CITY OF HENDERSONVILLE HISTORIC PRESERVATION COMMISSION



Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792 Wednesday, September 20, 2023 – 5:00 PM

AGENDA

- 1. CALL TO ORDER
- 2. APPROVAL OF AGENDA
- 3. PUBLIC COMMENT
- 4. APPROVAL OF MINUTES
 - <u>A.</u> Minutes of July 19, 2023
- 5. **NEW BUSINESS**
 - A. 303 N Main St. Replacement of Existing Windows(H23-068-COA) *Alexandra Hunt / Planner I*
 - B. 225 N Main St. Addition of Rooftop Deck & Side and Rear Windows (H23-067-COA) *Alexandra Hunt | Planner I*
- 6. OLD BUSINESS
 - A. Findings of Fact H23-045-COA -160 6th Ave. East
- 7. OTHER BUSINESS
 - A. Committee Updates
 - B. Staff Updates
- 8. ADJOURNMENT

The City of Hendersonville is committed to providing accessible facilities, programs and services for all people in compliance with the Americans with Disabilities Act (ADA). Should you need assistance or an accommodation for this meeting please contact the City Clerk no later than 24 hours prior to the meeting at 697-3005.

CITY OF HENDERSONVILLE Historic Preservation Commission

Minutes of the Meeting of July 19, 2023

Commissioners Present: Jim Welter (Vice-Chair), Cheryl Jones, (Chair), Chris Battista, Jim Boyd, Jane

Branigan, Crystal Cauley, John Falvo and Ralph Hammond-Green

Commissioners Absent: Anthony Baltiero

Staff Present: Alexandra Hunt, Planner I, Daniel Heyman, Staff Attorney, Lew Holloway,

Community Development Director

- Call to Order. Chair called the regular meeting of the Hendersonville Historic Preservation Commission to order at 5:02 pm.
- Public Comment. Chair stated anyone wishing to speak would be allowed three minutes for public comment. Thomas Applebee stated he had been in landscaping his whole life. He discussed apple orchards in the area and stated he would like to take out the species of junipers and cedars as they are harmful to apple trees. To break the disease cycle you don't plant those species next to the apple orchards. He is still upset with the kiosks and has done research on it and he feels the City of Hendersonville did not go through the proper zoning procedures by not going through the HPC for approval. It is harming the residents and the shoppers. He wanted to know how they are responding to the City Council. The kiosks are harming the businesses. He talked about double taxation. He talked about when the historic downtown was created. He would the HPC to write a letter to City Council and ask that the kiosks be removed because they did not ask the Commission's approval. They are destroying the whole make up of downtown. He thinks the kiosks have to go.

No one else spoke during public comment.

- III **Agenda.** On motion of Commissioner Welter and seconded by Commissioner Hammond-Green the agenda was approved with the withdrawal of 225 N. Main Street.
- IV **Approval of Amended Meeting Schedule.** On motion of Commissioner Battista and seconded by Commissioner Boyd the amended Annual Meeting Schedule was approved.
- V **Minutes.** On motion of Commissioner Welter and seconded by Commissioner Branigan the minutes of the meeting of May 17, 2023 were approved. Commissioner Hammond-Green abstained.
- VI Old Business
- VI(A) Approval of the Findings of Fact. On motion of Commissioner Welter and seconded by Commissioner Battista the Findings of Fact for H23-035-COA were approved. Commissioner Hammond-Green abstained.
- VII New Business

VII(A) Certificate of Appropriateness, City of Hendersonville, 160 6th Avenue East (File No. H23-045-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.

Chair opened the public hearing.

The applicants were on their way. Chair stated they would hold open agenda item VII(A) and move on to agenda item VII(B).

VII(B) Certificate of Appropriateness, Patsy Stewart, 1420 Ridgecrest Drive (File No. H23-056-COA). Chair sworn in all potential witnesses. Patsy Stewart was sworn in.

Chair opened the public hearing.

Alexandra Hunt, Planner stated the city is in receipt of a Certificate of Appropriateness application from Patsy Stewart for the addition of a circular driveway and entrance to the garage basement at the subject property located at 1420 Ridgecrest Drive (PIN 9569-62-1692).

The subject property is contributing to the Hyman Heights Historic District. This COA application is considered a major work according to the Residential Historic District Design Standards.

The Hyman Heights Local Historic District Overlay Map was shown and is included in the staff report.

An aerial view of the property was shown.

Ms. Hunt gave a history of the subject property. The subject property is described as a contributing Vernacular Bungalow style house that is one story plus a basement located on a heavily wooded lot that drops away to the rear. You can see the location of the subject property on the 1926 Sanborn Map but was constructed in 1920. There is a long COA history with this property including a recent order to repair that since acquiring the property, the applicant applied and staff approved a COA for a roof replacement. The rest of the COA history is included in the staff report.

Site images were shown of the property's current condition. It does remain a heavily wooded lot.

The Design Standards that apply are included in the staff report. Ms Hunt stated she would be happy to answer any questions and the applicant is here as well.

Chair asked if there were any questions for staff.

Discussion was made about the driveway. Ms. Hunt stated when photos were taken it did not look like there was any gravel on that side of the house.

Commissioner Hammond-Green asked if there was a photo of the back of the house. Ms. Hunt stated she does not have a photo of the rear of the house. He thought the back of the house may indicate a carport or something like that. The picture at the back corner might indicate some type of garage in the back. That would provide evidence that there probably was one.

Commissioner Battista asked if the circular driveway was there originally. Ms Hunt stated not to her knowledge.

Patsy E. Stewart, 1420 Ridgecrest stated she is not actually living there now, she is living with her daughter. The home has electricity but it has no plumbing. They have a lot of work to do before she can occupy it. She is here proposing the Commission to approve a circular driveway. It will be close to the front door and about the width of the house. There are several reasons for it. There is a sidewalk that is in terrible disrepair. Her husband is disabled. He has multiple fractures in his spine because he has multiple myeloma. He is very curved over and has chin on chest deformity. Navigating is hard for him because it is an effort for him to lift his head. If he is walking on an uneven surface it is going to be a challenge for him. He gets winded after about 20 feet. He goes a lot further than that with his walker but he is really not able to navigate on uneven surfaces. She needs the driveway for his safety and also having two daughters and four granddaughters and the street being congested this will allow them to park on her property and not in the street. At the end of Ridgecrest there is a little drive but again, there are a lot of people that are already parking on the street and having the circular drive would just make things much easier on her and her neighbors. That is her proposal and she hopes the Commission will approve it.

The Commission asked if the material would be concrete. Ms. Stewart stated she is investigating that. She went to Sierra Nevada Brewery last weekend and saw their the permeable walkways and she is a big environmentalist and she feels this is the best way to save our earth. She stopped at Carson Paving and asked them and they told her yes, there was permeable concrete but they also showed her permeable concrete that is formed into stone.

Commissioner Welter stated as part of the Design Standards they are to look at the impact on trees and the materials used and he would like to see more information on where the driveway would go. It would be nice to locate the driveway on the map. Chair stated it sounds the driveway will come right through the front yard. Was there any indication there was a driveway there before? Ms. Stewart stated no, she does not know if there ever was one. This house has not been occupied for the last 15 years, maybe 20. It has a big flat area that was the greenhouse and apparently the owner was a florist. It is worn back there and she doesn't think he took the flowers and walked them up the hill. He probably had a truck that came down.

Discussion was made about the concern for the trees in the front yard and using permeable material and gravel is probably more original. Chair read the Design Standard pertaining to driveways and stated the Commission can't see what she is proposing on her property so they cannot visualize it and there is also concern with preserving the trees. Those are the guidelines they have to follow. To obtain the approval she needs to show it is in line with those guidelines. At this point they can't say it is congruous because they have nothing showing what she is proposing is congruous other than photos of other

properties. Ms. Stewart stated her neighbor has a beautiful circular drive and that is what she would like to do as well. Chair stated what they can do is the Commission not make a decision tonight, if she is agreeable and have her contractor draw up what she would like to emulate and they can hold this open and she can come back in August with her renderings so the Commission can see what she is proposing. That way they can compare it with the guidelines and they can make a decision on the drawing. It needs to show what she is proposing overlayed onto her property so they can see including the materials and any trees that would be effected and staff can help navigate. That would give the Commission something to look at and base a decision on. They can hold this open and let her get everything together and present it to them next month in August.

The Commission discussed having a site plan showing the side driveway and the proposed circular driveway with the trees so they have something to base a decision on.

Chair stated there is Design Review Committee that she could go before if she had this complete before the meeting in August. Ms. Stewart was agreeable with holding the application open until August.

Daniel Heyman, Staff Attorney stated staff's position was to continue the application.

Commissioner Hammond-Green moved application H23-056-COA be placed on the August 16, 2023 meeting. Commissioner Boyd seconded the motion which passed unanimously.

VII(A) Certificate of Appropriateness, City of Hendersonville, 160 6th Avenue East (File No. H23-045-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. Sworn in were Daniel Heyman, Staff Attorney and Alberto Torres, Architect.

Chair opened the public hearing.

Alexandra Hunt, Planner stated the City is in receipt of a Certificate of Appropriateness application from the City of Hendersonville for the reopening of existing, filled-in windows on the basement level of the subject property located where this meeting is actually being held at 160 6th Avenue East (PIN 9568-88-1652) also known as City Hall.

The subject property is a contributing property within the Main Street Local Historic District. This COA application is considered a major work according to the Main Street Historic District Design Standards.

A vicinity map was shown, subject property located in yellow.

An aerial view was shown of the vicinity outlined in red.

The subject property is a contributing, Neo-Classical Revival Structure designed by Erle Stillwell and constructed in 1926. It is described as a two-story brick structure with a raised basement with double-hung windows, framed by molded concrete surrounds and cornice on the first floor and arched brick with a concrete keystone above the second floor windows. You can see in the photo that is also included in the staff report that the basement windows were originally open. The subject property went through renovations in 2004 approximately three years before City Council adopted an ordinance establishing the Main Street Local Historic District.

Photos of the existing conditions were shown of the windows that were filled in during the 2004 renovations with limestone panels.

Elevations were shown from the 2004 renovations that show the existing windows to be filled in highlighted in yellow.

The proposed windows were shown. These are elevations submitted by the applicant that show the proposed windows to be used in the existing window openings and will match the design of the current windows at the subject property.

The Design Standards that apply were shown (Section 3.4.2).

Chair asked if there were any questions for staff.

There were no questions for staff.

Chair asked if the applicant to come address the Commission.

Daniel Heyman, Staff Attorney for the City of Hendersonville stated they are careful not to authorize the unauthorized practice of law that is the only reason he is speaking right now. They would ask their architect to put on some evidence right now, Ms. Hunt covered it pretty well but he can walk through the proposal.

Alberto Torres stated the idea is to go back and reopen those windows on the City Hall building and go back to the aesthetics they had prior to the 2004 renovation. Mr. Torres explained the style of window they are proposing. They will match the existing windows up top. The materials for the muntins will be metal.

Discussion was made on the style and materials. They will match the existing windows.

Discussion was also made on the location of the windows. Mr. Torres stated the original windows are no longer there.

There were no further questions.

Chair asked if anyone would like to speak in favor or against the application. No one spoke.

Chair closed the public hearing.

The Commission had discussion on the windows and Design Standards that apply.

Commissioner Welter moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-045-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is not incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons: The subject property is a contributing structure. The proposed windows fill the original openings. (Sec. 3.4.2.3) The proposed project to reopen existing filled in window openings is appropriate. (Sec. 3.4.2.9) The proposed windows do not diminish the original design off the building or damage historic materials and features. (Sec. 3.4.2.10) The proposed windows are compatible with existing units in proportion, shape, positioning, location, size, materials and details. (Sec. 3.4.2.10). Commissioner Hammond-Green seconded the motion which passed unanimously.

- VIII Other Business.
- VIII(A) **Staff Update.** Ms. Hunt gave a staff update concerning the staff approved COA's. An update concerning the HPC Budget was also given. Ms. Hunt gave a handout concerning the budget. Lew Holloway, Community Development Director explained the current budget.
- VIII(B) Committees Update. Ms. Hunt gave an update on the committees.
- IX Adjournment. The Chair adjourned the meeting at 6:38 p.m.

Chair	



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION



SUBMITTER: Alexandra Hunt, Planner I **MEETING DATE:** September 20, 2023

AGENDA SECTION: New Business DEPARTMENT: Community

Development

TITLE OF ITEM: 303 N Main St. – Replacement of Existing Windows(H23-068-COA) –

Alexandra Hunt / Planner I

SUGGESTED MOTION(S) FOR THE ADDITION OF THE ROOFTOP DECK:

1. For Recommending Approval:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-068-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is <u>not</u> <u>incongruous</u> with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

- 1. The subject property is a contributing structure.
- 2. The proposed windows do not diminish the original design of the building or damage historic materials and features. [Sec. 3.4.2.10]
- 3. The proposed windows are compatible with existing units in proportion, shape, positioning, location, size, and details. [Sec. 3.4.2.10]

[DISCUSS & VOTE]

1. For Recommending Denial:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-068-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

- 1. The subject property is a contributing structure.
- 2. The proposed windows are vinyl windows.
- 3. It is not appropriate to replace existing vinyl windows with new vinyl windows on contributing structures. [Sec. 3.4.2.14]
- 4. Artificial materials are not appropriate on buildings on contributing properties. Existing artificial materials on contributing properties should be replaced with traditional materials. [Sec. 3.8.1]

SUMMARY:

The City is in receipt of a Certificate of Appropriateness (COA) application from Patty Adamic (Applicant) and Love In An Apothecary LLC (Property Owner) for the replacement of 17 existing vinyl windows with new, vinyl windows.

The subject property is a contributing, two-story brick building and is currently the location of Mike's On Main restaurant.

The Applicant has engaged with Dunlap Construction to perform the following work:

- Install 17 windows (15 second level, 2 lower level) and all associated trim
- Remove and dispose of trim at three smaller side window locations where the windows are not to be replaced
- Install trim at three smaller side window locations where the windows are not to be replaced
- Paint all trim to match current

(See Exhibit A)

The replacement and installation of the 17 windows is considered a Major Work to be reviewed by the Commission. The removal and installation of trim is considered a Minor Work to be reviewed and approved by the Coordinator of the Historic Preservation Commission if the work is consistent with the Main Street Design Standards.

PROJECT/PETITIONER NUMBER:	H23-068-COA
PETITIONER NAME:	Patty Adamic (Applicant)
EXHIBITS:	A. Staff ReportB. COA Application and Scope of WorkC. Warranty Deed

303 N Main St. – Replacement of Existing Windows

(H23-068-COA)

<u>CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT - HISTORIC PRESERVATION</u>

<u>COA STAFF REPORT</u>

Staff Report Contents

PRC	DJECT SUMMARY	. 2
	E VICINITY MAP	
	Y OF HENDERSONVILLE – MAIN STREET LOCAL HISTORIC OVERLAY MAP	
	TORY OF SUBJECT PROPERTY	
SIT	E CONDITIONS -SITE IMAGES	. 5
_	Exhibit A – COA Application	. 9
	Exhibit B - Elevations Error! Bookmark not define	
_	Exhibit C – Warranty Deed	(





PROJECT SUMMARY

Applicant: Patty Adamic

Property Owner: Love In An Apothecary

LLC

Property Address: 303 N. Main St.

Project Acreage: 0.06 Acres

Parcel Identification Number(s):

9568-77-8873

Current Parcel Zoning: C-1 Central

Business

Historic District: Main Street Historic

District

Project Type: Major Work (replacement of

existing windows)



SITE VICINITY MAP

Project Summary:

The City is in receipt of a Certificate of Appropriateness (COA) application from Patty Adamic (Applicant) and Love In An Apothecary LLC (Property Owner) for the replacement of 17 existing vinyl windows with new, vinyl windows.

The subject property is a contributing, two-story brick building and is currently the location of Mike's On Main restaurant.

The Applicant has engaged with Dunlap Construction to perform the following work:

- Install 17 windows (15 second level, 2 lower level) and all associated trim
- Remove and dispose of trim at three smaller side window locations where the windows are not to be replaced
- Install trim at three smaller side window locations where the windows are not to be replaced
- Paint all trim to match current

(See Exhibit A)

The replacement and installation of the 17 windows is considered a Major Work to be reviewed by the Commission. The removal and installation of trim is considered a Minor Work to be reviewed and approved by the Coordinator of the Historic Preservation Commission if the work is consistent with the Main Street Design Standards.

PROJECT SUMMARY - CONTINUED



<u>CITY OF HENDERSONVILLE - MAIN STREET LOCAL HISTORIC OVERLAY MAP</u>

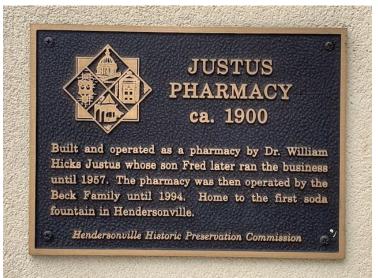
HISTORY OF SUBJECT PROPERTY



303 N Main St. - Justus Pharmacy Ca. 1900

Two-story brick building with stucco applied to front facade. Underlying brick shows through, including crenellation beneath corbelled cornice. Glass block and black Carrara glass added at storefront. Built as a pharmacy for W. H. Justus, remaining in the same family until 1957, and still run under the same name. Interior retains much of its earlier character.

According to the French Broad Hustler, April 19, 1906, "The Justus Pharmacy, newly painted and decorated, inside and out, with its handsome new awning presents a handsome appearance." Mr. Hunter and Mr. Justus were continually trying to outdo the other with new soda fountains. French Broad Hustler, April 11, 1907: "The new fountain at the Justus Pharmacy is now almost ready, only a little plumbing required to put it in working order. It is of the new style, the clerks drawing different beverages from under the front counter. It is undoubtably one of the handsomest fountains to be found anywhere. The massive back is of mahogany and plate glass, and remarkably beautiful glass, outlined with electric lights of different sizes. The electric light fixtures are of brass, very pretty in design. The counters and front are entirely of marble, with a heavy brass rail at the top and bottom. The latest appliances and cleanliness and quickness are incorporated in the big fountain, and the whole effect is most pleasing."



Historical Marker placed in 2009

JUSTUS PHARMACY ca. 1900

"Built and operated as a pharmacy by Dr. William Hicks Justus whose son Fred later ran the business until 1957. The pharmacy was then operated by the Beck Family until 1994. Home to the first soda fountain in Hendersonville."

SITE IMAGES SUBMITTED BY APPLICANT







14

DESIGN STANDARDS CRITERIA

The proposed addition is governed by the *Hendersonville Historic Preservation Commission Main Street Design Standards*, which is applied to the City's Main Street Historic Districts and Landmarks. The following sections are applicable to the proposed Certificate of Appropriateness application:

Section 3.4.2 Windows and Doors Standards

Windows and doors by their proportion, shape, positioning, location, pattern, and size can contribute significantly to a building's historic character and are particularly indicative of stylistic periods. These openings in a building's exterior also provide opportunities for natural light, ventilation, and visual connections to the interior.

- Sec. 3.4.2.1 Retain and preserve original windows and doors.
- Sec. 3.4.2.2 Retain and preserve openings and details of windows and doors, such as trim, sash, glass, lintels, sills, thresholds, shutters, and hardware.
- **Sec. 3.4.2.3** If replacement of a window or door element is necessary, replace only the deteriorated element to match the original in size, scale, proportion, pane or panel division, material, and detail.
- **Sec. 3.4.2.4** It is not appropriate to replace windows or doors with stock items that do not fill the original openings or duplicate the unit in size, material, and design.
- Sec. 3.4.2.5 Protect and maintain existing windows and doors in appropriate ways:
 - Maintain caulking and glazing putty to prevent air or water infiltration around glass.
 - Weatherstrip windows and doors to prevent moisture and air infiltration.
 - Check sills and thresholds to ensure that water run off does not collect.
 - Maintain a sound paint film on all wooden windows and doors.
 - Monitor the condition of wooden windows and doors.
 - Note: Both the peeling of paint and the widening of joints may create the false appearance of deteriorated wood.
- Sec. 3.4.2.6 Repair original windows, doors, and frames by patching, splicing, consolidating, or otherwise reinforcing deteriorated sections.
- Sec. 3.4.2.7 Construct replacement shutters of wood, size them to window openings, and mount them so that they are operable. It is not appropriate to introduce window shutters where no evidence of earlier shutters exists. .8 The use of reflective or highly tinted glass is discouraged.
- Sec. 3.4.2.8 The use of reflective or highly tinted glass is discouraged.
- Sec. 3.4.2.9 It is not appropriate to fill in existing window or door openings or to replace or cover them with plywood.
- Sec. 3.4.2.10 It is not appropriate to introduce new windows or doors if they would diminish the original design of the building or damage historic materials and features. Keep new windows and doors compatible with existing units in proportion, shape, positioning,

location, size, materials, and details.

- **Sec. 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.
- Sec. 3.4.2.12 If exterior storm windows are desired, they should have little visual impact. Storms windows should be painted to match the building and the color of the window sash. Storm windows should match the existing in size and proportion. Install them so that existing windows and frames are not damaged or obscured.
- Sec. 3.4.2.13 It is not appropriate to use snap-in muntins to create a false divided light appearance.
- Sec. 3.4.2.14 In accordance with the Artificial Materials guidelines (Section 3.8), it is not appropriate to replace existing vinyl windows with new vinyl windows on contributing structures.
- Sec. 3.4.2.15 Existing windows and doors on non-contributing structures should be replaced in-kind.

Section 3.8. Artificial Materials

The majority of the structures in the City's local historic districts were built using traditional materials. In order to preserve the character of Hendersonville's local historic districts, the Historic Preservation Commission prefers the use of traditional materials in restoration and new construction projects. Since vinyl and other artificial materials were not utilized to construct most buildings in the historic districts, the Historic Preservation Commission intends to limit the use of artificial materials in order to preserve the architectural integrity and overall character of the district.

Properties and structures in a historic district are categorized as either contributing or non-contributing by the local designation report prepared for each district. Contributing properties contain structures that were typically over 50 years old at the time the designation report was prepared and add to the historic integrity or architectural qualities that make a district significant. Non-contributing properties contain structures that are generally less than 50 years old or have been altered so that their architectural qualities have been lost.

The Historic Preservation Commission may consider whether a structure is listed as contributing or non-contributing on the district's local designation report when reviewing an application to install artificial materials. The following guidelines apply to the use of artificial materials on contributing or non-contributing properties:

Sec. 3.8.1 Artificial materials are not appropriate on buildings on contributing properties. Existing artificial materials on contributing properties should be replaced with traditional materials.

Sec. 3.8.2 Replace windows, doors, siding, trim and other exterior materials on non-contributing structures in-kind.

Sec. 3.8.3 The use of artificial materials in new construction shall be limited so that the new building is compatible with the surrounding contributing properties.

EXHIBITS

- Exhibit A COA Application and Scope of Work
- Exhibit B Warranty Deed





APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS PERMIT

100 N. King Street ~ Hendersonville, NC ~ 28792 Phone (828)697-3010 ~ Fax (828) 698-6185 www.hendersonvillenc.gov

HENDERSONVILLE HIST	TORIC PRESERVATION COMMISSION
The following are required to constitute a comp "This form including the property own "Attachments such as sketches, photos	
Date 8 8 23	Local District/Landmark
Address of Property 303 North Main	St., Hendersonville, NC 28792
Property Owner: Name Love In An Apo	othecary LLC
Address P.O. Box 2528, Palm Beac	ch, FL 33480 Day Phone 954-410-4210
Contact Name (if other than owner)	MAdamic -
Address Patyadamico	Phone
Details of proposed work: (attach additional paper	rs if needed).
See attached propo	sat'
Attachments: Photographs Sketo Commercial samples	ch Site Plan (required for new construction) Commercial brochures
The burden of proof is on the applicant to prove the p district. Please list specific reference(s) in the Design 6	proposed work is in keeping with the historical character of the historic Guidelines that support your application.
knowledge. Furthermore, I understand that should a ceperiod of six months from the date of issuance. Failure failure to comply with the certificate, and the certificate work must be completed within six months. Certificate prior to their expiration from the Commission Coordina Owner's Signature	Owner's Signature Indelsman Trost
COA Application Page 1 of 1 rev 8.2017	Official Use: DATE RECEIVED:BY

Ian Grant

QUOTE BY: Ian Grant

SOLD TO: Dunlap Construction

TOCATION

QUOTE # SHIP TO

: JW230400HY2 - Version 0

PO#

PROJECT NAME: Dunlap - Mikes on Main

Ship Via

: Ground

REFERENCE

U-Factor Weighted Average: 0.3

SHGC Weighted Average: 0.23

LINE	SIZE INFO	DESCRIPTION	PRICE	QTY	PRICE
Line 1		BLVST3254			
Rough Opening: 32 X 54		Frame Size: 31 1/2 x 53 1/2			
• •		Actual Size: 31 1/2 -in X 53 1/2 -in			
		Builders Vinyl Single Hung Window Til	t Nail Fin (1 1/	4" setb	ack), Almond
		Ext/Almond Int, Vent Height = 27,			
		EStar North-Central SunResist Clear Arg	gon		
		Bundled Standard Screen with Fiberglass	s Mesh,		
		Almond Int Hardware, Cam Lock(s), 2 I	ocks, *Does N	ot Mee	t Egress*,,
		Clear Opening 28.6w, 22.8h, 4.5sf,			
		US National-AAMA PG50, DP+50/-50,			
		U-Factor: 0.30, SHGC: 0.23, VT: 0.54, 0	CR: 56.00, CPI	D: JEL-	A-225-09361-
		00001	·		
Viewed from E	Exterior. Scale: 1/2"=1	PEV 2023.1.0.4292/PDV 7.061 (03/02/2	.3)PA		

Line 2

Rough Opening: 41 X 58

Frame Size: 40 1/2 x 57 1/2

Actual Size: 40 1/2 -in X 57 1/2 -in

Builders Vinyl Single Hung Window Tilt Nail Fin (1 1/4" setback), Almond

Ext/Almond Int, Vent Height = 29, EStar North-Central SunResist Clear Argon

Bundled Standard Screen with Fiberglass Mesh,

Almond Int Hardware, Cam Lock(s), 2 Locks, *Meets 5.7 sqft Egress (All

Floors)*, Clear Opening 37.6w, 24.8h, 6.5sf, US National-AAMA PG50, DP+50/-50,

U-Factor: 0.30, SHGC: 0.23, VT: 0.54, CR: 56.00, CPD: JEL-A-225-09361-

PEV 2023.1.0.4292/PDV 7.061 (03/02/23)PA

Viewed from Exterior. Scale: 1/2"=1'

2

Line 3

Rough Opening: 32 X 72

BLVST3272

Frame Size: 31 1/2 x 71 1/2

Actual Size: 31 1/2 -in X 71 1/2 -in

Builders Vinyl Single Hung Window Tilt Nail Fin (1 1/4" setback), Almond

Ext/Almond Int, Vent Height = 36,

EStar North-Central SunResist Clear Argon Bundled Standard Screen with Fiberglass Mesh,

Almond Int Hardware, Cam Lock(s), 2 Locks, *Meets 5.7 sqft Egress (All

Floors)*, Clear Opening 28.6w, 31.8h, 6.3sf, US National-AAMA PG50, DP+50/-50,

U-Factor: 0.30, SHGC: 0.23, VT: 0.54, CR: 56.00, CPD: JEL-A-225-09361-

00001

Viewed from Exterior. Scale: 1/2"=1'

PEV 2023.1.0.4292/PDV 7.061 (03/02/23)PA

JW230400HY2 (Ver:0) - 04/14/2023 3.06 PM

cust-60030

Page 1 of 2 (Prices are subject to change.)

Last Modified: 04/14/2023

LINE LOCATION BOOK CODE NET UNIT **OTY EXTENDED** SIZE INFO DESCRIPTION **PRICE** PRICE 11 Line 4 Frame Size: 40 1/2 x 71 1/2 Actual Size: 40 1/2 -in X 71 1/2 -in Rough Opening: 41 X 72 Builders Vinyl Single Hung Window Tilt Nail Fin (1 1/4" setback), Almond Ext/Almond Int, Vent Height = 36, EStar North-Central SunResist Clear Argon Bundled Standard Screen with Fiberglass Mesh, Almond Int Hardware, Cam Lock(s), 2 Locks, *Meets 5.7 sqft Egress (All Floors)*, Clear Opening 37.6w, 31.8h, 8.3sf, US National-AAMA PG50, DP+50/-50, U-Factor: 0.30, SHGC: 0.23, VT: 0.54, CR: 56.00, CPD: JEL-A-225-09361-00003 PEV 2023.1.0.4292/PDV 7.061 (03/02/23)PA Viewed from Exterior. Scale: 1/2"=1' 3 Line 5 Frame Size: 40 1/2 x 71 1/2 Actual Size: 40 1/2 -in X 71 1/2 -in Rough Opening: 41 X 72 Builders Vinyl Single Hung Window Tilt Nail Fin (1 1/4" setback), Almond Ext/Almond Int, Vent Height = 36, EStar North-Central SunResist Clear Tempered, Argon Bundled Standard Screen with Fiberglass Mesh, Almond Int Hardware, Cam Lock(s), 2 Locks, *Meets 5.7 sqft Egress (All Floors)*, Clear Opening 37.6w, 31.8h, 8.3sf, US National-AAMA PG50, DP+50/-50, U-Factor: 0.30, SHGC: 0.23, VT: 0.54, CR: 56.00, CPD: JEL-A-225-09361-PEV 2023.1.0.4292/PDV 7.061 (03/02/23)PA Viewed from Exterior. Scale: 1/2"=1' Total: Hendersonville (7.0000%):

Net Total:

Total Units:

21

cust-60030

Page 2 of 2 (Prices are subject to change.)

JW230400HY2 (Ver:0) - 04/14/2023 3.06 PM

Quote Date: 04/14/2023

Drawings are for visual reference only and may not be to exact scale. All orders are subject to review by JELD-WEN

Last Modified: 04/14/2023



ESTIMATE

720B North Grove Street Hendersonville, NC 28792

Phone: (828) 697-9598

ESTIMATE	DATE
Mike's on Main – Window Replacement Option #2	6/16/23

то

Mike's on Main Attn: Patty Adamic 303 N Main Street Hendersonville, NC 28792 pattyadamic@gmail.com 828-513-8037

Project Description: Window Replacement Option #2 at Mike's on Main		AMOUNT
 Obtain all necessary parking and encroachment permits. Provide all necessary equipment for second-level window demo and install, including temporary scaffolding and scissor lift, as needed. Remove and dispose of 17 windows and all associated trim material Install 17 windows (15 second level, 2 lower level) and all associated trim. Remove and dispose of trim at three smaller side window locations where the windows are not to be replaced. Install trim at three smaller side window locations where the windows are not to be replaced. Paint all trim to match current. NOTE: This estimate does not include replacing the windows or trim at the 4 locations on the back of the building.		
Thank you for your business!	TOTAL:	\$36,550.00

If you have any questions about this estimate, please contact our office at (828) 697-9598 or jill@dunlapconstructionnc.com







FILED IN HENDERSON COUNTY REGISTER OF DEEDS OFFICE. NEDRA W. MOLES, REGISTER

DATE: 12:20 PM

BOOK: 1329 PAGE: 611

Doc Stamps \$ 1,486.00

Prepared by: B.B. Massagee III

Deed Preparation Only

Return to: 🔑 William M. Alexander, Jr.

STATE OF NORTH CAROLINA

GENERAL WARRANTY DEED

COUNTY OF HENDERSON

THIS DEED, made and entered into this the _____/O^{+/L} day of August, 2007, by and between Duncan Acquisitions, LLC, a North Carolina limited liability company (herein referred to as the "party of the first part"), and Love in an Apothecary, LLC, a North Carolina limited liability company (the "party of the second part", and having a mailing address of P. O. Box 28, Gedney Station, White Plains, N.Y. 10605);

WITNESSETH:

The said party of the first part, for and in consideration of the sum of Ten Dollars (\$ 10.00) and Other Valuable Consideration to it in hand paid by the said party of the second part, receipt of which is hereby acknowledged, has bargained and sold, and by these presents does bargain, sell, and convey in fee simple unto said party of the second part, its successors and assigns, a certain tract or parcel of land lying and being in Hendersonville Township, Henderson County, North Carolina, more particularly described in the attached legal description, Exhibit A,

TO HAVE AND TO HOLD the aforesaid tract or parcel of land, together with all privileges and appurtenances thereunto belonging, to the said party of the second part and its successors and assigns, in fee simple forever.

And said party of the first part does covenant that it is seized of said lands in fee simple and has the right to convey the same in fee simple, that title to same is marketable and free and clear of all encumbrances, claims, easements, leases, restrictions or restrictive covenants, and that it will warrant and defend the title herein conveyed against the lawful claims of all persons whomever. This conveyance and these warranties are made subject to the rights-of-way of Main Street and Third Avenue (including the sidewalks related to such) and the 10-foot alley lying west of North Main Street, to the rights of others regarding the party wall located at or upon the northern boundary of the subject property, to utility easements and restrictive covenants of record, to 2007 Henderson County and City of Hendersonville ad valorem property taxes, and to zoning regulations.

IN TESTIMONY WHEREOF, Duncan Acquisitions, LLC, has hereunto caused this deed to be executed in its name by its Manager-Member the day and year first above written.

31329 P672

DUNCAN ACQUISITIONS, LLC

By:

Bonnie S. Duncan, Manager-Member

Notary Public

STATE of NORTH CAROLINA COUNTY of HENDERSON

I, a notary public of the County and State aforesaid, certify that Bonnie S. Duncan, the Manager-Member of Duncan Acquisitions, LLC, personally appeared before me this day and acknowledged the voluntary execution of the foregoing instrument on behalf of Duncan Acquisitions, LLC, and by virtue of her authority as Manager-Member set forth in the Operating Agreement of Duncan Acquisitions, LLC, for the purpose stated therein. Witness my hand and official stamp and seal this the 1 day of August, 2007.

My Commission Expires:

7/19/2009

EXHIBIT A

BEGINNING at a building corner located in a concrete sidewalk at the intersection of the western margin of North Main Street and the northern margin of Third Avenue West, traveling thence South 81 deg. 12 min. 00 sec. West 105.00 feet to a building corner located in the eastern margin of that 10-foot alley known as North Wall Street (aka Jackson Street), thence North 08 deg. 48. min. 00 sec. West 25.00 feet to a point in the party wall between said building and the building currently owned by Rubin as shown and described in Deed Book 805 at Page 675 of the Henderson County Registry, thence North 81 deg. 12 min. 00 sec. East 105.00 feet to a point in the party wall between said building and the building currently owned by Rubin as shown and described in Deed Book 805 at Page 675 of the Henderson County Registry, said point also lying in the western margin of North Main Street, thence South 08 deg. 48 min. 00 sec. East 25.00 feet to the POINT AND PLACE OF BEGINNING, and containing 0.06 acre, as shown and depicted on that certain survey drawn for Love in an Apothecary, LLC, by David C. Huntley, PLS L-3204, dated July 23, 2007, and bearing Drawing Number H-5868.

AND being all that same property as conveyed by Mike Duncan, single; and Bonnie Duncan and husband, Joseph Duncan to Duncan Acquistions, LLC, by that deed recorded in Deed Book 1257 at Page 354 of the Henderson County, North Carolina Registry.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION



SUBMITTER: Alexandra Hunt, Planner I **MEETING DATE:** September 20, 2023

AGENDA SECTION: New Business DEPARTMENT: Community

Development

TITLE OF ITEM: 225 N Main St. – Addition of Rooftop Deck & Side and Rear Windows

(H23-067-COA) – Alexandra Hunt / Planner I

SUGGESTED MOTION(S) FOR THE ADDITION OF THE ROOFTOP DECK:

1. For Recommending Approval:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-067-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is <u>not</u> <u>incongruous</u> with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

- 1. The subject property is a contributing structure.
- 2. The proposed rooftop deck is compatible with existing rooftop decks in the district.
- 3. The proposed rooftop deck will be constructed so that there is the least possible loss of historic fabric. [Sec. 4.3.3]
- 4. The proposed rooftop deck does not obscure, damage, or destroy character defining features of the historic building. [Sec. 4.3.3]

[DISCUSS & VOTE]

1. For Recommending Denial:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-067-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

- 1. The subject property is a contributing structure.
- 2. The proposed rooftop deck obscures, damages, and destroys character defining features of the historic building in the following way(s) [Sec. 4.3.3]: (Insert factual basis here)

SUGGESTED MOTION(S) FOR THE ADDITION OF TWO SIDE FAÇADE WINDOWS:

1. For Recommending Approval:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-067-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is **not incongruous** with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

- 1. The subject property is a contributing structure.
- 2. The proposed windows do not diminish the original design of the building or damage historic materials and features. [Sec. 3.4.2.10]
- 3. The proposed windows are compatible with existing units in proportion, shape, positioning, location, size, materials, and details. [Sec. 3.4.2.10]

[DISCUSS & VOTE]

1. For Recommending Denial:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-067-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is **incongruous** with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

- 1. The subject property is a contributing structure.
- 2. The proposed windows would diminish the original design of the building or damage historic materials and features. [Sec. 3.4.2.10]
- 3. The proposed windows are not compatible with existing units in proportion, shape, positioning, location, size, materials, and details. [Sec. 3.4.2.10]

SUGGESTED MOTION(S) FOR THE ADDITION OF REAR WINDOW:

1. For Recommending Approval:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-067-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is **not incongruous** with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

- 1. The subject property is a contributing structure.
- 2. The proposed rear window do not diminish the original design of the building or damage historic materials and features. [Sec. 3.4.2.10]
- 3. The proposed rear window is compatible with existing units in proportion, shape, positioning, location, size, materials, and details. [Sec. 3.4.2.10]

[DISCUSS & VOTE]

1. For Recommending Denial:

I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # H23-067-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

- 1. The subject property is a contributing structure.
- 2. The proposed rear window would diminish the original design of the building or damage historic materials and features. [Sec. 3.4.2.10]
- 3. The proposed rear window is not compatible with existing units in proportion, shape, positioning, location, size, materials, and details. [Sec. 3.4.2.10]

SUMMARY:

The City is in receipt of a Certificate of Appropriateness (COA) application from Hannah Michalove of Allen Stahl & Kilbourne, PLLC (Applicant) and Hendersonville Holdings, LLC (Property Owner) for the addition of the following:

- 1. A rooftop deck with access from the second-floor residential unit located at 225 N. Main St.; and
- 2. The addition of two (2) windows on the south façade and one (1) window on the rear façade on the second story of the building.

The subject property is one of two residential units located in the People's National Bank building above the Four Seasons Christmas Garden Décor and More retail store. The People's National Bank is a contributing building and currently houses both residential units and retail shops.

The Applicant is making the following statement related to their request:

- 1. "Proposed windows: addition of two (2) windows on upper level of southern-facing side façade; addition of one (1) sectional, "ellipse-style" window on rear façade (see attached site plans).""
- 2. "Proposed rooftop deck: addition of deck on portion of roof behind front façade (see attached site plans)." (Exhibit A)

In addition to the COA application, the Applicant has provided elevations which are shown in Exhibit B.

This COA application is considered a Major Work according to the standards of the Main Street Historic District Design Standards.

PROJECT/PETITIONER NUMBER:	H23-067-COA
PETITIONER NAME:	Hannah Michalove – Allen Stahl & Kilbourne, PLLC
	(Applicant)
EXHIBITS:	A. Staff Report
EXIIIDITS.	B. COA Application
	C. Elevations
	D. Warranty Deed

225 N Main St. – Addition of Rooftop Deck and Side and Rear Windows

(H23-067-COA)

<u>CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT - HISTORIC PRESERVATION</u>

<u>COA STAFF REPORT</u>

Staff Report Contents

PRO	JECT SUMMARY	2
SITE	E VICINITY MAP	2
CIT	Y OF HENDERSONVILLE – MAIN STREET LOCAL HISTORIC OVERLAY MAP	3
HIST	TORY OF SUBJECT PROPERTY	4
SITE	E CONDITIONS -SITE IMAGES	5
EXH	IIBITS	11
-	Exhibit A – COA Application	11
-	Exhibit B - Elevations	11
_	Exhibit C – Warranty Deed	11





PROJECT SUMMARY

Applicant: Hannah Michalove, Allen Stahl

& Kilbourne, PLLC

Property Owner: Hendersonville Holdings,

LLC (Exhibit B)

Property Address: 225 N. Main St.

Project Acreage: 0.07 Acres

Parcel Identification Number(s):

9568-77-8673

Current Parcel Zoning: C-1 Central

Business

Historic District: Main Street Historic

District

Project Type: Major Work (addition of

rooftop deck)



SITE VICINITY MAP

Project Summary:

The City is in receipt of a Certificate of Appropriateness (COA) application from Hannah Michalove of Allen, Stahl & Kilbourne, PLLC (Applicant) and Hendersonville Holdings, LLC (Property Owner) for the addition of the following:

- 1. A rooftop deck with access from the second-floor residential unit located at 225 N. Main St.: and
- 2. The addition of two (2) windows on the south façade and one (1) window on the rear façade on the second story of the building.

The subject property is one of two residential units located in the People's National Bank building above the Four Seasons Christmas Garden Décor and More retail store. The People's National Bank is a contributing building and currently houses both residential units and retail shops.

The Applicant is making the following statement related to their request:

- 1. "Proposed windows: addition of two (2) windows on upper level of southern-facing side façade; addition of one (1) sectional, "ellipse-style" window on rear façade (see attached site plans).""
- 2. "Proposed rooftop deck: addition of deck on portion of roof behind front façade (see attached site plans)." (Exhibit A)

In addition to the COA application, the Applicant has provided elevations which are shown in Exhibit B.

This COA application is considered a Major Work according to the standards of the Main Street Historic District Design Standards.

PROJECT SUMMARY - CONTINUED



<u>CITY OF HENDERSONVILLE - MAIN STREET LOCAL HISTORIC OVERLAY MAP</u>

HISTORY OF SUBJECT PROPERTY

227-231 N. Main People's National Bank



Ca. 1910.

Two-story Neo-Classical structure of cream colored brick has a recessed central entrance beneath entablature carried by ionic columns with egg and dart motif and dentil blocks. Stepped parapet, with high point at center. Storefront to either side of entrance bay;

south side unaltered, north side modern. Four second story windows to either side of entrance bay, grouped in pairs with a common sill and a limestone lintel above each. Limestone trim on the parapet cap, lower part of entablature, over second story windows, sills, columns, and bases of columns and piers. Second story windows in flanks and flanking storefronts altered.

Designed by notable Asheville architect Richard Sharp Smith, this was the earliest use of Neoclassical style and a reinforced concrete technique for a commercial structure in Hendersonville. Concrete made its splashy debut as a building form in 1910 when W. F. Edwards, the most active builder in Hendersonville during this period, decided to try out this material for a new bank. Mr. Edwards had already been the contractor responsible for much of the town's water and sewer system, the present Court House, and the Hendersonville Town Hall. For the People's National Bank, he worked with a Mr. Blythe.

The project clearly caught the fancy of the local citizens. The following reports came from the French Broad Hustler:

(1/27/10) "Messrs. Edwards and Blythe have returned from Atlanta, where they purchased the latest improved machinery for reinforced concrete construction. This machinery will be used for the first time in the construction or the People's National Bank."

(2/17/10) "Concrete mixer arrives for People's National Bank job."

(4/14/10) "... over a thousand barrels of cement will be used in the construction of the People's National Bank."

(6/23/10) "Edwards and Blythe are through with the concrete part of the People's National Bank's new building and are now starting to finish."

SITE CONDITIONS -SITE IMAGES





SITE IMAGES CONT'D





DESIGN STANDARDS CRITERIA

The proposed addition is governed by the *Hendersonville Historic Preservation Commission Main Street Design Standards*, which is applied to the City's Main Street Historic Districts and Landmarks. The following sections are applicable to the proposed Certificate of Appropriateness application:

Section 3.3 Side and Rear Facades

Many of Hendersonville's downtown commercial buildings have side façades that can be seen from public streets, parking lots, sidewalks, and alleyways. As with the primary front façade, these side elevations are important character-defining elements of the downtown historic district. Usually, these façades exist on corner buildings fronting on two streets, but can also occur mid-block where the adjacent property is vacant or is an alleyway.

The side façade generally carries the same design elements and details as the main elevation including fenestrations, brickwork, etc. They are likely to serve a more private utility in providing access to upper-floor office and residential uses and not engage the consumer or the pedestrian like the typical storefront. Still, some of these buildings take advantage of the additional frontage and use the side façade as additional display area, advertising, or even providing additional access for the customer.

The rear façade is also important to the historic character of the building and district. The rear elevation provides access for merchants, their workers, and in some cases, customers. It also continues the same general material treatments as front and side façades. More often than not, rear entrances on Hendersonville's downtown commercial structures serve as a service entry and, as a result, are the location of any necessary mechanical equipment and garbage receptacles. This translates into a less detailed design with a more private appearance than front and side façades that face public rights-of-way. There are some instances in downtown where the rear façade serves as public or semi-public access. Usually, the design of these façades reflects this public utility resulting in an elevation with similar detailing to its primary façade that is more inviting to the consumer or general public.

Preservation

- **Sec. 3.3.1** Retain and preserve historic façade details and materials on side and rear elevations.
- Sec. 3.3.2 Historic painted advertisements represent an important historic element in downtown Hendersonville. While not required, it is recommended that they be preserved whenever possible.
- **Sec. 3.3.3** Whenever a side or rear façade can be seen from the public right-of-way or parking area, it is encouraged that any unnecessary utility lines, mechanical equipment, pipes, etc. be removed. Whenever introducing new utility or service features such as mechanical units and garbage receptacles, screen them from public view with fences, low walls, or landscaping whenever possible.

Reconstruction

- Sec. 3.3.4 If replacement of a deteriorated façade feature is necessary, replace only the deteriorated element to match the original in size, scale, proportion, material, texture and detail.
- Sec. 3.3.5 When reconstructing a historic façade or feature, base the design on historical research and evidence. Maintain the original proportions, dimensions and architectural elements.
- **Sec. 3.3.6** If there is historic evidence of a public entrance on a rear façade, rehabilitate the façade to provide for an attractive access from rear parking areas.
- Sec. 3.3.7 Downtown buildings with rear access should use small signs or awnings to provide for visual identification.
- Sec. 3.3.8 Storefronts on side or rear facades must comply with the Storefront Guidelines under Section 3.1.

New Design

- **Sec. 3.3.9** If new construction of a side or rear façade is necessary, make sure that the design is compatible with the existing side and rear facades in the district including size & spacing of windows or other fenestrations, proportion, scale, and detailing.
- Sec. 3.3.10 Whenever possible, new designs for rear façades should provide access to the public from rear parking areas and alleyways.

Section 3.4 Materials and Details

3.4.1 Architectural Details and Ornamentation

Architectural details in downtown Hendersonville include everything from simple masonry treatments such as corbelled brick and stringcourses to very detailed ornamentation like cast iron, stone relief, and wooden & masonry cornices. Variations in material, fenestration, and paint color all contribute to the level of ornamentation on the individual structure.

- **Sec. 3.4.1.1** Retain and preserve any architectural features and details that are character-defining elements of downtown structures, such as cornices, columns, piers, brickwork, stringcourses, quoins, etc.
- Sec. 3.4.1.2 If replacement of an architectural element is necessary, use new materials that match the historic materials in composition, size, shape, color, pattern, and texture. Consider substitute materials only if the original materials are not technically feasible.
- Sec. 3.4.1.3 If the entire architectural detail is missing, design the replacement feature based on historic documentation. If there is no documentation, but evidence that the element was originally on the building, any new design should be compatible with the historic character of the building and district.
- **3.4.1.4** It is not appropriate to remove or cover any original detail or ornamentation. If original features are currently covered, it is encouraged that these features be uncovered,

exposed, and repaired.

Section 3.4.2 Windows and Doors Standards

Windows and doors by their proportion, shape, positioning, location, pattern, and size can contribute significantly to a building's historic character and are particularly indicative of stylistic periods. These openings in a building's exterior also provide opportunities for natural light, ventilation, and visual connections to the interior.

- Sec. 3.4.2.1 Retain and preserve original windows and doors.
- Sec. 3.4.2.2 Retain and preserve openings and details of windows and doors, such as trim, sash, glass, lintels, sills, thresholds, shutters, and hardware.
- Sec. 3.4.2.3 If replacement of a window or door element is necessary, replace only the deteriorated element to match the original in size, scale, proportion, pane or panel division, material, and detail.
- Sec. 3.4.2.4 It is not appropriate to replace windows or doors with stock items that do not fill the original openings or duplicate the unit in size, material, and design.
- Sec. 3.4.2.5 Protect and maintain existing windows and doors in appropriate ways:
 - Maintain caulking and glazing putty to prevent air or water infiltration around glass.
 - Weatherstrip windows and doors to prevent moisture and air infiltration.
 - Check sills and thresholds to ensure that water run off does not collect.
 - Maintain a sound paint film on all wooden windows and doors.
 - Monitor the condition of wooden windows and doors.
 - Note: Both the peeling of paint and the widening of joints may create the false appearance of deteriorated wood.
- Sec. 3.4.2.6 Repair original windows, doors, and frames by patching, splicing, consolidating, or otherwise reinforcing deteriorated sections.
- **Sec. 3.4.2.7** Construct replacement shutters of wood, size them to window openings, and mount them so that they are operable. It is not appropriate to introduce window shutters where no evidence of earlier shutters exists. .8 The use of reflective or highly tinted glass is discouraged.
- Sec. 3.4.2.8 The use of reflective or highly tinted glass is discouraged.
- Sec. 3.4.2.9 It is not appropriate to fill in existing window or door openings or to replace or cover them with plywood.
- Sec. 3.4.2.10 It is not appropriate to introduce new windows or doors if they would diminish the original design of the building or damage historic materials and features. Keep new windows and doors compatible with existing units in proportion, shape, positioning, location, size, materials, and details.
- Sec. 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.

- Sec. 3.4.2.12 If exterior storm windows are desired, they should have little visual impact. Storms windows should be painted to match the building and the color of the window sash. Storm windows should match the existing in size and proportion. Install them so that existing windows and frames are not damaged or obscured.
- Sec. 3.4.2.13 It is not appropriate to use snap-in muntins to create a false divided light appearance.
- Sec. 3.4.2.14 In accordance with the Artificial Materials guidelines (Section 3.8), it is not appropriate to replace existing vinyl windows with new vinyl windows on contributing structures.
- Sec. 3.4.2.15 Existing windows and doors on non-contributing structures should be replaced in-kind.

Section 4.3 Rear Decks, Balconies, Terraces, & Rooftop Decks:

With some commercial buildings having upper-floors used for residential uses, Hendersonville has historically seen a healthy amount of downtown living. Also, with recent renovations of structures such as the Houston Furniture building and various apartments above commercial, downtown residential population has continued to rise.

In an urban environment such as downtown Hendersonville, especially with the amount of residential, property owners may wish to construct rear/rooftop decks, balconies, and terraces. This type of residential amenity is certainly encouraged and is an important element to the success of the downtown community and livability. Decks, balconies, and terraces are appropriate provided that they do not damage or alter any historic architectural features of the existing building.

- Sec. 4.3.1 Locate street level decks and terraces as inconspicuously as possible, on the rear or least character-defining elevation of historic buildings
- Sec. 4.3.2 Base the design of new balconies on historic documentation of the building or examples from buildings of similar style and age.
- Sec. 4.3.3 Construct decks, balconies, terraces, and rooftop decks so that there is the least possible loss of historic fabric. Also, ensure that character defining features of the historic building are not obscured, damaged, or destroyed.
- **Sec. 4.3.4** 4 Screen rear decks and terraces from public view with appropriate landscaping whenever possible.
- Sec. 4.3.5 If a new deck or balcony is to be constructed, its design should be compatible in materials and detail with the main building.
- **Sec. 4.3.6** When adding a rear deck to a historic structure, it should be designed so that it could be removed in the future without any loss to the historic fabric of the existing building.
- **Sec. 4.3.7** For uncovered decks, composite materials are appropriate for decking only.

EXHIBITS

- Exhibit A COA Application
- Exhibit B Elevations
- Exhibit C Warranty Deed





rev 7.2015

APPLICATION FOR A **CERTIFICATE OF APPROPRIATENESS PERMIT**

100 N. King Street ~ Hendersonville, NC ~ 28792 Phone (828)697-3010 ~ Fax (828) 697-6185 www.cityofhendersonville.org

HENDERSONVILLE HISTORIC PRESERVATION COMMISSION

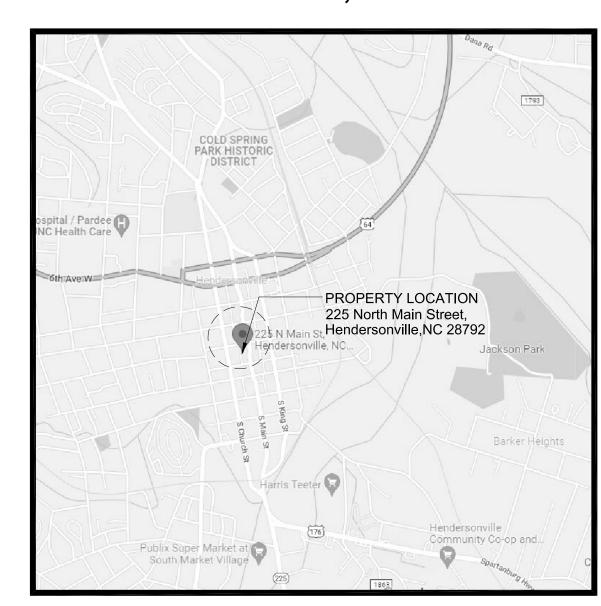
					· · · · · · · · · · · · · · · · · · ·	
~ This	g are required to constite form including the pro- chments such as sketch	perty owner's s		learly exp	lain the project.	
Date Aug	ust 10, 2023		Local District/Landmark	Main Str	eet Historic District	
Address of Pro	operty 225 N. Main St	reet, Henderson	ville, North Carolina 28792			
Property Own	er: Name Hendersonvil	e Holdings LLC				
Address 1956	00 State Highway 249, Suite	e 350, Houston, Te	exas 77070	Day Phone	281.840.8677	
Contact Name	(if other than owner)	Hannah Michalo	ove - Allen Stahl & Kilbourne,	, PLLC		
Address 20	Town Mountain Road, Suit	e 100, Asheville, I	North Carolina 28801	Phone	828.575.0436	
1. Propose (1) section	onal, "ellipse-style" wind	wo (2) windows o ow on rear façad	eeded). on upper level of southern- e (see attached site plans). on of roof behind front faça	,-		e
Attachments:	Photographs Commercial sam	Sketch	Site Plan (show		features and proposed	1)
district. Please 1. Proposed v		he <i>Design Guidel</i> .3.9, 3.4.2.10, 3.4.			character of the historic	The state of the s
knowledge. Furt period of six mo failure to comply work must be co	hermore, I understand that nths from the date of issual y with the certificate, and the ompleted within six months piration from the Commissi	should a certifica nce. Failure to pro ne certificate will b s. Certificates can	ion and in any attachments the of appropriateness be issu cure a building permit within become invalid. If a building p be extended for six months be a Signature Official Use:	ed, such cer that period ermit is not	rtificate will be valid for will be considered as required, the authorize ng an extension in writin	d

DATERECEIVED:

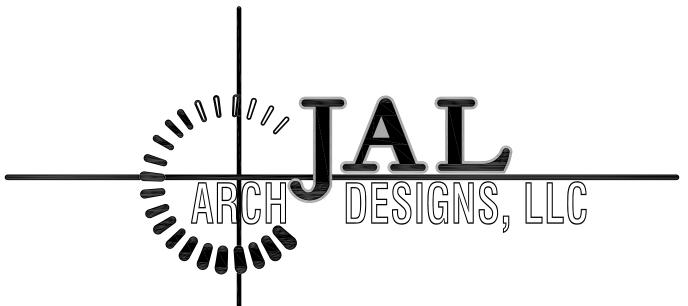
BY



PROPOSED RENOVATION FOR MR. & MRS. JASON KRUAS 225 North Main Street, Hendersonville, NC 28792



VICINITY MAP



'Bringing Ydur Dream Home to Reality'
Ph:(713) 319-5836 Fx:(713)-319-5730
email: jalarchdesigns@gmail.com





TABLE OF CONTENT

A-0 : COVER SHEET

A-1.0: EXISTING FLOOR PLAN

A-1.0: EXISTING ELEVATIONS 'A' & 'B'

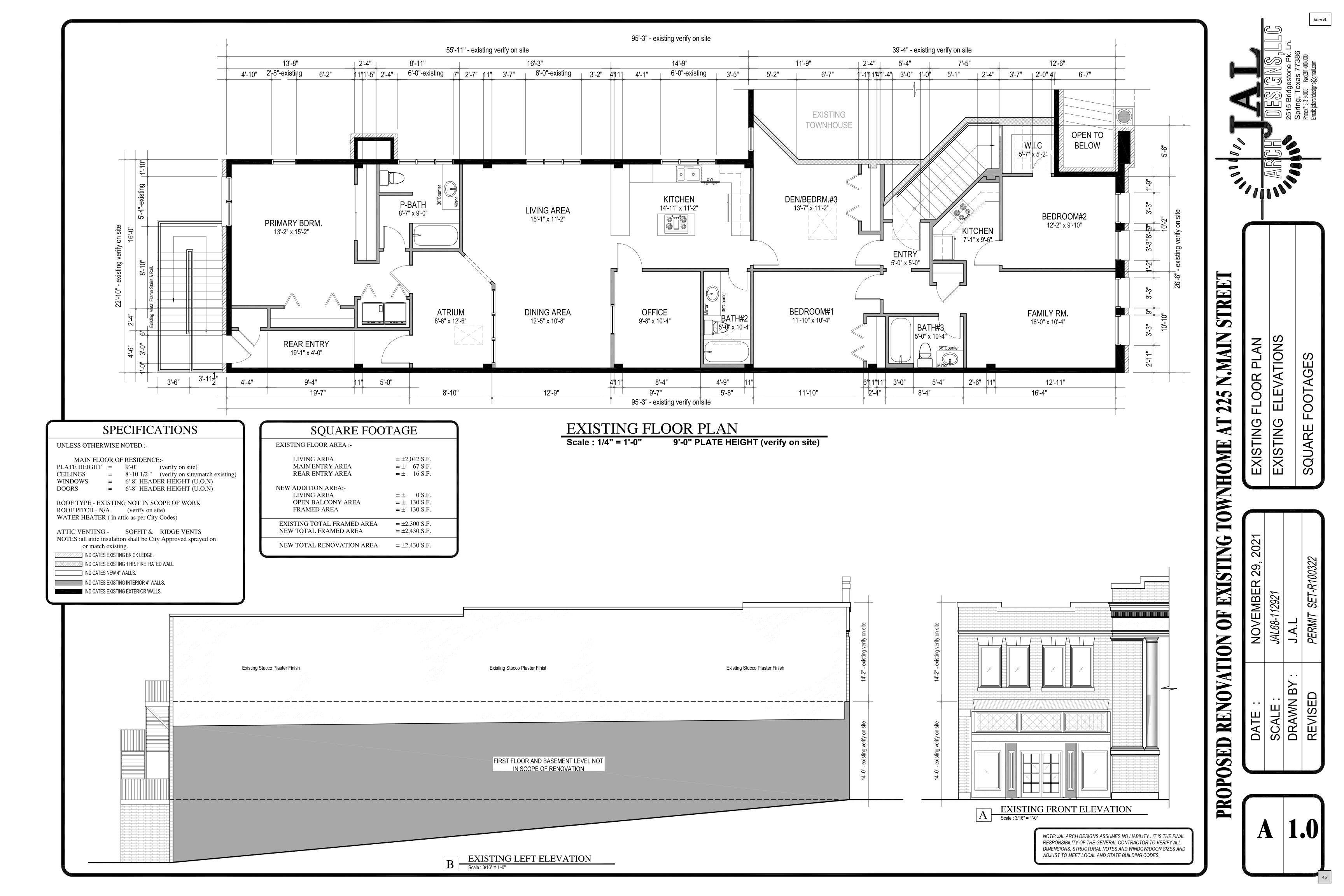
A-2.0: RENOVATION FLOOR PLAN, ELEVATION 'A' & NOTES

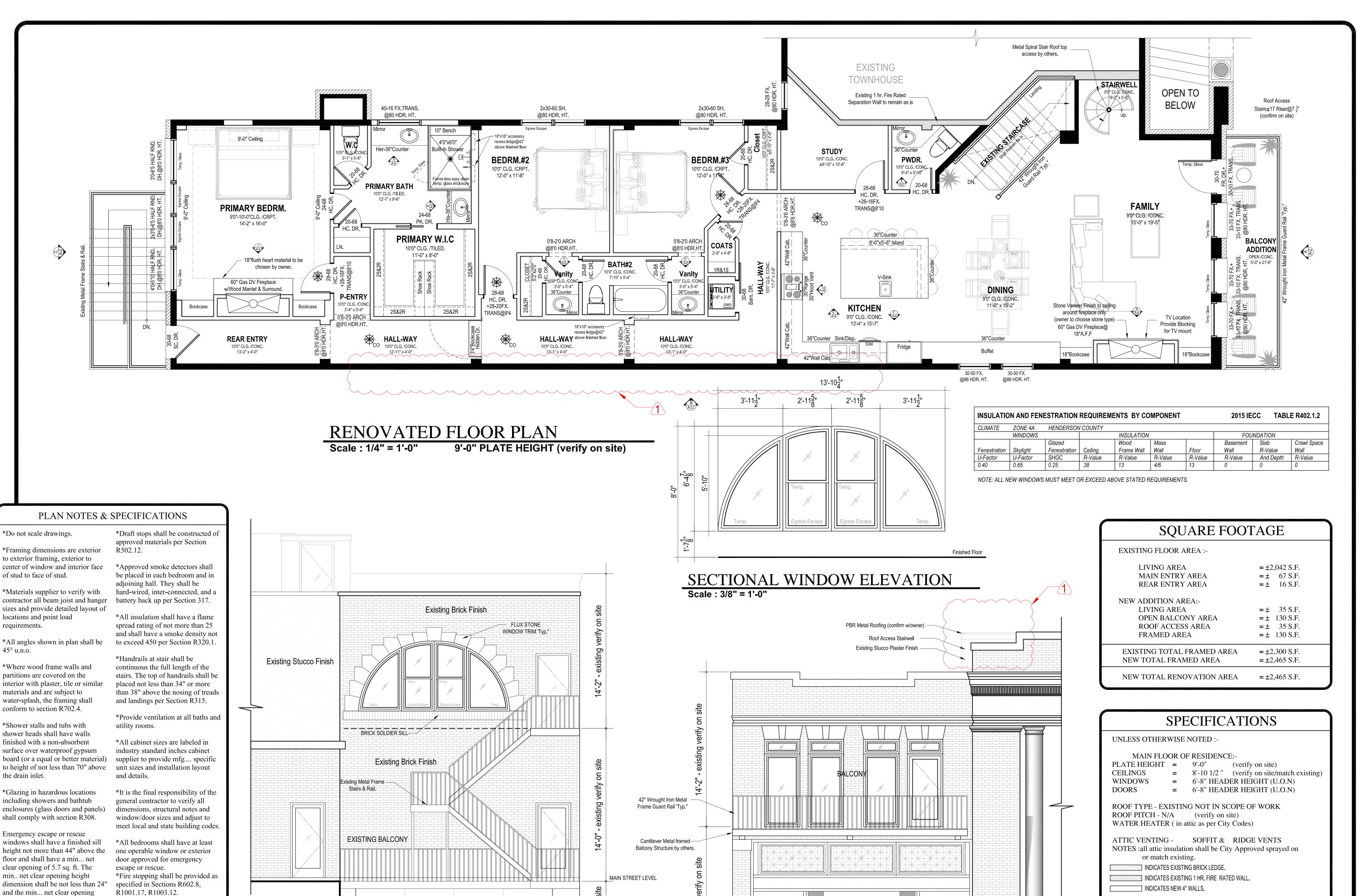
A-2.0: ROOF ACCESS STAIR PART PLAN & SECTION

A-2.1: RENOVATION DIMENSIONAL PLAN & ELEVATION 'B'

A-3.0: WALL, WINDOW SECTIONS/DETAILS & STAIRS LAYOUT

A-4.0: RENOVATION ELECTRICAL PLAN & WALL DETAILS





MAIN STREET LEVEL

width dimension shall not be less

*All windows within 24" of an arc

of a door and less than 18" above finished floor shall be safety glass

than 20" per R310.1.

per 308.4.

☐ Indicates Walls to removed

Indicates Smoke Detectors

Indicates Combo Carbon indicates composition of the control EXISTING BASEMENT ACCESS

RENOVATED REAR ELEVATION

Basement Level rear parking lot

ENOVATION QUARE 00 TOWNHO \triangle S R **EXISTING** 29, NOVEMBER *JAL68-112921* J.A.L OF OF PERMIT **RENOVATION** ST NO. BY: REVISED PROJECT DRAWN **PROPOSED**

INDICATES EXISTING INTERIOR 4" WALLS.

INDICATES EXISTING EXTERIOR WALLS.

CITY OF HOUSTON AMENDMENTS.

RENOVATED FRONT ELEVATION

NOTE: JAL ARCH DESIGNS ASSUMES NO LIABILITY . IT IS THE FINAL RESPONSIBILITY OF THE GENERAL CONTRACTOR TO VERIFY ALL

DIMENSIONS, STRUCTURAL NOTES AND WINDOW/DOOR SIZES AND

ADJUST TO MEET 2012 INTERNATIONAL RESIDENTIAL CODES WITH

Item B.

NOTES

GENERAL

∞ŏ

FOOTAGE

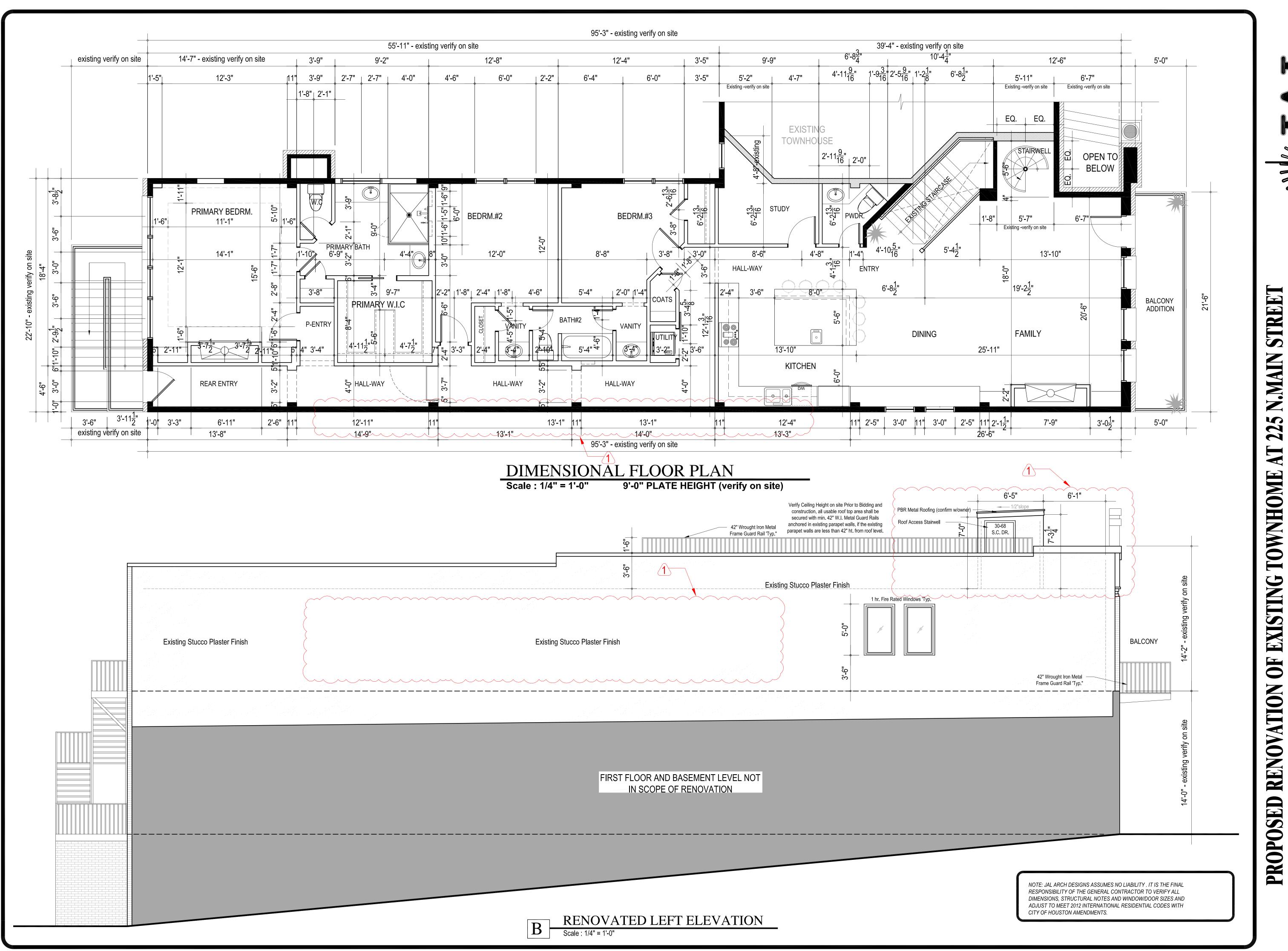
FLOOR

STREE

N.MAIN

5

22



LAN

2515 Bridgestone Pk. L

Spring, Texas 77386
Phone: [713] 319-5836 Fax(281)-000-0000
Email: jalarchdesigns@gmail.com

Item B.

IMENSIONAL RENOVATION FLOOR PLAN ENOVATED LEFT ELEVATION

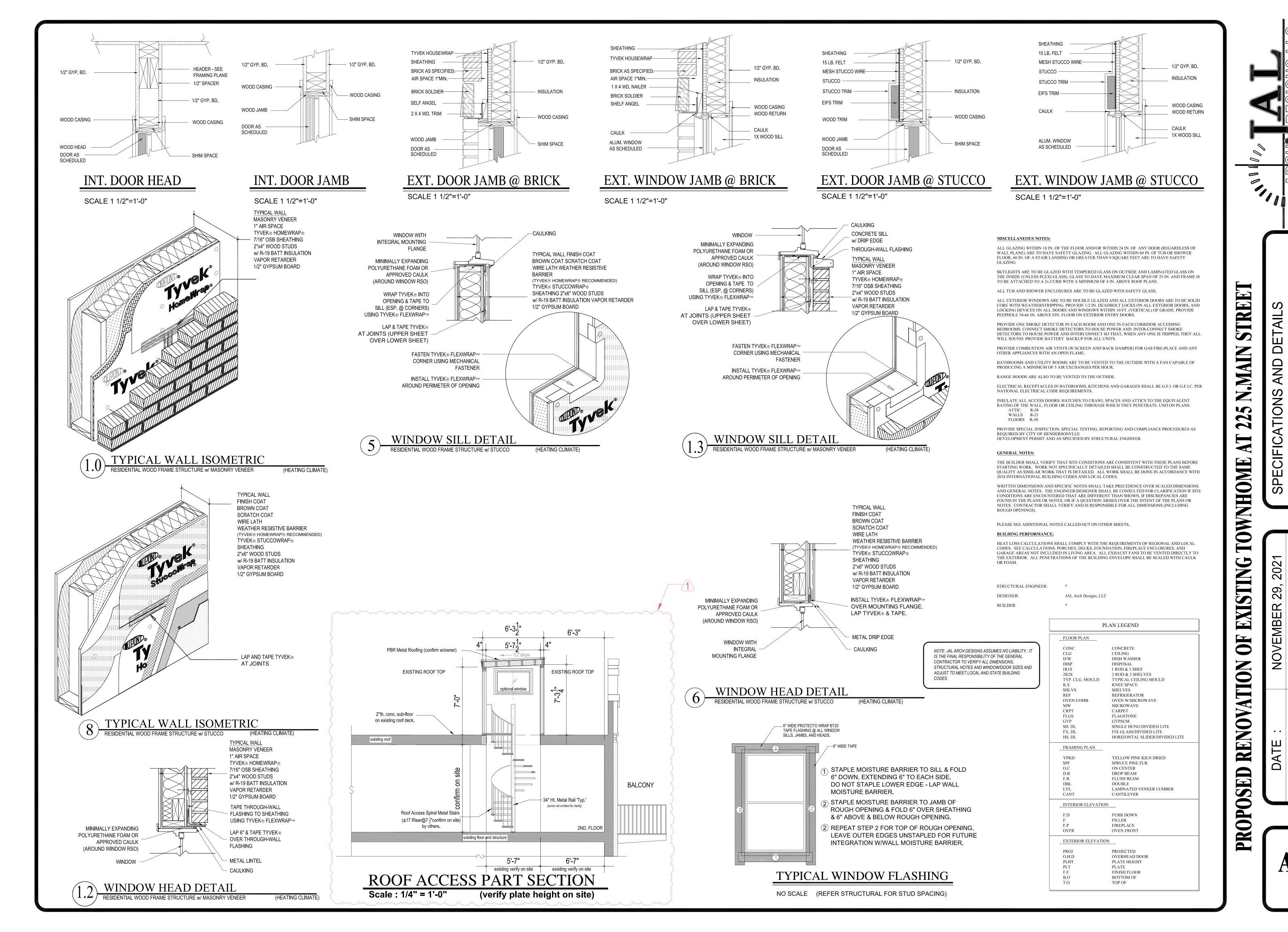
NOVEMBER 29, 2021

NO: JAL68-112921

Y: J.A.L

PERMIT SET-R080523

A 2.1



Item B.

WIND

0

 \bigcirc

S

>

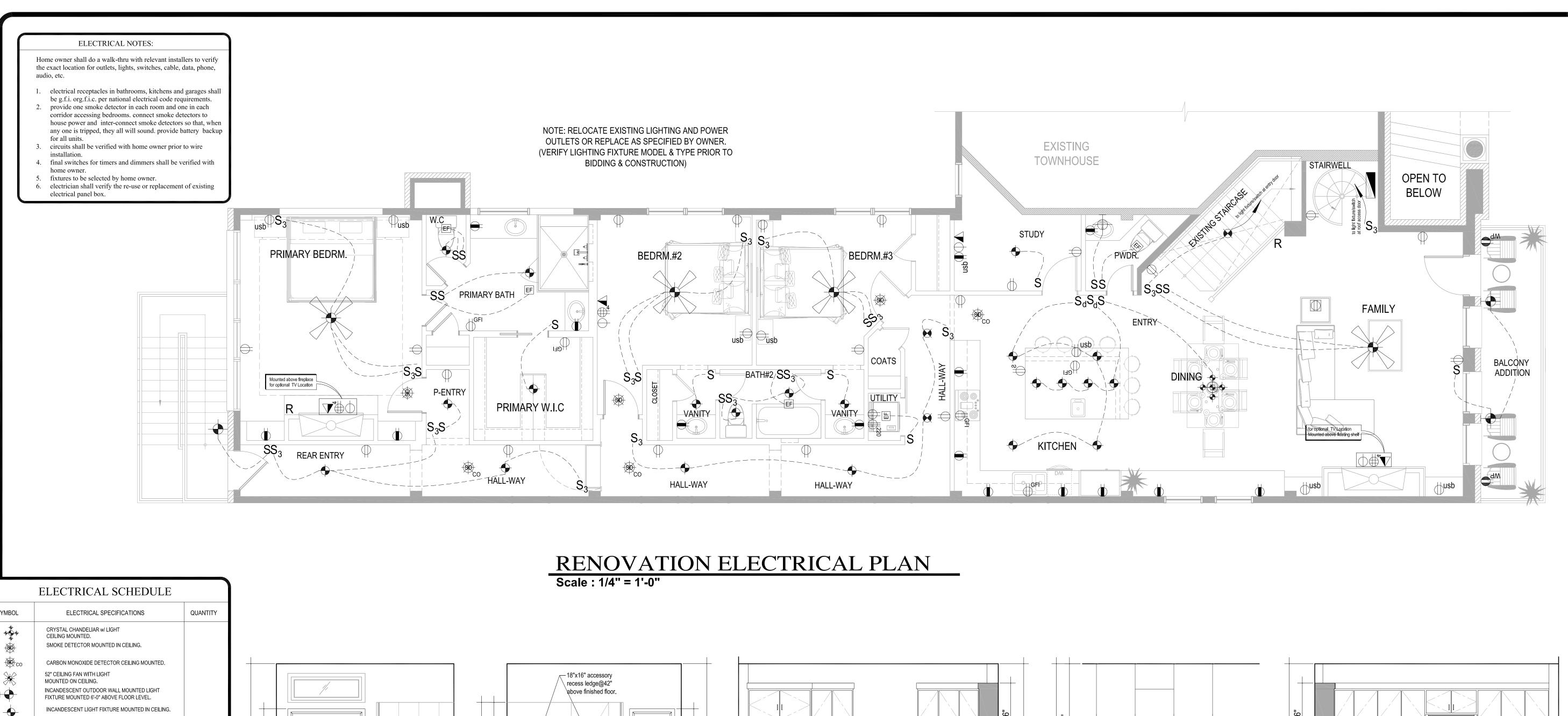
JAL68-11292

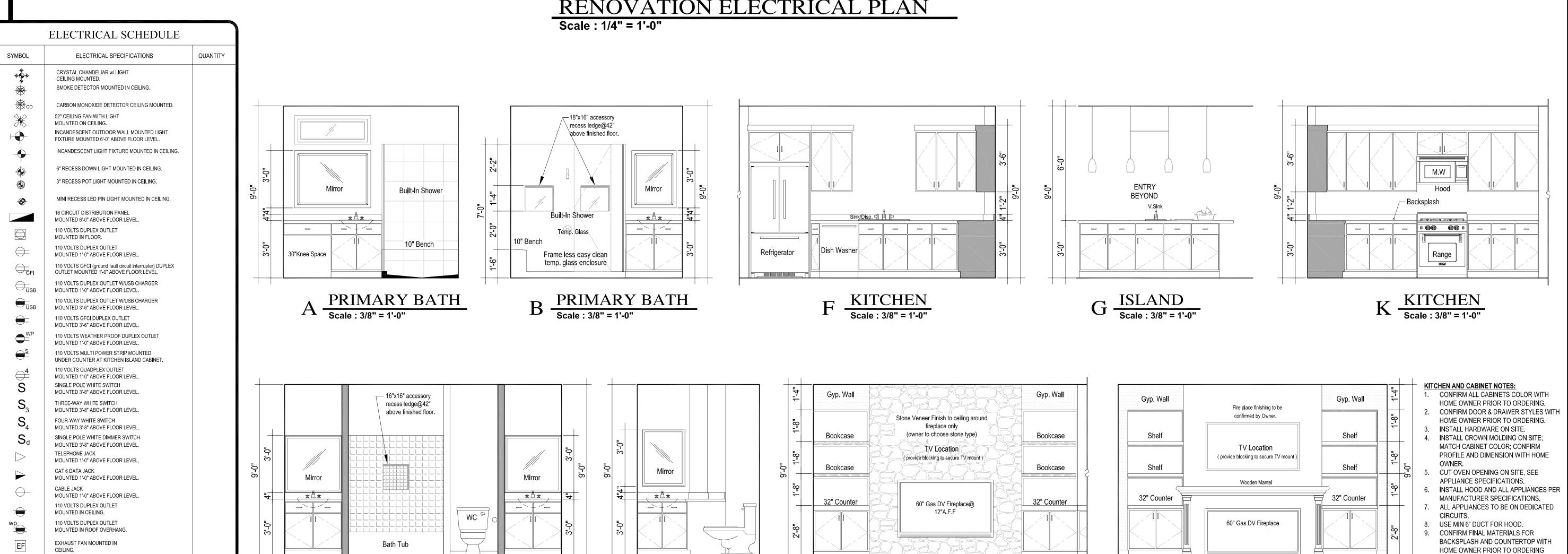
NO

PROJE

DRAWN

REVISE





ALL CONDUITS SHALL BE BE CONSEALED IN/OR WALLS /FLOORS AND CEILING AND SHALL

PROVIDE LIGHTING AND POWER IN ATTIC FOR

 $C \frac{\text{VANITY}}{\text{Scale : } 3/8" = 1'-0"}$

COMPLY TO LOCAL CODES.

COMPLY TO LOCAL CODES.



PRIMARY BEDRM.
Scale: 3/8" = 1'-0"



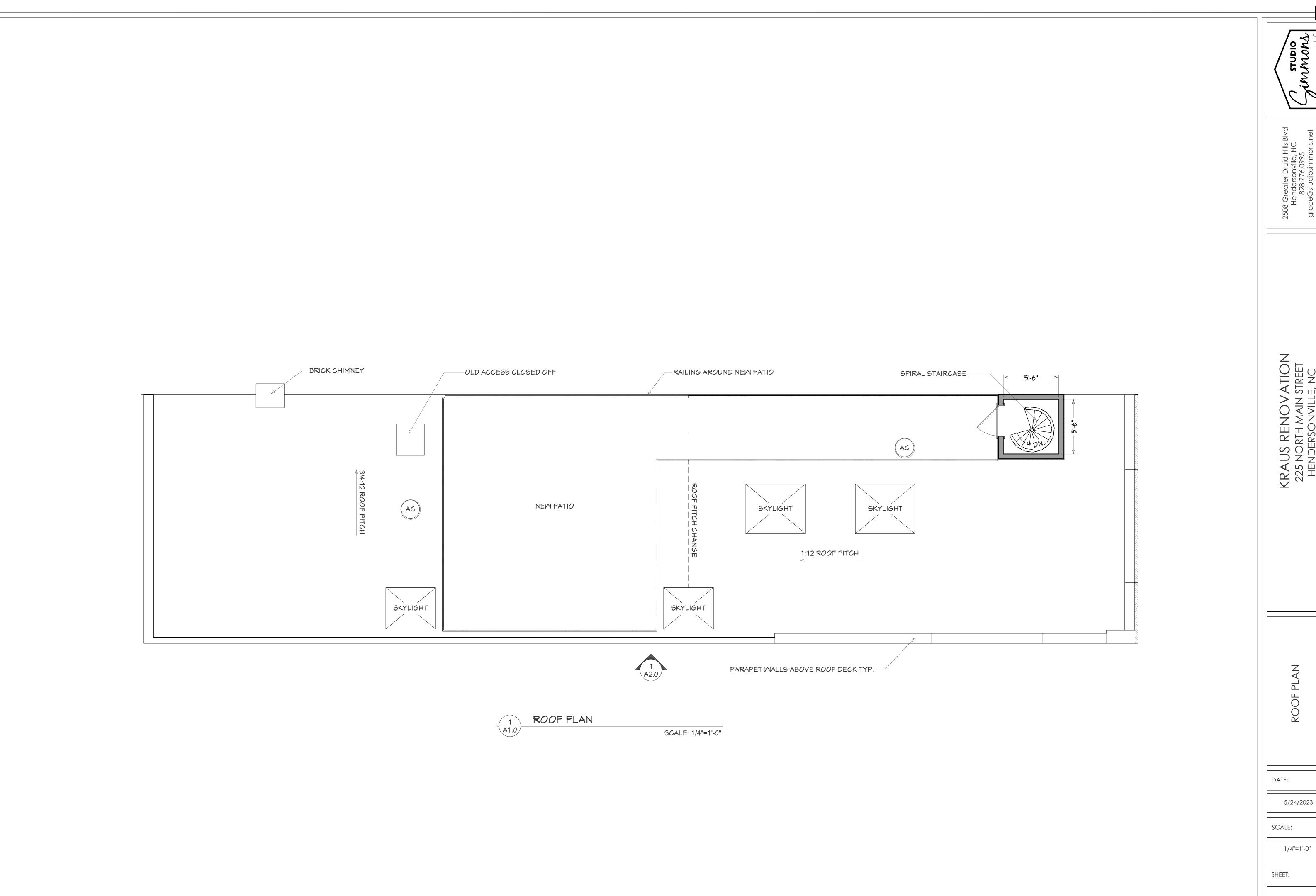
ELEVATIONS

WALL

NTERIOR

Item B.

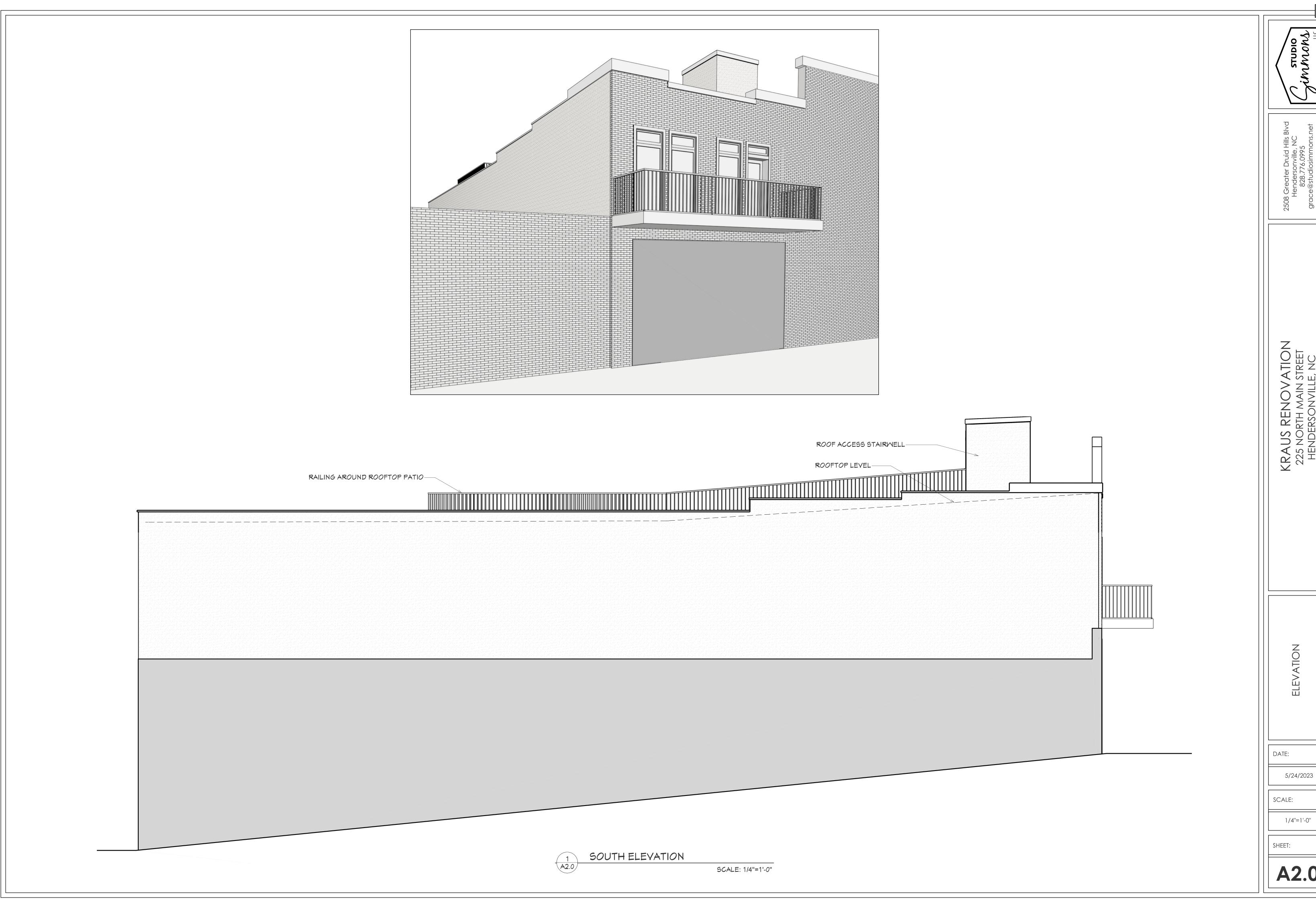
4.0



Item B.

KRAUS RENOVATION 225 NORTH MAIN STREET HENDERSONVILLE, NC

5/24/2023



Item B.

5/24/2023

BK 3877 PG 151 - 154 (4)

This Document eRecorded:

DOC# 974769

03/02/2022 01:15:28 PM

Fee: \$26.00

Henderson County, North Carolina William Lee King, Register of Deeds

Tax: \$1,800.00

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	1800.00			
Parcel ID:	9568-77-8673			
Mail/Box to:	Romeo, Harrelson & Coiner, P.A. 136 S. King Street, Ste B, Hendersonville, NC 28792			
Prepared by:				
Brief	225 N. Main Street			
description				
for the Index:				

THIS GENERAL WARRANTY DEED ("Deed") is made on the 2 day of March, 2022, by and between:

GRANTOR	GRANTEE	
Marvin K. Allen and wife, Sharon B. Allen 314 N Main Street Hendersonville, NC 28791	Hendersonville Holdings, LLC, A Delaware Limited Liability Company 19500 State Hwy Z49 Ste. 350 Houston, TX 77070	

Enter in the appropriate block for each Grantor and Grantee their name, mailing address, and, if appropriate, state of organization and character of entity, e.g. North Carolina or other corporation, LLC, or partnership. Grantor and Grantee includes the above parties and their respective heirs, successors, and assigns, whether singular, plural, masculine, feminine or neuter, as required by context.

This instrument was prepared by Michael M. Thompson, a licensed North Carolina attorney. Delinquent taxes, if any, to be paid by the closing attorney to the county tax collector upon disbursement of closing proceeds.

FOR VALUABLE CONSIDERATION paid by Grantee, the receipt and legal sufficiency of which is acknowledged, Grantor by this Deed does hereby grant, bargain, sell and convey to Grantee, in fee simple, all that certain lot, parcel of land or condominium unit in the City of <u>Hendersonville</u>, <u>Hendersonville</u> Township, <u>Henderson</u> County, North Carolina and more particularly described as follows (the "Property"):

SEE EXHIBIT A ATTACHED HERETO FOR REFERENCE

Page 1

NC Bar Association Real Property Section Form No. 3 © Revised 02/2021 Printed by Agreement with the NC Bar Association

Submitted electronically by "Romeo, Harrelson & Coiner, P.A." in compliance with North Carolina statutes governing recordable documents and the terms of the submitter agreement with the Henderson County Register of Deeds.

BK 3877 PG 151 - 154 (4) DOC# 974769

All or a portion of the Property was acquired by Grantor by instrument recorded in Book <u>711</u> page <u>658</u> , Henderso County Registry.
All or a portion of the Property includes or does not include the primary residence of a Grantor.
A map showing the Property is recorded in Plat Book page
TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fe simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convert the Property in fee simple, title to the Property is marketable and free and clear of all encumbrances, and Grantor shall warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:
Easements, covenants, conditions and restrictions of record; 2022 ad valorem taxes; and utilities physically located of the property.
IN WITNESS WHEREOF, Grantor has duly executed this North Carolina General Warranty Deed, if an entity by it duly authorized representative.
Name Marvin K. Allen Entity Name
Name: Sharon B. Allen Name: Title:
I Edward L Harrelson, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the Znd day of March 2022 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Maryin K. Allen and wife, Sharon B. Allen Affix Notary Seal/Stamp Affix Notary Seal/Stamp Notary Public (Official Signature) My commission expires: 1-17-2025 Edward L Harrelson NOTARY PUBLIC Polk County, NC

EXHIBIT A: PROPERTY of HENDERSONVILLE HOLDINGS, LLC, a DELAWARE LIMITED LIABILITY COMPANY

BEGINNING at a stake in the west margin of Main Street, said stake being the northeast corner of the property known as the St. Johns Hotel property, and the southeast corner of the Peoples Bank property, the said pin standing North 7 deg. 58 min. 27 sec. West 150.14 feet from the Southeast corner of that property described in Deed Book 596 at Page 599, Henderson County Registry; and running from said BEGINNING point, leaving Main Street, South 81 deg. 58 min. 26 sec. West 130.72 feet to a railroad spike; thence a new line, North 8 deg. 10 min. 58 sec. West 22.90 feet to a railroad spike; thence North 81 deg. 58 min. 26 sec. East, partly with the center line of a common wall, to a point in the westerly margin of Main Street; thence with the westerly margin of Main Street, South 8 deg. 10 min. 58 sec. East 22.90 feet to the point and place of BEGINNING, and containing .06 acre, more or less, as shown upon "Map of Survey for Main St., Inc.," prepared by Laughter, Venezia and Associates, P.A., dated April 1983, and identified as Job No. 83-108.

There is also conveyed herewith all of the rights and uses described in that deed from the Peoples National Bank to M. C. Toms and C. F. Toms, dated March 21, 1912, recorded in Deed Book 75 at Page 194, Henderson County Registry. The above described property is the easterly portion of the property described in Deed Book 75 at Page 194, as well as Deed Book 391 at Page 393, and Deed Book 383 at Page 197, Henderson County Registry.

This conveyance is made and accepted subject to any easements of record.

There is also excepted from this conveyance, the right of egress from and ingress to the tract of land situated immediately to the west of this property, which is retained by Marion F. Toms, Jr., and Elizabeth Birch Toms, their heirs, successors and assigns, and which is presently used for parking purposes, the said easement to lead across the existing driveway in a southerly direction out to the city alleyway and then to Second Avenue West, the said right of way to be non-exclusive and to be used by Marion F. Toms, Jr., and Elizabeth Birch Toms, their heirs, successors and assigns, their successors in interest, the Grantees and any other party entitled to use the same. The tract which the easement is to serve is described by metes and bounds as follows:

BEGINNING at an iron pin, southwest corner of that tract described in Deed Book 586 at Page 413, Henderson County Registry; and running thence North 81 deg. 58 min. 26 sec. East 39.28 feet to a railroad spike; thence a new line, running South 8 deg. 10 min. 58 sec. East 22.90 feet to a railroad spike; thence running

BK 3877 PG 151 - 154 (4) DOC# 974769

South 81 deg. 58 min 26 sec. West 39.36 feet to an iron pin, southwest corner of the original tract described in Deed Book 75 at Page 194 Henderson County Registry; and running thence North 8 deg. 0 min. 8 sec. West 22.90 feet to the point and place of BEGINNING, and containing .02 acre, more or less, and being the westerly portion of the tract described in Deed Book 75 at Page 194, Henderson County Registry.

AND BEING the same property which was conveyed by deed from James H. Cunningham and wife, Suzanne J. Cunningham to Marvin Kenneth Allen and wife, Sharon B. Allen, dated December 30, 1987, and of record in Deed Book 711 at Page 658 of the Henderson County, North Carolina Register of Deeds Office.

Said property is further identified by address: 225 N. Main Street
Hendersonville, NC 28792
Tax Parcel: 116589