



CITY OF HENDERSONVILLE
HISTORIC PRESERVATION COMMISSION
Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Wednesday, February 15, 2023 – 5:00 PM

AGENDA

1. **CALL TO ORDER**
2. **PUBLIC COMMENT**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**
 - A. Minutes of December 21, 2022
 - B. Minutes of January 18, 2023
5. **OLD BUSINESS**
 - A. 1304 Hyman Ave. – Replacement of Existing Windows (H22-105-COA) – *Alexandra Hunt / Planner I*
6. **NEW BUSINESS**
 - A. 1306 Hyman Ave. – Addition of Shed (H23-005-COA) – *Alexandra Hunt / Planner I*
 - B. 225 N Main St. – Addition of Side and Rear Windows (H22-120-COA) – *Alexandra Hunt / Planner I*
7. **OTHER BUSINESS**
 - A. Update on Staff Approved COA's - Alexandra Hunt, Planner I
 - B. Committee 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 December 21, 2022

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

Commissioners Absent: Anthony Baltiero

Staff Present: Alexandra Hunt, Planner I, Daniel Heyman, Staff Attorney, Matt Manley, Planning Manager

- I **Call to Order.** Chair called the regular meeting of the Hendersonville Historic Preservation Commission to order at 5:00 pm.
- II **Public Comment.** Lynne Williams, Chadwick Avenue. Ms. Williams stated that she requested that Commission consider designating Chadwick Avenue as a historic district.
- III **Agenda.** A motion was made by Commissioner Hammond-Green and seconded by Commissioner Welter to approve the agenda.
- IV **Minutes.** On motion of Commissioner Hammond-Green and seconded by Commissioner Battista the minutes of the meeting of November 15, 2022 were approved.
- V **Old Business.**
 - V(A) **Approval of Findings of Fact – 921 N. Main Street – H22-082-COA**
 - V(B) **Approval of Findings of Fact – 1109 N. Main Street – H22-083-COA.**

Commissioner Welter moved to approve the Findings of Fact for 921 N Main Street and 1109 N. Main Street as written. Commissioner Hammond-Green seconded the motion which passed unanimously.
- VI **Other Business.**
 - VI(A) **Update on Staff Approved COA's.** Alexandra Hunt, Planner provided an update to the Commission on staff approved COA's.
- VII **New Business**
 - VII(A) **Certificate of appropriateness,** Marshall Kanner, 118 5th Ave W (File No. H22-106-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 that the City is in receipt of a Certificate of Appropriateness application from Marshall Kanner for the addition of a store front entry door and windows at the subject property located at 118 5th Ave W.

The subject property is 0.18 acres and is zoned C-1 Central Business and is located in the Main Street Historic District. This COA application is considered a Major Work.

A vicinity map was shown with the subject property highlighted in green and an aerial view was shown of the subject property.

The subject property is a one-story brick addition at the northwest corner of a large, two-story brick commercial style building known as the "Morey Building." This commercial building was constructed ca. 1912 to house Hunter's Pharmacy, formerly located down the street. The subject property is described in the local historic district designation report as having replacement fixed panes in the original display opening and a glass block transom.

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

Ms. Hunt indicated that the Applicant submitted an alternate storefront design after the packet was submitted to the Commission. The difference in the alternate storefront design is the design of the entry door. The proposed design that is in the packet is one single door with fixed glass panels on each side and the alternate design proposal is a double door with fixed side lights on each side.

Ms. Hunt stated that the Applicant is requesting that the Commission consider the alternate proposed storefront design as part of this COA application.

Ms. Hunt requested that the alternate design proposal marked Exhibit C be admitted into the record.

Chair admitted Exhibit C into the record.

Photos were shown of storefronts that front Main Street that have painted metal doors and window frames. Ms. Hunt stated that staff surveyed the Main Street district and that a majority of the storefronts that front Main Street feature wood trim and most of the metal framing appears to have been introduced as part of renovations in the 1970's and 1980's prior to the establishment of the Main Street Local Historic District. Ms. Hunt stated that the subject property does not front Main Street.

The Design Standards that are applicable to this COA application were shown and are also included in the staff report.

Ms. Hunt asked if there were any questions for staff and indicated that a representative of the applicant, Peggy Mayer, was present to answer questions from the Commission. Ms. Mayor is the property

manager for Hunter Building Properties LLC which is the property owner of the subject property.

The Chair asked if there were any questions for Staff. Commissioner Hammond-Green asked Staff if there are any historic pictures available of the subject property or building and the storefront in particular after it was repaired from the fire in 1926.

Commissioner Welter asked whether Staff was satisfied with the historical research that was done in trying to establish what the storefront originally looked like.

Ms. Hunt stated that what Staff was able to find was what was indicated in the Designation Report.

The Chair asked if what is currently the storefront is what was noted as contributing in the Main Street Local Historic District Designation report. Ms. Hunt stated that it was.

Commissioner Cauley stated that a pharmacy was originally located in the Morey Building. Hunter Pharmacy.

Commissioner Welter stated that the guidelines call for historical research to try and determine what the original structure looked like.

Ms. Hunt stated that no other historic pictures were available of the subject property, which is an addition to the Morey Building, that staff could locate. Ms. Hunt indicated that the applicant also attempted to locate historic pictures of the property from the previous owner and was unable to find any.

The Chair asked the applicant to address the Commission.

Peggy Mayer, 118 5th Ave W, property manager for Hunter Building Properties, LLC. Ms. Mayer stated that she went to the library to see if they had photos of the building and contacted the previous property owner to see if he had any photos and he did not. Ms. Mayer stated that she could not find any photos of 5th Avenue.

Commissioner Boyd asked if the glass block transom is a wood frame. Ms. Mayer stated that it is in a metal frame and it will be kept as is.

Chair asked to confirm that there will be 4 total panes and if the existing frames are metal or wood. Ms. Mayer responded that it is currently a wood frame and that there will be two glass doors and one pane on either side so 4 panes in total.

Mr. Manley, Planning Manager, stated that it seems that the subject property was originally an independent building with its own storefront entrance and then at some point the building was accessed through an interior door of the adjoining building to create one large space and the storefront doors were replaced with windows as it looks today.

Mr. Manley asked Ms. Mayer if the subject property will still have that interior access and Ms. Mayer stated that it will be up to the tenant.

The Chair asked if there was anyone present who was opposed or for the application.

The Chair closed the public hearing.

Commissioner Hammond-Green moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in File # H22-106-COA and located within the Main Street 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 (Main Street) for the following reasons: 1. The proposed addition design is based on historical research and maintains the original proportions, dimensions, and architectural elements. [Sec. 3.1.5] as we were able to determine. 2. The proposed addition retains the commercial character of the building through contemporary design and is compatible with the scale, design, materials, color, and texture of the historic building. [Sec. 3.1.7] Commissioner Batista seconded the motion which passed unanimously. The application was approved.

VII(B) Certificate of Appropriateness. Kathryn Vickers, 1304 Hyman Avenue (File No. H22-105-COA).

Chair opened the public hearing.

Ms. Hunt stated staff was in receipt of a Certificate of Appropriateness application from Kathryn Vickers for the replacement of 17 existing windows on the subject property located at 1304 Hyman Avenue. (PIN 9569-72-0766). The subject property is approximately 0.31 acres and is zoned R-6 High Density Residential and is located in the Hyman Heights Historic District. This COA is considered a Major Work according to the Residential Design Standards.

A vicinity map was shown with the subject property highlighted in green.

An aerial view was shown with the parcel outlined in red.

The subject property is a Contributing, Colonial Revival style two-story house constructed ca. 1922. The windows are described as three-vertical-over-one with a multi-light casement windows at the attic.

Ms. Hunt reviewed the past COA history which is included in the staff report.

Site photos were shown of the subject property taken by staff.

Photos were shown of the condition of some of the windows at the subject property. Ms. Hunt stated that these photos were submitted by the Applicant and are attached to the staff report as Exhibit C. Ms. Hunt stated that the submitted photos in Exhibit C were the only documentation that staff was provided as to the condition of the windows. Staff does not know the exact condition of each of the 17 windows that the applicant is requesting to replace. Staff cannot determine which windows are able to be replaced or if some of the windows can be repaired.

The Design Standards that are applicable to this COA application were shown and are also included in the staff report.

Chair asked if there were any questions for staff.

The Chair asked the applicant to address the Commission

Kathryn Vickers, 1304 Hyman Avenue. Ms. Vickers stated that she is trying to keep the windows accurate matching the grids and details. She has 30 total windows in the house and it is costly to replace all windows.

Commissioner Welter asked whether Ms. Vickers has looked at the cost of wood windows or aluminum clad wood windows. Ms. Vickers stated that Windows and Doors Specialists did quote her the cost of wood windows and it is 3x the cost of vinyl windows. Ms. Vickers stated that her contractor, Dan, submitted a letter with the application that given the settling of the house none of the windows can open and need new weights and it would be too costly to repair.

Commissioner Welter asked if the applicant looked at the design standards and Ms. Vickers stated that she was informed they have to be wood windows. Ms. Vickers stated that she is on a budget and wood windows are too much and she cannot afford them. That the vinyl windows are still costly and it is very expensive to replace the windows to the standards.

The Chair stated that the legislature came in and stated that the guidelines are no longer advisory and are now a mandatory. The commission does not have flexibility to a complete change from all wood windows to vinyl windows.

Ms. Vickers stated that the house has settled and it would be too expensive to repair each window with the weight system. That the windows that need to be replaced are in her children's' rooms and do not open and those are her concern for safety reasons.

The Chair stated that the commission would like to see another material option other than vinyl. The Chair stated that the State Historic Preservation Office has resources for window specialists.

Ms. Vickers asked if some of the windows not facing the street could be replaced with vinyl.

Commissioner Welter stated that the standards state that vinyl is not appropriate.

The Chair asked if there is a possibility of a different type of window that meets the required materials.

Mr. Manley, stated that wood windows or aluminum clad wood windows have been approved in historic districts in other municipalities.

Ms. Hunt stated that it would be staff's position that the Commission could continue this application to the next meeting to work with the applicant on determining the level of deterioration of each window and whether any of them could be repaired and not replaced and to prioritize replacement versus repair needs of the windows.

Ms. Vickers asked if the Commission could continue the application to February.

The Chair asked that Ms. Vickers work with staff to determine the extent of deterioration and repairs.

**Commissioner Hammond-Green moved to continue this application to the February meeting.
Commissioner Welter seconded the motion which passed unanimously.**

VIII ***Adjournment.*** The Chair adjourned the meeting at 6:32 p.m.

Chair

DRAFT

CITY OF HENDERSONVILLE
Historic Preservation Commission

Minutes of the Meeting of January 18, 2023

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

Commissioners Absent: Cheryl Jones, Anthony Baltiero

Staff Present: Alexandra Hunt, Planner I, Daniel Heyman, Staff Attorney, Matt Manley, Planning Manager

- I **Call to Order.** Chair called the regular meeting of the Hendersonville Historic Preservation Commission to order at 5:00 pm.
- II **Public Comment.** Ken Fitch, 1046 Patton Street. Mr. Fitch commented on the local properties and local landscapes that are considered to have local significance but are not on the National Register of Historic Places and his concerns about the loss of historic properties such as those in the African American community which are then considered development prospects.
- III **Agenda.** A motion was made by Commissioner Hammond-Green to amend the agenda to move the approval of the minutes to the next regular meeting and seconded by Commissioner Boyd to approve the agenda as amended.
- IV **Minutes.**
- V **New Business**
- V(A) **Certificate of appropriateness,** Laura Flores, 147 4th Ave W (File No. H22-119-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 that the City is in receipt of a Certificate of Appropriateness application from Laura Flores for the addition of an exterior light fixture above an existing sign at the subject property located at 147 4th Ave W (PIN: 9568-78-6159). The subject property is approximately 0.36 acres and is zoned C-1 Central Business and is located in the Main Street Historic District. The COA application is considered a Major Work.

A vicinity map was shown with the subject property highlighted in green.

An aerial view was shown with the parcel outlined in red.

The subject property is a contributing, two-story brick Commercial style building constructed ca. 1920/ There are 6 storefronts that have been modified with metal panels and aluminum frame display windows and doors.

Ms. Hunt read through the COA history of the subject property which is included in the staff report.

Photos of the existing condition of the subject property were shown including the proposed location of the light fixture above the existing sign.

Ms. Hunt stated that the applicant submitted a proposed light fixture which is an exterior black steel gooseneck sconce. A photo of the proposed light fixture is included in the staff report.

Photos of examples of exterior lighting within the Main Street Historic District were shown.

Ms. Hunt referenced in the staff report Section 2.4.1 of the Design Standards which state to introduce exterior lighting that is compatible with the historic nature of the structure, the property and the district with the compatibility of the exterior lighting fixtures is assessed in terms of design, materials, use, size, scale, color, and brightness.

Ms. Hunt showed a photo of D-9 Brewing's exterior light fixtures which are similar to what has been proposed by the applicant.

The Design Standards that are applicable to this COA application were shown and are also included in the staff report.

The Chair asked if there were any questions for Staff.

Commissioner Boyd asked if it is just to be a single light fixture.

Ms. Hunt stated that the applicant is proposing just one single light fixture.

The Chair asked the applicant to address the Commission.

Laura Flores, 832 4th Ave W. Ms. Flores stated that the awning itself hampers the visibility of the business sign itself and that is why she is proposing to add a light fixture to make her sign more visible.

The Chair asked if there was anyone present who was opposed or for the application.

The Chair closed the public hearing.

Commissioner Hammond-Green moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in File # H22-119-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 proposed exterior light fixture is compatible with the historic nature of the property and district in terms of design, material, use, size, scale, and color. [Sec. 2.4.1] (1) The proposed location of the exterior light fixture does not conceal any historic architectural features of the existing brick façade. [Sec. 2.4.3]; with the following Condition(s): (1) The proposed exterior light will be compatible with the district in terms of brightness and will not spill light onto adjacent properties; (2) Mount the proposed exterior light fixture in a manner that does not damage the historic brick façade and that follows historic preservation best practices for mounting fixtures on brick facades. Commissioner Branigan seconded the motion which passed unanimously. The application was approved.

V(B) **Certificate of Appropriateness.** Eli M. Jones, 123 3rd Ave W. (File No. H22-117-COA).

Chair opened the public hearing.

Ms. Hunt stated staff was in receipt of a Certificate of Appropriateness application Eli M. Jones to partially fill-in the existing window openings of two windows located on the rear façade of the subject property and the addition of two new windows in each of the remaining window openings. In addition to the request in the submitted COA application, the Applicant is also requesting approval for the replacement of the existing door located between the two windows on the rear façade be replaced with a steel door to match an existing steel door located in the rear façade of the adjacent storefront – 119 3rd Ave W. The subject property located at 123 3rd Ave W /PIN 9569-72-0766. It is approximately .18 acres and is zoned C-1 Central Business and is located in the Main Street Historic District. This COA application is considered a Major Work according to the standards of the Main Street Historic District Design Standards.

A vicinity map was shown with the subject property highlighted in green.

An aerial view was shown with the parcel outlined in red.

The subject property is a Contributing, two-story brick Commercial Style building with two storefront openings.

Ms. Hunt indicated that there is a mistake in the staff report as it shows the storefronts to the left of the subject property addressed 127-131 3rd Ave W. The storefront shown during the presentation is the correct storefront and the subject property was constructed in 1910 as shown on the Sanborn Map circled in green.

Ms. Hunt reviewed the past COA history which is included in the staff report.

Site photos were shown of the subject property taken by staff.

Photos were shown of examples of filled-in window openings fronting N. Main Street.

Ms. Hunt stated that these windows were filled in prior to the establishment of the Main Street local historic district.

The Design Standards that are applicable to this COA application were shown and are also included in the staff report.

Ms. Hunt stated that Aaron Black with Black and Alm Construction who has been contracted by the applicant is present to represent the application.

Chair asked if there were any questions for staff.

The Chair asked the applicant to address the Commission

Aaron Black, . Mr. Black stated that the existing windows had a lot of termite and water damage. There is also a safety concern as the windows are in the rear alley of the building.

The Chair asked if Mr. Black reviewed the design standards and that the specific proposal to fill in the existing windows are prohibited by the design standards and the Commission is held to the design standards.

Mr. Black stated that they would be willing to work with Staff to find an alternative proposal.

The Chair asked if Mr. Black would consider continuing this application to work with Staff to find a more appropriate proposal that is in line with the design standards.

Ms. Hunt asked if there was any particular guidance from the Commission on the door.

The Chair asked if there were previous COA applications for the replacement of the door on the rear façade.

Ms. Hunt stated that the only COA application that is on file is for the replacement of the roof system. There is no indication as to when the steel door was installed. Ms. Hunt also stated that the design standards for rear facades state that when used as service entry and place for garbage receptacles, rear facades are not held to the same design standards and are more private in appearance than side and front facades.

Mr. Manley stated that given Ms. Hunt's statement that this lends itself to have a rear façade door be more utilitarian in use which a steel door could meet that requirement.

The Chair stated that the design standards also state that the rear facades should be treated just as important as the front façades however, he understands the reality of today and the need for security particularly in the rear alleys. The Chair suggested that the applicant consider safety measures that could be installed from the interior.

Commissioner Hammond-Green moved to continue this application to the February meeting. Commissioner Battista seconded the motion which passed unanimously.

VI Other Business.

VI(A) Discussion of Draft Presentation for Community Education & Outreach on Historic Preservation.

Commissioner Welter discussed the Community Affairs Committees work which includes community outreach about the importance of preservation and information about the local historic districts and what that means. One idea that the committee has worked on is to create a presentation to give to the different real estate offices around the City on the local historic districts and the difference between historic districts. Commissioner Welter presented a proposed outline for the presentation.

VIII ***Adjournment.*** The Chair adjourned the meeting at 6:40 p.m.

Chair

DRAFT

BK 3744 PG 365 - 367 (3)

DOC# 957629

This Document eRecorded:

07/08/2021

12:54:40 PM

Fee: \$26.00

Henderson County, North Carolina

William Lee King, Register of Deeds

Excise Tax: \$ 500.00

Recording Time, Book and Page

Return To: McDuffy Law Firm

This instrument prepared by: **THERON E. MULLINAX, JR.**, ATTORNEY AT LAW
MULLINAX LAW FIRM, P. O. Box 2648, Hendersonville, NC 28793

DEED PREPARATION ONLY - NO TITLE EXAMINATION PERFORMED

Parcel #: Portion of 102716

Description for Index: 1304 Hyman Avenue, Hendersonville, NC 28792

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 7 day of July, 2021, by and between

GRANTOR

GRANTEE

ALTON LYNN CONNOR, JR., Single
and
LYNDA CORINE CONNOR, Single

KATHRYN ANN STEWART VICKERS
Unmarried

302 Winston Avenue
Colonial Heights, Va 23834

1304 Hyman Avenue

Hendersonville, NC 28792

The designated Grantors and Grantees 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.

The property herein conveyed X does _____ does not include the primary residence of the Grantor.

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantees, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantees 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:

BEING all that property described on Exhibit A attached hereto and incorporated into this instrument as if fully set forth herein.

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

And the Grantor covenants with the Grantees, 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 except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

2021 Henderson County and City of Hendersonville ad valorem property taxes

All rights of way, easements, reservations, restrictions and amendment to restrictions, if any, of public record of even date herewith.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, the day and year first above written.

Alton Lynn Connor, Jr. (SEAL)
Alton Lynn Connor, Jr.

Lynda Corine Connor (SEAL)
Lynda Corine Connor

STATE OF NORTH CAROLINA
COUNTY OF HENDERSON

I, Sylvia Maxwell, a Notary Public in and for the above County and State, do hereby certify that **ALTON LYNN CONNOR, JR. and LYNDA CORINE CONNOR**, personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and seal, this the 6th day of July, 2021.

My commission expires:

5-16-24

Sylvia Maxwell

NOTARY PUBLIC

Please insert Notary stamp/seal inside box only

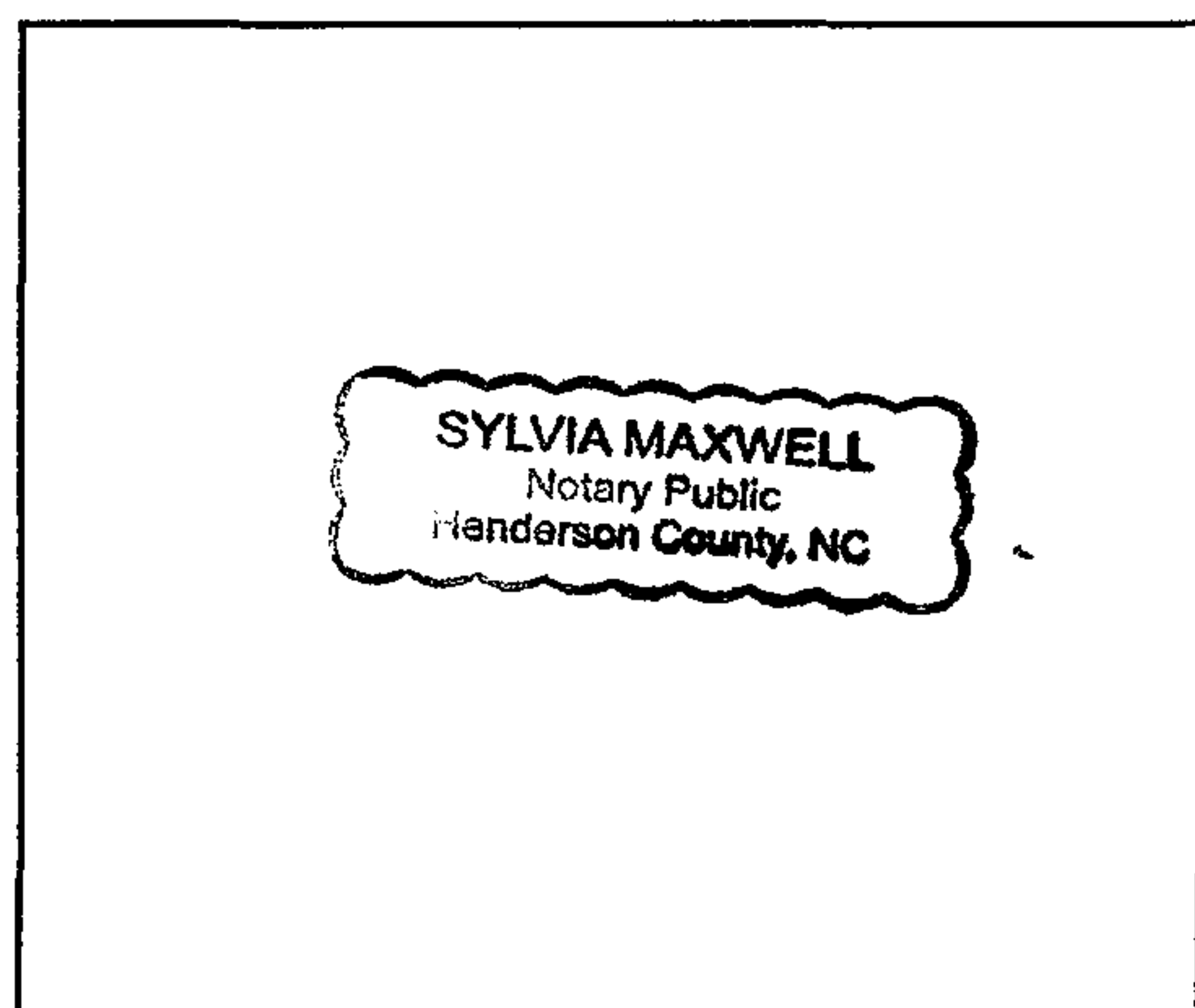


Exhibit A

Lying in Henderson County, North Carolina

BEING all of Tract B containing 13400 square feet as shown on plat of survey for Alton Lynn Connor, Jr. and Lynda Corine Connor by Hill and Associates Surveyors, P.A. dated July 1, 2021 and recorded at Plat Slide 13353 in the office of the Register of Deeds for Henderson County, North Carolina, with reference to said plat being made in aid of this description as if fully set out herein.

This conveyance is made and accepted subject to the right-of-way of Hyman Avenue and Elizabeth Street as they extend to their full legal width.

This conveyance is further made subject to such other easements, restrictions, and rights-of-way of record, if any.

AND BEING a portion of the property described and conveyed by Deed recorded in Book 3723 Page 503 in the Office of the Register of Deeds for Henderson County, North Carolina.

1304 Hyman Ave – Replacement of Existing Windows

(H22-105-COA)

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

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PROJECT SUMMARY

Applicant/Property Owner: Kathryn Vickers

Property Address: 1304 Hyman Ave.

Project Acreage: 0.31 Acres

Parcel Identification Number(s):

9569-72-0766

Current Parcel Zoning: R-6 High Density Residential

Historic District: Hyman Heights Historic District

Project Type: Major Work (Replacement of Existing Windows)



SITE VICINITY MAP

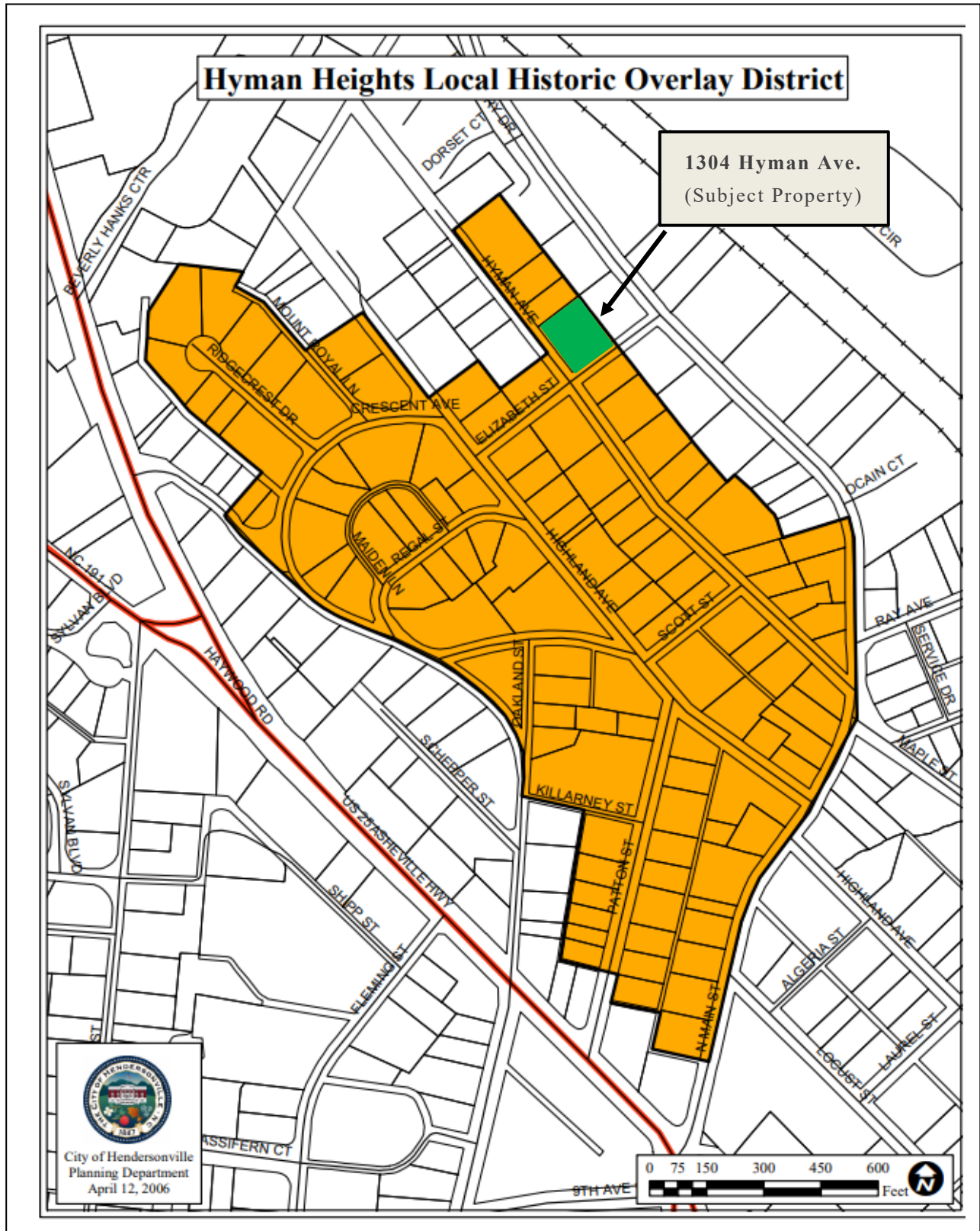
Project Summary:

The City received a Certificate of Appropriateness (COA) application from Kathryn Vickers (Applicant/Property Owner) for the replacement of 17 existing windows at the subject property located at 1304 Hyman Ave. The subject property is contributing Colonial Revival style two-story house constructed ca. 1922 with windows three-vertical-over-one, with multi-light casement windows in the attic.

The application was heard at the December 21, 2022, regular meeting. The Applicant submitted documentation of deterioration related to their request in support of the COA application (Exhibit C). The Applicant proposed to replace the windows with vinyl double hung windows. The Commission requested that the Applicant work with Staff to determine the extent of deterioration of each window and if replacement was required, then to replace in kind matching the design and material or a substitute material other than vinyl. The Applicant agreed and requested that the Commission continue the hearing until the February regular meeting.

On January 26th, Staff met with the Applicant and her contractor at the subject property. It was determined that 4 of the proposed 17 windows needed replacement. (*See Exhibit D*) The Applicant is now proposing to replace 4 windows with aluminum wood clad, three-vertical-over-one windows. The Applicant intends to repair the remaining 13 windows.

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



CITY OF HENDERSONVILLE – HYMAN HEIGHTS HISTORIC OVERLAY MAP

HISTORY OF SUBJECT PROPERTY



1304 Hyman Ave « Roy C. Bennett House »

Contributing, Colonial Revival style two-story house constructed ca. 1922. The house has a wraparound porch which has been partiall enclosed. The north side extends over the drive to create a carport. This does not show on the 1926 Sandborn map, but appears to be original. Wing added to rear. Side gable roof supported by knee braces. Walls are asbestos shingle, with aluminum siding in the soffits. Portions of brick foundation are stuccoed.

Windows are three-vertical-over-one, with multi-light casement windows at the attic. The Roy C. and Sara

Bennett family appears to be the first owner of this house. Bennett worked for the Rigby-Morrow Lumber Company. Good condition.



(1922 Sanborn Map)

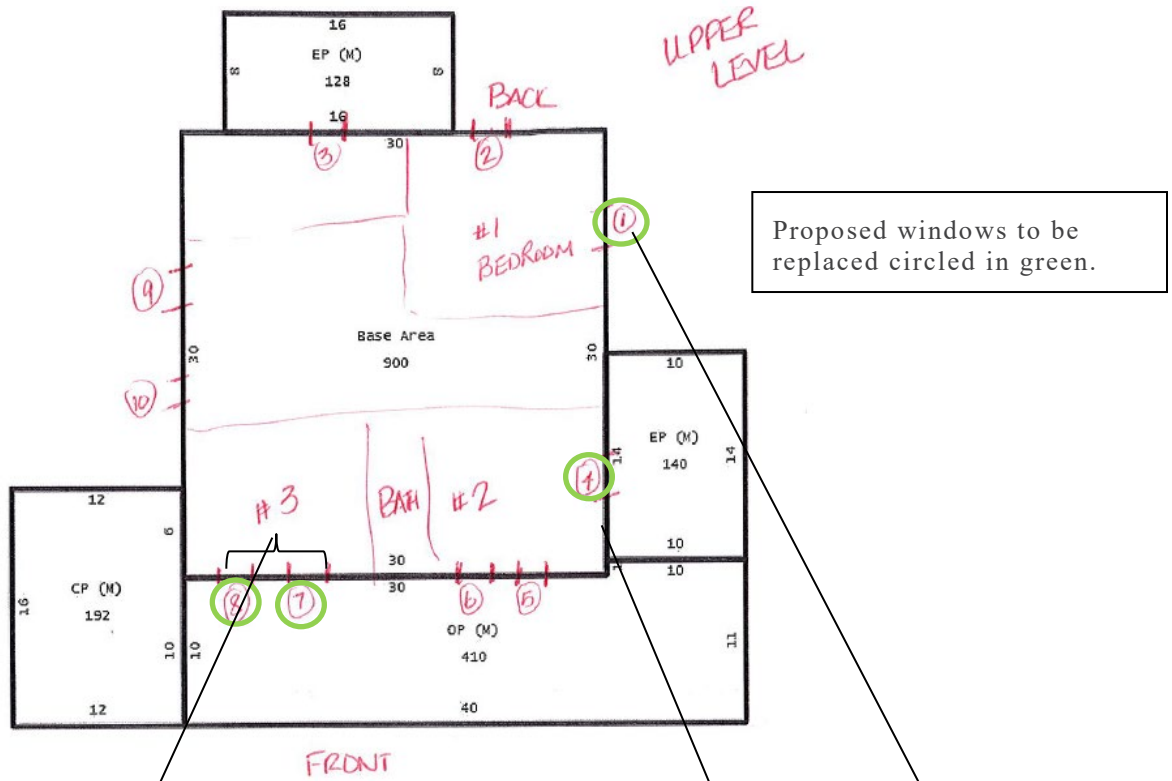
PAST COA APPROVALS

- August 2021 – Staff approved COA for the removal of a chimney and roof replacement.
- March 2022 – Commission approved COA for the demolition of a detached garage.

SITE IMAGES



LOCATION OF PROPOSED REPLACEMENT WINDOWS



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. 3.7.1 - Retain and preserve windows that contribute to the overall historic character of a building, including their functional and decorative features, such as frames, sash, muntins, sills, heads, moldings, surrounds, hardware, shutters, and blinds.

Sec. 3.7.3 - Protect and maintain the wooden and architectural elements of historic windows and doors through appropriate methods:

- Inspect regularly for deterioration, moisture damage, air infiltration, paint failure, and corrosion.
- Clean the surface using the gentlest methods possible.
- Limit paint removal and reapply protective coatings as necessary.
- Reglaze sash as necessary to prevent moisture and air infiltration.
- Weatherstrip windows and doors to increase energy efficiency.

Sec. 3.7.4 - Repair historic windows and doors and their distinctive features through recognized preservation methods for patching, consolidating, splicing, and reinforcing.

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. 3.7.13 - It is not appropriate to remove original doors, windows, shutters, hardware, and trim from a character-defining facade.

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

Sec. 3.7.17 - In accordance with the Artificial Materials guidelines (Section 3.12), it is not appropriate to replace existing vinyl windows with new vinyl windows on contributing structures.

Section 3.12 Artificial Materials Policy

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

EXHIBITS

- Exhibit A – Application
- Exhibit B – Henderson County Property Records
- Exhibit C – Applicant Submitted Documentation of Deterioration
- 1.26.23 Site Visit



CITY OF HENDERSONVILLE AMENDED AGENDA ITEM SUMMARY PLANNING DIVISION



SUBMITTER: Alexandra Hunt, Planner I **MEETING DATE:** February 15, 2023

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

TITLE OF ITEM: 1304 Hyman Ave. – Replacement of Existing Windows
(H22-105-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 # H22-105-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:

1. The existing windows are deteriorated and in need of replacement. [Sec. 3.7.6]
2. The proposed windows match the design and dimension of the original sash or panels, pane configuration, architectural trim, and detailing. [Sec. 3.7.6]
3. The proposed aluminum wood clad replacement windows are a compatible substitute material because original material is not technically feasible. [Sec. 3.7.6]

[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 # H22-105-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 proposed windows do not match the existing unit in kind, detailing, and materials. [Sec. 3.7.6]
2. Artificial materials are not appropriate on buildings on contributing properties. Existing artificial materials on contributing properties should be replaced with traditional materials. [Sec. 3.12.1]
3. It is not appropriate to remove original doors from a character-defining façade [Sec. 3.7.13]

[DISCUSS & VOTE]

SUMMARY:

The City received a Certificate of Appropriateness (COA) application from Kathryn Vickers (Applicant/Property Owner) for the replacement of 17 existing windows at the subject property located at 1304 Hyman Ave. The subject property is contributing Colonial Revival style two-story house constructed ca. 1922 with windows three-vertical-over-one, with multi-light casement windows in the attic.

The application was heard at the December 21, 2022, regular meeting. The Applicant submitted documentation of deterioration related to their request in support of the COA application (Exhibit C). The Applicant proposed to replace the windows with vinyl double hung windows. The Commission requested that the Applicant work with Staff to determine the extent of deterioration of each window and if replacement was required, then to replace in kind matching the design and material or a substitute material other than vinyl. The Applicant agreed and requested that the Commission continue the hearing until the February regular meeting.

On January 26th, Staff met with the Applicant and her contractor at the subject property. It was determined that 4 of the proposed 17 windows needed replacement. (*See Exhibit D*) The Applicant is now proposing to replace 4 windows with aluminum wood clad, three-vertical-over-one windows. The Applicant intends to repair the remaining 13 windows.

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

PROJECT/PETITIONER NUMBER:	H22-105-COA
PETITIONER NAME:	Kathryn Vickers (Applicant)
EXHIBITS:	<ul style="list-style-type: none"> A. Staff Report B. COA Application C. Henderson County Property Records D. Applicant Submitted Documentation of Deterioration E. 1.26.23 Window Survey



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

Item A.

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

11/19/22

Local District/Landmark

Address of Property

1304 Hyman Ave, Hendersonville

Property Owner: Name

Kathryn Vickers

Address

1304 Hyman Ave

Day Phone

828-642-0359

Contact Name (if other than owner)

Address

Phone

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

See Attached

Attachments:

☒ Photographs

☒ Sketch

☐ Site Plan (showing existing features and proposed)

☐ 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.

Same grids as previous windows

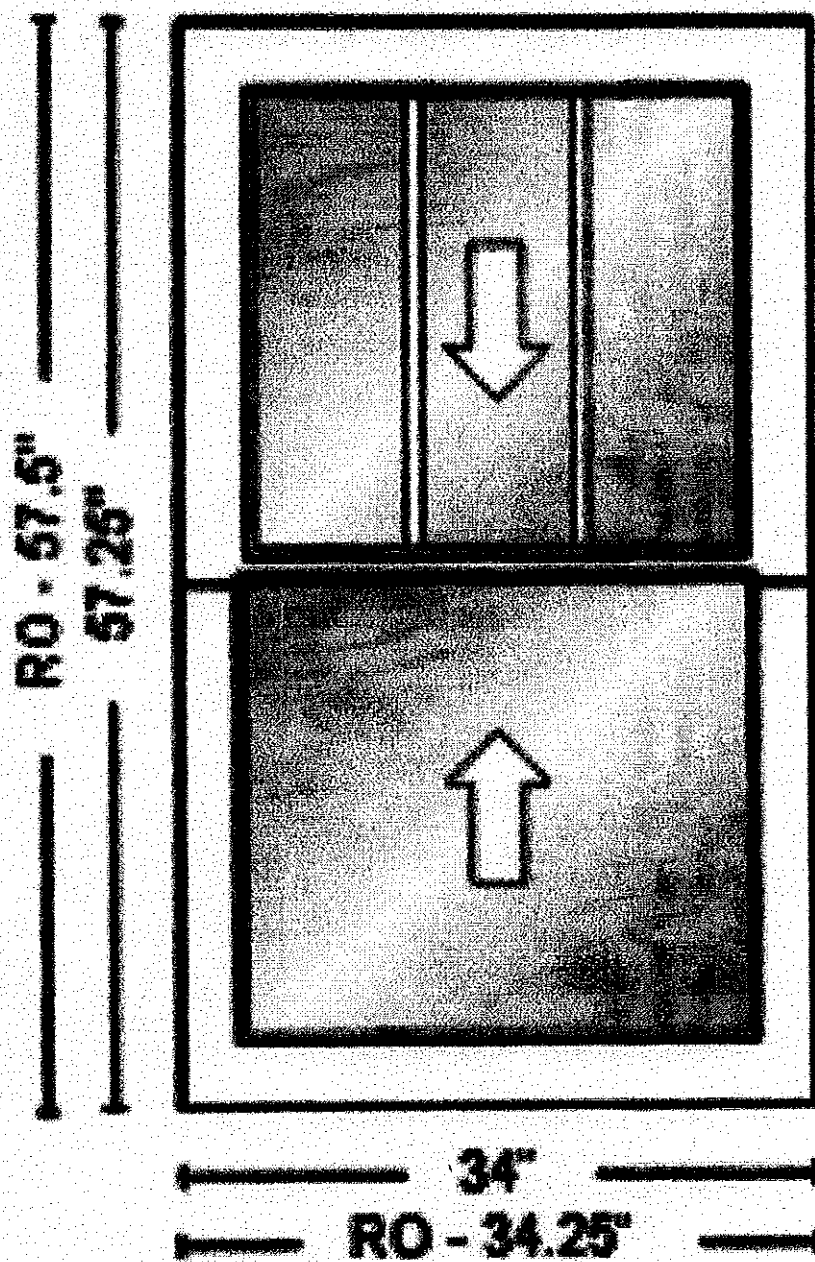
I, the undersigned, certify that all information in this application and in any attachments thereto is accurate to the best of my knowledge. Furthermore, I understand that should a certificate of appropriateness be issued, such certificate will be valid for a period of six months from the date of issuance. 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

[Signature]

Owner's

Signature





Estimate #4062

Billing Address

Vickers, Katey
1304 Hyman Avenue
Hendersonville NC 28792
United States
katey.vickersslp@gmail.com
+1 828 642 0359

Service Address

Vickers, Katey
1304 Hyman Avenue
Hendersonville NC 28792
United States
katey.vickersslp@gmail.com
+1 828 642 0359

Send Payment To

Window and Door Specialties
311 Linda Vista Drive
Hendersonville NC 28792
828-693-1135
adminnc@windowanddoorspecialties.com

Estimate Date	10/22/21
Total	\$11,790.44
Payments	\$0.00
Balance	\$11,790.44

Charges

Item	Description	Unit Cost	Tax	Quantity	Line Total
Windows:United Vinyl Windows	(14) - United 9600 Series Double Hung Windows (3) - United 9600 Series Picture Window ***SEE SPECS FOR MORE DETAILS***	\$7,859.90	✓	1.0	\$7,859.90
Installation:Installation Labor	Installation Labor (INCLUDES DISPOSAL OF OLD WINDOWS) (INCLUDES TRIM WOOD AS NEEDED) WE DO NOT PAINT	\$3,400.00	×	1.0	\$3,400.00
Acceptance Of Proposal	We hereby-propose to furnish material and labor, complete in accordance with the above specifications. Note: This proposal may be withdrawn by us if not accepted within 30 days. Any alteration or deviation from the above specifications involving extra costs will be executed only upon written order, and will become an extra charge over and above this estimate. All Agreements contingent upon strikes, accidents, or delays beyond our control.	\$0.00	×	1.0	\$0.00
					Subtotal \$11,259.90
					Tax \$530.54
					Total \$11,790.44

Payments

Date	Type	Amount
No payments		

Notes

Terms

50 % Deposit / Balance due at time of Installation, Delivery or Pick Up

CUSTOMER QUOTATION

Window & Door Specialties of H
311 Linda Vista Drive
Hendersonville NC 28792

Phone: 828-693-1135
Fax: 828-693-1774

QUOTE DATE	7/19/2022
QUOTE #	759616

Item A.

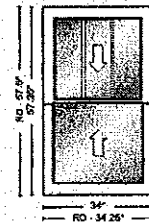
QUOTE TO:

Phone:
Fax:
Email:

QUOTE #	CONTACT	QUOTED BY	PROJECT NAME	CLIENT NAME
759616		r.merritt@windowanddoorspecialties.com	Vickers	Vickers

Comments:

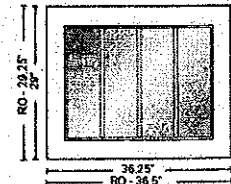
LINE #	DESCRIPTION	QTY	NET PRICE	EXTENDED NET
100-1	PRODUCT: Series 9600 Rep DH White/White Vinyl Sizes OVERALL ROUGH OPENING: 34.25-in X 57.5-in UNIT DIMS: Units 1: 34-in x 57 1/4-in GLASS: LowE-2, Single Strength(std), Argon GRILLES: White Flat Internal 5/8 Grid, New Colonial, 3W1H GLASS BREAKAGE WARRANTY: Glass Breakage Warranty HARDWARE: White Pull Handle, White Double Locks SCREEN: White, Full, Fiberglass Mesh FRAME/CASING: Foam Wrap, No Nail Fin	9	\$456.57	\$4,109.14



UValue: Unrated, SHGC: Unrated,
VT: Unrated, PG: R-PG50, DP±: 50

Comments: BR1,BR2,MB

LINE #	DESCRIPTION	QTY	NET PRICE	EXTENDED NET
200-1	PRODUCT: Series 9600 Rep PW White/White Vinyl Sizes OVERALL ROUGH OPENING: 36.5-in X 29.25-in UNIT DIMS: Units 1: 36 1/4-in x 29-in GLASS: LowE-2, Double Strength, Argon GRILLES: White Flat Internal 5/8 Grid, New Colonial, 4W1H FRAME/CASING: Foam Wrap, No Nail Fin	1	\$454.74	\$454.74

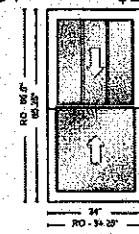


UValue: Unrated, SHGC: Unrated,
VT: Unrated, PG: LC-PG40, DP±: 40

Comments: Stairway

IMPORTANT: ALL PRODUCTS VIEWED INSIDE LOOKING OUT

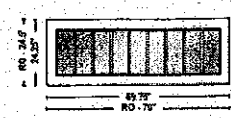
LINE #	DESCRIPTION	QTY	NET PRICE	EXTENDED	Item A.
300-1	PRODUCT: Series 9600 Rep DH White/White Vinyl Sizes OVERALL ROUGH OPENING: 34.25-in X 65.5-in UNIT DIMS: Units 1: 34-in x 65 1/4-in GLASS: LowE-2, Single Strength(std), Argon GRILLES: White Flat Internal 5/8 Grid, New Colonial, 3W1H GLASS BREAKAGE WARRANTY: Glass Breakage Warranty HARDWARE: White Pull Handle, White Double Locks SCREEN: White, Full, Fiberglass Mesh FRAME/CASING: J Channel Filler, Foam Wrap, No Nail Fin	5	\$471.61	\$2,358.05	



UValue: Unrated, SHGC: Unrated,
VT: Unrated, PG: R-PG30, DP±: 30

Comments: LR,DR

LINE #	DESCRIPTION	QTY	NET PRICE	EXTENDED
400-1	PRODUCT: Series 9600 Rep PW White/White Vinyl Sizes OVERALL ROUGH OPENING: 70-in X 24.5-in UNIT DIMS: Units 1: 69 3/4-in x 24 1/4-in GLASS: LowE-2, Double Strength, Argon GRILLES: White Flat Internal 5/8 Grid, New Colonial, 9W1H FRAME/CASING: J Channel Filler, Foam Wrap, No Nail Fin	2	\$468.98	\$937.97



UValue: Unrated, SHGC: Unrated,
VT: Unrated, PG: Not Rated, DP±:
Not Rated

Comments: Attic

UNIT PRICE	\$7,859.90
PRIME	\$0.00
FACTOR	\$0.00
ADDITIONAL	\$0.00
TOTAL	\$7,859.90

CUSTOMER SIGNATURE _____ DATE _____

WE APPRECIATE YOUR BUSINESS!

IMPORTANT: ALL PRODUCTS VIEWED INSIDE LOOKING OUT

1304 Hyman Avenue, Henderson, NC 28792
Requesting Approval for New Windows
Kathryn Vickers

The current windows in my house have become unusable as the house has settled and shifted. I have hired three professionals to evaluate the existing windows: a window specialist, an architect/engineer, and an experienced carpenter. All three professionals recommended new windows as the current deteriorated windows are not salvageable.

Condition of Windows

- Only two windows are operational; All other windows are unable to open or close. This presents a fire hazard as my children and I would be unable to safely escape the second floor of the house in the event of a fire.
- Multiple windows have significant gaps and do not properly seal. Outside air comes into the house which increases by heating/cooling bills and creates areas around the windows with uncomfortably hot/cold spaces.





- There is extensive wood rot in many windows making their reconditioning near impossible. These rotten windows are not salvageable as they have extensive water damage and rot.





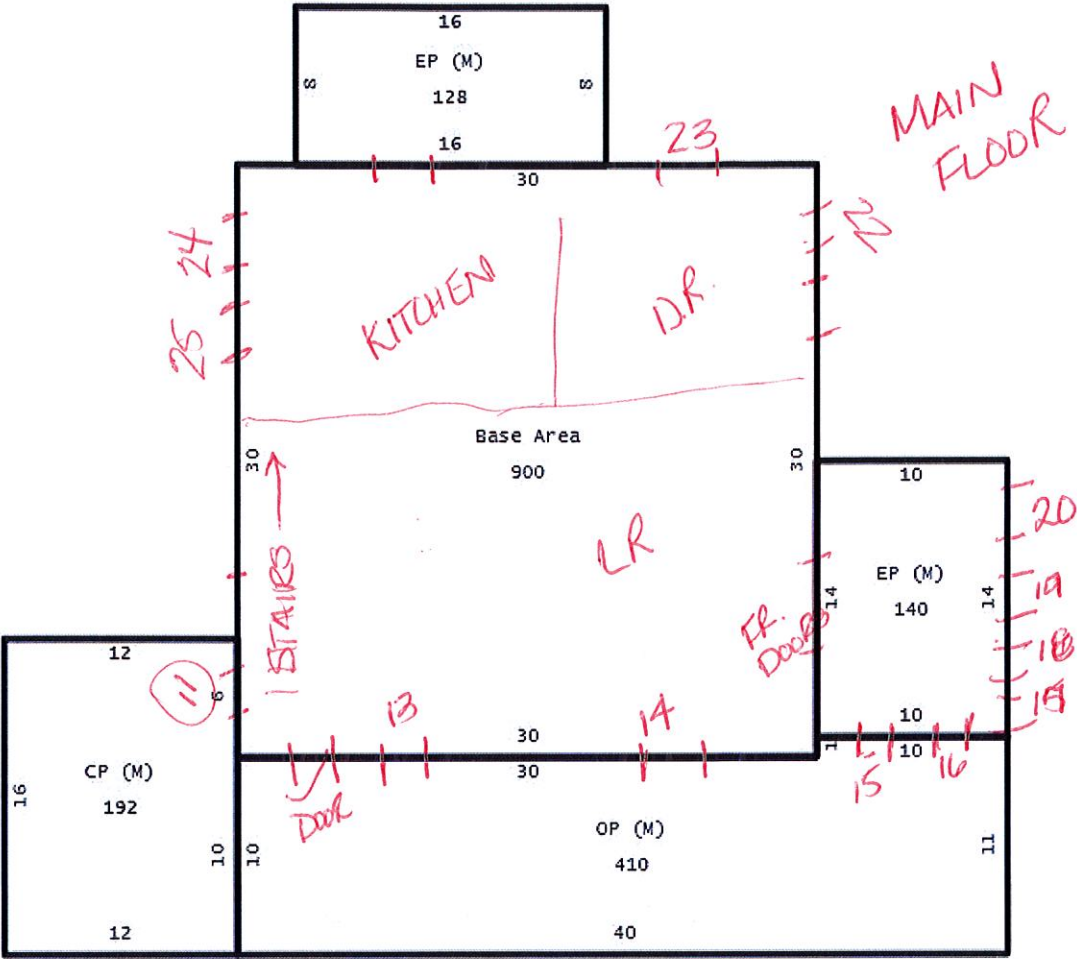


- Some windows have broken or cracked glass panels and are in need of immediate replacement.

I would like to upgrade these windows to more energy efficient, double paned, properly sealed, and functioning windows. The windows I have proposed as replacements are a close match to the styling of the existing windows, with the same grids and measurements. Upgrading these windows will still maintain the character of my older house while also improving the energy efficiency, functionality, and safety of my home.



Item A.



1304 HYMAN AVE

UPSTAIRS

1. MAIN BEDROOM SUITE CANNOT OPEN – rotted and does not open ✕
2. MAIN BEDROOM SUITE WORKING – frame is dropped but not rotted
3. MASTER BATH – this window is ok
4. BEDROOM #2 – side window – frame is rotted – REPLACE ✕
5. BEDROOM #2 – FRONT – broken pain – ok
6. BEDROOM #2 – FRONT – does not open
7. BEDROOM #3 – FRONT – frame is sagging – window ok ✕
8. BEDROOM #3 – FRONT – frame is sagging – window ok ✕
9. CLOSET – ok – rope and pullies are good
10. ABOVE STAIRS – OPENS ON A SIDE HINGE – ok

MAIN LEVEL

11. BOTTOM OF STAIRS – ok
12. ?
13. LIVING ROOM FRONT - OK
14. LIVING ROOM FRONT – OK
15. ENCLOSED PORCH OFF OF LIVING ROOM – FRONT FACING – ok
16. ENCLOSED PORCH OFF OF LIVING ROOM – FRONT FACING – ok
17. ENCLOSED PORCH SIDE #1
18. ENCLOSED PORCH SIDE #2
19. ENCLOSED PORCH SIDE #3
20. ENCLOSED PORCH SIDE #4
21. DINING ROOM SIDE
22. DINING ROOM REAR
23. KITCHEN (OVER SINK -INTERIOR)
24. CLOSET W/FRIDGE OFF OF KITCHEN – rotted
25. CLOSET OFF OF KITCHEN - ?



CITY OF HENDERSONVILLE AMENDED AGENDA ITEM SUMMARY PLANNING DIVISION



SUBMITTER: Alexandra Hunt, Planner I **MEETING DATE:** February 15, 2023

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

TITLE OF ITEM: 1306 Hyman Ave. – Addition of Shed
(H23-005-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 # H23-005-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 **not incongruous** with the character of the Hendersonville Historic Preservation Commission Design Standards (Residential) for the following reasons:

1. The shed is compatible with the traditional relationship of accessory buildings to the main structure and the site in the district. [Sec. 2.5.7]
2. The shed is compatible in size, form, height, proportion, materials, and details with historic accessory structures in the historic district. [Sec. 2.5.8]
3. The shed is screened from view from the street. [Sec. 2.5.8]

[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 # H23-005-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 shed is not compatible with the traditional relationship of accessory structures to the main structure and the site in the district. [Sec. 2.5.7]
2. The shed is not compatible in size, form, height, proportion, materials, and details with historic accessory structures in the historic district. [Sec. 2.5.7]

[DISCUSS & VOTE]

SUMMARY:

The City is in receipt of an after-the-fact Certificate of Appropriateness (COA) application from Eric Lombardo for the addition of a shed at the subject property located at 1306 Hyman Avenue.

The single-family dwelling located on the subject property was approved at the October 20, 2021, regular meeting (Exhibit B). Construction was completed in 2022 and later purchased by the Applicant.

On December 19, 2022, Staff notified the Applicant that an addition of a shed in the Hyman Heights Historic District requires a COA application and approval from the Historic Preservation Commission pursuant to Chapter 28 of the City Code of Ordinances. The Applicant then submitted an after-the-fact COA application for the addition of a shed and made the following statement related to their request:

“Addition of a 10’ x 12’ shed.” (See Exhibit C)

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

PROJECT/PETITIONER NUMBER:	H23-005-COA
PETITIONER NAME:	Eric Lombardo (Applicant)
EXHIBITS:	<ul style="list-style-type: none"> A. Staff Report B. COA Application C. Henderson County Property Records

1306 Hyman Ave – Addition of Shed

(H23-005-COA)

CITY OF HENDERSONVILLE - COMMUNITY DEVELOPMENT - HISTORIC PRESERVATION

COA STAFF REPORT

Staff Report Contents

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SITE VICINITY MAP	2
CITY OF HENDERSONVILLE – HYMAN HEIGHTS HISTORIC OVERLAY MAP.....	3
HISTORY OF SUBJECT PROPERTY.....	4
SITE IMAGES.....	4
SITE IMAGES CONT'D	5
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- Exhibit B – Henderson County Property Records.....	7



PROJECT SUMMARY

Applicant/Property Owner: Eric Lombardo (Exhibit A)

Property Address: 1306 Hyman Ave.

Project Acreage: 0.16

Parcel Identification Number(s): 9569-72-0812

Current Parcel Zoning: R-6 High Density Residential

Historic District: Hyman Heights Historic District

Project Type: Major Work (Addition of a shed)



SITE VICINITY MAP

Project Summary:

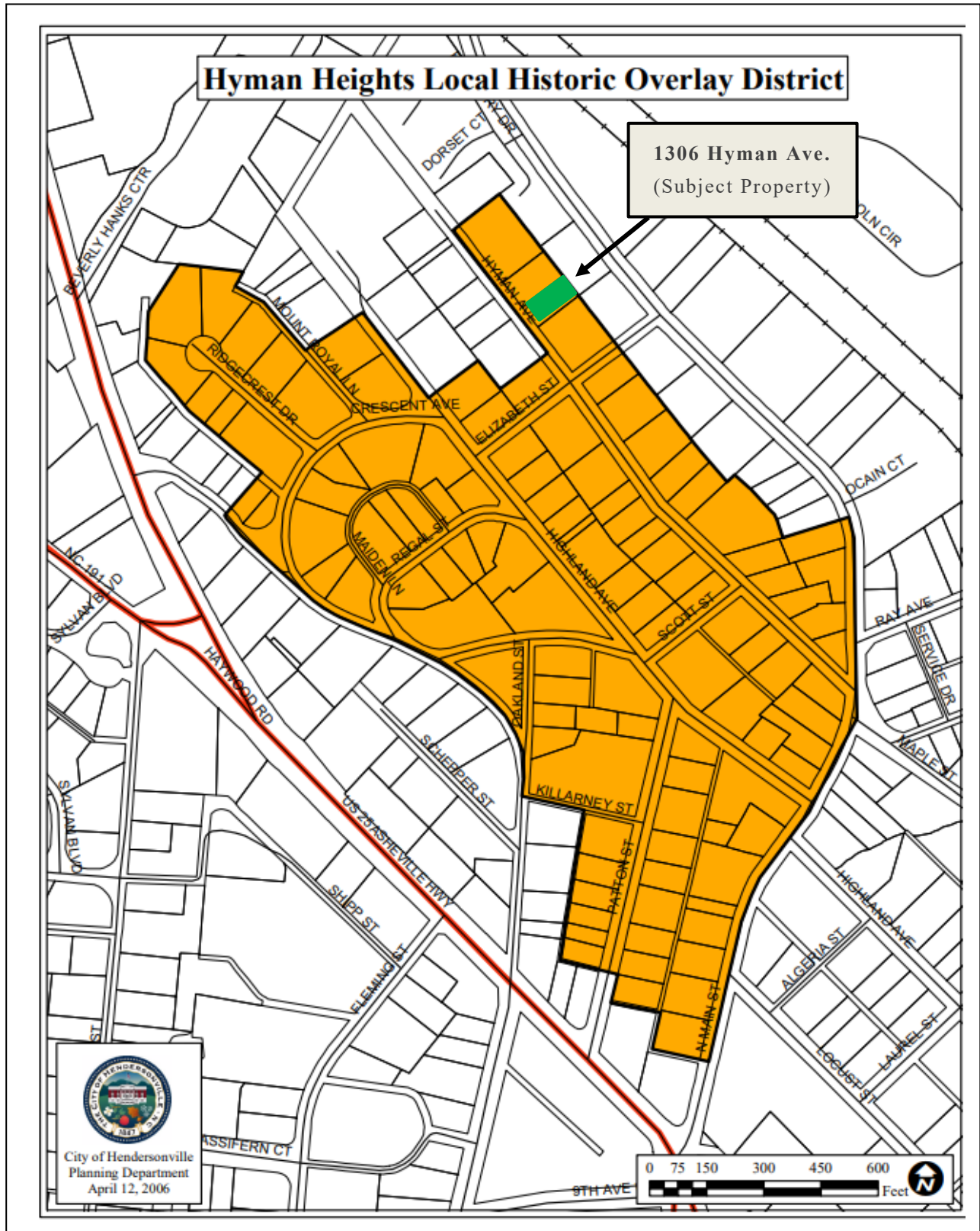
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“Addition of a 10’ x 12’ shed.” (See Exhibit C)

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



CITY OF HENDERSONVILLE – HYMAN HEIGHTS HISTORIC OVERLAY MAP

HISTORY OF SUBJECT PROPERTY



(1922 Sanborn Map)

As of the 1922 Sanborn maps, no home is being shown as ever existing on the subject property until the construction of the current home.

SITE IMAGES



SITE IMAGES CONT'D



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 2.5 Garages and Accessory Structures

Sec. 2.5.6 - Locate and orient new garages and accessory buildings in locations compatible with the traditional relationship of garages and accessory buildings to the main structure and the site in the district.

Sec. 2.5.7 - It is not appropriate to introduce a prefabricated accessory building if it is not compatible in size, form, height, proportion, materials, and details with historic accessory structures in the historic district, or unless screened from view from the street.

Sec. 2.5.8 - It is not appropriate to introduce a new garage or accessory building if doing so will detract from the overall historic character of the principal building and the site, or require removal of a significant building element or site feature, such as a mature tree.

Sec. 2.5.9 - It is not appropriate to introduce features or detail to a garage or an accessory building in an attempt to create a false historical appearance.

EXHIBITS

- Exhibit A – Application
- Exhibit B – Henderson County Property Records

BK 3959 PG 328 - 330 (3)

DOC# 986122

This Document eRecorded:

09/07/2022

12:40:40 PM

Fee: \$26.00

Henderson County, North Carolina

Tax: \$850.00

William Lee King, Register of Deeds

NORTH CAROLINA GENERAL WARRANTY DEED

Excise Tax:	\$850.00
Parcel ID:	102716
Mail/Box to:	Law Office of Bridgit D. Swing, PLLC, 101B Chadwick Square Court, Hendersonville, NC 28739
Prepared by:	Staton Law Firm, Whitney Staton, Deed Preparation Only - No Title Search Performed
Brief description for the index:	1306 Hyman Ave, Hendersonville, NC 28792

THIS GENERAL WARRANTY DEED ("Deed") is made on the 6th day of September, 20 22, by and between:

GRANTOR	GRANTEE
JMK Builders, LLC, a North Carolina limited liability company PO Box 731 Etowah, NC 28729	Eric Lombardo, unmarried 1306 Hyman Ave Hendersonville, NC 28792

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.

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 Hendersonville, Hendersonville City, Henderson County, North Carolina and more particularly described as follows (the "Property"):

SEE EXHIBIT "A" ATTACHED HERETO AND MADE A PART HEREOF.

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 3743 Page 713.

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 Book _____ Page _____.

TO HAVE AND TO HOLD the Property and all privileges and appurtenances thereto belonging to Grantee in fee simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convey 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:

Subject to 2022 ad valorem property taxes.

Subject to restrictions, right of ways and easements of record.

IN WITNESS WHEREOF, the Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.

Name:

Name:

Name:

Name:

JMK Builders, LLC, a North Carolina limited liability company

Entity Name

By: _____

Name: Justin Michael Klepp

Title: Owner Manager

By: _____

Name:

Title:

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I, Hannah McConnell, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 6th day of September, 20 22 each acknowledging to me that he/she/they signed the foregoing document, in the capacity represented and identified therein (if any):
Justin Michael Klepp as Owner Manager of JMK Builders, LLC, a North Carolina limited liability company.

Affix Notary Seal/Stamp

HANNAH MCCONNELL
Notary Public, North Carolina
Henderson County
My Commission Expires
September 07, 2025

Hannah McConnell
Notary Public (Official Signature)
My commission expires: 9/7/25

EXHIBIT "A"

Being all of Tract "A" containing 6927 square feet as shown on plat of survey for Alton Lynn Connor, Jr. And Lynda Corine Connor by Hill and Associates, P.A. dated July 1, 2021 and recorded in the office of the Register of Deeds for Henderson County, North Carolina at Plat Slide 13353, with reference to said plat being made in aid of this description.

This conveyance is made and accepted subject to the right-of-way of Hyman Avenue as it extends to its full legal width. This conveyance is further subject to such other easements, restrictions, and rights of way off record, if any.

For legal reference see deed found in Deed Book 3723 at Page 503 of the Henderson County North Carolina Registry.

AND BEING all of that property as described in recorded Deed Book 3743, Page 713, Henderson County Registry.

**CITY OF HENDERSONVILLE
Historic Preservation Commission**

Minutes of the Regular Meeting of December 15, 2021

Commissioners Present: Cheryl Jones, (Chair), Derek Cote, Chuck Reed (Vice-Chair), Ralph Hammond-Green, Crystal Cauley, Jim Welter, Chris Dannals

Commissioner Battista was in attendance but did not vote.

Commissioners Absent: Chris Barron, Sam Hayes

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

- I **Call to Order.** Chair called this meeting of the Hendersonville Historic Preservation Commission to order at 5:00 pm.
- II **Agenda.** Chair made a motion to amend the agenda to include the approval of the Finding of Facts under Item 5 -Old Business. Commissioner Hammond-Green seconded the motion. Commissioner Cote made a motion to approve the revised agenda. Commissioner Reed seconded the motion which passed unanimously. Chair stated the vote was for both motions.
- III **Minutes.** On motion of Commissioner Reed seconded by Commissioner Cote the minutes of the Regular meeting of October 20, 2021 were approved.

Matthew Manley, Planning Manager thanked Commissioner Reed for his service to the Commission. Chair also thanked Commissioner Reed and stated he would be missed.

- IV(A) **Certificate of Appropriateness,** Kathryn Vickers, 1304 Hyman Avenue (PIN # 9569-72-0812), (File No. H21-35-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.

Mr. Manley gave the following analysis:

The Community Development Department is in receipt of an application for a Certificate of Appropriateness permit from Kathryn Vickers to undertake the following work at the above referenced property:

1. Demolition of an accessory structure to the rear of the property located at 1304 Hyman Avenue.

Mr. Manley stated the owner is Kathryn Vickers. The lot is just over a third of an acre. It is in the Hyman Heights Historic District. A vicinity map was shown. The aerial view was also shown. It is shown on the 1922 Sanborn Map. It was believed to be constructed in that year.

Pictures of the existing conditions were shown. There has been some earth work for a driveway down behind the structure. Bricks were loose and there are some cracks. Mr. Manley submitted some email correspondence for the record. There appears to be cracks in the floor and the concrete slab.

Mr. Manley stated Chapter 28 of the City Code was not included in the staff report. Section 28-147 states: Relocation, demolition or destruction of designated properties.

(a) Application for certificate of appropriateness. An application for a certificate of appropriateness authorizing the relocation, demolition or destruction of a designated landmark or a building, structure or site within a designated historic district may not be denied except as provided in subsection (b) of this section. However, the effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the commission where it finds that the owner would suffer extreme hardship or be deprived of all beneficial use of or return from such property by virtue of the delay. During such period the commission may negotiate with the owner and with any other parties in an effort to find a means of preserving the building or site. If the commission finds that a building or site within a district has no special significance or value toward maintaining the character of a district, it shall waive all or parts of such period and authorize earlier demolition or removal.

(b) Denial of certificate. An application for a certificate of appropriateness authorizing the demolition or destruction of a building, site or structure determined by the state historic preservation officer as having statewide significance, as defined in the criteria of the National Register of Historic Places, may be denied except where the commission finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use or return by virtue of the denial.

Mr. Manley outlined the criteria for demolition in the Design Standards. Mr. Manley also explained the motions.

Chair asked if there were any questions for staff.

Commissioner Welter asked if staff considered the list of things for the demolition in the Design Standards fulfilled. He stated this is the first time he has heard any of this. It states the applicant needs to work with the Commission to pursue alternatives. Mr. Manley stated that is what is before them tonight. They will hear from the applicant. He also stated this is a contributing structure. It appears that everything is original.

Mr. Manley stated he has not seen a site plan and he has not heard anything about salvaging any of the materials. There has not been any discussion on ensuring safety during the demolition, removal from the site or the timeline. The applicant is here, and they can shed some light on that. The purpose of the hearing is for the applicant to provide evidence related to the request.

Commissioner Hammond -Green asked if the applicant has provided any other structural analysis other than what was provided with the COA. Mr. Manley stated not to staff.

There were no further questions for staff.

Chris Miller, 113 Harrison Pond Road, Campobello, SC stated he is a general contractor and has evaluated the foundation on the building and if you look you can see the top of the foundation is laying out. That is the way they built it back then. The brick is the foundation and there is nothing else there. There are no footers there. The building is starting to shift on the back side, and it is starting to come down. There are a lot of kids in this neighborhood. It is possible that wind or a heavy rainstorm could bring it down. This type of building being historical they do look at how they can save it. There is no way they can jack that building up and get underneath it to get a new foundation under it. The wood has deteriorated due to termites over the years. The slab and a side are actually higher on one side than the other and is starting to push out the brick. In his opinion as a general contractor if he lived in the neighborhood he would want it down because of the kids. The neighbor has 7 or 8 kids that lives behind it and they play there.

Chair asked if they knew how long it has been in this condition. Ms. Vickers stated she just bought the house in July and did not know.

Commissioner Hammond-Green asked if the damage was worsened from the removal of the large tree behind there. Mr. Miller stated he does not think so. He could not see where the soil has been disturbed.

Commissioner Welter asked how much termite damage was there. Mr. Miller stated he would not go upstairs. There is significant damage, and it is not stable. He does not believe the wood was pressure treated. There are vines growing up through the holes in the wood.

Chair asked if the roof was leaking. Mr. Miller stated yes. It is not bad. The roof did not cause this damage.

Commissioner Welter asked if there has been any inventory done of the doors and windows on what could be salvaged. Mr. Miller stated he could get them out if anyone wanted to use them, but the doors have rollers on them and the glass in the windows is very thin and could shatter. You could salvage them, but most people do not want them because of the weights. There are no architectural features to salvage.

Chair asked about a site plan being submitted. Mr. Miller stated he could get that to them and show the shrubs that will be planted back.

Commissioner Cote asked about the asphalt. Mr. Miller stated the trees have grown underneath it. Commissioner Cote asked about preserving the property and the driveway. Mr. Miller discussed using the driveway for extra parking.

Chair asked what the plans are after the demo. Mr. Miller stated it would just be yard.

Kathryn Vickers, 1304 Hyman Avenue stated since this is a safety issue, they haven't worked out the next steps but eventually she would like to put a carport in the back. She is worried right now about the building shifting and her children and other neighborhood kids. She stated she is planning on taking out some really old bushes and planting something back after the work is finished with the neighbor's

property and the retaining wall is put back.

Chair asked about the approved site plan and if it not received tonight could they have them submit a site plan. Angela Beeker, City Attorney stated staff would not object to this being made a condition of the approval.

Mr. Manley talked about the salvaging of the materials and staff could work with the applicant on this as well. He would like to see more details on the salvaging of the materials.

Commissioner Cote asked if they knew of anyone that may want the stuff. Mr. Manley stated there is a market for it and are several salvaging companies in the area.

Commissioner Cauley asked about writing a letter or putting up signage alerting that the property is dangerous. Mr. Manley stated he would ask what the timeline would be. Mr. Miller stated he could do it immediately. He wasn't sure a letter would be sufficient in the short amount of time. He would put up caution tape. Ms. Vickers stated the closest neighbors are aware of this. Mr. Manley stated he recommends they use caution tape immediately.

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

Chair asked if anyone would like to testify concerning the application.

Chair closed the public hearing.

The Commissioner discussed saving the building and how the foundation could not be saved and there are not many options for the Commission. Discussion was made on what the Commission can do to prevent historic structures from deteriorating this badly. They also discussed the work behind the structure causing issues.

Chair reopened the public hearing.

Ms. Vickers stated the floor on the second story is really deteriorated and she understands salvaging the materials but how is anyone going to get those windows out. She does not feel safe with anyone going up there. Chair stated they may not be able to get those out. Mr. Miller stated the wall may give away when the materials are removed. Commissioner Hammond- Green stated only salvage what is conceivable from a safety standard.

Chair reclosed the public hearing.

Commissioner Reed moved the Commission find as fact that the proposed application for a Certificate of Appropriateness, as identified in file #H21-35-COA and located within the Hyman Heights Historic District if demolished according to the information reviewed at this hearing and with any representations made by the applicant on the record of this hearing, is not incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards for residential properties for the following reasons: Design Standards 5-2 Demolition has been has been satisfied by the applicant by working with the Commission to pursue all alternatives, the original setting and context of the structure have been documented, work will be performed to salvage usable materials, a

site plan will be submitted to staff for review and approval for the post demolition development/plantings, all efforts will be made to ensure safety and tree protection, the site will be cleared promptly and thoroughly and after demolition the site will be developed or replanted promptly. The application for demolition is thereby approved. Commissioner Hammond-Green seconded the motion which passed unanimously.

- V(A) **Approval of Findings of Fact.** Chair stated the Findings of Fact for H21-29-COA need to be approved.

Commissioner Reed moved the Commission to approve the Findings of Fact for H21-29-COA. Commissioner Cote seconded the motion which passed unanimously.

Chair moved to modify the agenda to include the continuation for the Demolition by Neglect for 1420 Ridgecrest Drive. Commissioner Reed seconded the motion which passed unanimously.

- V(B) **Demolition by Neglect, 1420 Ridgecrest Drive. (File No. H21-31-DEM)**

Alexandra Hunt, Planner gave an update on the property. She stated they have retained an attorney, William Alexander. He has asked for a continuance on this matter to figure out the percentages of ownership as to 1420 Ridgecrest and they are still in the process of trying to figure the next steps out. They are asking for some additional time. They asked to continue until the January meeting and staff will keep in contact on any updates. Chair asked about continuing to the February meeting.

Commissioner Hammond-Green moved the Commission to continue this item until the February meeting. Commissioner Reed seconded the motion which passed unanimously.

- VI(A) **Boyd Park Discussion.** Mr. Manley stated this was requested for public comment to be made to the Commission on Boyd Park. It is not quasi-judicial. Larry Phillips, 1102 Pinebrook Drive stated he had served on the Hendersonville Historic Commission for three years from 2007-2009. Mr. Phillips discussed the history of Boyd Park and asked that the Commission help to save it by designating it a Local Landmark.

Lynn Williams, 309 Chadwick Avenue also discussed the history of the park and what it means to her. She asked that the Historic Preservation Commission designate the park a Local Landmark and discuss this with City Council.

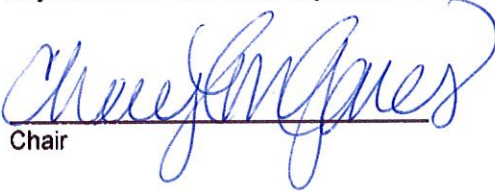
Discussion was made on the Commission sending a letter to City Council.

Mr. Manley stated under Article III in the Rules of Procedure it states communicate with City Boards and Commissions or with agencies of the Local Government or other Governmental units to offer or request assistance, aide, guidance or advice concerning matters under its preview or mutual interest. If the Commission decides a letter is appropriate, they could reference this power as to why they are reaching out and that it is under their purview and they want to initiate a conversation. Mr. Manley talked about the drafting of the letter and a member taking a stab at the letter and bringing it back to the Commission for review. Discussion was made on support of a letter. Most of the Commission felt like the City Council has already made a decision. Chair stated they are the Historic Preservation and they are an appointed Commission that represents the public interests and also safeguard historic resources and if they don't at least comment, have they really done what they are called to do. She

doesn't disagree that they have made up their minds, but she thinks they at least should comment. She felt like there needs to be a conversation about the historic significance and how they commemorate it. Commissioner Welter had concerns about it being a piece of ground and it did not fit like a landmark to him. He does agree that they need to acknowledge it. Ms. Williams asked that the Commission push a full investigation, but she thanked them for being willing to write the letter.

Chair stated if she could get the newest version of the Rules of Procedure, she would take stab at writing a letter that just states they would love to be included in the conversation and could they just talk to them and start from there. Chair stated they could circulate it by email if it is not official business that has to be voted on. Ms. Beeker stated she did not believe Chair could circulate the letter by email for comment. That would be an open meetings law violation. Mr. Manley stated she could send it but there could be no comment. Chair stated she would have it ready by the January meeting if they could put it on the agenda. Ms. Beeker stated they could authorize the Chair to write a letter and you could "CC" everybody once the letter is done but you need to be careful about opening up for feedback. Chair stated if she has it ready by the January meeting, can they get it on as an agenda item and discuss it. Ms. Beeker stated yes. Mr. Manley stated they could send it out in the packet with no discussion prior to the meeting. Chair stated they could send it out as a draft for them to review it but have the discussion in the meeting and do whatever changes to it and then agree upon a format and if they decide to send it at that point, then they will send it. Commissioner Welter asked if they needed a motion. Chair stated no it just needs to be added to the agenda.

VII **Adjournment.** The Chair adjourned the meeting at 6:55 p.m.


Chair



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

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

Local District/Landmark

Address of Property

1306 HYMAN AVE

Property Owner: Name

ERIC LOMBARDO

Address

1306 HYMAN AVE

Day Phone

408.952.3868

Contact Name (if other than owner)

Address

Phone

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

SHED 10' X 12'

Attachments:

☐ Photographs

☐ Sketch

☐ Site Plan (showing existing features and proposed)

☐ 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.

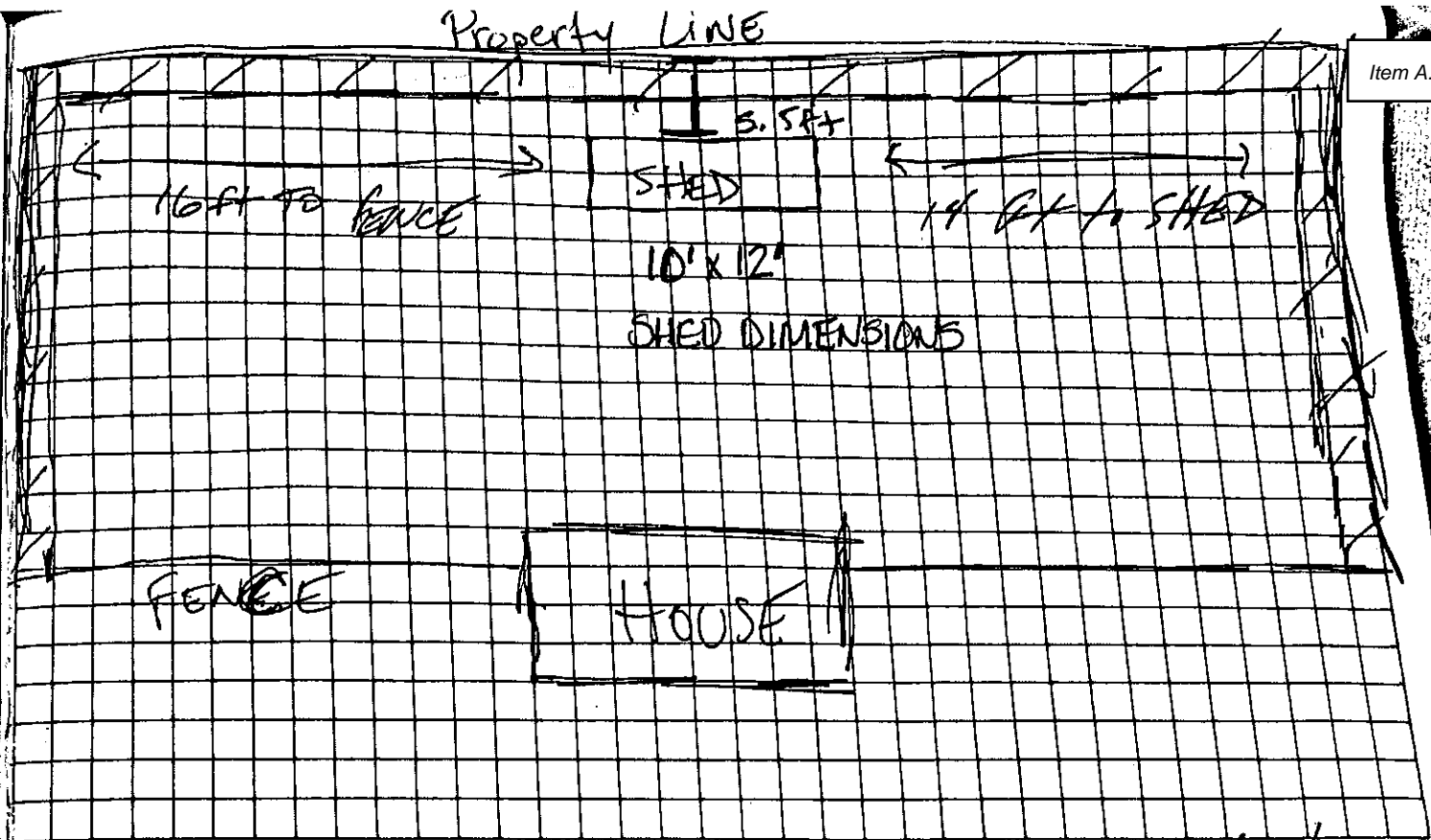
Owner's
Signature

[Handwritten Signature]

Owner's
Signature

Property Line

Item A.



~~SH~~ FENCE 1-2 ft in property line

SHED = 5.5 ft off property line
3 ft off fence in Back
16 ft Left 14 ft Right
off fence

fence = 6 ft tall.



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION



SUBMITTER: Alexandra Hunt, Planner I **MEETING DATE:** February 15, 2023

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

TITLE OF ITEM: 225 N Main St. – Addition of Side and Rear Windows (H22-120-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 # H22-120-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. 3.4.2.11]
4. The proposed windows are compatible with the existing side and rear facades in the district including size & spacing of windows or other fenestrations, proportions, scale, and detailing. [Sec. 3.3.9]

[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 # H22-120-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 (Residential) for the following reasons:

1. The subject property is a contributing structure.
2. The proposed windows 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. 3.4.2.11]
4. The proposed windows are not compatible with the existing side and rear facades in the district including size & spacing of windows or other fenestrations, proportions, scale, and detailing. [Sec. 3.3.9]

[DISCUSS & VOTE]

SUMMARY:

The City is in receipt of a Certificate of Appropriateness (COA) application from Dennis Dunlap of Dunlap Construction (Applicant) and Hendersonville Holdings, LLC (Property Owner) for the addition of side and rear windows to the second-floor residential unit located at 225 N. Main St. The residential unit is 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:

“Addition of windows – west and south elevation.” (Exhibit A)

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

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

PROJECT/PETITIONER NUMBER:	H22-120-COA
PETITIONER NAME:	Dunlap Construction (Applicant)
EXHIBITS:	<ul style="list-style-type: none"> A. Staff Report B. COA Application and Elevations C. Henderson County Property Records

225 N Main St. – Addition of Side and Rear Windows (H22-120-COA)

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

Staff Report Contents

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SITE VICINITY MAP	2
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COMPATIBLE EXISTING SIDE FACADES IN THE DISTRICT	6
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ELEVATIONS	8
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- Exhibit A – Application and Elevations	10
- Exhibit B – Warranty Deed	10



PROJECT SUMMARY

Applicant: Denis Dunlap – Dunlap Construction

Property Owner: Hendersonville Holdings, LLC (Exhibit B)

Property Address: 225 N. Main St.

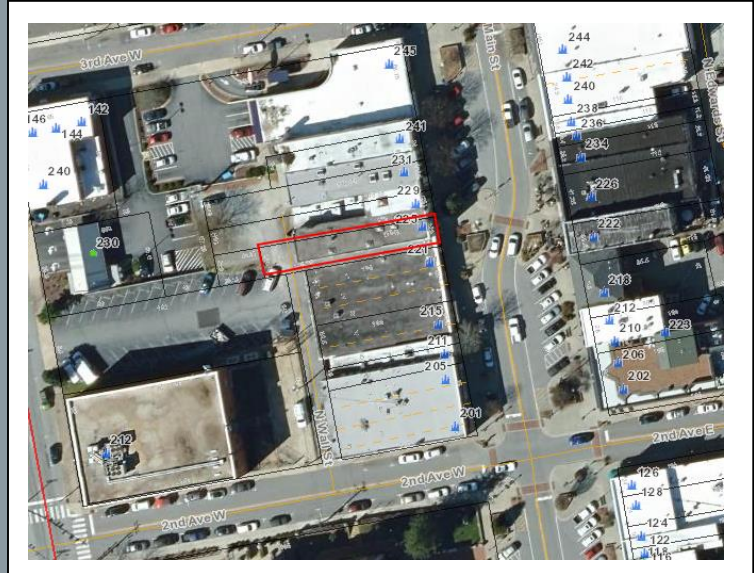
Project Acreage: 0.07 Acres

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 side and rear windows)



SITE VICINITY MAP

Project Summary:

The City is in receipt of a Certificate of Appropriateness (COA) application from Dennis Dunlap of Dunlap Construction (Applicant) and Hendersonville Holdings, LLC (Property Owner) for the addition of side and rear windows to the second-floor residential unit located at 225 N. Main St. The residential unit is 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.

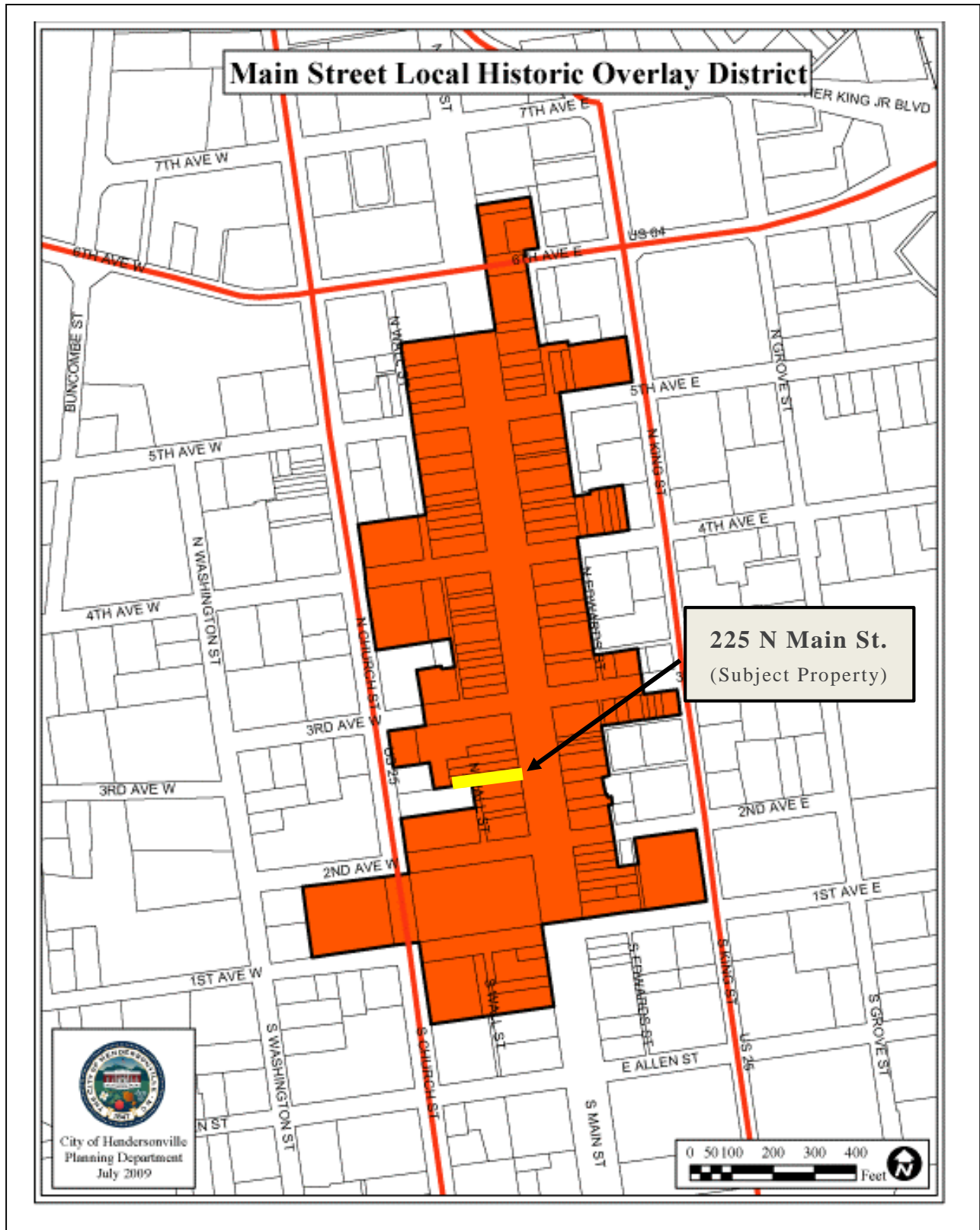
The Applicant is making the following statement related to their request:

“Addition of windows – west and south elevation.” (Exhibit A)

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

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

PROJECT SUMMARY – CONTINUED



CITY OF HENDERSONVILLE – MAIN STREET LOCAL HISTORIC OVERLAY MAP

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 of 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



COMPATIBLE EXISTING SIDE FACADES IN THE DISTRICT



303 N Main St. – Mike’s On Main restaurant



241 N Main St. – Mia’s Marketplace



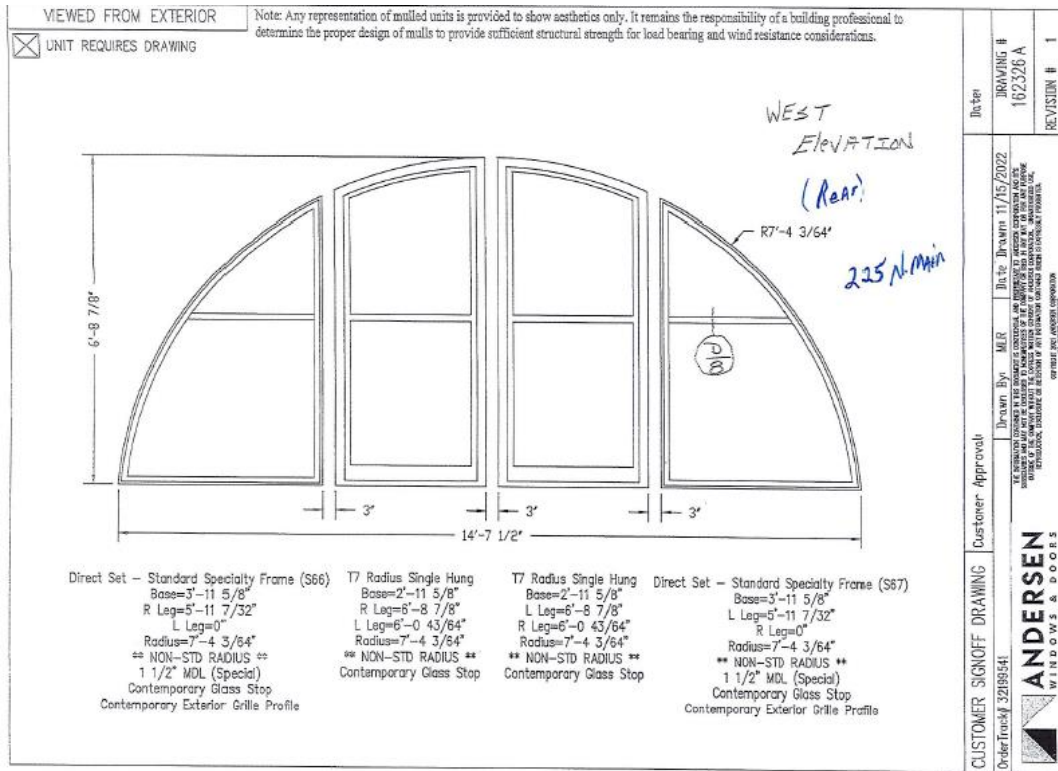
241 N Main St. – Hannah Flanagan’s Pub & Eatery



241 N Main St. – Hannah Flanagan’s Pub & Eatery

ELEVATIONS

West elevations: Aluminum wood clad



DESIGN GUIDELINES 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 Guidelines:

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.

Section 3.3 Side and Rear Facades

Sec. 3.3.1 - Retain and preserve historic façade details and materials on side and rear elevations.

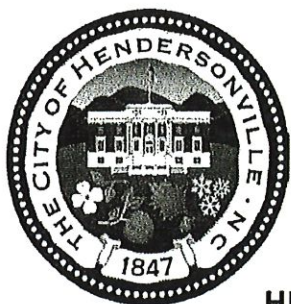
Sec. 3.3.9 - If new construction of a side or rear façade is necessary, make sure that the design is compatible with the existing side and rear facades in the district including size & spacing of windows or other fenestrations, proportion, scale, and detailing.

Section 3.8. Artificial Materials Policy

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.

EXHIBITS

- Exhibit A – Application and Elevations
- Exhibit B – Warranty Deed



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

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

1/16/23

Local District/Landmark

Main Street

Address of Property

225 N Main St, Hendersonville, NC 28792

Property Owner: Name

Hendersonville Holdings LLC

Address

19500 State Highway 249, Ste 350, Houston, TX

Day Phone

781-840-5611

Contact Name (if other than owner)

Jill Dunlap - Dunlap Construction Co

Address

7203 N Grove St, Hendersonville, NC 28792

Phone

828-697-9598

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

Addition of windows - west and south elevation.

Attachments:

☐ Photographs☐ Sketch☐ Site Plan (showing existing features and proposed)☐ 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

C Dunlap Construction

Item B.

720B North Grove Street • Hendersonville, NC 28792

Office: 828-697-9598 • Fax: 828-697-7859

dunlapconstructionco@hotmail.com

To: The City of Hendersonville Zoning

Attn: Alex

Date: December 21, 2022

RE: 225 North Main Street

Enclosed:

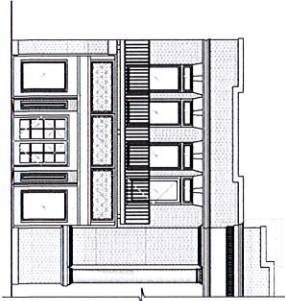
Floor Plan and Elevations.

Window Details for the South and West Sides.

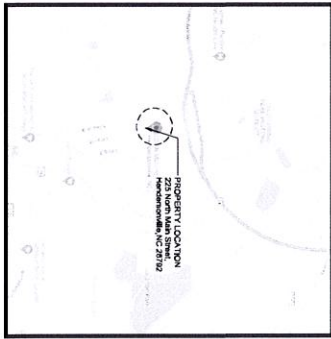
Interior Elevation of Radius West (Rear) Window.

Note: All windows are Anderson E-Series windows that match the same windows at the Farrar residence next door.

Dennis



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



VICINITY MAP

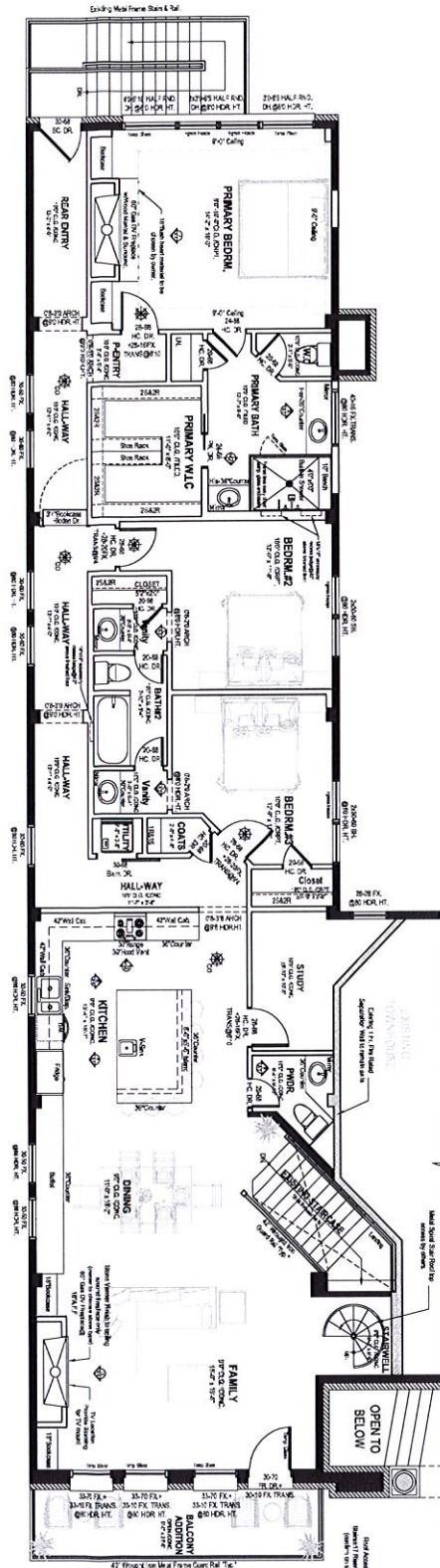
TABLE OF CONTENT

- 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



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





RENOVATED FLOOR PLAN
Scale : 1/4" = 1'-0" 9'-0" PLATE HEIGHT (verify on site)

[illegible]

SQUARE FOOTAGE

SQUARE FOOTAGE	
EXISTING FLOOR AREA :-	= 12,046 S.F.
LYVING AREA	= 67 S.F.
MAIN ENTRY AREA	= 16 S.F.
REAR ENTRY AREA	
NEW ADDITION AREA:-	
LYVING AREA	= 35 S.F.
DINING AREA	= 35 S.F.
KITCHEN AREA	= 35 S.F.
REAR ACCESS AREA	= 10 S.F.
PORCH AREA	
EXISTING TOTAL PORCH AREA	= 12,000 S.F.
NEW TOTAL PORCH AREA	= 12,046 S.F.
NEW TOTAL RENOVALIZED AREA	= 12,046 S.F.

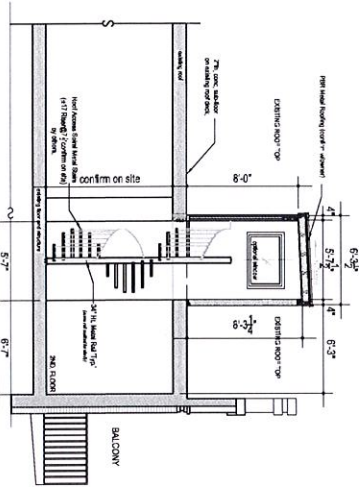
SPECIFICATIONS

SPECIFICATIONS

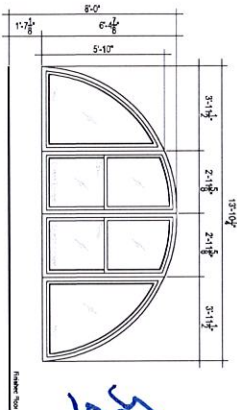
(UNLESS OTHERWISE NOTED:)

MAIN FLOOR OR RESIDENTIAL:	
FLOOR HEIGHT:	9' 0" (Verify on site)
CEILING HEIGHT:	9' 7" (Verify on site)
DOORS:	6' 0" HEADROOM HEIGHT (U.S.)
WINDOWS:	6' 0" HEADROOM HEIGHT (U.S.)
DOORS:	6' 0" HEADROOM HEIGHT (U.S.)
ROOM TYPE: EXISTING NOT IN SCOPE OF WORK	
ROOM PITCH: N/A (Verify on site)	
WATER HEATING: In use or on City Code	
ATTIC VENTING:	SOFFIT, RIDGE VENTS
NOTES: All used materials shall be dry applied against on	
<input type="checkbox"/> MOISTURE EXISTING PROTECTIVE	
<input type="checkbox"/> MOISTURE EXISTING IN FINE AERIAL	
<input type="checkbox"/> MOISTURE IN WALL	
<input type="checkbox"/> MOISTURE EXISTING IN WINDOW & WALL	
<input type="checkbox"/> MOISTURE EXISTING IN CEILING	
<input type="checkbox"/> MOISTURE EXISTING IN OTHER WALLS:	

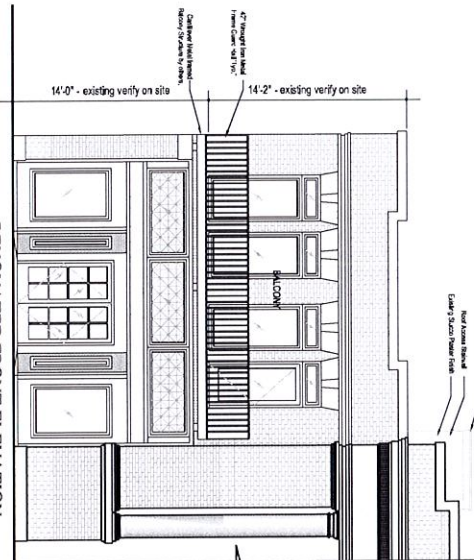
ROOF ACCESS PART SECTION
Scale : 1/4" = 1'-0"
(Verify plate height on site)



SECTIONAL WINDOW ELEVATION



A RENOVATED FRONT ELEVATION
Scale: 1/4" = 1'-0"



PROPOSED RENOVATION OF EXISTING TOWNHOME AT 225 N.MAIN STREET

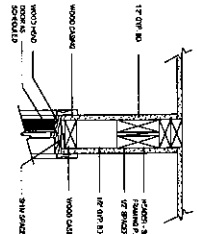


A
2.1

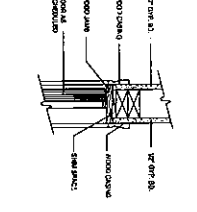
DIMENSIONAL RENOVATION FLOOR PLAN

RENOVATED LEFT ELEVATION

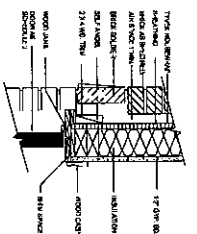




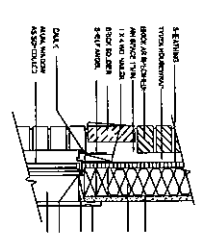
INT. DOOR HEAD
SCALE: 1/2"=1'-0"



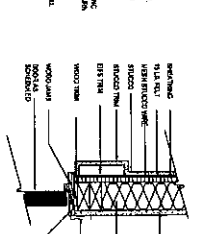
INT. DOOR JAMB
SCALE: 1/2"=1'-0"



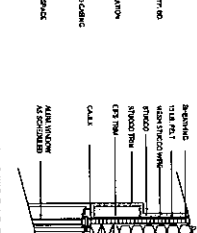
EXT. DOOR JAMB @ BRICK
SCALE: 1/2"=1'-0"



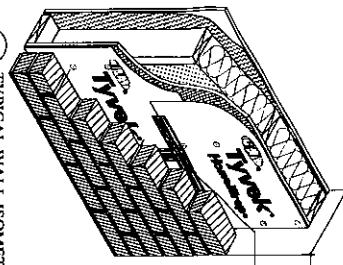
EXT. WINDOW JAMB @ BRICK
SCALE: 1/2"=1'-0"



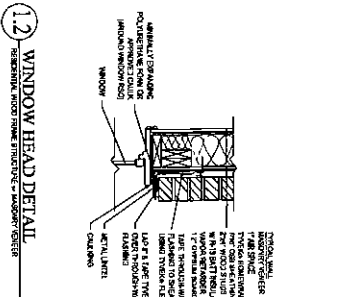
EXT. DOOR JAMB @ STUCCO
SCALE: 1/2"=1'-0"



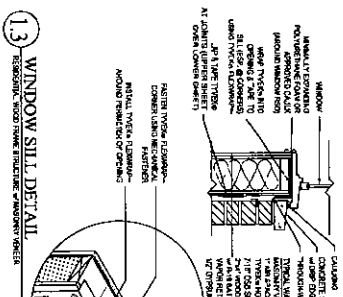
EXT. WINDOW JAMB @ STUCCO
SCALE: 1/2"=1'-0"



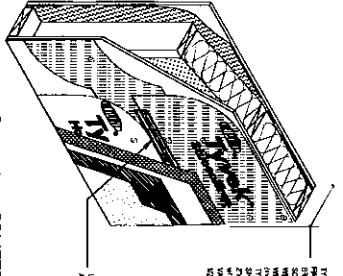
10 TYPICAL WALL ISOMETRIC
RESIDENTIAL WOOD FRAME STRUCTURE - MASONRY OVER



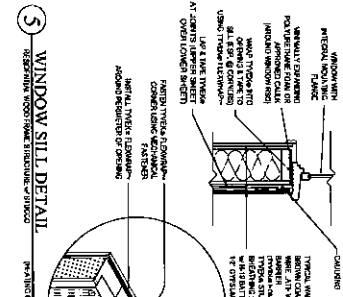
12 WINDOW HEAD DETAIL
RESIDENTIAL WOOD FRAME STRUCTURE - MASONRY OVER



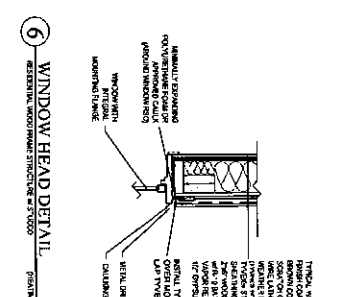
13 WINDOW SILL DETAIL
RESIDENTIAL WOOD FRAME STRUCTURE - MASONRY OVER



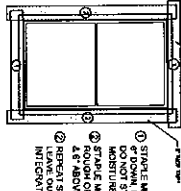
8 TYPICAL WALL ISOMETRIC
RESIDENTIAL WOOD FRAME STRUCTURE - STUCCO



5 WINDOW SILL DETAIL
RESIDENTIAL WOOD FRAME STRUCTURE - STUCCO



6 WINDOW HEAD DETAIL
RESIDENTIAL WOOD FRAME STRUCTURE - STUCCO



TYPICAL WINDOW FLASHING
NO SCALE (REFER STRUCTURAL FOR STUD BRACING)

ITEM	DESCRIPTION	QUANTITY	UNIT	PRICE
1	1/2" x 4" x 8" STUDS	100	LF	1.50
2	2" x 4" x 8" STUDS	50	LF	2.00
3	2" x 6" x 8" STUDS	20	LF	2.50
4	2" x 8" x 8" STUDS	10	LF	3.00
5	2" x 10" x 8" STUDS	5	LF	3.50
6	2" x 12" x 8" STUDS	2	LF	4.00
7	2" x 14" x 8" STUDS	1	LF	4.50
8	2" x 16" x 8" STUDS	1	LF	5.00
9	2" x 18" x 8" STUDS	1	LF	5.50
10	2" x 20" x 8" STUDS	1	LF	6.00

PROPOSED RENOVATION OF EXISTING TOWNHOME AT 225 N.MAIN STREET

A
3

DATE :	NOVEMBER 29, 2021
PROJECT NO:	JAL68-112921
DRAWN BY :	J.A.L
REVISED	PERMIT SET-R100322

SPECIFICATIONS AND DETAILS
WALL SECTION DETAILS
DOOR & WINDOW DETAILS



Item B.

✕ Close

1 / 29

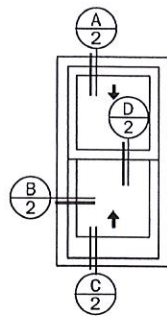


E-Series

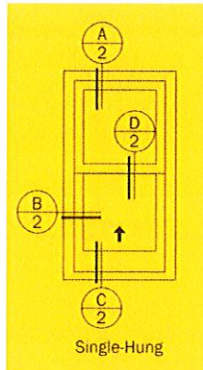
Double Hung & Single Hung Windows

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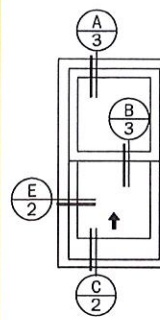
Item B.



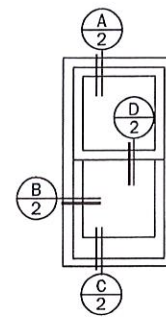
Double-Hung



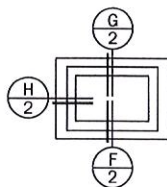
Single-Hung



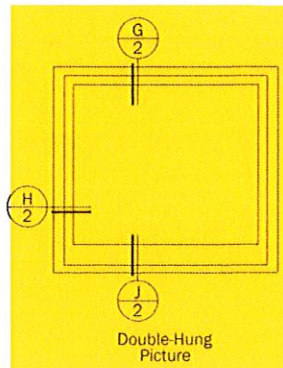
Monumental
Single-Hung



Fixed / Fixed
Double-Hung

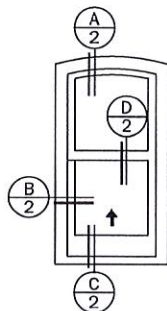


Double-Hung
Transom

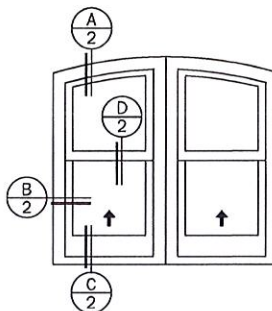


Double-Hung
Picture

*West & South Sides
225 N. Main*



Radius Single-Hung



Twin Radius Single-Hung

Notes:

Details have been optimized for use in architectural software and do not match manufacturing specifications. Dimensions in parentheses are in millimeters.

See Pages 4 Thru 11 for Options and Accessories

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Date: 02/06/18
Scale: None

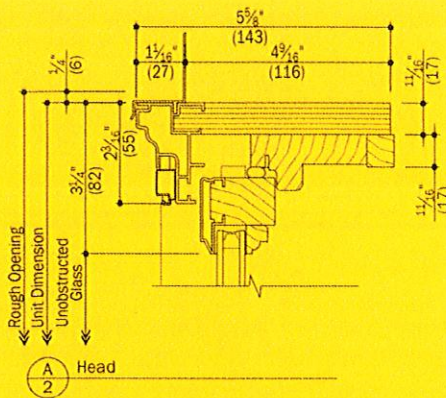
File: AC E-Series Sections Double Hung Page 01 of 11

E-Series

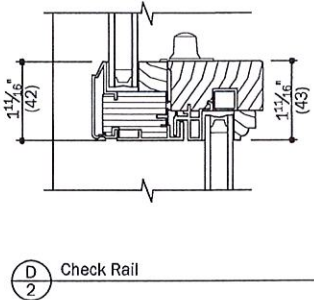
Double Hung & Single Hung Windows

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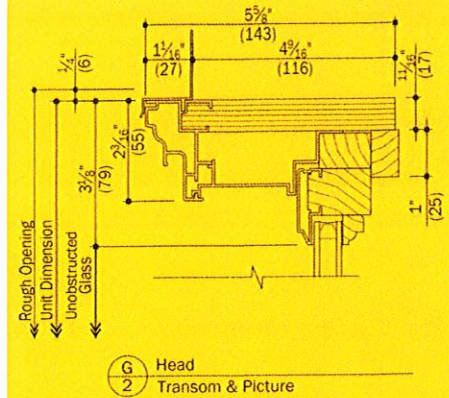
Item B.



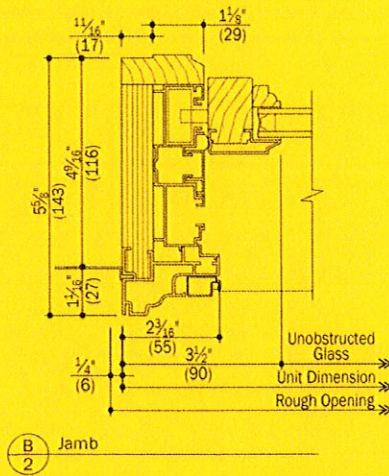
A
2 Head



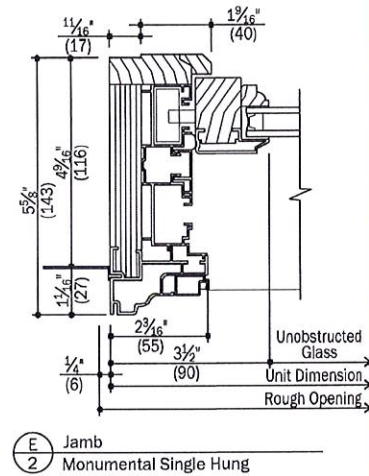
D
2 Check Rail



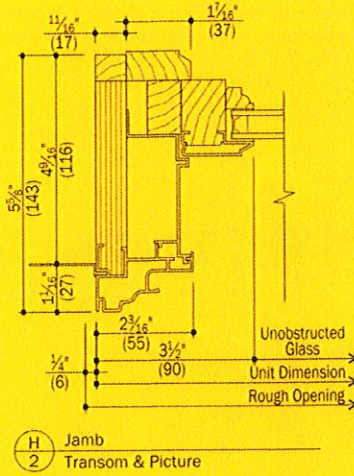
G
2 Head
Transom & Picture



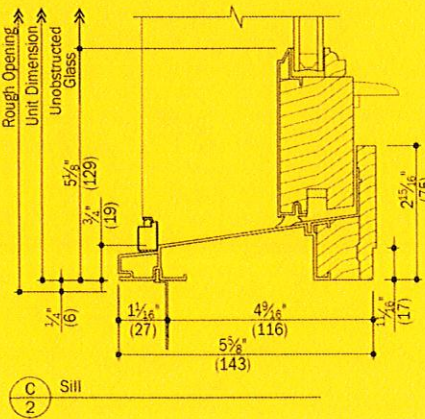
B
2 Jamb



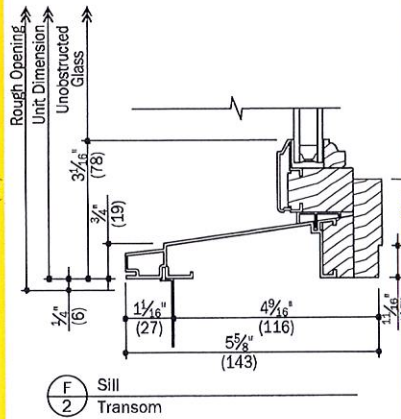
E
2 Jamb
Monumental Single Hung



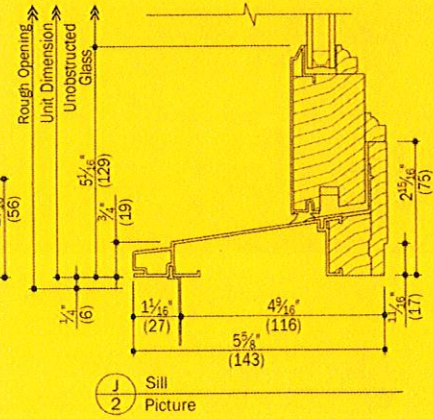
H
2 Jamb
Transom & Picture



C
2 Sill



F
2 Sill
Transom



J
2 Sill
Picture

Notes:

Details have been optimized for use in architectural software and do not match manufacturing specifications.
Dimensions in parentheses are in millimeters.

See Pages 4 Thru 11 for Options and Accessories

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Date: 02/06/18
Scale: 3" (76) = 1' (305)

File: AC E-Series Sections Double Hung Page 02 of 11

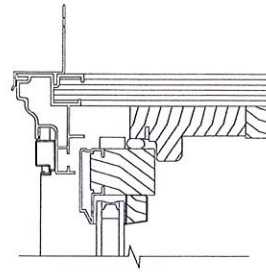
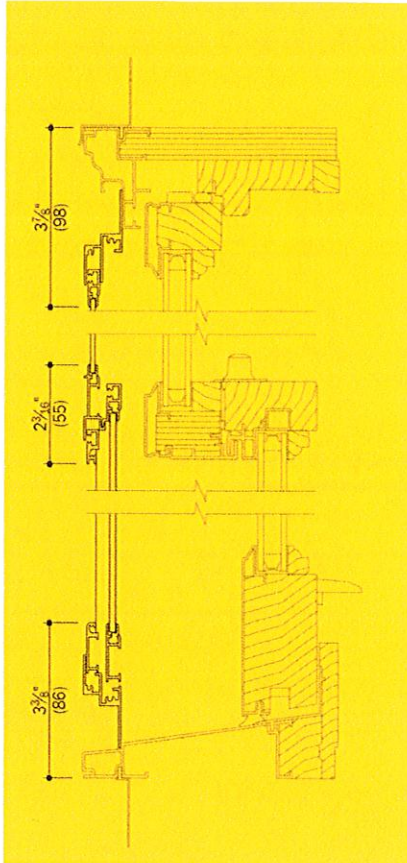
E-Series

Double Hung & Single Hung Windows

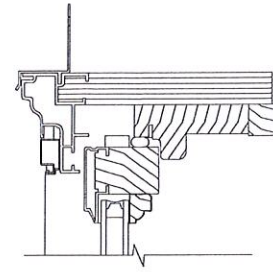
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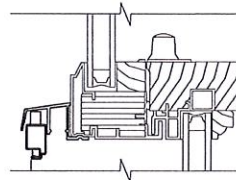
Item B.



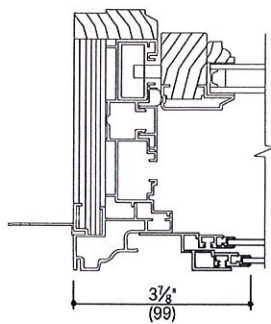
B
4 Contemporary Glazing Stop



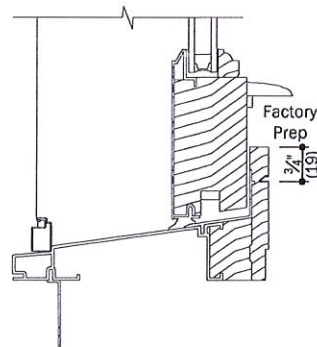
E
4 Colonial Glazing Stop



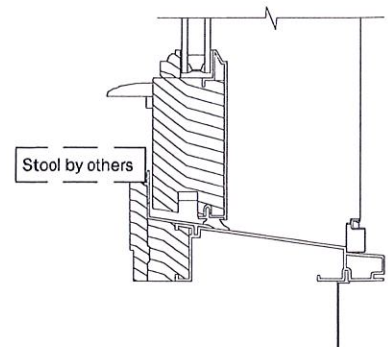
C
4 Half Screen Retainer



A
4 Storm/Insect Screen Combination Unit



D
4 Factory Prep For Stool



Notes:

Details have been optimized for use in architectural software and do not match manufacturing specifications.
Dimensions in parentheses are in millimeters.

Andersen Windows, Inc. reserves the right to change drawing specifications without notice

Date: 02/06/18
Scale: 3" (76) = 1' (305)

File: AC E-Series Sections Double Hung Page 04 of 11

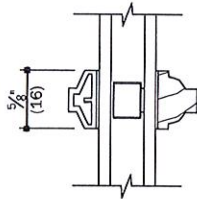
E-Series

Double Hung & Single Hung Windows

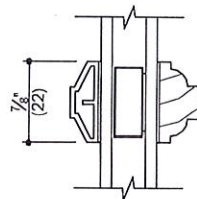
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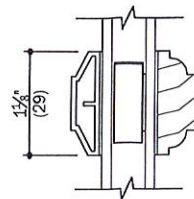
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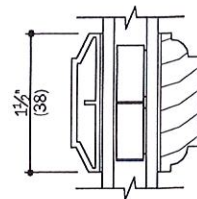
A
8
5/8" Int. Colonial, Ext. Chamfer
Full Divided Light



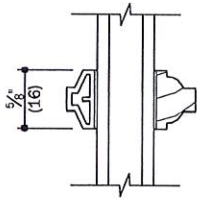
E
8
7/8" Int. Colonial, Ext. Chamfer
Full Divided Light



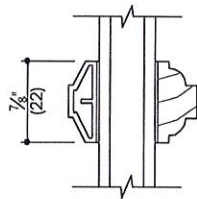
J
8
1 1/8" Int. Colonial, Ext. Chamfer
Full Divided Light



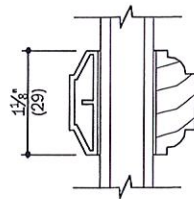
M
8
1 1/2" Int. Colonial, Ext. Chamfer
Full Divided Light



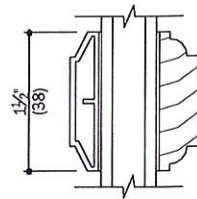
B
8
5/8" Int. Colonial, Ext. Chamfer
Simulated Divided Light
Available as exterior grille bar Only



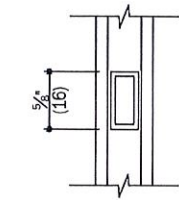
F
8
7/8" Int. Colonial, Ext. Chamfer
Simulated Divided Light
Available as exterior grille bar Only
Also available with removable interior



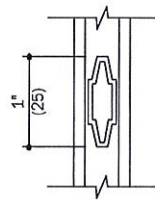
K
8
1 1/8" Int. Colonial, Ext. Chamfer
Simulated Divided Light
Available as exterior grille bar Only



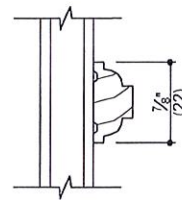
N
8
1 1/2" Int. Colonial, Ext. Chamfer
Simulated Divided Light
Available as exterior grille bar Only



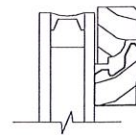
C
8
5/8" Finelight (Flat)



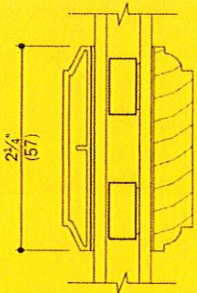
G
8
1" Finelight (Contoured)



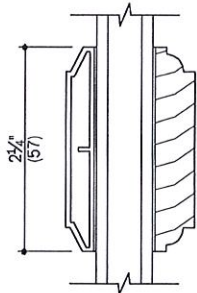
L
8
7/8" Colonial
Removable Interior Grille
For Both KD & Full Surround Grilles



P
8
Surround for Full Surround Grilles



D
8
2 1/4" Int. Colonial, Ext. Chamfer
Full Divided Light
Simulated check rail



H
8
2 1/4" Int. Colonial, Ext. Chamfer
Simulated Divided Light
Simulated check rail

Notes:

Details have been optimized for use in architectural software and do not match manufacturing specifications.
Dimensions in parentheses are in millimeters.

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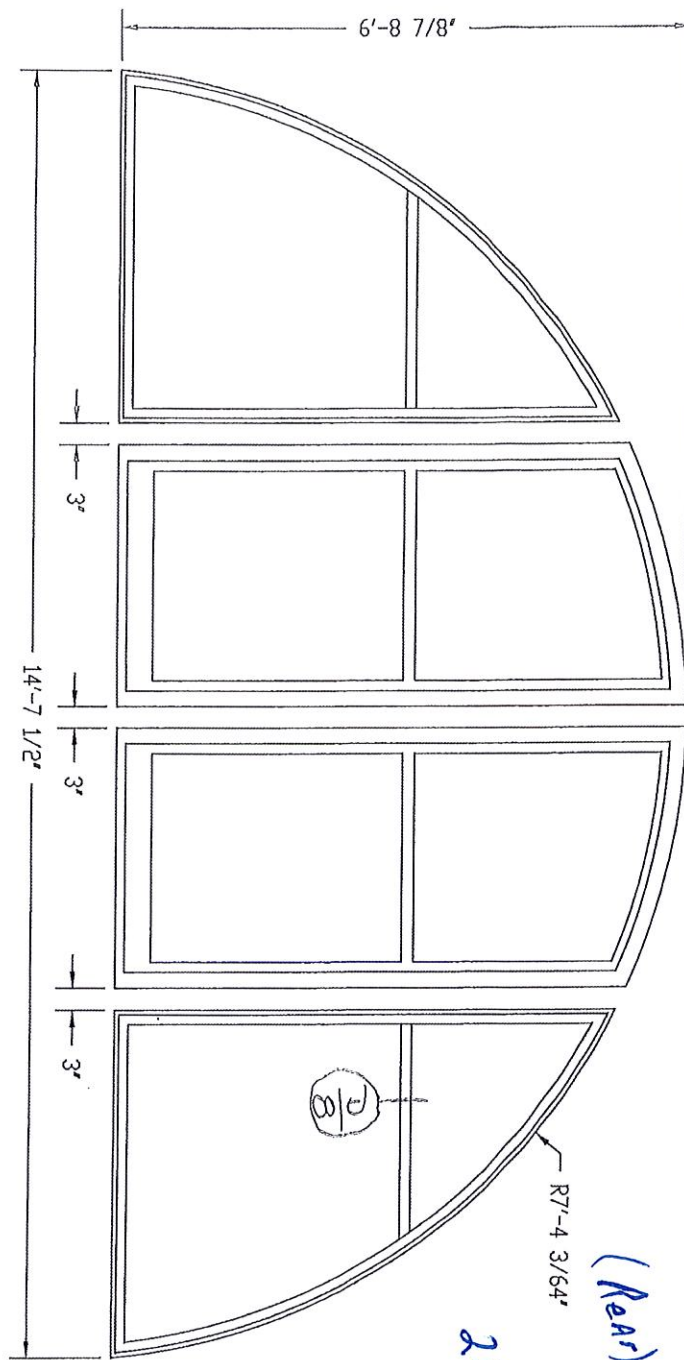
Date: 02/06/18
Scale: 6" (152) = 1' (305)

File: AC E-Series Sections Double Hung Page 08 of 11

VIEWED FROM EXTERIOR

☒ UNIT REQUIRES DRAWING

Note: Any representation of milled units is provided to show aesthetics only. It remains the responsibility of a building professional to determine the proper design of mulls to provide sufficient structural strength for load bearing and wind resistance considerations.



WEST
ELEVATION

(Rear)

2.25 ALUMIN

- Direct Set - Standard Specialty Frame (S66)
- Base=3'-11 5/8"
 - R Leg=5'-11 7/32"
 - L Leg=0"
 - Radius=7'-4 3/64"
 - ** NON-STD RADIUS **
 - 1 1/2" MDL (Special)
 - Contemporary Glass Stop
 - Contemporary Exterior Grille Profile
- T7 Radius Single Hung
- Base=2'-11 5/8"
 - R Leg=6'-8 7/8"
 - L Leg=6'-0 43/64"
 - Radius=7'-4 3/64"
 - ** NON-STD RADIUS **
 - Contemporary Glass Stop
- T7 Radius Single Hung
- Base=2'-11 5/8"
 - R Leg=6'-8 7/8"
 - L Leg=6'-0 43/64"
 - Radius=7'-4 3/64"
 - ** NON-STD RADIUS **
 - Contemporary Glass Stop
- Direct Set - Standard Specialty Frame (S67)
- Base=3'-11 5/8"
 - R Leg=5'-11 7/32"
 - L Leg=0"
 - Radius=7'-4 3/64"
 - ** NON-STD RADIUS **
 - 1 1/2" MDL (Special)
 - Contemporary Glass Stop
 - Contemporary Exterior Grille Profile

CUSTOMER SIGNOFF DRAWING

Customer Approval

Date:

OrderTrack# 32199541

Drawn By: MLR

Date Drawn: 11/15/2022

DRAWING #
162326A

REVISION # 1



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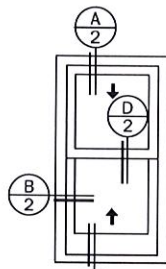
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E-Series

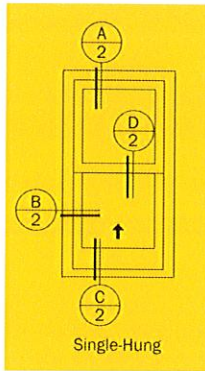
Double Hung & Single Hung Windows

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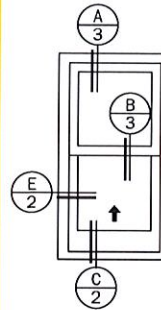
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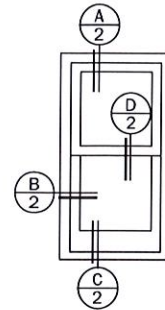
Double-Hung



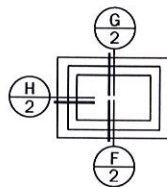
Single-Hung



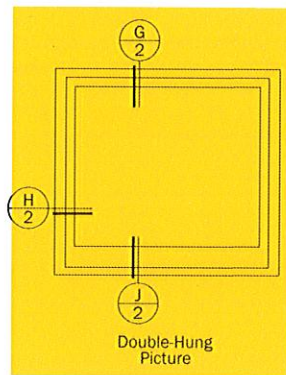
Monumental
Single-Hung



Fixed / Fixed
Double-Hung

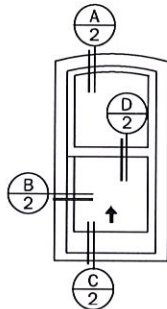


Double-Hung
Transom

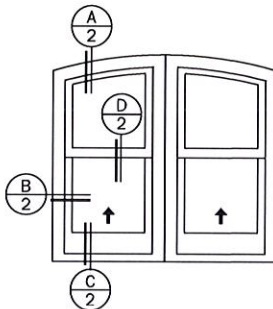


Double-Hung
Picture

*West & South Sides
225 N. Main*



Radius Single-Hung



Twin Radius Single-Hung

Notes:

Details have been optimized for use in architectural software and do not match manufacturing specifications.
Dimensions in parentheses are in millimeters.

See Pages 4 Thru 11 for Options and Accessories

Andersen Windows, Inc. reserves the right to change drawing specifications without notice

Date: 02/06/18
Scale: None

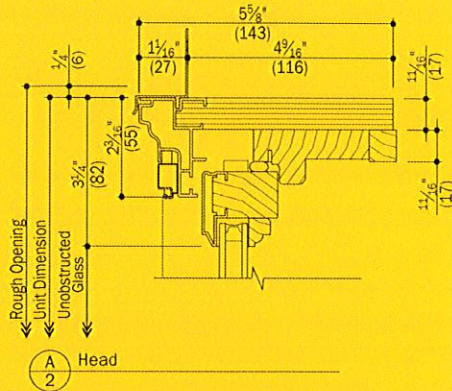
File: AC E-Series Sections Double Hung Page 01 of 11

E-Series

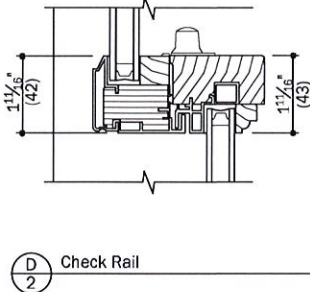
Double Hung & Single Hung Windows

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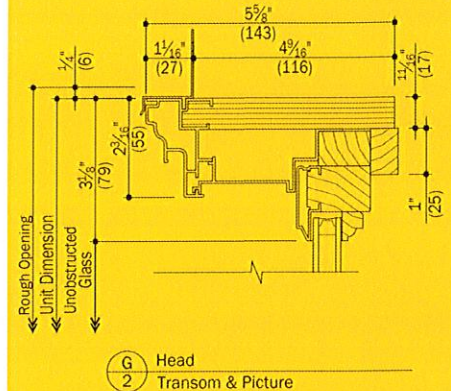
Item B.



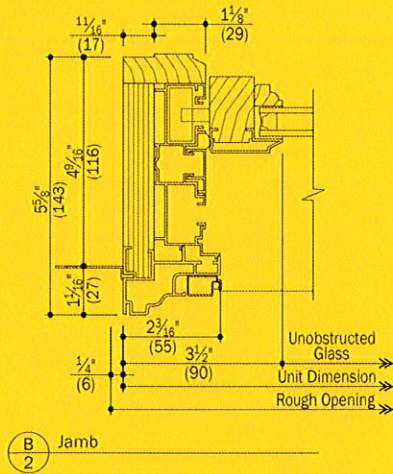
A
2 Head



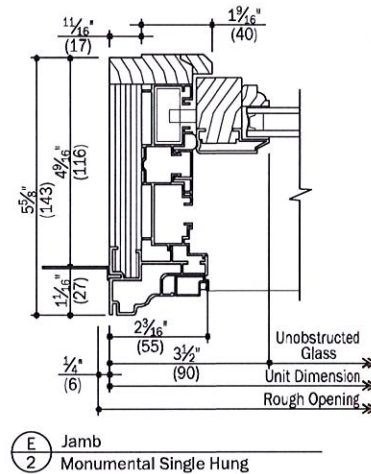
D
2 Check Rail



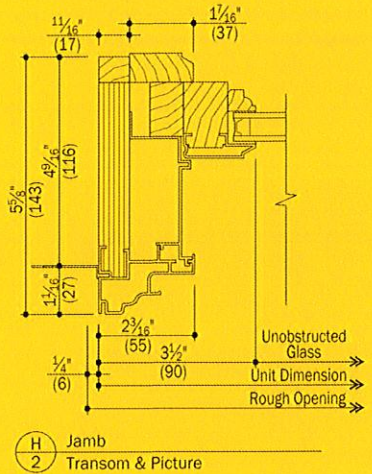
G
2 Head Transom & Picture



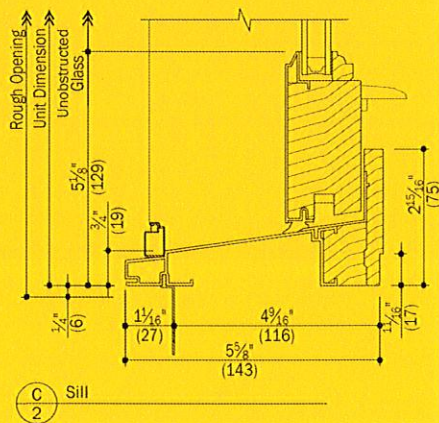
B
2 Jamb



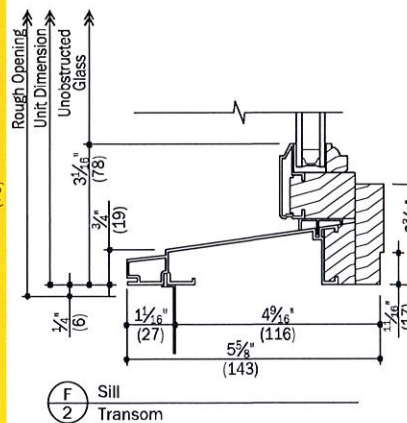
E
2 Jamb Monumental Single Hung



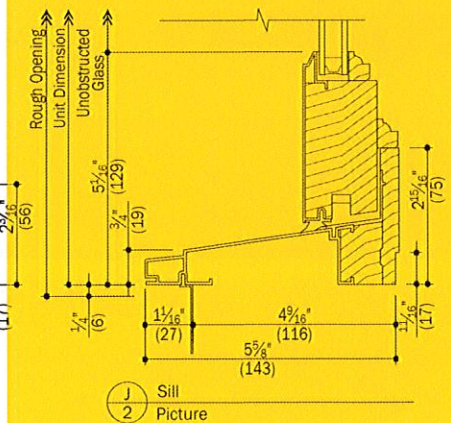
H
2 Jamb Transom & Picture



C
2 Sill



F
2 Sill Transom



J
2 Sill Picture

Notes:

Details have been optimized for use in architectural software and do not match manufacturing specifications.
Dimensions in parentheses are in millimeters.

See Pages 4 Thru 11 for Options and Accessories

Andersen Windows, Inc. reserves the right to change drawing specifications without notice

Date: 02/06/18

Scale: 3" (76) = 1' (305)

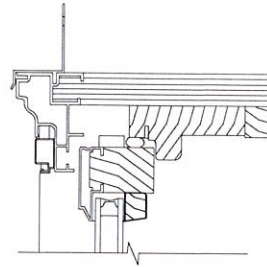
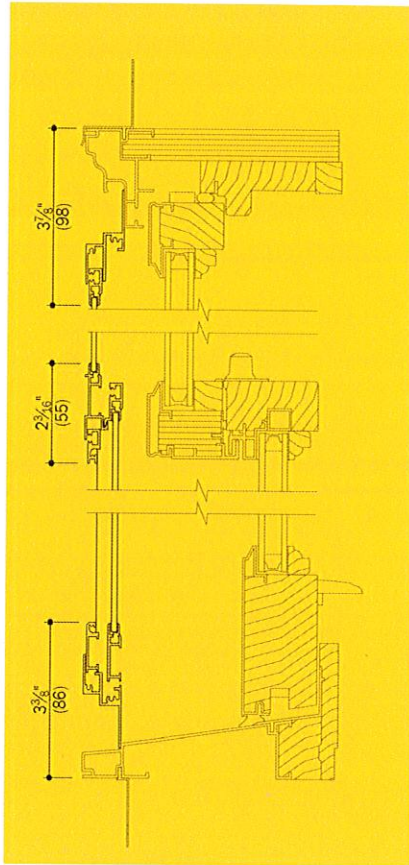
File: AC E-Series Sections Double Hung Page 02 of 11

E-Series

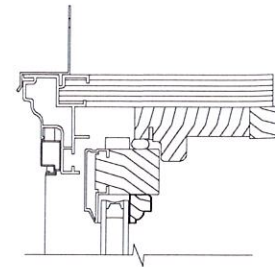
Double Hung & Single Hung Windows

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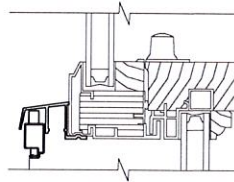
Item B.



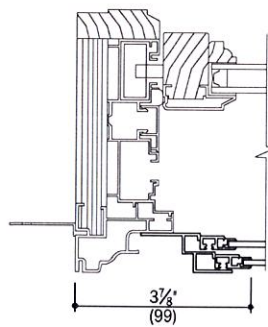
B
4 Contemporary Glazing Stop



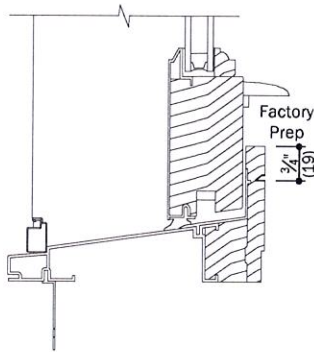
E
4 Colonial Glazing Stop



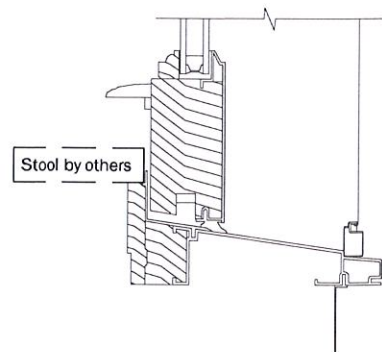
C
4 Half Screen Retainer



A
4 Storm/Insect Screen Combination Unit



D
4 Factory Prep For Stool



Notes:

Details have been optimized for use in architectural software and do not match manufacturing specifications.
Dimensions in parentheses are in millimeters.

Andersen Windows, Inc. reserves the right to change drawing specifications without notice

Date: 02/06/18
Scale: 3" (76) = 1' (305)

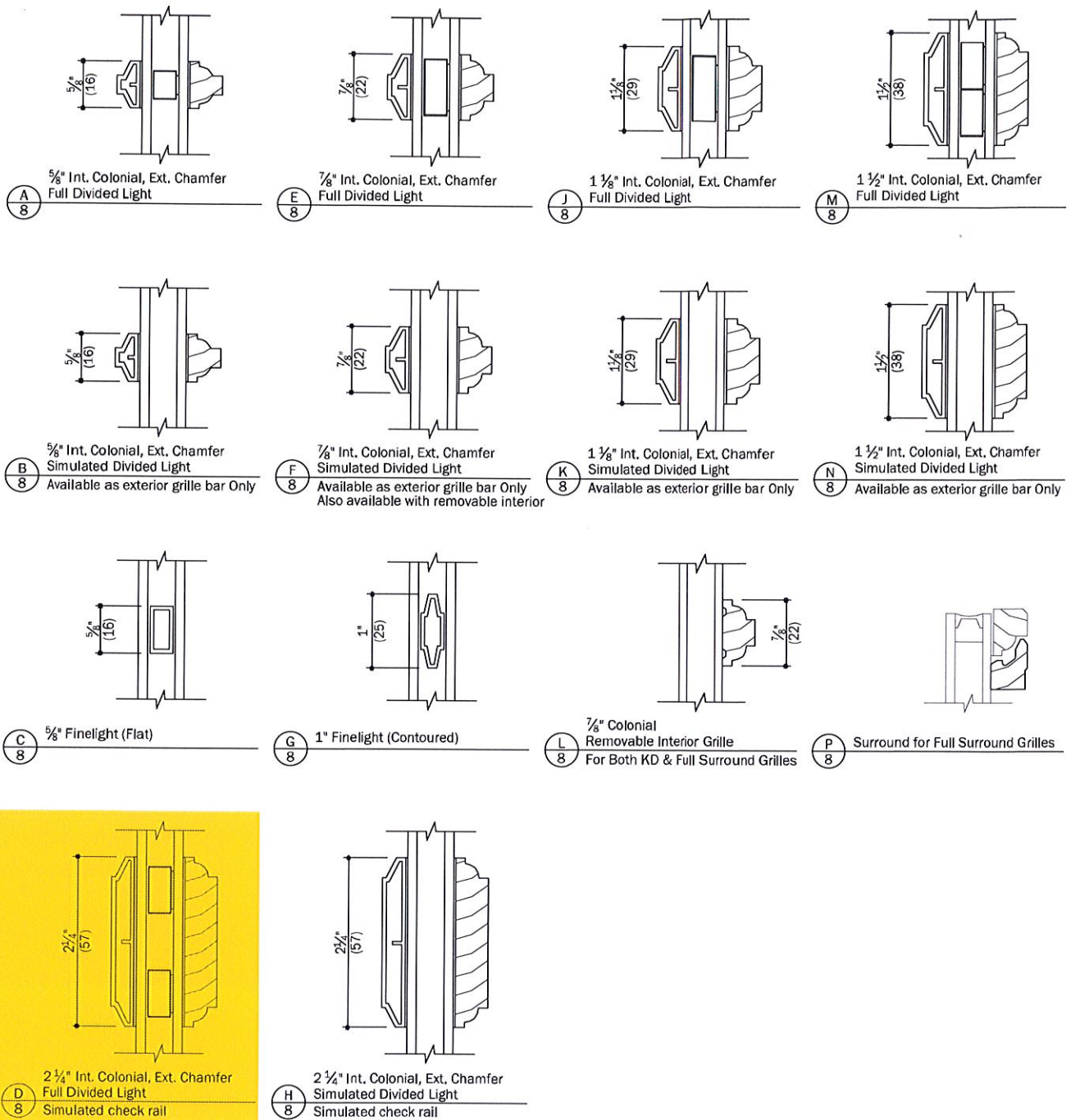
File: AC E-Series Sections Double Hung Page 04 of 11

E-Series

Double Hung & Single Hung Windows

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Item B.



Notes:

Details have been optimized for use in architectural software and do not match manufacturing specifications. Dimensions in parentheses are in millimeters.

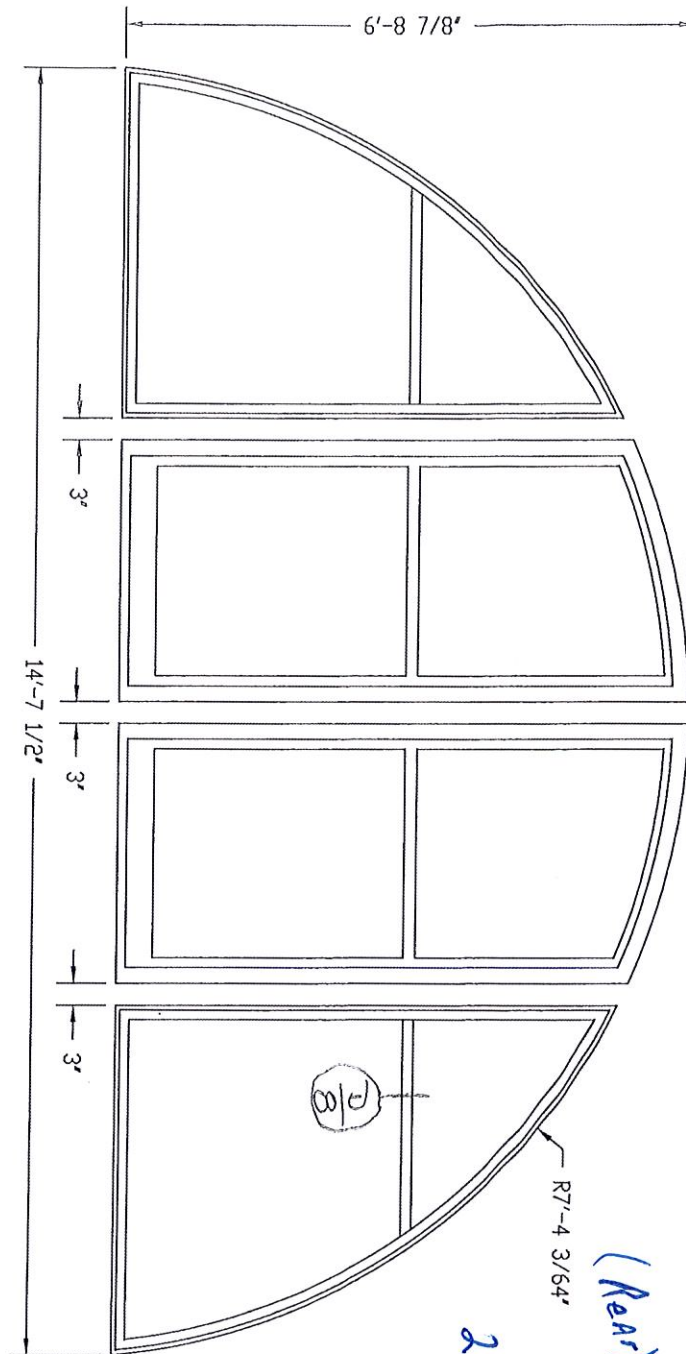
Andersen Windows, Inc. reserves the right to change drawing specifications without notice

Date: 02/06/18
Scale: 6" (152) = 1' (305)

File: AC E-Series Sections Double Hung Page 08 of 11

VIEWED FROM EXTERIOR
UNIT REQUIRES DRAWING

Note: Any representation of milled units is provided to show aesthetics only. It remains the responsibility of a building professional to determine the proper design of mulls to provide sufficient structural strength for load bearing and wind resistance considerations.



WEST
ELEVATION

(Rear)

225 N. Main

Direct Set - Standard Specialty Frame (S66)
Base=3'-11 5/8"
R Leg=5'-11 7/32"
L Leg=0"
Radius=7'-4 3/64"
** NON-STD RADIUS **
1 1/2" MDL (Special)
Contemporary Glass Stop
Contemporary Exterior Grille Profile

T7 Radius Single Hung
Base=2'-11 5/8"
R Leg=6'-8 7/8"
L Leg=6'-0 43/64"
Radius=7'-4 3/64"
** NON-STD RADIUS **
Contemporary Glass Stop

T7 Radius Single Hung
Base=2'-11 5/8"
R Leg=6'-8 7/8"
L Leg=6'-0 43/64"
Radius=7'-4 3/64"
** NON-STD RADIUS **
Contemporary Glass Stop

Direct Set - Standard Specialty Frame (S67)
Base=3'-11 5/8"
R Leg=5'-11 7/32"
L Leg=0"
Radius=7'-4 3/64"
** NON-STD RADIUS **
1 1/2" MDL (Special)
Contemporary Glass Stop
Contemporary Exterior Grille Profile

CUSTOMER SIGNOFF DRAWING

Customer Approval

Date:

OrderTrack# 32199541

Drawn By: MLR

Date Drawn: 11/15/2022

DRAWING #
162326 A

REVISION # 1



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BK 3877 PG 151 - 154 (4)

DOC# 974769

This Document eRecorded:

03/02/2022

01:15:28 PM

Fee: \$26.00

Henderson County, North Carolina

Tax: \$1,800.00

William Lee King, Register of Deeds

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:	Van Winkle, Buck, Wall, Starnes & Davis, P.A. 422 S. Main Street, Hendersonville, NC 28792
Brief description for the Index:	225 N. Main Street

THIS GENERAL WARRANTY DEED ("Deed") is made on the 2nd 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 <i>19500 State Hwy 249 Ste. 350 Houston, TX 77070</i>

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 Hendersonville, Hendersonville Township, Henderson County, North Carolina and more particularly described as follows (the "Property"):

SEE EXHIBIT A ATTACHED HERETO FOR REFERENCE

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 711 page 658, Henderson 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 fee simple. Grantor covenants with Grantee that Grantor is seized of the Property in fee simple, Grantor has the right to convey 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 on the property.

IN WITNESS WHEREOF, Grantor has duly executed this North Carolina General Warranty Deed, if an entity by its duly authorized representative.


Name: Marvin K. Allen


Name: Sharon B. Allen

Entity Name

By: _____

Name: _____

Title: _____

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I Edward L Harrelson, a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 2nd 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): Marvin K. Allen and wife, Sharon B. Allen.

Affix Notary Seal/Stamp

Edward L Harrelson
NOTARY PUBLIC
Polk County, NC


Notary Public (Official Signature)

My commission expires: 1-17-2025

**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

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