial modifications to this building including storefront renovation, window and door replacement and rooftop improvements to allow for restaurant seating. The applicant is requesting modifications to the rear of the building and the northern side façade visible from the Edwards St. alley. No modifications are proposed to the front façade or the side façade facing 2<sup>nd</sup> Avenue East.

The applicant desires to enclose 6 windows on the rear façade (labeled as windows A, B, D, E, F and J) and 5 windows on the northern side façade (windows L, M, N, O and Q). The windows are to be enclosed to accommodate the interior building layout (see attached floor plans). The reason for enclosing each window is provided on the attached "Alleyway Windows and Doors Schedule".

A letter provided by the applicant states that the windows should be enclosed in matching brick that has been removed from the interior of the building. The applicant has provided a photograph of a similar brick window enclosure. Photographs have also been provided of other means for enclosing windows which the applicant finds less preferable, including plywood installation and construction of an interior wall.

The application also includes modifications to the rear doors. The previously approved plans show carriage overhead doors at entrances G and K. The applicant is requesting to install double wooden doors with 3 panels in these locations. The size of the openings will need to be modified to fit the proposed wooden doors. The reason for the change is to provide an alternative public entrance and access to mechanical equipment. Finally, the applicant proposes to convert window P on the northern side façade into a door to provide a fire exit. It will be a single wooden door with 3 panels similar to the proposed rear doors.

Mr. Murphy said the applicant met with DRAC on November 14 on site. The Committee came to the following conclusions: preserve E and F (these windows are located in the restroom. DRAC felt that preserving the windows should be a priority even if they are divided by stall partitions); preserve N and Q (these windows are located in the fire corridor. DRAC suggested installing glass block or translucent glazed windows that meet fire requirements); preserve O (located in alcohol storage area. DRAC suggested installing glass block to preserve the opening and provide security); if the other windows are enclosed, it should be done with matching brick recessed a minimum of 2.5" from the existing wall which is approximately the depth of the existing windows; the proposed wooden doors are acceptable. DRAC members had differing opinions on how to reduce the size of the door openings. The Chairman John Horton suggested installing non-combustible siding (such as foam) around the doors and adding stucco to the outside. He felt that the stucco would be easier to remove than brick if the opening was restored to its current size. Other DRAC members recommended using recessed brick. Commissioner Jones asked the condition of the window openings. Mr. Murphy said he did not know.

Robert Rogers, of 4037 Little River Road, gave background on the remodeling so far on the project, noting the preservation work they have done thus far on the building. He stressed they are preserving the historic features on the most visible facades, Main and 2<sup>nd</sup> Ave. Based on the engineering plans, they need to improve the building's structural requirements while keeping the main floor attractive and allowing for the basement and rooftop dining. Mr. Rogers said he could simply brick over the windows on the interior and leave the exterior of the windows the way they are. However, this can lead to maintenance issues as they are no longer serviceable from the inside. Mr. Rogers added that by bricking in the windows tightly, the structure is stronger. The Chair asked about the lintels. Mr. Rogers said they would be kept and added that this type of infill would not be permanent. The Chair asked if he had enough brick. Mr. Rogers said yes, they have salvaged a large amount from the interior work so they would be using brick of the correct time period of when the building was built. The Chair asked if there are any windows the applicant would consider leaving open. Mr. Rogers said he questioned whether leaving one or two would look better than all of them being bricked. Commissioner Payton asked about using shutters. Mr. Rogers said they would be possible for E and F but the engineering factors of the downward force necessary to keep the building up does not make it easy. The Chair asked about window D. Mr. Rogers said D is a disaster that changing it would mean a trip back to County inspections which he does not want to do. Commissioner Payton asked if the windows were infilled, would it be cost effective to remove the brick later. Mr. Rogers said it is 100% removable and easy to do. Commissioner Jones commented that there is a lot of water runoff problems on the building next door.

The Chair asked about filling around the doors on the back side. Mr. Rogers said he is amenable to anything but the materials must be fire retardant. The Chair preferred brick to stucco. The Chair asked if anyone else would like to speak for or against the application. When no one came forward, the public hearing was closed.

The Chair commented the applicant has done a good job so far with the building. Commissioner Jones said she does not have a problem with the brick infill in the windows. The Chair said she doesn't have a problem with the north side. Commissioner Payton said the Design Guidelines do not allow for this type of work. The Chair said having the recess in the brick and using original brick does help. Commissioner Ogletree said he likes keeping them all the same. The Chair added the exterior stairs will cover some of the windows. There were several questions about the doors in the rear.

The Chair reopened the public hearing. Mr. Rogers said he cannot fill the spaces with combustible materials. Regarding the fourteen foot door opening G, he suggested a six foot door which would leave around three and a half feet of infill on each side. Commissioner Jones asked if the current doorway was original. Mr. Rogers said no, he didn't think so. The Chair asked about glass around the door. Mr. Rogers said he could do a transom. Commissioner Payton said double doors would fill the space better than using just brick. The Chair closed the hearing.

After discussion on door K, the Chair reopened the hearing. Mr. Rogers said placing a ten foot door in a ten foot opening would look odd. The Chair said awnings would cover some of the brick fill on the top but felt the maximum brick fill on the top of either door should be no more than two feet. Mr. Rogers said the K door would be for mechanical equipment access whereas the other door will be an entrance to the banquet room. The Chair said the door heights and awnings should match. The Chair closed the public hearing.

*Commissioner Jones moved the Commission to find as a fact that the application for a certificate of appropriateness permit, as identified in file number H11-62-COA, if installed according to the information reviewed at this hearing and, with any representations made by the applicant on the record of this hearing with the following changes: door G will be 4 doors with transoms and no more than 2' brick fill above; door K will have masonry infill from the left and will match door G in height and awnings; windows may be infilled with reclaimed brick from the interior using matching mortar and recessed 2 ½ inches which is justified to preserve the engineered structural stability of the building and because brick infill can be removed for future restoration and allows easy maintenance. The application as modified is not incongruous or inappropriate with the character of the Main Street Local Historic District for the following reasons: 3.4.2.11 if a new window or door is required to meet building and safety codes, it should be done in a way that is the least intrusive to the façade and without destroying historic materials and features; 3.6.4 it is not appropriate to introduce new fire doors if they would diminish the original design of the building or damage historic materials and features. Keep new fire doors as compatible as possible with existing doors in proportion, location, size, and detail; 3.3.7 downtown buildings with rear access should use small signs or awnings to provide for visual identification and 3.4.2.9 it is not appropriate to fill in existing window or door openings or to replace or cover them with plywood. The motion was seconded by Commissioner Tyler and passed unanimously.*

**VII 1616 Norwood Place, Certificate of Appropriateness.** The Chair opened this public hearing. At the request of Tim Murphy, City Planner, Commission File No. H11-63-COA was admitted into evidence and the Commission took official notice of the Code of Ordinances of the City of Hendersonville and the Commission's Design Guidelines. Mr. Murphy gave the following analysis:

The Planning Department is in receipt of an application for a certificate of appropriateness permit from Betty Page White to undertake the following work at 1616 Norwood Place:

1. Demolish existing wooden deck on the rear façade.
2. Construct new wooden deck on the rear façade.

The subject property is listed as **contributing** in the Druid Hills Local Designation Report and on the National Register and is described as:

**1616 Norwood Place. Henry C. Ranson House. Contributing. by 1926.**

One and one-half story bungalow with a steeply pitched side gable roof and a front gable dormer. Knee braces in dormer. Exterior wall materials are a combination of wood shingle and wood siding. Engaged, full-width front porch with square posts on brick piers. Windows are three-over-one, front door with sidelights. Lot drops away to the rear.

The existing wooden deck is approximately 12' x 12'. It has horizontal balusters and lattice skirting. There are no exterior steps. The deck is minimally visible from Norwood Place.

The applicant desires to demolish the existing deck and replace it with a new wooden deck. The attached sketch shows that the main portion of the deck will be approximately 15' x 14'. The deck will also have a 3' x 6' extension toward the driveway and another extension toward the rear of the lot. The new deck will be the same height as the existing deck and will not have exterior stairs.

Vertical balusters and lattice skirting are proposed. The surface of the deck will be composite wood flooring. In order to construct the deck, it will be necessary to remove several rhododendrons. The applicant intends to replant the rhododendrons or replace them with new plants.

The applicant was not present. The Chair closed the public hearing. Commissioner Payton stated the Design Guidelines say decks should be inset from the house which would not allow the three foot projection shown on the plans near the driveway. Commissioner Bastedo said the deck isn't really visible from the street. The Chair added that landscaping would hide the three foot bump out from the street. Commissioner Payton again stated that the Design Guidelines require the deck to be inset from the house. The Chair clarified either they remove the bump out from the driveway side or they move it to the north side of the deck.

*Commissioner Ogletree moved the Commission to find as a fact that the application for a certificate of appropriateness permit, as identified in file number H11-63-COA, if installed according to the plans reviewed at this meeting, is not incongruous and inappropriate with the character of the Druid Hills Local Historic District for the following reasons: 4.1.2 introduce decks in inconspicuous locations, usually on the building's rear elevation and inset from either rear corner, where they are not visible from the street and 4.1.8 for uncovered decks, composite materials are appropriate for decking, with the following modification: the 3' x 6' projection near the driveway shall moved to the north side of the deck or eliminated. The motion was seconded by Commissioner Payton and passed unanimously.*

#### **VIII Committee Reports.**

**Designation Committee** – No report.

**Community Affairs** – No report.

**District Improvements** – No report.

#### **IX Commissioners Comments.** None.

**X Staff Comments.** Mr. Murphy reported staff has received five response cards from the property owners of Lenox Park concerning local designation: 2 in favor, 2 against and 1 seeking further information.

**XI Financial Report.** *Commissioner Tyler moved to approve the Financial Report which was seconded by Commissioner Payton and passed unanimously.*

XII Adjournment. *The meeting adjourned at 6:45 p.m.*

not approved