

CITY OF HENDERSONVILLE
Historic Preservation Commission

Minutes of Meeting of August 18, 2010

Commissioners Present: Phillip Allen, Staci Blatt, Bette Carter, Cheryl Jones, Charles Kuester, Marty Payton, Brooke Tate (Chair), Jo Tyler

Commissioners Absent: John Ogletree

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

- I Call to Order.** The Chair called the monthly meeting of the Hendersonville Historic Preservation Commission to order at 5:00 p.m
- II Agenda.** The Chair added approval of Closed Session minutes for November 18 and December 16, 2010 to the agenda. *On motion of Commissioner Tyler, seconded by Commissioner Jones, the Commission approved the agenda.*
- III Minutes.** *On motion of Commissioner Jones, seconded by Commissioner Blatt, the Closed Session minutes of November 18, 2010 were approved. On motion of Commissioner Blatt, seconded by Commissioner Jones, the Closed Session minutes of December 16, 2010 were approved. On motion of Commissioner Tyler, seconded by Commissioner Blatt, the minutes of July 21, 2010 were approved with the corrected date.*
- IV. 1224 Highland Avenue, Certificate of Appropriateness, File # H10-49-COA.** Prior to opening the public hearing, the Chair announced that any persons desiring to testify at this hearing must first be sworn as a witness 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 these applications should disclose it now.

After swearing in potential witnesses, the Chair opened the public hearing. At the request of Tim Murphy, City Planner, Commission File No. H10-49-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.

The Planning Department is in receipt of an application for a certificate of appropriateness from Debra A. Jones for the following at 1224 Highland Ave.:

1. Install a satellite dish on the front porch roof (after the fact)

On July 18, 2010, the Historic Preservation Commission directed staff to send a letter to the owners of 1224 Highland Ave. regarding the relocation of an existing satellite dish. Staff sent the attached letter on July 30, 2010. In response to this letter Ms. Jones has submitted an application for a certificate of appropriateness to keep the existing satellite dish in its current location. Staff is unable to approve the

current dish location as a “minor work” and therefore has forwarded the application to the Historic Preservation Commission for review as a “major work”. The subject property is listed as contributing in the *Hyman Heights Local Designation Report* and the National Register.

The satellite dish is mounted on the northern edge of the front porch roof. It is visible from Highland Ave. and from sidewalks along both sides of the street. Two deciduous trees partially obscure the view of the satellite dish from the adjacent sidewalk. The dish is not visible when standing directly in front of the house on the adjacent sidewalk.

Staff met with the property owner on-site on August 3, 2010. It is the opinion of staff that a signal could be obtained if the dish was relocated to the eave of the rear roof. Staff noted an absence of vegetation to the south of the roof and it appears that a signal may be able to be obtained from this location, the staff does not claim expertise in dish installation.

The applicant did not meet with the Design Review Advisory Committee.

The Chair asked if anyone had any questions of staff. The Chair asked if the applicant would like to speak to the Commission. Debra Jones of 1224 Highland explained she and her husband and children live at this address. She said the dish cannot be placed on the ground because of the trees and buildings and the roof is a 12-4 pitch meaning a “difficult installation.” It would cost \$80 just to have someone come out and look at the location. These are difficult financial times. Ms. Jones said the dish was installed in December 1998 and it was not against the rules at that time. When driving it is hard to see. She said driving at 20 mph, the street speed limit, you can only see the dish for two seconds. She understands historic preservation but this can be easily removed in the future and the structure will not be affected. She asked that all of these items be taken into consideration when making a decision. The Chair asked if anyone had questions for the applicant. With no one else to speak, the Chair closed the public hearing.

Commissioner Tyler asked if it could be moved to the right side of the pitch. The Chair commented there are large trees on that side. Commissioner Jones added it can be moved by the next owner. Commissioner Carter asked when the dish wording was added to the Design Guidelines. Mr. Murphy said it is present in the 2004 version. Commissioner Carter commented that Design Guideline 3.10.11 makes sense but this dish in not being installed. The Chair agreed. Commissioner Jones suggested adding a condition to require any future satellite dish installations to comply with the Design Guidelines should the existing dish need to be removed.

Commissioner Jones moved the Commission to find as a fact that the proposed application for a certificate of appropriateness, as identified in file number H10-49-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, is not incongruous with the character of the Hyman Heights Historic District for the following reasons; it is an existing satellite dish and 3.10.11 it is not appropriate to install ventilators, solar collectors, antennas, satellite dishes, or mechanical equipment in locations that compromise character-defining roofs, or on roof slopes that are visible from the street and 3.10.12 it is not appropriate to introduce contemporary communication equipment that is inconsistent with the historic character of the landmark, including large-scale antennas and satellite dishes, in locations visible from the street. And further added that if the existing dish is removed in the future, any new dish must comply with the Design Guidelines in place at that time. The motion was seconded by Commissioner Payton and passed unanimously.

V Vinyl Materials Committee Memo and Design Guidelines Discussion. Mr. Murphy reported the following;

At the Historic Preservation Commission meeting on May 19, 2010, the Commissioners asked staff to modify the Vinyl Materials Committee memo dated November 18, 2009 to incorporate references to Sections of the Main Street Design Guidelines. The Commission requested these revisions in order to clarify that the Vinyl Materials Committee memo is applicable to projects in the Main Street Local Historic District as well as the residential Local Historic Districts.

City Attorney Sam Fritschner has advised staff that the Historic Preservation Commission's decisions should be based on the adopted Design Guidelines in order to better withstand a legal challenge. The City Attorney has recommended to staff that the Commission incorporate information from the Vinyl Materials Committee memo into the residential and Main Street Design Guidelines as opposed to having a separate document.

At the July 18, 2010 meeting, the Historic Preservation Commission unanimously moved for Staff to modify the Main Street Design Guidelines and the residential district Design Guidelines to incorporate the content of the Vinyl Materials Committee memo.

Commissioner Kuester commented there is not a clear definition of artificial materials noting only vinyl while the only original materials listed are wood, brick and stone. Commissioner Carter questioned the word "encourages" in the proposed first paragraph. After discussion, the Commission requested the following modifications to the proposed amendments to Section 3.12 Artificial Materials of the Residential Design Guidelines and Section 3.8 Artificial Materials of the Main Street Design Guidelines:

In the first paragraph, remove the words "wood, brick and stone".

In the first paragraph, change the word *encourages* to *prefers*.

In the second paragraph, remove the first sentence.

In the third paragraph, remove the last sentence.

Mr. Murphy called attention to the removal of the last part of the last sentence in residential Design Guideline 2.3.8. The Commission agreed with that change. Mr. Murphy said he will bring the revisions to the next meeting.

VI National Register Proposals for 530 First Avenue West and 219 Stoney Mountain Road. Mr. Murphy gave the following report:

On July 21, 2010, the Historic Preservation Commission directed staff to issue Request for Proposals for the preparation of designation reports to nominate 530 First Ave. W. and/or 219 Stoney Mountain Rd. to the National Register of Historic Places. Staff posted the Request for Proposals on the City of Hendersonville's website on July 28th and notified potential bidders through the Historic Preservation Listserv at the University of North Carolina. Staff also directly contacted each of the National Register Consultants identified by the North Carolina Department of Cultural Resources and made them aware of the Request for Proposals.

Four proposals for each property were received by the submission deadline of August 13th. Staff has reviewed the proposals and has prepared the attached summary table, which outlines the consultants' qualifications, anticipated schedule, and cost for preparing the designation reports.

Commissioner Carter asked if any additional expenses were added to the totals. Mr. Murphy said yes. The Chair commented they should go with the lowest bid. Commissioner Jones said she felt the home on Stoney Mountain Road is in greater need if the Commission could only help one nomination.

After discussion, the Commission agreed by consensus for staff to contact both home owners about cost sharing the expense of the nomination and invite them to the Commission's September meeting for further discussion.

VII Committee Reports.

Designation Committee – No report.

Community Affairs – Commissioner Carter announced the DHI staff has moved into the Planning Department of City Hall.

District Improvements – Ms. Welter gave the following report:

The District Improvements Committee met August 11, 2010 with Staci Blatt, Chuck Kuester and John Ogletree in attendance. The Committee agreed to move forward with neighborhood markers for Hyman Heights, Druid Hills and a two-sided one for 5th Avenue in the West Side. The current one-sided sign will be moved to 4th Avenue. The Committee also agreed to begin placing historic plaques on buildings in the 7th Avenue Historic District.

Concerning the planters in the Druid Hills and Hyman Heights Districts, the Committee would like staff to investigate the City maintaining them as it does for Main Street, paying as needed. If that can not be worked out, they will research a commercial landscaper.

Other improvements discussed were gateway improvements to 7th Avenue, similar to Hyman Heights and Druid Hills, Historic markers giving the history of city parks (i.e. person named for, date established), Improvements to Oakdale Cemetery, including the Wolfe Angel and other monuments, reopening the spring at Lennox Park, the possibility of opening the Underground area of 4th and Main

VIII Commissioners Comments. No comments.

IX Staff Comments. No comments.

X Financial Report. *Commissioner Blatt moved to accept the Financial Report which was seconded by Commissioner Tyler and passed unanimously.*

XI Adjournment. *The meeting adjourned at 6:00 p.m.*