

CITY OF HENDERSONVILLE
Historic Preservation Commission

Minutes of the Special Call Meeting of June 29, 2021

Commissioners Present: Cheryl Jones, Chair, Chuck Reed (Vice-Chair), Ralph Hammond-Green, Chris Barron, Sam Hayes, Derek Cote, Mia Freeman

Commissioners Absent: Kristie Ogletree

Staff Present: Matthew Manley, Planning Manager/Commission Coordinator, Angela Beeker, City Attorney, Terri Swann, Administrative Assistant III

- I **Call to Order.** Chair called this meeting of the Hendersonville Historic Preservation Commission to order at 5:30 pm.
- II **Agenda.** On motion of Commissioner Reed seconded by Commissioner Hammond-Green the Commission approved the agenda.
- III **Minutes.** On motion of Commissioner Reed seconded by Commissioner Cote the minutes of the May 19, 2021 meeting were approved.
- IV(A) **Certificate of Appropriateness,** Charles Wells, 1124 Hyman Avenue (File No. H21-14-COA). Prior to the opening of the public hearing, Chair announced that any persons desiring to testify at any of the public hearings must first be sworn as witnesses and will be subject to cross-examination by parties or persons whose position may be contrary to yours. A copy of the protocol for a quasi-judicial hearing is provided on the back table next to the agenda. Since this is a quasi-judicial hearing, it is very important that we have an accurate record of what goes on. Therefore, we must ask that you 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 who wishes to testify during the public hearings should come forward to be sworn in. Chair swore in all potential witnesses.

Mr. Manley gave the following analysis:

The Community Development Department is in receipt of an application for a certificate of appropriateness permit from Charles Wells to undertake the following work at 1124 Hyman Avenue:

1. Replacement of siding with an artificial material on the front gable of the principal structure.

Per the Commission's Rules of Procedure, applications containing replacement materials and designs are to be reviewed by the Historic Preservation Commission as a "major work."

The subject property is listed as **non-contributing** in the Hyman Heights Local Designation Report and is described as a brick ranch build ca. early 1950's.

Mr. Manley stated while the applicant has proposed vinyl siding as the replacement material, staff did discuss hardie plank and LP engineered siding as an alternative. Mr. Wells has since submitted a

statement as he could not attend the meeting tonight. Mr. Manley read the statement into the record:

Hello, my name is Charles Wells. I live at 1124 Hyman Avenue. I apologize for not being here in person, but I was not able to get off work. I'm here to get permission to renovate the exterior eaves and overhangs of my house with some type of maintenance free siding that you will let me use. I've been told that Hard Plank siding on LP engineered siding are two possibilities. If it is ok please let me know. The color will not change. I hope you will allow me to make these changes and I await your answer. Thank you for your time. Charles Wells, 1124 Hyman Avenue, Hendersonville NC 28792.

Mr. Manley showed the location of the property in the Hyman Heights Historic District on the map. Site photos were shown. Mr. Manley stated wood siding is shown in the gable. It appears to be in good condition and does not show any rot.

Mr. Manley stated there have been some approvals of artificial materials in the neighborhood. He showed site photos of some of these approvals. Mr. Manley stated there are several standards in the design guidelines for wood siding. He discussed some of the guidelines that would apply.

Mr. Manley discussed the three guidelines for artificial materials. 1. Artificial materials are not appropriate on buildings on contributing properties. Existing artificial materials on contributing properties should be replaced with traditional materials. – Mr. Manley stated this is a non-contributing property. 2. Replace windows, doors, siding, trim and other exterior materials on non-contributing structures in-kind. - Mr. Manley stated that Mr. Wells has suggested other materials that would be appropriate in his submitted statement. 3. The use of artificial materials in new construction shall be limited so that the new building is compatible with the surrounding contributing properties. -Mr. Manley stated artificial materials have been used on other neighboring properties.

Chair asked if there were any questions for staff.

Commissioner Cote asked if the property is contributing or non-contributing. Mr. Manley stated the property is non-contributing.

Commissioner Reed asked if the wood is rotting. Mr. Manley stated the wood does not appear to be rotting. It does need maintenance and needs paint. Commissioner Reed asked if there are any other reasons that the applicant doesn't want to just paint it. Mr. Manley stated because of the on-going cost related to maintenance and ability issues.

Chair explained the applicant's situation to the Commission and that he is open to using hardie plank. Mr. Manley stated the applicant will consider other options that are historically appropriate.

Chair stated there are several other properties in the area that have vinyl siding. Are any of those contributing? Mr. Manley stated he did not check to see if they were or not. Some have more architectural details with the vinyl siding and could be considered contributing.

Chair asked if there were any further questions for staff. There were no further questions for staff.

Chair asked if there was anyone in the audience that had questions for the applicant or staff. No one had questions. Chair asked if there was anyone that would like to testify concerning the application. Chair asked if there was anyone that wished to speak before they close the public hearing. When no one came forward Chair closed the public hearing.

The Commission discussed the guidelines and using artificial materials. The Commission felt like there were problems with some of the guidelines.

Chair re-opened the public hearing.

Mr. Manley stated to be helpful the applicant has indicated that he wants a maintenance free replacement and he has the front gable and then sections around the eaves and gutters. The Commission could weigh each of these sections separately. The applicant also obtained a staff approved COA to remove an evergreen tree that was causing damage on the fascia and therefore he would like to replace the section with a maintenance free material.

Chair closed the public hearing.

Chair discussed the part around the eaves having damage. Commissioner Reed was not in opposition of the proposal to use a more appropriate replacement material. Chair stated there are other houses with vinyl in the area. He can use a maintenance free material with more of a wood look to it. Commissioner Hammond-Green stated the applicant has agreed to use other materials besides vinyl. He knows over the history of the district the Commission has taken a position where they have been lax when considering materials and other times not.

Commissioner Cote discussed the question of contributing and non-contributing. Commissioner Reed stated in the Secretary of Interior Standards #5 it states, "distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a property shall be preserved." He stated there are no features that characterize this property and therefore there would be no violation in him using artificial materials. In #9 of the Secretary of Interior Standards it says new work shall differentiate from old and based on one or both of these standards it allows the Commission to look at this and approve it.

Commissioner Hayes has a question about hardie plank siding compared to engineered wood siding.

Chair reopened the public hearing.

Mr. Manley stated there are many types of siding that could be acceptable but without the applicant here the Commission may need to create a list of things acceptable and include the materials in the motion for approval since the applicant is not here to discuss the materials.

Chair closed the public hearing.

The Commission discussed hardie plank vs. engineered siding. Chair stated the Commission has gone with hardie plank before. Commissioner Freeman stated they should give the applicant the choice between the two. Commissioner Reed stated his preference is the hardie plank. Chair stated the

preference should be wood, but they can approve hardie plank if wood is not feasible.

The Commission discussed guidelines 3.6.2 and 3.1.2.

Chair reopened the public hearing.

Chair asked if this request was to just replace the front gable or does it include the eaves. Mr. Manley stated it is the replacement of the front gable and eaves as stated in the written statement.

Chair closed the public hearing.

Angela Beeker, City Attorney stated she would need to draft the order to tailor their motion. They can use the staff suggested motion and state their preference is wood, but they could find that hardie plank is consistent with the spirit and intent. This could be a way to incorporate it into their suggested motion.

Commissioner Reed stated he is not totally comfortable with this. Chair stated each application is considered a separate application. Ms. Beeker stated their motion can include reasons why each application sets it apart for other applications.

The Commission discussed replacing the wood or covering it with a replacement. Chair stated it needed to be made clear that this is to replace not just cover. Mr. Manley stated if it was covered it would still be there so if someone wanted to take it off and go back to the original material, it would still be in place. The key on the design guideline standpoint is the look stays compatible or appropriate so they could cover it and the look stays the same. Commissioner Cote stated he does not think they could cover it with hardie plank, that would not be feasible. Mr. Manley stated it would achieve the same look if he covers or if he replaces. Chair stated to add the condition to the motion to replace and not just cover it.

Commissioner Reed moved the Commission approve the Certificate of Appropriateness H21-14-COA at 1124 Hyman Avenue with the proposed replacement front gable and eaves because the use of wood would be consistent with guidelines 3.1.2 and in this instance he feels the use of hardie plank will meet the Secretary of Interior Standards for Rehabilitation #5, there will not be any destruction of distinctive features, finishes and construction techniques or examples of craftsmanship and pursuant to Secretary of Interior Standards for Rehabilitation #9 the exterior alteration will not destroy historic materials that characterize the property and work will be differentiated between new and old and is going to be compatible in mass, size, scale and architectural features of the property. The reason the Commission feels the hardie plank meets the spirit and intent is due to the prevalence of artificial materials used in the area already and this is a non-contributing structure and the proposed material would actually improve the façade and further the preservation and in some ways be preferable to other alternatives. If hardie plank is inappropriate for the eaves the Commission authorizes staff to approve a suitable substitute. The motion is to replace, and the approval is conditioned on the replacement of the materials with an approved new material where the reveal remains the same that is currently there. Commissioner Hammond-Green seconded the motion which passed unanimously.

IV(B) **Certificate of Appropriateness**, Doyle and Kathleen Barnes, 1523 Druid Hills Avenue (File No. H21-15-COA). Chair opened the public hearing.

Mr. Manley gave the following analysis:

The Community Development Department is in receipt of an application for a certificate of appropriateness permit from Doyle and Kathleen Barnes to undertake the following work at 1523 Druid Hills Avenue:

1. Construct an addition to the rear of the structure.

Per the Commission's Rules of Procedure, applications containing replacement materials and designs are to be reviewed by the Historic Preservation Commission as a "major work."

The subject property is listed as **contributing** two-story home in the Druid Hills Local Designation Report.

Mr. Manley stated the addition would be sited over an existing patio. The proposal is to extend the building line of the existing principal structure to the west utilizing the same setback as the existing northern wall. The Board of Adjustment granted a variance at their June 8, 2021 meeting and the variance approved was 5 feet on the required 10-foot side setback. The variance was approved unanimously. The addition is for a covered, screened porch. It will be made of wood with a metal roof. There is no color stated for the roof.

A map was shown of the location of the property in the Druid Hills Historic District. Site photos were also shown, and the location of the porch was explained by Mr. Manley.

Mr. Manley presented the guidelines in the presentation and stated the addition is in line with many of the guidelines in 4.2.

Chair asked if there were any questions for staff.

Chair asked if the awning was coming off the home. Mr. Manley stated the awning will go away. The applicant can speak to that.

Commissioner Reed asked about the closeness to the fence. Mr. Manley stated the addition stays away from the fence line.

Commissioner Hammond-Green asked about the distance to the main door. Mr. Manley stated he can ask the applicant about that.

Chair asked if the applicant would like to come forward.

Doyle Barnes, 1523 Druid Hills Avenue stated the width of the patio is 18 feet and they are extending it another 6 feet. It is over halfway from the door. They plan to install a gate for easy ingress and egress to the patio.

Commissioner Cote asked if this addition would be enclosed or screened. Mr. Barnes stated it would be open air with no windows. He wanted it to be mosquito proof from ceiling to floor. They will have a rail.

Commissioner Reed asked if a door would be facing Druid Hills Avenue off the deck. Mr.. Barnes stated yes, there will be a door coming off the deck toward the driveway. They will put sliding doors in the back to the yard.

Commissioner Hammond-Green asked if there would be no door on the neighbor side. Mr. Barnes stated no there would be no door in that area.

Mr. Barnes explained how the roof will come down and they would not be changing the back doors. Mr. Barnes clarified that he is adding a gate and not a door.

Commissioner Reed asked if he is planning to remove any trees. Mr. Barnes stated no. Commissioner Reed asked about the foundation.

Chair sworn Steve White, the contractor for Mr. Barnes.

Steve White, 1616 Norwood Place stated he is the contractor and the foundation was 16' x 16' concrete.

Chair asked if this addition could be removed. Mr. Barnes stated yes, it could be removed without any impact to the home.

Ms. Beeker asked Mr. Barnes if this was a trust. Mr. Barnes stated yes. Ms. Beeker stated the application would need to be amended to include the Barnes Family Trust. She asked if Mr. Barnes has the authority to act on this trust. Mr. Barnes stated yes, he does.

Chair asked if there was anyone in the audience that had questions for the applicant or staff. No one had questions. Chair asked if there was anyone that would like to testify concerning the application. Chair asked if there was anyone that wished to speak before they close the public hearing. When no one came forward Chair closed the public hearing.

The Commission discussed the project and how it will fit in well with the guidelines. It is on the back side of the property so it cannot be seen from the front.

Commissioner Reed moved the Commission approve the Certificate of Appropriateness for the construction of a covered deck on the rear of the structure located at 1523 Druid Hills Avenue as proposed with the understanding that there will be an access gate leading to Druid Hills Avenue as opposed to a door. And with the understanding that the application is being made by the Barnes Family Trust as authorized by Doyle Barnes, trustee. His proposal is in line with guidelines 4.1.1 the location and construction is so that the fabric and character defining details are not damaged, 4.1.5 does not require removal of significant building elements or site feature such as mature trees. Under guidelines 4.2 Additions to Historic Buildings; 4.2.1 construction of the addition is at the least possible loss of historic fabric so that the character defining features of the historic building are not destroyed, 4.2.5 the proposal locates the addition on an inconspicuous elevation of the historic building, 4.2.6 the size of the proposal/construction and the scale of the addition is limited in relation to the historic

buildings and does not diminish or visually overpower them. Commissioner Barron seconded the motion which passed unanimously.

- VI **Staff update on approved COA's.** Mr. Manley gave an update on the staff issued COA's. Chair discussed CLG training and asked that every Commission member watch a one-hour video and submit a summary for their credits. Ms. Beeker discussed the changes for the 160D update and how that would affect the Commission.
- VII ***Adjournment.*** The Chair adjourned the meeting at 6:55 p.m.