



# CITY OF HENDERSONVILLE HISTORIC PRESERVATION COMMISSION

Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792  
Wednesday, May 17, 2023 – 5:00 PM

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## AGENDA

1. **CALL TO ORDER**
2. **PUBLIC COMMENT**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**
5. **NEW BUSINESS**
  - A. A. 921 N Main St. – Entry Door Replacement (H23-035-COA) – *Alexandra Hunt | Planner I*
6. **OTHER BUSINESS**
  - A. Staff Updates
  - B. Committee Updates
7. **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 AGENDA ITEM SUMMARY PLANNING DIVISION



**SUBMITTER:** Alexandra Hunt, Planner I      **MEETING DATE:** May 17, 2023

**AGENDA SECTION:** New Business      **DEPARTMENT:** Community Development

**TITLE OF ITEM:** 921 N Main St. – Entry Door Replacement (H23-035-COA) – *Alexandra Hunt / Planner I*

**SUGGESTED MOTION(S):**

**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 # H23-035-COA and located within the Hyman Heights Historic District, if replaced 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 (Residential) for the following reasons:

**Suggested Motion for Approval for Option A:**

1. The subject property is a contributing structure.
2. The proposed entry door replacement presented in **Option A** retains the overall historic character of the building. [Section 3.7.2]
3. The proposed entry door replacement presented in **Option A** matches the design and the dimension of the original sash or panels, pane configuration, architectural trim, and detailing. [Section 3.7.6]
4. The proposed entry door replacement presented in **Option A** is a compatible substitute material because using the original material is not technically feasible due to factors peculiar to the subject property. [Section 3.7.6]

**Suggested Motion for Approval for Option B:**

1. The subject property is a contributing structure.

**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 # H23-035-COA and located within the Hyman Heights 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 (Residential) for the following reasons:

1. The subject property is a contributing structure.
2. The proposed entry door replacement presented in both **Option A and Option B** do not retain the overall historic character of the building. [Section 3.7.2]
3. The proposed entry door replacement presented for both **Option A and Option B** **do not** match the design and the dimension of the original sash or panels, pane configuration, architectural trim, detailing, and materials. [Section 3.7.6]

**[DISCUSS & VOTE]**

<p>2. The proposed entry door replacement presented in <b>Option B</b> retains the overall historic character of the building. [Section 3.7.2]</p> <p>3. The proposed entry door replacement presented in <b>Option B</b> match the design and the dimension of the original sash or panels, pane configuration, architectural trim, detailing, and materials. [Section 3.7.6]</p> <p style="text-align: center;"><b>[DISCUSS &amp; VOTE]</b></p>	
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**SUMMARY:**

The City is in receipt of a Certificate of Appropriateness (COA) application from Leila White (Applicant/Property Owner) for the replacement of the entry door at the subject property located at 921 N Main St.

The subject property is a contributing building that was constructed ca. 1924-1937 and known as the John W. Farmer House. The subject property is also described as having three-vertical-over-one windows and a four-vertical-lights-over-panel entry door.

The Applicant previously submitted an after-the-fact COA application for the replacement of the existing front door with a previously purchased door which was reviewed and subsequently denied by this Commission on the November 15, 2022, regular meeting (See Exhibit C).

The Applicant has submitted a COA application proposing two front door replacement options to the Commission to review (See Exhibit A).

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

<b>PROJECT/PETITIONER NUMBER:</b>	H22-035-COA
<b>PETITIONER NAME:</b>	Leila White (Owner/Applicant)
<b>EXHIBITS:</b>	<ul style="list-style-type: none"> <li>A. Staff Report</li> <li>B. COA Application</li> <li>C. Henderson County Property Records</li> <li>D. November 2022 Minutes</li> </ul>

# 921 N Main St. – Entry Door Replacement (H23-035-COA)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT - HISTORIC PRESERVATION  
COA STAFF REPORT

## Staff Report Contents

PROJECT SUMMARY ..... 2

SITE VICINITY MAP ..... 2

CITY OF HENDERSONVILLE – HYMAN HEIGHTS HISTORIC OVERLAY MAP..... 4

HISTORY OF SUBJECT PROPERTY..... 5

PAST COA APPROVALS ..... 5

DESIGN STANDARDS CRITERIA ..... 7

- Exhibit A – Application..... 8
- Exhibit B – Henderson County Property Records..... 8
- Exhibit C – November 2022 Minutes..... 8



## PROJECT SUMMARY

**Applicant:** Leila White

**Property Owner:** Leila & Brandon White  
(Exhibit B)

**Property Address:** 921 N Main St.

**Project Acreage:** 0.23 Acres

**Parcel Identification Number(s):**  
9569-70-3922

**Current Parcel Zoning:** R-6 High Density Residential

**Historic District:** Hyman Heights Historic District

**Project Type:** Major Work (Replacement of Entry Door)



SITE VICINITY MAP

### **Project Summary:**

The City is in receipt of a Certificate of Appropriateness (COA) application from Leila White (Applicant/Property Owner) for the replacement of the entry door at the subject property located at 921 N Main St.

The subject property is a contributing building that was constructed ca. 1924-1937 and known as the John W. Farmer House. The subject property is also described as having three-vertical-over-one windows and a four-vertical-lights-over-panel entry door.

The Applicant previously submitted an after-the-fact COA application for the replacement of the existing front door with a previously purchased door which was reviewed and subsequently denied by this Commission on the November 15, 2022, regular meeting (*See Exhibit C*).

The Applicant has submitted a COA application proposing two front door replacement options marked “Option A” and “Option B” in the application packet attached as Exhibit A for review by the Commission.

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

## PROJECT BACKGROUND

On August 22, 2022, Staff notified the Applicant by letter that replacement of an entry door and construction of a fence in the Hyman Heights Local Historic District requires a COA application pursuant to Chapter 28 of the City Code of Ordinances as it is a change to the exterior of the house/property.

On August 29, 2022, the Applicant submitted an after-the-fact COA application for the addition of a fence and replacement of the entry door. The Applicant made the following statement related to their request:

“Front door replacement and fence. Find photos attached for the fence (I tried to design a horizontal fence to keep with the lines of the house horizontal siding) and details on front door (I tried to find the same exact design, but couldn't so I purchased one that is very similar to original door). I am planning on painting it red, if that is allowed.”

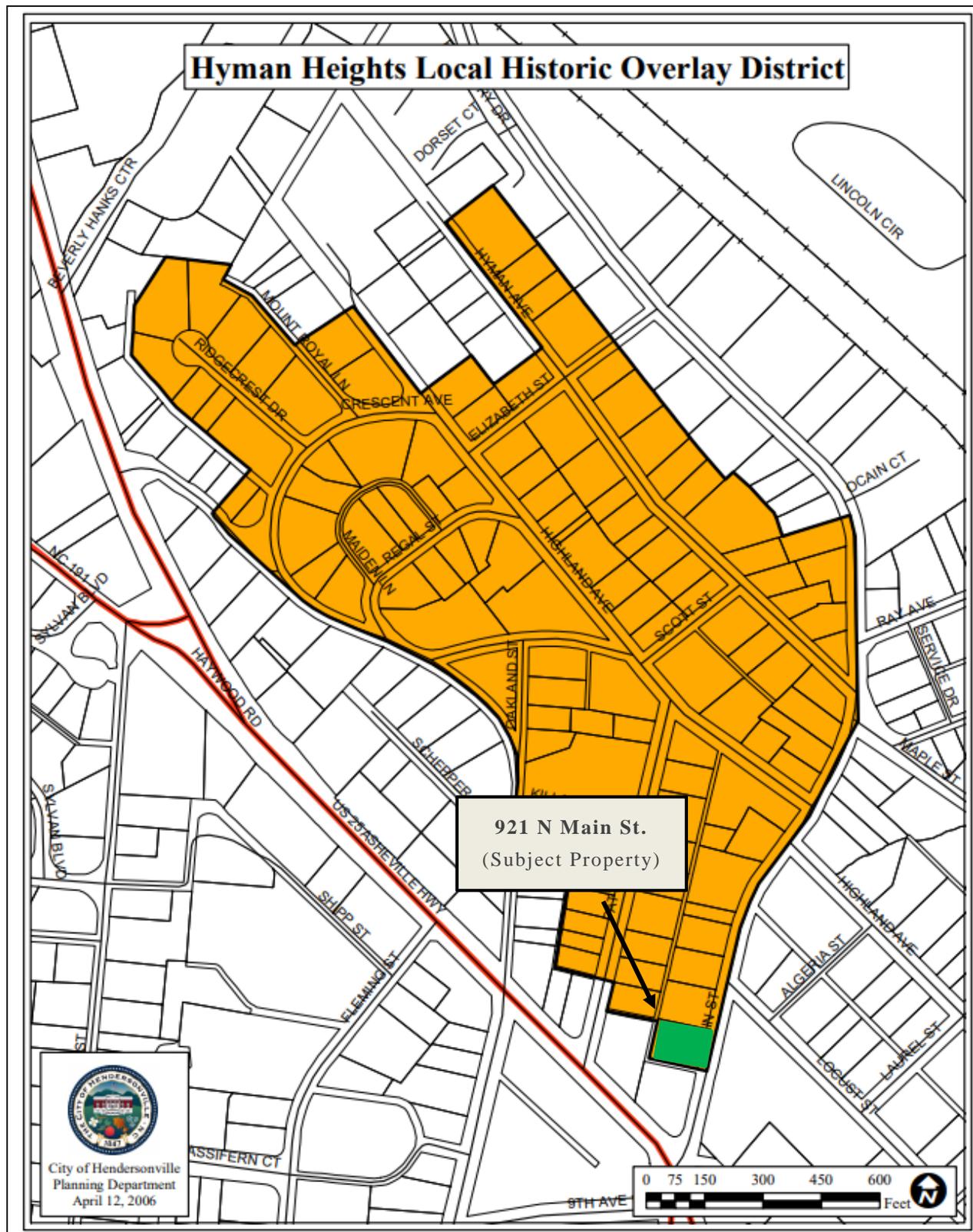
Staff subsequently approved the COA for the fence and asked that the Applicant determine whether the existing door could be repaired rather than replaced. While working with the Applicant, it was discovered that the previous owner of the subject property submitted a COA application in 2016 requesting to “replace all windows with wood Ply Gem windows; size and “light” configuration to match existing windows.”

The application was approved by staff as a minor work when the application should have been considered a major work per the Commission’s Rules of Procedure which require applications containing replacement materials and designs are to be reviewed by the Historic Preservation Commission as a “major work.”

As indicated in Exhibit D, the new windows included removable wood muntins to match the original three-vertical-over-one windows. Snap-in or removable muntins are not appropriate to create a false divided-light appearance under Section 3.7.15 of the Design Standards. However, these muntins were removed prior to the Applicant purchasing the subject property creating a one-over-one window design. The Applicant purchased a replacement door with a one-over-panel design to match the one-over-one windows. The Applicant has agreed to replace the removable muntins to come into compliance with the 2016 COA approval.

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

PROJECT SUMMARY CONTINUED



CITY OF HENDERSONVILLE - HYMAN HEIGHTS HISTORIC OVERLAY MAP

## HISTORY OF SUBJECT PROPERTY

### **921 N. Main Street** **John W. Farmer House**



#### **House. Contributing, ca. 1924-1937.**

Vernacular cottage style one-story house with a side gable roof and projecting front gable bay at the northeast corner. Segmental arch coverings supported by knee braces over front and side entry stoops.

Original weatherboard siding, with shingles in the gable

ends. Windows are three-vertical-over-one and front door is four-vertical-lights-over-panel. House sits on small lot adjacent to commercial development along US Highway 25. Original concrete steps and brick cheekwalls. Central brick chimney. John W. Farmer, manager at McLellan Stores, and wife Jimmie lived here from 1937 to 1940. Millender M. and Ruth P. Mathews lived here from 1941 to 1942. James E. Lancaster, a salesman at Community Supply, and wife Eula lived here from 1943 to 1944. Everret C. Orr, police chief, lived here with wife Estelle from 1945 to 1946. From 1948 to 1949 G. W. Lancaster, a teller at State Trust Company Bank, and wife Ruth lived here. Most of these were probably renters. Good condition.

(Sanborn maps, city directories)

#### **Garage. Contributing, ca. 1924-1937.**

One-story gable roof building with double garage doors and original weatherboard siding.



(Image taken from Google Street View – September 2021)

## PAST COA APPROVALS

**June 16, 2004** -A COA approved by the Commission for the demolition of 1016 Patton Street and 921 N Main St.

**November 29, 2004** – Staff approved request for a one-year time extension for the June 16, 2004 COA.

**March 15, 2006** – Commission approved a second one-year extension for the demolition of the two properties indicated in the June 16, 2004 COA approval.

**June 20, 2007** – The Commission voted not to grant a third request for a one-year extension for the demolition of the two properties – 1016 Patton Street and 921 N Main St.

**March 23, 2016** – Staff approved COA for the full replacement of the asphalt roof with no change in materials.

**April 18, 2016** – Staff approved COA to replace existing K style gutters with new 5 inch K style gutters and the installation of a heat pump unit in the rear of the house.

**May 11, 2016** – Staff approved COA to replace all windows with wood Ply Gem windows – size and “light” configuration to match existing windows.

**August 31, 2022** – Staff approved COA for construction of a wooden privacy fence extending from the back left corner of the house (if facing from N Main St.) and around the backyard of the subject property.

SITE CONDITIONS - SITE IMAGES



## DESIGN STANDARDS CRITERIA

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

### **Section 3.7 Windows and Doors:**

**Sec. 3.7.2** - Retain and preserve doors that contribute to the overall historic character of a building, including their functional and decorative features, such as frames, glazing, panels, sidelights, fanlights, surrounds, thresholds, and hardware.

**Sec. 3.7.6** - If replacement of a deteriorated window or door unit is necessary, replace the unit in kind, matching the design and the dimension of the original sash or panels, pane configuration, architectural trim, detailing, and materials. Consider compatible substitute materials only if using the original material is not technically feasible.

**Sec. 3.7.15** - It is not appropriate to use snap-in muntins to create a false divided-light appearance.

## EXHIBITS

- Exhibit A – Application
- Exhibit B – Henderson County Property Records
- Exhibit C – November 2022 Minutes



# 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 HISTORIC PRESERVATION COMMISSION

The following are required to constitute a complete application:

~ This form including the property owner's signature.

~ Attachments such as sketches, photos, site plan, etc., necessary to clearly explain the project.

Date 4/4/23

Local District/Landmark Hyman Heights

Address of Property 921 N Main St. Hendersonville NC 28792

Property Owner: Name Leila White

Address 921 N Main St. Hendersonville NC 28792

Day Phone (954) 257-9205

Contact Name (if other than owner)

Address

Phone

Details of proposed work: (attach additional papers if needed).

Proposal of front exterior door - see attached

Attachments:

Photographs

Sketch

Site Plan (required for new construction)

Commercial samples

Commercial brochures

The burden of proof is on the applicant to prove the proposed work is in keeping with the historical character of the historic district. Please list specific reference(s) in the **Design Guidelines** that support your application.

I, the undersigned, certify that all information in this application and in any attachments thereto is accurate to the best of my knowledge. Furthermore, I understand that should a certificate of appropriateness be issued, such certificate will be valid for a period of six months from the date of issuance. Failure to procure a building permit within that period will be considered as failure to comply with the certificate, and the certificate will become invalid. If a building permit is not required, the authorized work must be completed within six months. Certificates can be extended for six months by requesting an extension in writing prior to their expiration from the Commission Coordinator.

Owner's

Signature

Owner's

Signature



U.S. Architectural Millwork- Knoxville

5315 Parker Rd.  
 Knoxville, TN 37924  
 Phone 865-524-2161  
 Fax 865-523-2520  
 info@usamknox.com  
 www.usamknox.com

P.O. No.

**ESTIMATE**

Item A.

<b>Date</b>	<b>Estimate #</b>
4/10/23	2023-1760
<b>Ticket</b>	<b>Rep</b>
	RAQ

Submitted To:  
 Leila White  
 921 N Main St  
 Hendersonville, NC 28792

Ship To:  
 921 N Main St  
 Hendersonville, NC 28792  
 Lockbox Code: 1248

**OPTION A**

ISR Project Attention  
 CLH

Qty	Description	Price	U/M	Total
	RB Style: F7081LEW, Water Barrier Series, 1-PanBot 1/2 View Texture: Smooth, Primed Size: 1-3/4" x 7/0 Sticking: Ovolo Panel: Wide Layout, 1-7/16" Double Hip, Raised Glass: CLEAR Grid: None Jamb: 4-9/16" Primed Single Rabbeted Jamb w/ WS - Non-Rated Brickmould: On-Guard Primed, Ship Loose Bore: Standard Double Weatherstrip: Compression Bronze Hinges: RC4.0 - STAINLESS STEEL Sill: Basic Composite Adjustable Inswing – Mill			
1	3/0-7/0 LHS	2,157.05	EA	2,157.05T

**Subtotal**

Estimates are valid for 30 days except WOA & MAP costs may change due to current volatility and are subject to availability. All doors & special order items require a deposit and cannot be cancelled or returned after approval.

**Sales Tax (6.75%)**

Footages invoiced are actual footages shipped & may vary +/- 10% due to random length materials.

**Total**

Cash, check, ACH/EBT payment forms are encouraged- credit card payments incur 3% surcharge fee.

**Signature**



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 Knoxville, TN 37924  
 Phone 865-524-2161  
 Fax 865-523-2520  
 info@usamknox.com  
 www.usamknox.com

P.O. No.

**ESTIMATE**

Item A.

Date	Estimate #
4/10/23	2023-1760
Ticket	Rep
	RAQ

Submitted To:  
 Leila White  
 921 N Main St  
 Hendersonville, NC 28792

Ship To:  
 921 N Main St  
 Hendersonville, NC 28792  
 Lockbox Code: 1248

**OPTION B**

ISR Project Attention  
 CLH

Qty	Description	Price	U/M	Total
1	KW 105193 Style: G04013, 1-PanBot 4-Lite Craftsman Specie: Red Oak Size: 1-3/4" x 7/0 Sticking, Panel: D27 Sticking, Glass: D2J Panel: 447, 1" Flat Panel Glass: Clear Jamb: 4-9/16" Poplar Single Rabbeted w/WS Brickmold: 4064-BR BM (Shipped Loose) Bore: Standard Double Hinges: RCBB4.0- US15 SATIN NICKEL 3/0-7/0 LHS	3,063.69	EA	3,063.69T

**We appreciate the opportunity to serve you!**

**Subtotal** \$5,220.74

Estimates are valid for 30 days except WOA & MAP costs may change due to current volatility and are subject to availability. All doors & special order items require a deposit and cannot be cancelled or returned after approval.

**Sales Tax (6.75%)** \$352.40

Footages invoiced are actual footages shipped & may vary +/- 10% due to random length materials.

**Total** \$5,573.14

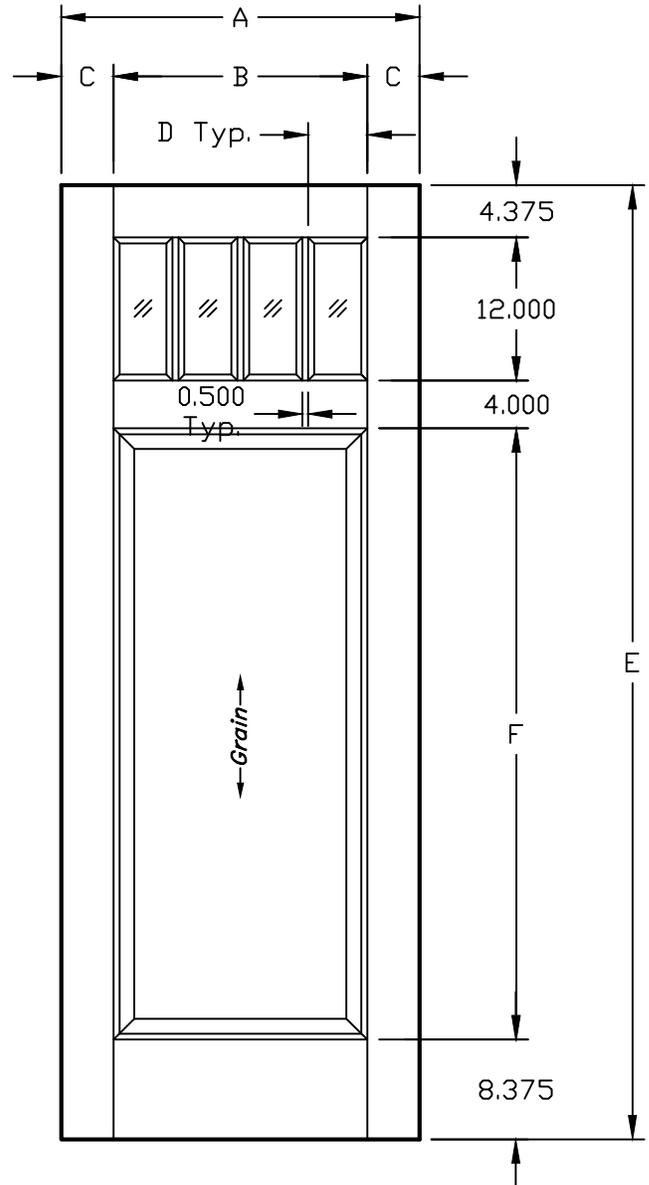
Cash, check, ACH/EBT payment forms are encouraged- credit card payments incur 3% surcharge fee.

Signature

WIDTH								HEIGHT				Item A.		
	2/0	2/2	2/4	2/6	2/8	2/10	3/0			6/8	7/0	8/0		
A	23.875	25.875	27.875	29.875	31.875	33.875	35.875			E	79.875	83.875	95.875	
B	15.125	17.125	19.125	21.125	23.125	25.125	27.125			F	51.125	55.125	67.125	
C	4.375	4.375	4.375	4.375	4.375	4.375	4.375							
D	7.313	5.375	6.042	4.906	5.406	5.906	6.406							

**NOTES:**

- 1) Add 1/16" to Top, Side and Bottom rails for Full.
- 2) 2/0 to less than 2/2 = 2 lites wide  
2/2 to less than 2/6 = 3 lites wide  
2/6 and greater = 4 lites wide



**Koetter Woodworking, Inc.**  
533 Louis Smith Road - Borden, IN 47106  
812-923-8875 ph.  
800-411-8285 fax  
www.koetterwoodworking.com

KW PART NUMBER:  
**G04013**

SIZE:  
**VARIOUS**

SCALE:  
**1/16**

DESCRIPTION:  
**4 LITE OVER 1 PANEL DOOR**

## RE: Door specs

Ryan Quinter &lt;rquinter@usamknox.com&gt;

Thu 4/20/2023 9:20 AM

To: Leila White &lt;leilawhite@gmail.com&gt;; Hunt, Alexandra &lt;ahunt@hvlnc.gov&gt;

**Be Advised:** This email originated from outside of the Hendersonville network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good morning-

The Reeb water barrier door, is a full Douglas Fir wood door. The water barrier is added, like a primer, before the door leaves manufacturing. This extends the life of a wood door when a wood door is preferred, but the conditions are not ideal for a full wood door. I've included a cut out of the door below. Is it not an aluminum clad door. Due to the direction of the front door, and the lack of overhang, any other doors are going to be severely affected by weather conditions, causing daily warping, potential rot, and yearly maintenance to make sure it stays true to size. Most wood doors would not be under warranty due to the location of this door, including the wood door we quoted. The best application for longevity and to be covered under warranty for that door is a fiberglass door.

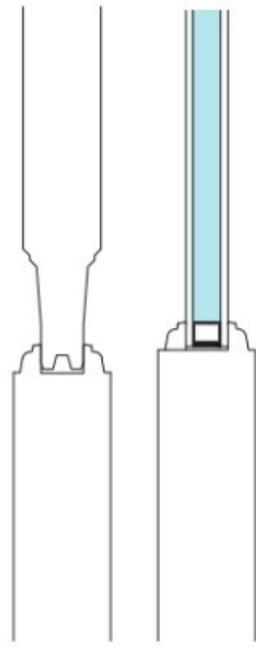
If you have any questions, please let me know.

Thanks-

Ryan



WaterBarrier® Door Corner



Panel Profile

Glass Profile



1-7/16" Double Hip Raised Panel - Interior Side

**Ryan Quinter**

US Architectural Millwork

Cell: 828-280-0464

**USAM**  
ASHEVILLE

5315 Parker Road

Knoxville, TN 37924

Phone: (865) 524-2161

[www.usamknox.com](http://www.usamknox.com)

**From:** Leila White <leilawhite@gmail.com>  
**Sent:** Thursday, April 20, 2023 8:20 AM  
**To:** Hunt, Alexandra <ahunt@hvlnc.gov>  
**Cc:** Ryan Quinter <rquinter@usamknox.com>  
**Subject:** Re: Door specs

Good Morning Alex,

The Reeb Waterbarrier is not a wood door. Option 2 is a wood door, but it will get damaged quickly door due to the lack of protection & overhang.

I have copied Ryan on this email, he can help in answering questions and details on these two options.

Best,  
Leila White

M. 954-257-9205  
[www.leilawhite.com](http://www.leilawhite.com)  
Charles Rutenberg Realty - Fort Lauderdale

On Wed, Apr 19, 2023 at 11:34 AM Hunt, Alexandra <ahunt@hvlnc.gov> wrote:

Hi Leila - Thank you for sending this over! Is the Reeb Waterbarrier option a wood door or is it an aluminum clad wood door? I can see in the estimate that it says "specie: Red Oak" - I just wanted to confirm. Also, I think the design does match the existing door as far as the window depth and single panel. The addition of the wood muntins would be keep the design in-line with the existing door as well.

-Alex

---

**From:** Leila White <leilawhite@gmail.com>  
**Sent:** Monday, April 17, 2023 10:49 AM  
**To:** Hunt, Alexandra <ahunt@hvlnc.gov>  
**Subject:** Fwd: Door specs

**Be Advised:** This email originated from outside of the Hendersonville network. Do not click links or open attachments unless you recognize the sender and know the content is safe.

Good Monday Alex,

Please find attached the two best possible door options for review.

The Reeb Waterbarrier option would be the most durable option over wood. Since the overhang isn't much and the door is susceptible to rain/direct sunlight that would be the best option for 921 N Main as we don't want to change the looks of the front view with a more protective overhang. And it is a stock item, so I am able to get it asap.

I would be happy to install mountings on the top to keep the look as close as possible to the original door. Let me know what you think, and if you need anything in the meantime.

Best,  
Leila White

M. 954-257-9205  
[www.leilawhite.com](http://www.leilawhite.com)  
Charles Rutenberg Realty - Fort Lauderdale

Item A.

----- Forwarded message -----  
From: **Ryan Quinter** <[rquinter@usamknox.com](mailto:rquinter@usamknox.com)>  
Date: Mon, Apr 10, 2023 at 11:28 AM  
Subject: RE: Door specs  
To: Leila White <[leilawhite@gmail.com](mailto:leilawhite@gmail.com)>

Hi Leila-

Hope you had a good weekend. Here are the two doors we discussed for the entry door. Below is the 1 panel/stock option from Reeb. The attached mock up is more closely related to the current door.

If you need anything else, please let me know.

Ryan

**WATERBARRIER® BEST DU**



**F7081 LEW**

Low-E  
1-7/16" Double Hip  
Raised Panel  
Wide Layout  
Ovolo Sticking  
2/8 x 6/8    2/8 x 7/0  
3/0 x 6/8    3/0 x 7/0

**Ryan Quinter**

US Architectural Millwork

Cell:828-280-0464

Item A.



5315 Parker Road

Knoxville, TN 37924

Phone: (865) 524-2161

[www.usamknox.com](http://www.usamknox.com)

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**Ryan Quinter**

US Architectural Millwork

Cell:828-280-0464



5315 Parker Road

Knoxville, TN 37924

Phone: (865) 524-2161

[www.usamknox.com](http://www.usamknox.com)

BK 3880 PG 155 - 157 (3)

DOC# 975192

This Document eRecorded:

03/08/2022 03:19:39 PM

Fee: \$26.00

Henderson County, North Carolina

Tax: \$680.00

William Lee King, Register of Deeds

**NORTH CAROLINA GENERAL WARRANTY DEED**

Excise Tax: \$680.00

Parcel Identifier No: 1018651 Verified by \_\_\_\_\_ County on the \_\_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_  
By: \_\_\_\_\_

Mail/Box to: Page Legal, PLLC, 714 Oakland Street, Hendersonville, NC 28791

This instrument was prepared by: Sherri L. Brewer DEED PREP ONLY TITLE NOT EXAMINED 22-3076

Brief description for the Index: Parcel 3, 0.23 acres more or less

THIS DEED made this 23<sup>rd</sup> day of February, 2022, by and between

GRANTOR	GRANTEE
<b>DANIEL EMS, divorced and unremarried</b>	<b>BRANDON WHITE and wife, LEILA WHITE</b>
127 Walt Lane Hendersonville, NC 28792	921 N. Main Street Hendersonville, NC 28792

The designation Grantor and Grantee as used herein shall include said parties, their heirs, successors, and assigns, and shall include singular, plural, masculine, feminine or neuter as required by context.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in Hendersonville Township, Henderson County, North Carolina and more particularly described as follows:

**SEE ATTACHED EXHIBIT A.**

The property hereinabove described was acquired by Grantor by instrument recorded in Book 3017 at Page 104.

All or a portion of the property herein conveyed x includes or    does not include the primary residence of a Grantor.

A map showing the above described property is recorded in Plat Slide 9956.

TO HAVE AND TO HOLD the aforesaid lot or parcel of land and all privileges and appurtenances thereto belonging to the Grantee in fee simple.

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever, other than the following exceptions:

**Subject to Henderson County ad valorem taxes.**  
**Subject to Restrictions, Easements, and Rights of Way of Record.**

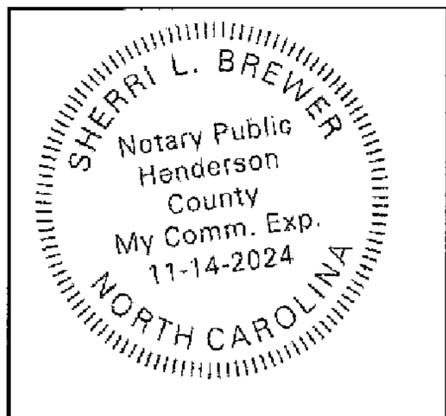
IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

\_\_\_\_\_ *Daniel Ems* (SEAL)  
Daniel Ems

By: \_\_\_\_\_ (SEAL)  
Print Name and Title

By: \_\_\_\_\_ (SEAL)  
Title: \_\_\_\_\_

By: \_\_\_\_\_ (SEAL)  
Title: \_\_\_\_\_



(Affix Seal)

State of NORTH CAROLINA - County of HENDERSON

I, the undersigned Notary Public of the County and State aforesaid, certify that Daniel Ems personally appeared before me this day and acknowledged the due execution of the foregoing instrument for the purposes therein expressed. Witness my hand and Notarial stamp or seal this 23<sup>rd</sup> day of February, 2022.

My Commission Expires:  
11-14-2024

*Sherril L. Brewer*  
Sherril L. Brewer Notary Public  
Notary's Printed or Typed Name

**EXHIBIT A**

**BEING** all of Parcel 3 containing 0.23 acres, more or less, as more fully shown and described at Plat Slide 9956 in the Office of the Register of Deeds for Henderson County, North Carolina, reference to which is hereby made for a more particular description of said property.

**BEING** all of that certain property described in deed recorded in Deed Book 1653 at Page 574 in the Office of the Register of Deeds for Henderson County, North Carolina.

**ALSO BEING** that same property recorded in Deed Book 3017 at Page 104 in the Office of the Register of Deeds for Henderson County, North Carolina.

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

**Minutes of the Meeting of November 16, 2022**

**Commissioners Present:** Jim Welter (Vice-Chair), Cheryl Jones, (Chair), Ralph Hammond-Green, Crystal Cauley, Chris Battista, Jim Boyd, Jane Branigan and Anthony Baltiero

**Commissioners Absent:**

**Staff Present:** Alexandra Hunt, Planner I, Daniel Heyman, Staff Attorney, Jaime Carpenter, Downtown Manager

- I **Call to Order.** Chair called the regular meeting of the Hendersonville Historic Preservation Commission to order at 5:02 pm.
- II **Public Comment.** There was no public comment.
- III **Agenda.** Chair stated they need to amend Item 5C which will be moved to Item 5A, with A moving down to B and B moving down to C. A motion was made by Commissioner Battista and seconded by Commissioner Hammond-Green to approve the amended agenda.
- IV **Minutes.** On motion of Commissioner Hammond-Green and seconded by Commissioner Battista the minutes of the meeting of October 19, 2022 were approved.
- V **New Business**
- V(B) **Certificate of Appropriateness,** Lelia White, 921 N. Main Street (File No. H22-082-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.

Alexandra Hunt, Planner stated City is in receipt of a Certificate of Appropriateness application from Lelia White for the replacement of the entry door at the subject property located at 921 N. Main Street. (PIN 9569-70-3922)

The subject property is .23 acres and is zoned R-6, High Density Residential and is located in the Hyman Heights Historic District. This COA application is considered a Major Work.

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

An aerial view was shown of the vicinity.

A subject property is a contributing building that was constructed sometime between 1924 and 1937. It is described as having three-vertical-over one windows and four-vertical-lights-over panel entry door.

Ms. Hunt gave a summary of the past COA approvals which is included in the staff report.

Photos were shown of the property's existing conditions. Those are also included in the staff report.

The applicant provided more detailed images and information as it pertains to the condition of the existing door that is included in the staff report.

The applicant has indicated that she would paint the door to match the color of the existing door and that a carpenter will make removable wood muntins to create the four-vertical-lights-over panel design.

Included in the staff report is also various quotes the applicant has provided with estimates for a custom door as well as information about the possibility of restoring the existing door. This is included in the staff report as Exhibits D and E.

The applicant is present.

The Design Standards that pertain to this application were shown and included in the staff report.

Chair asked if there were any questions for staff.

The Commission asked about the proposed door. Ms. Hunt stated it was a shaker style door which was already purchased but has not been installed. The original door is still in place. She went through a lengthy process to see if the existing door could be restored and also obtained quotes on custom doors. There were also foundation issues they were working through. This has been laid out in the letter.

The Commission discussed the panels of the door.

There were not any further questions for staff.

Chair asked if the applicant to come address the Commission.

Lelia White, 921 N. Main Street stated they are extremely happy to be in Hendersonville. They picked the historical area because they love older homes. They have done work on the foundation which is sinking. She explained how termites were eating away at the wood on the foundation. They still need to change the door and level the foundation. Chair asked when this door goes in, they will not have to replace or do repair work to the entry part. Ms. White stated it would be level, but the entry porch is sinking so they will need to address that. Once they changed the wood beams on the foundation the door could not be closed all the way because the house was lifted. Now they are able to tweak it with the beams and the support beams. It still scrapes and little but once it settles it should be fine. After the door is installed, they will take care of the patio.

Commissioner Welter asked if there were any other options, and he does realize they have already purchased the door. Ms. White stated she was unaware that she needed a permit when she purchased the door, but she tried to get a door as similar to the existing one as she could find. She got quotes for refinishing the door and they were extremely pricey. Repairing the door and making a new door was four or five times more than this door that she purchased. They placed the order for the door in April

and the door came four months later. The door was incorrect and had to be corrected and then she received a letter about following the rules of the historic community. That is when Ms. Hunt educated her about the process. She has spent so much money with the foundation of the house and plumbing in the house, it is hard to spend another \$10,000 for the installation of a door. They have spent over \$50,000 on the house already.

Chair asked if this proposed door looks like wood or fiberglass. Ms. White stated the elements of the door will hold up much better than a wood door. The hope is that when she paints the door the same color as the existing one, from afar you cannot tell what material it is. It will look a little different, but she is willing to do the moldings to make it look like it should look. She has not seen the door yet. It is still in the warehouse of the door company. The door that was incorrect did not look cheap. It was not a cheap Home Depot style door. It does not look like wood, but she is hoping when she paints it, it will have the same red and a similar look to the existing door. The moldings will need to be redone and they will match. She explained the termite damage and the damage to the existing door.

Commissioner Welter asked if she had considered any half-light doors. Ms. White stated when she purchased the door, she was unaware of the rules that she needed to follow. If she has to purchase another one, then she will have to purchase it, but she will be out again another \$2,000. She stated she is at the Commission’s mercy. They do respect the rules and they do want to follow them. She was unaware of the rules at the time, and she purchased the door to match the windows.

Chair discussed the guidelines stating to replace “in-kind” to match the original. Substitute materials can be used but only when original is not feasible. Chair asked if Ms. White was saying using a wooden door is not technically feasible. Ms. White stated it is feasible, but it is just going to be four times as much. She did get a quote for a custom-made wood door and the prices were much higher than a manufactured door. Some carpenters could not see her until next year. She has about an inch gap of opening that she has been trying to patch. She could have a custom door made but it would cost her much more than she wanted to spend, and she prioritized their budget on the foundation and the plumbing and things the house truly needed to be able to be lived in.

Chair asked if there were any other doors in that area that are fiberglass. How many and how close to hers? Ms. White stated she walked Hyman Heights and looked and had asked Ms. Hunt if she needed to take photos of other doors that have been replaced without the proper permits and Ms. Hunt told her no. Chair explained the statute stating “shall” which means “must” and so the statute is that you replace deteriorating with “like” materials unless it is technically not feasible to do so. The testimony is that it is technically feasible, and they are talking about a financial hardship which is not a consideration of the statute. If there were other fiberglass doors in the neighborhood that would show that maybe this is not so incompatible. That would be another consideration. Ms. White stated she definitely could provide the Commission with photos and addresses. Chair asked if she could estimate off the top of her head how many are close by. Ms. White stated when taking a drive, she spotted two or three newer style doors on the road behind her property. Commissioner Battista asked if they were in the district. Ms. White stated yes. She stated the homes were on Patton Street and on Oakland Street. Ms. Hunt stated the home directly behind Ms. White on Patton Street was previously approved to be demolished but never was. Chair stated the concern is that she has to follow the statute and that is unfortunate in situations like these because the Commission realizes what she has tried to do to repair the home to make it right and do it right.

Ms White stated there is a safety aspect too with the front door. She is the first house on North Main Street and just last week there was a guy sitting in front of her lawn and he came towards the front of her home and she told him she would call the police. They have had some riff-raff coming around and

she feels like a new door needs to be in place. Chair stated technically for feasibility it will be another year before she could get a custom door and there is a security aspect with the door. Ms. White stated yes and that is if she could find someone to commit to making the door.

Chair stated the Commission needs to discuss and figure out if it is feasible for her to have a custom door made when there is a security factor with having a new door in place now verses having to wait to have a custom door made.

Chair asked if anyone had any further questions for the applicant. There were no further questions.

Chair asked if there was anyone else that would like to speak. When no one spoke, Chair closed the public hearing.

Commissioner Welter would tend to agree with her since they recently replaced a door to the rear of their house and was more expensive and it took longer than expected. He stated wood was an option for some of those that you could order off the shelf. Chair discussed a wood door being feasible and if the fiberglass door would be in keeping with the character of the historic district. Chair stated this is a unique property as it is contributing, and the original door is still there.

Commissioner Welter acknowledged there is a safety concern. He was very concerned with how that garage had gotten torn down. He is inclined with the safety concerns, the ability to get the materials, winter coming on. He does not want to set a precedent.

The Commission discussed the windows getting changed too outside of the guidelines.

Chair stated the statute does state to replace in kind and the original door is still there so the only way to get around that is if there is enough evidence presented that it is technically not feasible to replace it with a wood door.

Discussion was made on the replacement of the door and the door frame being replaced due to termite damage.

Chair reopened the public hearing.

Chair stated she knows Ms. White has paid for the door sitting at the warehouse, is there a chance the manufacturer would give her a credit towards a wooden door? Ms. White stated she truly did not know she was in a historic district because her house and the one next door sits separately from the district. They feel like they are more towards the commercial space than in the neighborhood. The first door was delivered in April, and it took them four months to deliver the wrong door and that is when she received the letter and as soon as she received the letter and then she knew she had a problem and thought maybe she could return the door or switch the door and the manufacturer said no. They made a mistake but if she returns the door, she will lose her money. She tried to fight it and consider something else. Then she thought maybe she could repair it but the three people she contacted came and said they did not want to touch this door. They could make a new door but because of the damage to the existing door and the casing, they could not promise the existing door would fit back in place correctly. No one recommended refinishing the existing door so it would be buying a new door, keeping what she has or making one from scratch which would be the most expensive way to go.

Ms. White stated the door frame would be replaced due to damage and it would be replaced with

wood. She stated she is willing to go back and replace the wood panels on the windows that have been removed.

Chair closed the public hearing.

The Commission discussed their concerns with replacing the original door with “in-kind”. They could also understand the situation. They discussed the look of the door and the door being fiberglass and having other options looked at. Chair’s concern was if the Commission is going to approve a new material, then it should at least look like what is currently there. The design and the material are both different. It was stated that the existing door is the original door from 1924. The Commission felt like this door was not salvageable. They are sympathetic to the issues and not finding out the rules until after the fact, but the rules are the rules and Commission Welter stated that would be a half-light door with four panels over and you can order that style door at GBS from his experience over the past year. Those can be ordered in wood and when he ordered it, it took six months to get it. The concern is will that door last but that is not what the Commission is concerned with. These doors can be ordered. Discussion was made on finding an appropriate door. There are other options that are feasible. They discussed the demolition of the garage and the windows being changed. Commissioner Welter was unsure if any doors in the Hyman Heights District were actually fiberglass.

Daniel Heyman, Staff Attorney stated staff’s position is legally a decision on a COA does not create a legal precedent. There might be some equitable consideration that you all take into account but there is no legal precedent set when you decide on a COA, they all stand on their own on their facts. So, it should be based on the facts of this particular application and made by each member impartially. This application stands on its own and it is not a legal precedent. Each application stands on its own but recognizing there is some consideration on equity when you make decisions like this. That is staff’s position on the issue.

Mr. Heyman stated if you voted on a hypothetical COA and you voted to approve it and a later applicant came and pointed to that as a legal argument, that legal argument would hold no water to that, it could just be dismissed. That is not relevant. It would be relevant to the extent of is it compatible with the neighborhood. Again, each application stands on their own.

Commissioner Welter stated he is more concerned with the design of the door than the material it is made with. Chair stated they either approve this door or tell her to get a different door and if they tell her to get a different door, that door could be wood. It is all about feasibility. She has already gotten this door and has agreed to change it to make it more compatible with the style of the existing door. It is not a perfect match. They have talked about the statute it is 3.7.6, she is going to call a vote. There was a split vote.

***Commissioner Welter moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in File # H22-082-COA and located within the Hyman Heights 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 (Residential) for the following reasons: The proposed entry door replacement does not match the design and the dimension of the original sash or panels, pane configuration, architectural trim, detailing and materials. Commissioner Hammond-Green seconded the motion which passed 5 in favor of and 2 opposed (Commissioner Baltiero and Commissioner Boyd). The application was denied.***

VII **Adjournment.** The Chair adjourned the meeting at 7:10 p.m.

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Chair