



**CITY OF HENDERSONVILLE**  
**HISTORIC PRESERVATION COMMISSION**  
City Hall - 2nd Floor Meeting Room | 160 Sixth Avenue E. | Hendersonville, NC  
28792  
Wednesday, July 16, 2025 – 5:00 PM

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## AGENDA

1. **CALL TO ORDER**
2. **PUBLIC COMMENT**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**
  - A. Minutes of June 18, 2025
5. **NEW BUSINESS**
6. **OLD BUSINESS**
  - A. 132 3<sup>rd</sup> Avenue E – Installation of New Front Door  
(25-30-COA) – *Sam Hayes / Planner II*
  - B. Findings of Fact - 401 N. Main Street 25-33-COA
  - C. Findings of Fact - 225 N. Main Street 25-31-COA
7. **OTHER BUSINESS**
  - A. Committee Updates
  - B. Staff Report
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 Regular Meeting of June 18, 2025**

**Commissioners Present:** Cheryl Jones, (Chair), Jim Boyd, Ralph Hammond-Green, Stan Smith, Edward Sine, John Falvo, Lauren Matoian

**Commissioners Absent:** Jim Welter, (Vice-Chair), Jane Branigan

**Staff Present:** Sam Hayes, Planner II, Daniel Heyman, Staff Attorney

- 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 discussed designation procedures and history. He discussed stories about special places. He talked about Lenox Spring being an anchoring place of history. He stated it is very important that the local Native American presence be recognized.
- III **Agenda.** Chair made a correction on the agenda to Item “D” being the Gregory House and Item “E” being Lenox Spring. On motion of Commissioner Hammond-Green and seconded by Commissioner Boyd the amended agenda was approved.
- IV **Minutes.** On motion of Commissioner Hammond-Green and seconded by Commissioner Falvo the minutes of the meeting of May 21, 2025 were approved.
- V **New Business.**
- V(A) **Certificate of Appropriateness** – Jason Reasoner - 401 N. Main Street (File No. 25-33-COA).  
 Prior to the opening of the public hearing, Chair announced that there are three applications for a COAs in the Main Street Historic District and two applications for Landmark Nominations. 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 procedure and rules 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 the hearing. 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 present who has knowledge of anything of value that has been given or promised in exchange for a position to be taken on these applications should disclose it now. Anyone wishing to speak during the public hearing should come forward and be sworn in. Chair swore in all potential witnesses. Those sworn in were Sam Hayes, Jason Reasoner, Ann Twiggs, Eva-Michelle Spicer, Barbara Grosso, Ann Twiggs, and Ken Fitch.

Chair opened the public hearing.

Mr. Hayes stated this is a major work and it is a front door installation at 401 N. Main Street. The applicant and the property owner are Jason Reasoner. This property is in the C-1 Central Business

District as well as the Main Street Historic Overlay District.

Site photos were shown and are included in the staff report and presentation.

The Main Street Historic District map was shown and included in the staff report and presentation. The subject property is highlighted in blue.

An aerial view was included in the staff report and presentation with the property highlighted in red. The door being proposed for this location is on the Main Street side.

The history of the subject property was discussed and is included in the staff report and presentation. A historic photo of the building was shown and Mr. Hayes stated the original door has been replaced.

A COA description was given and is included in the staff report and presentation. The applicant provided a photo of the door on the side of the building and it will be similar to what is being proposed.

Additional site photos were shown and are included in the staff report and presentation.

The Design Standards that apply were included in the staff report and presentation.

Suggested motions for approval and denial were presented and are included in the staff report and presentation.

Chair asked if there were any questions for staff.

Commissioner Hammond-Green asked if there was a rendering of what the new door looks like. Mr. Hayes stated no rendering but you can see from the site sketch what the door would look like. They have created more of a transom window above the actual door and then you would have those sidelights extending all the way up.

Commissioner Hammond-Green asked if the color would be the same as the photo from the side door. Mr. Hayes stated that is his understanding but he would let the applicant confirm that.

Mr. Reasoner stated that the proposed new door is actually thinner than the existing door.

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

Jason Reasoner, 401 N. Main Street Suite 100 stated his name for the record.

Commissioner Boyd stated the proposed material for the new door was aluminum and asked if it would be the same color as the side door. Mr. Reasoner stated yes. Commissioner Boyd asked what the reason for the door replacement was. Mr. Reasoner stated not only is the door extremely difficult for the guests to open, he has had it worked on a few times to get it balanced and make it easier to open to no avail. It also does not have a good seal on it. There is a lot of energy loss between outside and inside the door. He stated the door is nice but it is ridiculously heavy.

Chair discussed the drawing and Mr. Reasoner explained the drawing and replacement.

Mr. Reasoner stated there are a number of aluminum doors up and down Main Street.

Discussion was made on the size of the door. Mr. Reasoner stated the total size would not go beyond what is currently there.

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

Chair stated just to confirm, he is agreeable if they approve it with the plan that is created with a larger door and lesser side panels but that full section there. Mr. Reasoner stated he can talk to his contractor and make sure the door is wide enough and go ahead and get on his calendar? Chair stated yes, they will approve so that he has options so he doesn't have to come back, he can just talk to staff.

Commissioner Falvo asked if there was any kind of code requirement for the width of a door from a front access with a space such as this one for handicap access. Mr. Reasoner stated it would absolutely have to be handicap accessible. Mr. Hayes stated staff can help with it being ADA accessible.

Chair asked if there was anyone that would like to speak in favor of the application or against the application. No one spoke. Chair asked if there was anyone that would like to speak before the public hearing is closed.

Ann Twiggs, 305 S. Whitted Street asked how this door will be less heavy than the current door. Is the existing door not aluminum. Mr. Reasoner stated it is not aluminum, it is a very thick glass with steel all the way around it.

Chair asked if anyone wished to speak before the public hearing is closed. No one spoke.

Chair closed the public hearing.

The Commission discussed the motion.

***Commissioner Hammond-Green moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # 25-33-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 current door is not the original door based on evidence from the Baker Barber photo collection. 2. The replacement of the door is necessary and is appropriate in size, scale, proportion, material, and detail based on the original door as depicted in the Baker Barber photo collection. (Sec. 3.4.2.3) 3. The new door unit will be appropriately sized to fill the original opening (Sec. 3.4.2.4). The door will not be impeding on the sandstone framing around the door. For the provision of the sidelights may be either as shown in the drawing during the hearing or extend full height and those approvals will be by staff and the door can be enlarged as necessary beyond what is shown in the drawing on the framework. Commissioner Sine seconded the motion which passed unanimously.***

V(B) **Certificate of Appropriateness** - Spicer Greene, 225 N. Main Street (File No. 25-31-COA).

Chair opened the public hearing.

Mr. Hayes stated this is another major work and is a complete storefront rehabilitation at 225 N. Main Street. The applicant and property owner is Elliott Spicer. The project is located in the C-1, Central Business District as well as the Main Street Historic Overlay District.

Site photos of the front steps were shown and are included in the staff report and presentation.

The Main Street Historic District map was shown and included in the staff report and presentation. The subject property is highlighted in blue.

An aerial view was included in the staff report and presentation with the property highlighted in red.

The history of the subject property was discussed and is included in the staff report and presentation.

Mr. Hayes stated the description mentioned that the southern storefront (which is the storefront you are hearing today) is unaltered. That is not necessarily true. The Baker Barber photo from the 1900's shows a different storefront. It looks similar but there are definite differences. The image from 1989 does show the current storefront. He is unsure when the full alterations were done to the storefront. There are some significant changes from that earlier storefront to the current storefront.

A description of the COA was discussed and is included in the staff report and presentation.

A photo of the inlay of the entryway was shown and is included in the staff report and presentation.

More site photos were shown and are included in the staff report and presentation. Mr. Hayes discussed the transom windows and stated they are proposed to be replaced with a similar style window.

The Design Standards that apply were included in the staff report and presentation.

Suggested motions for approval and denial were included in the staff report and presentation.

Chair asked if there were any questions for staff.

Chair discussed the front center and the windows.

Commissioner Hammond-Green asked if there are different owners for each section. Mr. Hayes stated yes he believes so.

Chair asked if the inlay was just concrete. Mr. Hayes stated it is actually tile. Chair asked if they knew what was under the tile. Mr. Hayes stated that is a question for the applicant.

Mr. Hayes stated he did include two conditions in the approval that the Commission can consider. One is regarding composite material. There was a proposal to use composite material, they specified one

but said it could be something else for the trim and per the Design Standards we don't allow nonnatural wood and things like that and so he added that in there. And the upper transom windows to be preserved rather than replaced with the aluminum clad that they have proposed. These are for the Commission to consider.

Chair asked if Main Street allowed aluminum clad. Mr. Hayes stated we don't specifically say aluminum clad in the standards.

There were no further questions for staff.

Chair asked if the applicant would like to address the Commission.

Eva-Michelle Spicer, 25 Parkview Drive, Asheville NC stated they are delighted to be here in Hendersonville. She stated she is a fourth generation jeweler and her grandparents actually lived in Hendersonville.

Chair asked about the tiles. Ms. Spicer stated they have not pulled up the tiles yet because they have to know what they can put back down. They also bought the condo beneath it so it is actually six different owners in that building. They are all retail and other condos. They purchased this street front and the one beneath it. The basement actually goes out and almost underneath the sidewalk and you can see that the ramp is slab.

Chair stated the transom windows are not original and the crosshatch was added but it does compliment what looks to be original. Commissioner Hammond-Green stated it comes down to compatibility because it definitely is not what was there before. Chair asked how much of that is glass on the top windows. Ms. Spicer stated even though they are aluminum clad, all the triangles are glass. She stated they are selling jewelry and they want as much light in there as possible. All of the triangles in there are glass the crosshatches are just not wood. The glass triangles are panes. They are the same as the condo above them. It is all glass in those crosshatches. It is not tinted, it is just the way the rendering looks. It is as close as they can get to now but the wood is so rotten.

Chair asked if it was wood with aluminum clad. Ms. Spicer stated she did not know the answer to that but she would imagine it was. Chair stated that is what they looked like and what they typically are. There are others around on Main Street.

Ms. Spicer stated aluminum clad is on the storefront. The wood is rotting and it is not great for longevity.

Chair stated their standards do not allow artificial materials. Aluminum is not expressly addressed in the Main Street standards but it is addressed in other districts so the wood with aluminum clad is a permissible historic material. The composite and the artificial stuff even if they look wood grain are not under their standards. When North Carolina changed the rules, standards became rules instead of suggested guidelines.

Chair asked what exactly the material is. Ms. Spicer stated she wished she knew exactly what it was. The composite that she thinks they are using is like a trex like a chicken nugget wood where it is like ground up wood and glued back together again to prevent the rot. Chair asked if she knew of any other

properties on Main Street that have this similar composite. Ms. Spicer stated she does not know of any others.

Chair asked how much of this would be composite. Ms. Spicer stated just the trim. It is to make it look like wood without rotting. It will all be painted.

Discussion was made on the upper part being wood and the door frame being wood currently. Chair asked if everything on the store level front would be composite. Ms. Spicer stated yes. Chair asked and everything from the Spicer Greene up except for the aluminum would be wood. Ms. Spicer stated yes.

Chair asked if it has grain. Ms. Spicer stated it is smooth. Chair stated the reason she is asking is that the standards say you can't create a false impression.

Discussion was made on artificial materials not being allowed under the standards.

Chair stated to confirm for the record, it all going to fill what is there. Ms. Spicer stated yes, they are not going beyond the brick. They are tidying it up with bigger taller doors like in the original photo.

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

Chair asked about the Secretary of Interior Standards. Mr. Hayes pulled those up to search for composite materials.

Chair asked if there was anyone that would like to speak in favor of the application or against the application. No one spoke. Chair asked if there was anyone that would like to speak before the public hearing is closed. No one spoke.

Chair closed the public hearing.

The Commission discussed the application. Composite materials were discussed.

Chair reopened the public hearing.

Commissioner Hammond-Green asked if they would consider using a traditional wood unit that is clad. Ms. Spicer stated yes, especially if it is clad because of the rot situation. Her concern is just finding trim that detailed to make it look like what is there now that is clad.

A comment was made asking which is more environmental, chopping down a tree and splitting it then putting alumni foil over it or using wood that has been chopped up and glued together and putting aluminum foil over it.

Chair closed the public hearing.

The Commission discussed the motion and conditions.

***Commissioner Matoian moved the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # 25-31-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 original storefront no longer exists and the new design retains the commercial character of the building through contemporary design which is compatible with the scale, design, materials, color, and texture of the historic building. (Sec. 3.1.7) 2. The replacement of the door is necessary and is appropriate replacement in size, scale, proportion, material, and detail based on the original door as depicted in the Baker Barber photo collection. (Sec. 3.4.2.3) Conditions: 1. Composite material is not an appropriate substitute material. Natural wood or wood with aluminum cladding should be used for all repairs and replacement. (Sec. 3.8.1) Commissioner Falvo seconded the motion which passed unanimously.***

**V(C) Certificate of Appropriateness – Dan Chapman, 132 3<sup>rd</sup> Avenue East (File No. 25-30-COA)**

Chair opened the public hearing.

Mr. Hayes stated the applicant and the property owner did not show up for the hearing tonight. It is staff's recommendation that the Commission continue the hearing. Staff would ask that you continue it to the next meeting.

***Commissioner Smith moved the Commission to continue and hold open COA File No. 25-30-COA to the July 16, 2025 meeting. Commissioner Falvo seconded the motion which passed unanimously.***

**V(D) Landmark Nomination – James P. and Hattie Gregory House (File No. 25-02-LL)**

Chair opened the public hearing.

Mr. Hayes stated this is a local landmark nomination for the James P. and Hattie Gregory House. The property is located at 910 Locust Street.

A photo of the craftsman style home was shown and included in the staff report and presentation.

Mr. Hayes gave a brief history of the property which is included in the staff report and presentation.

Construction of the home was discussed and a brief summary is included in the staff report and presentation.

Rental years and the selling of the home was discussed and a brief summary is included in the staff report and presentation.

The architectural significance of the property was discussed.

Mr. Hayes stated the Commission will either recommend approval or denial and the next step would be to go to City Council for their approval.



Commissioner Smith stated he previously owned the home and wanted to recuse himself from the vote. Daniel Heyman, Staff Attorney stated he represents staff and not the Commission. This is a legislative public hearing and not a quasi-judicial evidentiary hearing but if Commissioner Smith does not think he can make an impartial decision based on the facts in front of him he can recuse himself. If he has something to offer that is fine, we are not bound by the rules of evidence in a legislative hearing.

Commissioner Smith stated it is a perfect craftsman model house. Mr. Heyman stated he thinks it is perfectly fine for him to offer his personal knowledge of the home to the Commission.

Commissioner Smith recused himself from the vote.

Chair asked if there were any questions for staff.

Discussion was made with Barbara Grosso, property owner about the roofline of the house. She asked that the Commission support this.

Ann Twiggs, 305 S. Whitted Street stated this is a lovely craftsman style home built in 1917. She asked what being a landmark would add to the home since it is already in a historic district. Mr. Hayes stated it is in a national historic district which is honorary but it does not add protection to any of those properties so you can do anything you want in that district where as in the local designated historic district or if it is a local landmark, whatever you want to do on the exterior of the property would come before the Commission and get approval. The property owner also receives a 50% tax deferment to their property taxes.

Ken Fitch, 1046 Patton Street discussed the shed and stated it is a very unique feature. He asked how that was described. Chair stated that is spelled out in the application. Mr. Hayes stated they are not doing the interior of this property. Chair stated they could do the shed as exterior to the house. Mr. Hayes stated he can add that to the report for the root cellar. Mr. Hayes stated the landmark would be for the whole property and everything on it.

Chair asked if there was anyone else that wished to speak. No one spoke.

Chair closed the public hearing.

***Commissioner Hammond-Green moved the Historic Preservation Commission recommend to City Council to approve the adoption of an ordinance designating the James P. and Hattie Gregory House (PIN 9569-70-9549) as a local historic landmark and that it include the out buildings as well as the main house. Commissioner Falvo seconded the motion which passed unanimously.***

V(E) **Landmark Nomination** – Lenox Spring (File No. 25-01-LL)

Chair opened the public hearing.

Mr. Hayes stated this is another landmark nomination for Lenox Spring. This is actually a city owned property. This was initiated by the Commission a year or so ago. It is for our Lenox Spring Park which is the city's smallest park. It is a very small piece of property.

A site photo was shown and is included in the staff report and presentation.

A historical overview was given and is included in the staff report and presentation.

A description of the site was given along with a photo of a postcard of the park which is included in the staff report and presentation.

A photo of the site from the Baker Barber Collection was shown and included in the staff report and presentation.

Mr. Hayes stated they had a plat/survey done of the park. One of the reasons this was done is because the stone steps are not actually on the city's property. The survey was shown and is included in the staff report and presentation. An easement area around those steps has been granted to the city. The easement will be filed and recorded. This will allow the city to maintain the steps.

The elements and architectural description was discussed. Photos were shown and are included in the staff report and presentation. He pointed out what he believes is one of the rails from the street car rail system that ran through the park.

Chair asked if there were any questions for staff.

The Commission discussed the Indian heritage that is associated with this park.

Chair asked if anyone had any questions for staff.

Ann Twiggs, 305 S. Whitted Street stated she lives just up the street from the spring and when they moved here in 2015 they walked down the street to see what was going on down there and did some research and got some stories and lots of people use to come up to take the waters and that's why those seats inside there, the water would come up and they would take the water. It was pretty popular at one time with the turn of the century she thinks. She is very much in favor of it being a landmark. The landmark designation is really important so that it is protected.

Ken Fitch, 1046 Patton Street talked about the history of the park and the Native American presence. He stated it was very important to consider and document the Native American presence.

Chair asked if there was anyone that would like to speak in favor of the application. No one spoke.

Chair asked if there was anyone that would like to speak against the application. No one spoke.

Chair closed the public hearing.

***Commissioner Matoian moved the Historic Preservation Commission recommend to City Council to approve the adoption of an ordinance designating Lenox Spring (PIN 9568-55-1019) as a local historic landmark. Commissioner Boyd seconded the motion which passed unanimously.***

VI **Old Business.**

- VI(A) **2025-2026 Budget Approval.** Mr. Hayes discussed the budget for 2025-2026. The budget was reviewed for approval. The Commission discussed the budget with staff.

*Commissioner Hammond-Green moved the Commission approve the budget for 2025-2026 year as proposed. Commissioner Falvo seconded the motion which passed unanimously.*

- VI(B) **Findings of Fact.** 1521 Kensington Road (File No. 25-25-COA) *On motion of Commissioner Hammond-Green and seconded by Commissioner Boyd the Findings of Fact for File No. 25-25-COA were approved.*

- VI(C) **Findings of Fact.** 344 N. Main Street (File No. H24-098-COA). *On motion of Commissioner Smith and seconded by Commissioner Hammond-Green the Findings of Fact for File No. H24-098-COA were approved.*

VII **Other Business.**

- VII(A) **Staff Report.** Mr. Hayes discussed the Neighborhood History Project. He stated he met the SHPO and a consultant today to discuss potential neighborhoods for National Register listing. They walked through three neighborhoods.

- VIII **Adjournment.** The Chair adjourned the meeting at 7:13 p.m.

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Chair



# CITY OF HENDERSONVILLE AMENDED AGENDA ITEM SUMMARY PLANNING DIVISION



**SUBMITTER:** Sam Hayes, Planner II      **MEETING DATE:** June 18<sup>th</sup>, 2025

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

**TITLE OF ITEM:** 132 3<sup>rd</sup> Avenue E – Installation of New Front Door  
(25-30-COA) – *Sam Hayes / Planner II*

## **SUGGESTED MOTION(S):**

<p><b>1. <u>For Recommending Approval:</u></b></p> <p>I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # 25-30-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 <b><u>not incongruous</u></b> with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The replacement of the door is necessary and is appropriate in size, scale, proportion, material, and detail. (<b>Sec. 3.4.2.3</b>)</li> <li>2. The new door unit will be appropriately sized to fill the original opening (<b>Sec. 3.4.2.4</b>)</li> </ol> <p style="text-align: center;"><b>[DISCUSS &amp; VOTE]</b></p>	<p><b>1. <u>For Recommending Denial:</u></b></p> <p>I move the Commission to find as fact that the proposed application for a Certificate of Appropriateness, as identified in file # 25-30-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 <b><u>incongruous</u></b> with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The replacement door is not appropriate given the size, scale, proportion, material, and detail for the façade. (<b>Sec. 3.4.2.3</b>)</li> </ol> <p style="text-align: center;"><b>[DISCUSS &amp; VOTE]</b></p>
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<b>PROJECT/PETITIONER NUMBER:</b>	25-30-COA
<b>PETITIONER NAME:</b>	Dam Chapman (Applicant) Zachary Neill (Property Owner)
<b>EXHIBITS:</b>	A. Staff Report B. COA Application

	C. Warranty Deed
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# 132 3<sup>rd</sup> Avenue E – Installation of New Front Door

## (25-30-COA)

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

### Staff Report Contents

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## PROJECT SUMMARY

**Applicant:** Dan Chapman

**Property Owner:** Zachary Neill

**Property Address:** 132 3<sup>rd</sup> Avenue E

**Project Acreage:** 2,178 square feet

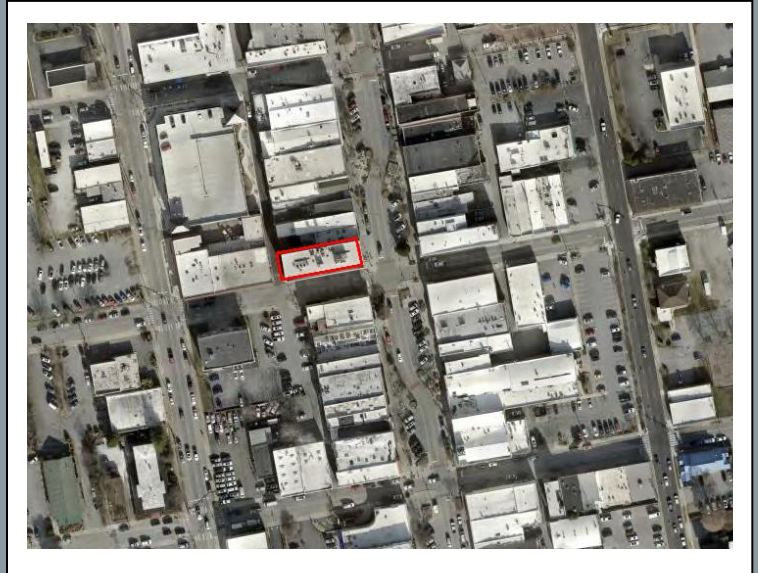
**Parcel Identification Number(s):**

9568-87-2739

**Current Parcel Zoning:** C-1 Central Business

**Historic District:** Main Street Historic District

**Project Type:** Major Work (Installation of a New Front Door)



SITE VICINITY MAP

### **Project Summary:**

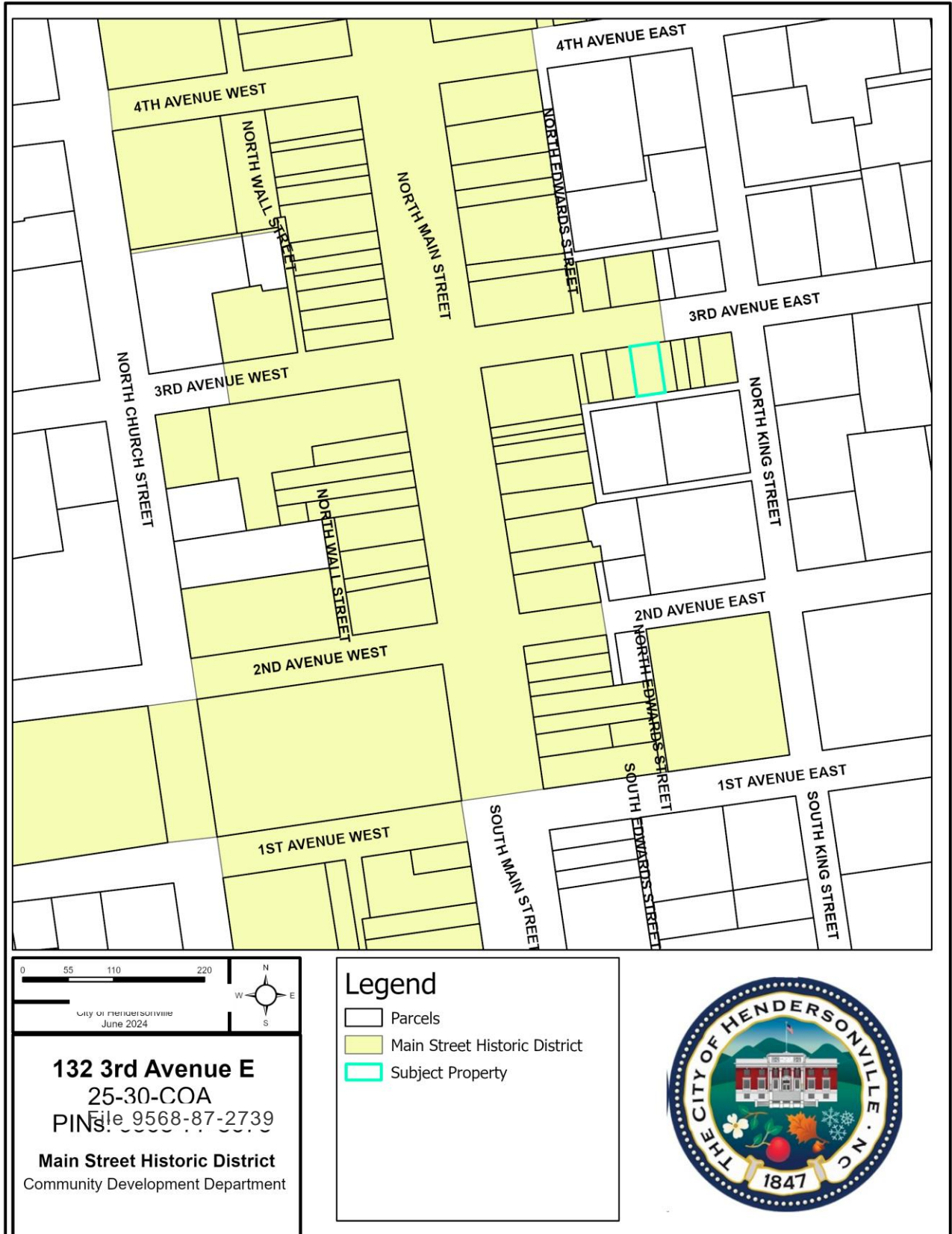
The City of Hendersonville is in receipt of a Certificate of Appropriateness (COA) application from Dan Chapman for the installation of a new front door. The front door will be constructed out of wood. The door is designed to fit into the existing opening and will not require the cutting into the building's masonry.

The previous door is not original to the building based on staff's site visit.

The current COA application is a Major Work according to the standards of Main Street Design Standards.



CITY OF HENDERSONVILLE – MAIN STREET LOCAL HISTORIC OVERLAY MAP



HISTORY OF SUBJECT PROPERTY



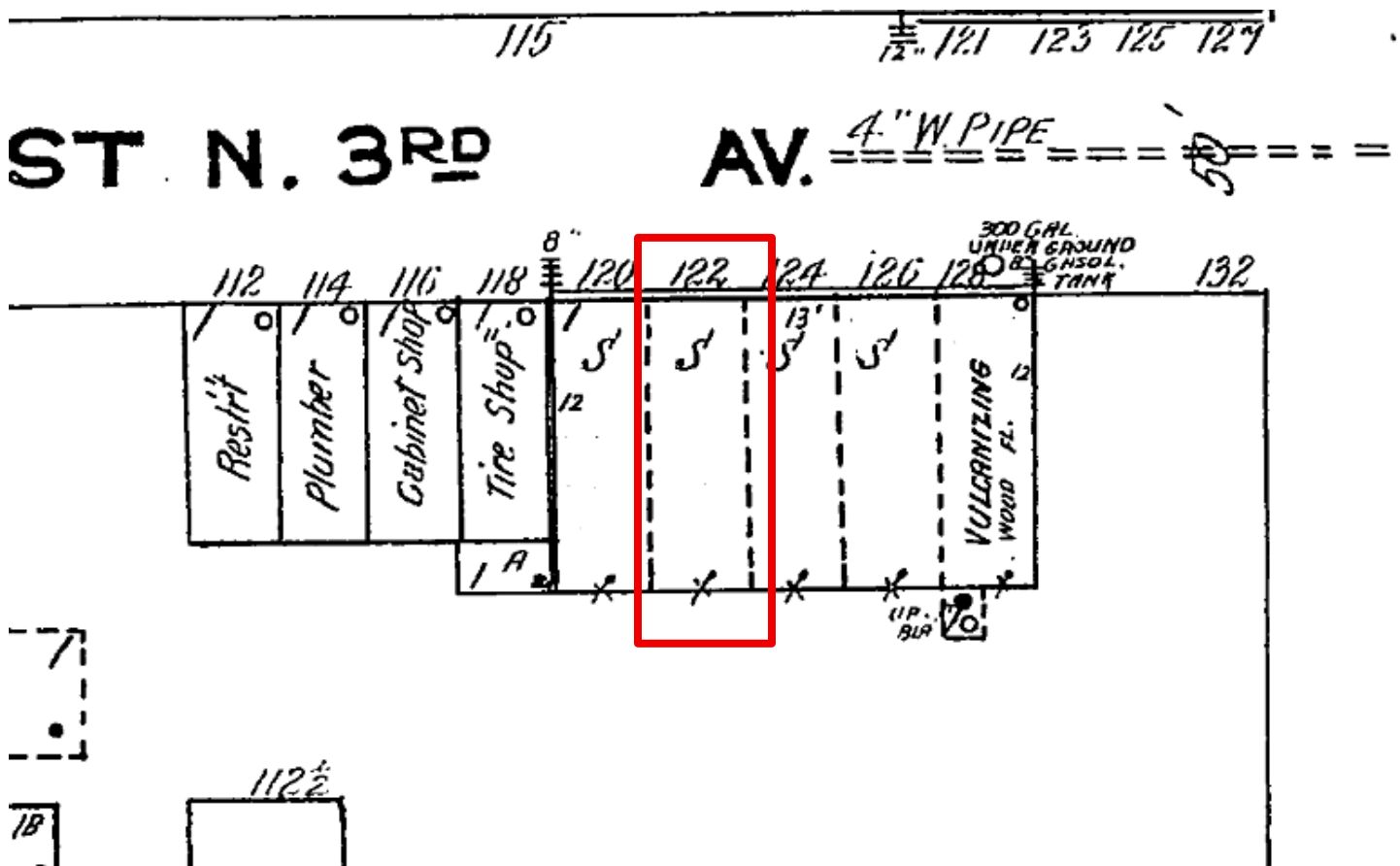
# First Bank & Trust Company

132-144 3rd Ave. E.

132-144 3rd Ave. E.

Commercial Building. ca. 1920. Contributing.

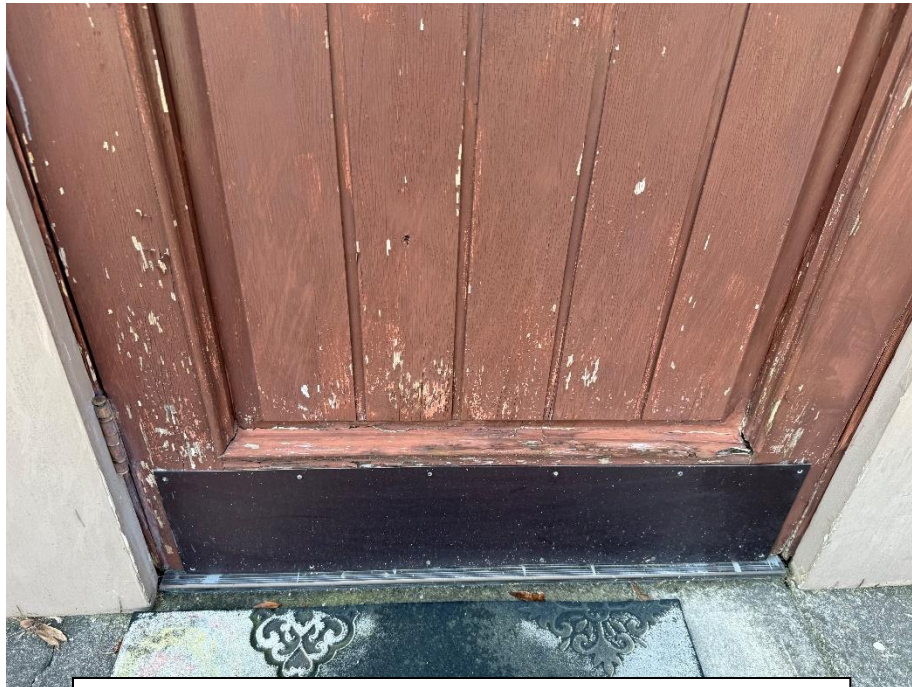
Deep red striated brick Commercial Style one-story building with a long, linear configuration. Five bays wide, with each bay infilled with modern materials. Brick framing remains around each of the storefronts.



SITE IMAGES



View of current door.



View of rotten elements of door.

## DESIGN STANDARDS

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

### **Section 3.4.2 WINDOWS AND DOORS**

#### **WINDOWS AND DOORS GUIDELINES**

- .1 Retain and preserve original windows and doors.
- .2 Retain and preserve openings and details of windows and doors, such as trim, sash, glass, lintels, sills, thresholds, shutters, and hardware.
- .3 If replacement of a window or door element is necessary, replace only the deteriorated element to match the original in size, scale, proportion, pane or panel division, material, and detail.
- .4 It is not appropriate to replace windows or doors with stock items that do not fill the original openings or duplicate the unit in size, material, and design.
- .5 Protect and maintain existing windows and doors in appropriate ways:
  - Maintain caulking and glazing putty to prevent air or water infiltration around glass.
  - Weatherstrip windows and doors to prevent moisture and air infiltration.
  - Check sills and thresholds to ensure that water run off does not collect.
  - Maintain a sound paint film on all wooden windows and doors.
  - Monitor the condition of wooden windows and doors.

Note: Both the peeling of paint and the widening of joints may create the false appearance of deteriorated wood.

- .6 Repair original windows, doors, and frames by patching, splicing, consolidating, or otherwise reinforcing deteriorated sections.
- .7 Construct replacement shutters of wood, size them to window openings, and mount them so that they are operable. It is not appropriate to introduce window shutters where no evidence of earlier shutters exists.
- .8 The use of reflective or highly tinted glass is discouraged.

- .9 It is not appropriate to fill in existing window or door openings or to replace or cover them with plywood.
- .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.
- .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.
- .12 If exterior storm windows are desired, they should have little visual impact. Storm windows should be painted to match the building and the color of the window sash. Storm windows should match the existing in size and proportion. Install them so that existing windows and frames are not damaged or obscured.
- .13 It is not appropriate to use snap-in muntins to create a false dividedlight appearance.
- .14 In accordance with the Artificial Materials guidelines (Section 3.8), it is not appropriate to replace existing vinyl windows with new vinyl windows on contributing structures.
- .15 Existing windows and doors on non-contributing structures should be replaced in-kind.





# CERTIFICATE OF APPROPRIATENESS APPLICATION REQUIRED MATERIALS CHECKLIST

Community Development Department  
100 N King St.  
Hendersonville, NC 28792  
828-697-3010

Item A.

## Procedures for Reviewing Applications for Certificates Appropriateness

The City's Historic Preservation Ordinance provides that no one may erect, alter, restore, move, or demolish the exterior portion of any building or other structure, nor undertake significant modifications to landscaping and other site features, without a Certificate of Appropriateness (COA) which must be approved prior to the commencement of work. The COA application is processed through the city of Hendersonville Planning Department by the Commission Coordinator (828-697-3010).

All COA applications are due 30 days prior to the next regular Commission meeting date. The Historic Preservation Commission meets the third Wednesday of each month at 5pm in the 2nd Floor Meeting Room located at City Hall (160 6th Ave E.).

## Application Submittal Requirements and Required Materials Checklist

Design Standards, HPC Meeting Schedule and Staff Contact Information can be found on the City of Hendersonville Historic Preservation Commission Website: [www.hendersonvillehpc.org](http://www.hendersonvillehpc.org)

Date: \_\_\_\_\_ ☐ Minor Work ☐ Major Work ☐ Major Work Resubmittal

Application Contact Information			
Applicant Name: <b>DAN CHAPMAN</b>	Property Address: <b>132 G 3RD AVE E</b>	Applicant Email: <b>DANANDPATI2@YAHOO</b>	Phone Number: <b>828-606-3276</b>
Property Owner Name (if different from Applicant) <b>Zachary Neill</b>	Mailing Address: <b>1 Maplewood Rd Asheville NC 28804</b>	Owner Email: <b>zachary.rockwell.neill@gmail.com</b>	Phone Number: <b>828/747-4020</b>

COA Project Description – The burden of proof is on the Applicant to prove the proposed work is in keeping with the historical character of the district. Please list specific references in the Design Standards that support your application.

1. REPLACE EXISTING DOOR DUE TO WATER DAMAGE WITH A STANDARD FULL VIEW GLASS AS IT WAS YEARS AGO.

2. REMOVE EXISTING TRELLIS AND REPLACE IT WITH AN AWNING





# CERTIFICATE OF APPROPRIATENESS APPLICATION

Community Development Department  
100 N King St.  
Hendersonville, NC 28792

Item A.

## Property Owner Signature

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 (6) months. Certificates can be extended for six (6) months by requesting an extension in writing prior to their expiration from the Commission Coordinator.

*Zachary Neill*

Printed Property Owner(s) Name

*[Signature]*

Property Owner(s) Signature

Printed Company Name (if applicable)

\*LLC, Inc., Trust

Property Owner Title (if applicable)

\*Member, Manager, Register Agent, etc.

## Community Development Use Only

Date Received: \_\_\_\_\_

Received By: \_\_\_\_\_

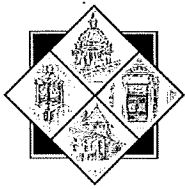
Application Complete: Y / N

Proposed HPC Meeting Date (if applicable): \_\_\_\_\_

Notes:







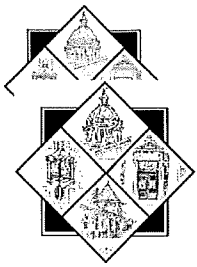
# CERTIFICATE OF APPROPRIATENESS APPLICATION

Community Development Department  
100 N King St.  
Hendersonville, NC 28792

Item A.

<b>Existing Stairs, Landing, Steps and Entryways</b>	
<input type="checkbox"/>	Photographs showing existing conditions.
<input type="checkbox"/>	Rendering of proposed exterior stairs, landing, steps, or entryway styles
<input type="checkbox"/>	Material information for any new material.
<b>Replacement of Missing Details</b>	
<input type="checkbox"/>	Photographs showing existing conditions.
<input type="checkbox"/>	Rendering of proposed siding, trim, porch floors, ceilings, columns & balustrade or other architectural features
<input type="checkbox"/>	Material information for any new material.
<b>Replacement of Upper Façade Windows (Main Street Local Historic District)</b>	
<input type="checkbox"/>	Photographs showing existing conditions and number of windows to be replaced
<input type="checkbox"/>	Material information for any new material.
<b>Removal of Accessory Buildings (not original to the site)</b>	
<input type="checkbox"/>	Photographs showing existing conditions.
<input type="checkbox"/>	Site Plan indicating location of accessory building
<b>Accessibility</b>	
<input type="checkbox"/>	Site Plan indicating location of temporary structure.
<input type="checkbox"/>	Material Information
<b>Decks (Main Street Local Historic District)</b>	
<input type="checkbox"/>	Existing and Proposed Site Plans (drawn to scale; include entire site).
<input type="checkbox"/>	Existing and Proposed Elevation Drawings (drawn to scale; side and rear elevations).
<input type="checkbox"/>	Railing Detail Drawing
<input type="checkbox"/>	Material Information
<b>Other Miscellaneous Work Not Listed</b>	
<input type="checkbox"/>	Contact City Staff if you are not sure what is required for your scope of work.
<b>MAJOR WORK REQUIREMENTS</b>	
<b>New Construction, Additions &amp; Accessory Structures</b>	
<input type="checkbox"/>	Materials Worksheet (Not required for Additions)
<input type="checkbox"/>	Existing & Proposed Site Plans (drawn to scale)
<input type="checkbox"/>	Existing & Proposed Floor Plans (drawn to scale)
<input type="checkbox"/>	Existing & Proposed Elevation Drawings (drawn to scale)
<input type="checkbox"/>	Tree Removal & Protection Plan (drawn to scale)
<input type="checkbox"/>	Landscaping Plan
<input type="checkbox"/>	Streetscape Rendering (Required for new structures sited adjacent to a right of way))
<input type="checkbox"/>	Manufacturer Specifications for All Materials (Including but not limited to windows, doors, siding, roofing, lighting, mechanical)





# CERTIFICATE OF APPROPRIATENESS APPLICATION

Community Development Department  
100 N King St.  
Hendersonville, NC 28792

Item A.

## GENERAL APPLICATION REQUIREMENTS (FOR MINOR & MAJOR WORKS):

Note: These items are required as part of a complete application package. Incomplete application packages will not move forward in the review process and will result in additional processing and review time.

<input type="checkbox"/>	Pre-Application Meeting with City Staff (Required for Major Work only)
<input type="checkbox"/>	Detailed Project Description
<input type="checkbox"/>	Color/Labeled Photographs of Subject Property
<input type="checkbox"/>	Property Owner(s) Signature

## MINOR WORK REQUIREMENTS

### Fences and Walls

<input type="checkbox"/>	Site Plan showing proposed location of fencing or wall (include dimensions)
<input type="checkbox"/>	Rendering of proposed fence or wall style.
<input type="checkbox"/>	Material Information (i.e. <i>brickwork, stucco, stone, concrete, wood, cast iron, and wrought iron</i> )

### Landscaping Projects

<input type="checkbox"/>	Site Plan showing location of proposed unit.
<input type="checkbox"/>	Mechanical Unit & Pad Specifications clearly indicating dimensions.
<input type="checkbox"/>	Image showing location of unit and any proposed lines.
<input type="checkbox"/>	Screening type - i.e. shrubbery, fencing, or other.

### Rooftop Construction

<input type="checkbox"/>	Manufacturer Specifications, including material color.
<input type="checkbox"/>	Roof Plan, showing location of rooftop mounted utility, access, or safety structures

### Installation of Mechanical and Utility Equipment

<input type="checkbox"/>	Site Plan, showing location of proposed equipment
<input type="checkbox"/>	Screening type, i.e. shrubbery, fencing, or other.

### Foundation Repairs

<input type="checkbox"/>	Photographs showing existing conditions.
<input type="checkbox"/>	Material information for any new material.

### Masonry Repairs

<input type="checkbox"/>	Photographs showing existing conditions.
<input type="checkbox"/>	Material information for any new material.

### Awnings

<input type="checkbox"/>	Rendering showing location of awning.
<input type="checkbox"/>	Material information, cloth, canvas, acrylic, or other

### Removal of Artificial Siding

<input type="checkbox"/>	Photographs showing existing conditions.
<input type="checkbox"/>	Original siding information and description of work, repair, repaint or replacement of original siding





Air-Vent Exteriors, Inc.

Office: (828)687-0439

Fax: (828)687-1620

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



Greenville Awning Co.

Office: (864) 288-0063

Fax: (864) 288-3683

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

Corporate Mailing Address

1852 Brevard Rd.

Arden, NC 28704

Item A.

Date: 4.14.2025

Submitted To HANDS ON CONSTRUCTION Home (\_\_\_\_) - \_\_\_\_ - \_\_\_\_  
Contact Name DAN CHAMPMAN Cell ( 828 ) - 606 - \_\_\_\_  
Street 132 B 3RD AVE EAST Work (\_\_\_\_) - \_\_\_\_ - \_\_\_\_  
City HENDERSONVILLE State NC Zip 28792 Email: DAN AND PATI 2 @ YAHOO.COM

We hereby submit specifications and costs for the improvement of Real Property:

**Awning Style:**

- ☒ Traditional ☐ Convex ☐ Dome ☐ Patio canopy ☐ Entrance canopy ☐ Concave  
☐ New fabric cover for existing awning frame ☐ Other \_\_\_\_\_

**Frame Material:**

Sturdy aluminum frame welded for strength.

- ☒ Mill Finish Silver ☐ Optional: Prefinished Powder Coated Color: \_\_\_\_\_

**Awning cover:**

- ☒ 100% acrylic canvas ☐ Heavy-weight vinyl fabric ☒ Flame-retardant canvas ☐ Standing seam metal  
☒ Color: # RUST (SUNBRELLA) ☒ Valance Style: 8" HV

**Aluminum Patio Canopies**

- ☐ Uninsulated patio roof ☐ Foam-insulated patio roof ☐ Roof color: \_\_\_\_\_  
☐ Trim color: \_\_\_\_\_ ☐ Support post color: \_\_\_\_\_

**GHRC Architectural Aluminum Canopies**

- ☐ Hanger Rod ☐ Post Supported  
☐ 100 Series ☐ 200 Series ☐ 300 Series ☐ Cantilevered  
Color \_\_\_\_\_ Wall Plate Style \_\_\_\_\_  
Roof Decking Style \_\_\_\_\_ Gutter Size \_\_\_\_\_ Gutter Profile \_\_\_\_\_  
Post Size \_\_\_\_\_

**Bahama Shutters**

Color: \_\_\_\_\_

Blade Styles: ☐ Oval Decorative Blade ☐ Operable Impact Rated Blade

All work to be done by our technicians covered by Gen. Liability and Worker's Compensation Insurance

**Notes:**

Air Vent Exteriors to consider + install NEW TRADITIONAL  
STYLE AWNING OVER FRONT ENTRY WAY OF BUSINESS.

JOB Includes ALL PERMITS, LABOR + MATERIALS

Dimensions - 14'-1" wide - 27" deep x 42" proj



# Reeb Report

Item A.



BUILDERS FIRSTSOURCE-HENDERSONVILLE  
2324 ASHEVILLE HIGHWAY  
HENDERSONVILLE NC 28791  
828-694-0665



## Project Information (ID #8972780 Revision #13340830)

[Hide](#)

Project Name: DAN CHAPMAN - 3RD AVE EAST  
Customer:  
Contact Name:  
Phone (Main):  
Phone (Cell):  
Customer Type:  
Terms:

Quote Date: 02/12/2025

Submitted Date:

PO#:

Sales Rep Name: Kyndle Wallen

## Delivery Information

[Hide](#)

Shipping Contact:  
Shipping Address:  
City:  
State:  
Zip:

Comments:

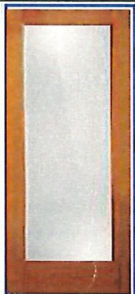
## Unit Detail

[Hide All Configuration Options](#)

Item: 0001: Ext 36" x 80" F7002LE LHI 4 9/16" Fir

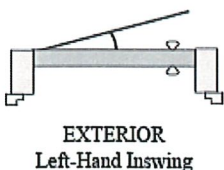
Location:

Quantity: 1



Fir 36"x80" Single Door

1,465.74



EXTERIOR  
Left-Hand Inswing

### Configuration Options [Hide](#)

Ext Fir Single Door 36" x 80" F7002LE , 4 9/16" Fir,  
No Brickmould, Left Hand Inswing, US1D Flat Black  
Radius Corner Ball Bearing Hinges, Bronze Finish w  
Dark Cap Composite Adjustable Sill, Sill Cover,  
Bronze Compression Weatherstripping, Single Lock  
Bore 2-3/8" Backset Bore

Rough Opening: 38 1/2" x 82 1/2"

Total Unit: 37 5/8" x 82"(Includes Exterior Casing)

Item Total: \$ 1,465.74

Item Quantity Total: \$ 1,465.74

## Unit Summary

[Hide](#)

Item	Location	Description	Quantity	Unit Price	Total Price
------	----------	-------------	----------	------------	-------------







Name: Harris on Co. Item A.

Date: 4.14.25

### **Acceptance of Agreement**

The above prices, specifications, and conditions (front and back) are satisfactory and are hereby accepted. You are authorized to do the work specified. All work to be completed in a workman like manner according to specifications submitted. per standard practice. The manufacturer of the products installed provides certain warranty protection for the buyer. Air-Vent Exteriors, Inc. will provide the warranty information and forms supplied by the manufacturer. Air-Vent Exteriors, Inc. makes no express warranties and no warranties of merchantability or fitness for a particular purpose with regard to the products installed. In no event shall Air-Vent Exteriors. be liable for special or consequential damages, If this agreement was solicited at your residence or at a place other than the place of business of the seller and you do not want the goods or services, you the buyer, may cancel this transaction by sending a notice to the seller at any time prior to midnight of the third business day after you sign this transaction. The notice must be mailed to: Air-Vent Exteriors, Inc ..., 1852 Brevard Rd, Arden, NC 28704.

### **PAYMENT OF BALANCE DUE**

If the job is substantially completed, awaiting a small part, service call, etc., then payment shall commence as per terms or the account will become past due. However, 5% or \$100.00 (which is smaller), may be withheld if services or a small part is needed. When payment is past due, the entire balance becomes due and payable and a service charge of 1 ½ % per month (an annual rate of 18%) shall be added monthly. If the account is not paid according to terms, the warranty may be voided. Partial payments shall apply to any late payment charges first, then the balance of payment applied to the past due account. All materials specified in this agreement are the property of Air-Vent Exteriors, Inc. / Greenville Awning Co. until Balance Due is paid in full.

### **ADVERTISING**

We, the Owner, agree to allow Air-Vent Exteriors, Inc. / Greenville Awning Co. to take before and after pictures of the job. We also agree to let Air-Vent Exteriors, Inc. / Greenville Awning Co. use these pictures and our name and address in advertisements and on social media.

### **DELIVERY**

Air-Vent Exteriors, Inc. / Greenville Awning Co. cannot be responsible for any installation delays for any reason. It is always our intention to deliver the job in the specified time period. It's good for you and it's good for us. However, there are occasions for example where we may have experienced material backorders or bad weather that may cause your job to be delayed.

### **WARRANTY**

Air-Vent Exteriors, Inc. / Greenville Awning Co. in addition to the factory material warranty extends a 3-year labor warranty for any service on the awning/canopy. After which it is the homeowner's responsibility to inspect and keep up maintenance.

### **CHANGES TO THIS AGREEMENT**

Any alteration, deviation, or change in the work to be performed shall be reduced to a written, "Change Order". Whether the changes involve extra costs or not, they will only be executed upon written order. Such writing shall specify the change or changes, any adjustments in price therefore and shall be executed with the same formalities as this Agreement, thereby becoming a part hereof.

### **PERSONAL PROPERTY**

Air-Vent Exteriors, Inc. / Greenville Awning Co. cannot be responsible for anything that falls off of the wall or any shelf, piece of furniture, etc. If you think it may fall and you do not want it broken, please take it down and safely place it away from the area(s) that we will be working on.

In the event that any section or paragraph of this contract is found in a court of law to be invalid, that section or paragraph shall be struck from the agreement and the rest of the contract will remain in force.

Air-Vent Exteriors, Inc. / Greenville Awning Co. is dedicated to making sure you are a pleased and informed customer!



# E-589CI

## Affidavit of Capital Improvement

Form E-589CI, Affidavit of Capital Improvement, is generally required to substantiate that a contract, or a portion of work to be performed to fulfill a contract, is to be taxed for sales and use tax purposes as a real property contract with respect to a capital improvement to real property.

- This affidavit may not be used to purchase building materials, other tangible personal property, or digital property to fulfill a real property contract exempt from sales and use tax.
- A person who willfully attempts, or a person who aids or abets a person to attempt in any manner, to evade or defeat a tax imposed by the Sales and Use Tax Laws, or the payment thereof, shall be guilty of a Class H felony. If there is a deficiency or delinquency in payment of any tax due to fraud with intent to evade the tax, there shall be assessed a penalty equal to 50% of the total deficiency.

### Section I. Single Use (Complete this section to issue the affidavit for a single capital improvement.)

<b>(A) Owner, Tenant, or Real Property Contractor</b>  Address _____  City _____ State _____ Zip Code _____	<b>(B) Real Property Contractor (General Contractor or Subcontractor)</b> <small>Hired to perform capital improvement</small> AIR VENT EXTERIORS, INC. Address _____ 1852 BREVARD RD City _____ State _____ Zip Code _____ ARDEN NC 28704
---	--

Describe capital improvement to be performed:

Project Name

Project Address (where the work is to be performed)

City

State

Zip Code

I certify that, to the best of my knowledge, this affidavit is accurate and complete and that the transaction described to be performed by the Real Property Contractor (General Contractor or Subcontractor identified in box "B") shall be treated as a real property contract with respect to a capital improvement to real property for sales and use tax purposes.

Signature of Authorized Person: Marilyn Kaylor Title: owner Date: 6.10.2024

### Section II. Blanket Use (Complete this section execute a blanket affidavit.)

<b>(C) Real Property Contractor</b>  Address _____  City _____ State _____ Zip Code _____	<b>(D) Real Property Contractor or Subcontractor</b> <small>Hired to perform capital improvement</small> AIR VENT EXTERIORS, INC. Address _____ 1852 BREVARD RD City _____ State _____ Zip Code _____ ARDEN NC 28704
---	---

To be completed by the Real Property Contractor identified in Box C.

I certify that I am a Real Property Contractor who performs capital improvements to real property and all transactions with the real property contractor (subcontractor) identified in box "D" shall be treated as real property contracts with respect to capital improvements for real property for sales and use tax purposes.

Signature of Authorized Person: \_\_\_\_\_ Title: \_\_\_\_\_ Date: \_\_\_\_\_

## Affidavit of Capital Improvement Instructions

Form E-589CI, Affidavit of Capital Improvement, is generally required to be issued (see exceptions below) to substantiate that a contract, or a portion of work performed to fulfill a contract, is to be taxed for sales and use tax purposes as a real property contract with respect to a capital improvement to real property.

- Form E-589CI is not an affidavit of tax paid on building materials, other tangible personal property, or digital property purchased or used to fulfill a real property contract.
- Form E-589CI is not to be used to purchase building materials, other tangible personal property, or digital property purchased or used to fulfill a real property contract exempt from sales and use tax.
- A person that issues Form E-589CI in error is liable for use tax on the sales price of or the gross receipts derived from the transaction if it is determined that the contract is not a capital improvement to real property.

A person who willfully attempts, or a person who aids or abets a person to attempt in any manner, to evade or defeat a tax imposed by the Sales and Use Tax Laws, or the payment thereof, shall be guilty of a Class H felony. If there is a deficiency or delinquency in payment of any tax due to fraud with intent to evade the tax, there shall be assessed a penalty equal to 50% of the total deficiency.

### Exceptions to the Requirement to Issue Form E-589CI

The following are exceptions for transactions where Form E-589CI is not required to be issued to substantiate that the transaction is taxed, as applicable, for sales and use tax purposes as a real property contract with respect to a capital improvement to real property.

- Painting or wallpapering real property, or parts thereof.
- Landscaping service.

Form E-589CI is not required to be issued by the specific person for a transaction noted below. The exceptions do not apply to transactions between a general contractor hired to oversee the entire contract and one of its subcontractors (See "Blanket Use" of Form E-589CI (Section II) for possible exceptions.). The following exceptions do not apply to remodeling.

- A real property owner or other person hires a general contractor to oversee the entire contract and the contract is for "new construction" as defined in N.C. Gen. Stat. § 105-164.4H(e)(2).
- A real property owner or other person hires a general contractor to oversee the entire contract and the contract is to rebuild or construct again a prior existing permanent building, structure, or fixture on land (reconstruction as defined in N.C. Gen. Stat. § 105-164.4H(e)(3)).
- A general contractor that purchases all tangible personal property and digital property to fulfill the real property contract and provides the employee labor to fulfill the real property contract.

### Section I. Single Use Instructions

A person must complete "Section I - Single Use" of the form for a one time use to substantiate that a transaction that otherwise meets the definition of repair, maintenance, or installation services to real property is taxed for sales and use tax purposes as a real property contract with respect to a single capital improvement for real property. When a real property contractor hires a subcontractor to perform a portion of the overall contract and there is not a recurring business relationship between the two parties, "Section I - Single Use" of Form E-589CI shall be completed and the form issued to each subcontractor as notice that the transaction is subject to tax as a real property contract with respect to a capital improvement for sales and use tax purposes.

A property owner oversees the entire activity that is a real property contract with respect to a capital improvement for real property and hires various subcontractors to complete the real property contract:

- **Box A - Owner, Tenant or Real Property Contractor:** Enter property owner's name and address.
- **Box B - Real Property Contractor (General Contractor or Subcontractor):** Enter general contractor's or subcontractor's name and address.
- Property owner listed in Box A must describe real property contract with respect to capital improvement to be performed.
- Authorized Person (typically property owner) signs, enters title (owner), and enters the date.

A general contractor hires a subcontractor to perform a real property contract with respect to a capital improvement, or portion thereof:

- **Box A - Owner, Tenant or Real Property Contractor:** Enter general contractor's name and address.
- **Box B - Real Property Contractor (General Contractor or Subcontractor):** Enter subcontractor's name and address.
- General contractor listed in Box A describes real property contract with respect to capital improvement to be performed.
- Authorized Person (typically general contractor) signs, enters title (general contractor), and enters the date.

A lessee or tenant hires a general contractor (or subcontractor) to perform a real property contract with respect to a capital improvement for real property; provided the capital improvement is intended to become a permanent installation and title to it vests in the owner or lessor of the real property immediately upon installation:

- **Box A - Owner, Tenant or Real Property Contractor:** Enter lessee or tenant's name and address.
- **Box B - Real Property Contractor (General Contractor or Subcontractor):** Enter general contractor's or subcontractor's name and address.
- General contractor must describe capital improvement for real property to be performed.
- Authorized Person (typically lessee or tenant) signs, enters title, and enters the date.

### Section II. Blanket Use Instructions

A real property contractor may complete "Section II - Blanket Use" and issue the form to a real property contractor (subcontractor) who is used exclusively to perform part, or all, of real property contracts with respect to capital improvements to real property, where the person and the real property contractor have a recurring business relationship. A blanket use affidavit continues in force so long as the real property contractor named in "Box C" and the real property contractor (subcontractor) named in "Box D" maintain a recurring business relationship (when a period of no more than twelve months elapse between transactions between two parties) or until withdrawn or otherwise notified by the issuer of the form. The blanket use will generally apply for the following: (1) a builder who hires the same contractor(s) only for new construction; (2) a real property contractor who hires the same subcontractor(s) only for reconstruction; (3) a real property contractor who hires the same subcontractor(s) for remodeling and the activities performed by the subcontractor(s) are never repair, maintenance, and installation services for real property; and (4) a real property contractor who exclusively hires the same subcontractor(s) to perform part, or all, of its real property contracts with respect to capital improvements for real properties.

A general contractor or subcontractor hires a subcontractor to perform a capital improvement, or portion thereof:

- **Box C - Real Property Contractor:** Enter the hiring real property contractor's name and address.
- **Box D - Real Property Contractor (General Contractor or Subcontractor):** Enter subcontractor's name and address. Authorized person listed in Box C signs, enters title, and dates.

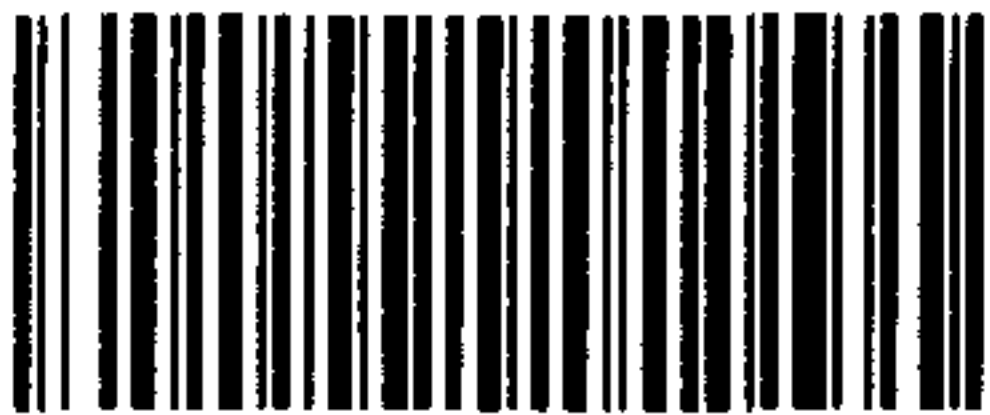


3/0x6/8  
no am  
2x4 walls  
14 efts.

Van Chapman  
3rd floor  
all wood  
the fuel  
Black die box  
Black jungle  
Harris over







This document presented and filed:  
12/09/2022 03:57:57 PM

WILLIAM LEE KING, Henderson COUNTY, NC  
Transfer Tax: \$0.00

NORTH CAROLINA SPECIAL WARRANTY DEED

Excise Tax:	-0-
Parcel ID:	9568872739
Mail/Box to:	Roy Neill, 144 Third Ave East, Hendersonville, NC 28792
Prepared by:	Roy Neill, 144 Third Ave East, Hendersonville, NC
Brief description for the Index:	Corrective deed, 2 tracts third avenue east

THIS SPECIAL WARRANTY DEED ("Deed") is made on the 8th day of August 2022, by and between:

GRANTOR	GRANTEE
Roy Neill, executor of the estate of Helen S. Neill, authority granted in Henderson County 20 E 306	Zachary Neill, 1 Maplewood Rd, Asheville, NC 28804

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

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

All or a portion of the Property was acquired by Grantor by instrument recorded in Book 766 page 763.

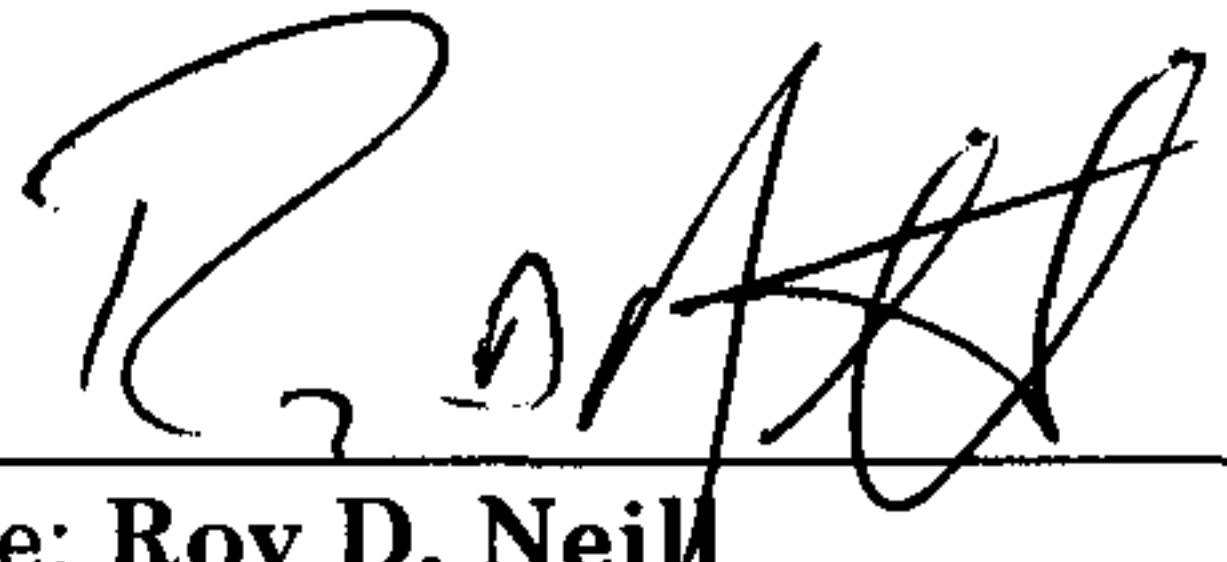
All or a portion of the Property ☐ includes or ☒ does not include the primary residence of a Grantor.

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 has done nothing to impair such title as Grantor received, and Grantor shall warrant and defend the title against the lawful claims of all persons claiming by, under or through Grantor, other than the following exceptions:

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


\_\_\_\_\_  
\_\_\_\_\_  
Name:

By:   
Name: **Roy D. Neill**  
Title: **Executor of the Estate of Helen S. Neill**

STATE OF NORTH CAROLINA, COUNTY OF HENDERSON

I , a Notary of the above state and county, certify that the following person(s) personally appeared before me on the 5<sup>th</sup> day of August 2022 each acknowledging to me that he or she signed the foregoing document, in the capacity represented and identified therein (if any): Roy Neill, Executor of the Estate of Helen S. Neill.

\_\_\_\_\_  
Affix Notary Seal/Stamp

\_\_\_\_\_  
  
Notary Public (Official Signature)  
My commission expires: 12-12-2026

Susan A. Stanton  
Notary Public  
Henderson County, NC



EXHIBIT A

TRACT ONE: BEGINNING at a point set in the southern margin and sidewalk of Third Avenue East, said point also being the northwesternmost corner of Tract 2 of the property conveyed to Roy Neill and wife, Lynn J. Neill, as found in Deed Book 782 at Page 305 in the Henderson County Registry, and runs thence from said beginning point with the Neill property above referred to, South 8 deg. 55 min. 10 sec. East 70.83 feet to a point in the southern margin of a 10-foot alley; thence with said alley South 80 deg. 38 min. 39 sec. West 15.6 feet to a point; thence a new line North 8 deg. 55 min. 12 sec. West 70.95 feet to a point in the southern margin of Third Avenue East; thence with the sidewalk and margin of said street, North 81 deg. 04 min. 53 sec. East 15.6 feet to the point and place of BEGINNING.

AND BEING a portion of that Property conveyed to Elmer and Helen Neill in Bk 766 at page 763 of the Henderson County Registry.

TRACT TWO: BEGINNING at a point set in the southern margin and sidewalk of Third Avenue East, said point also being located South 81 deg. 04 min. 53 sec. West 15.6 feet from the northwesternmost corner of Tract 2 of the property conveyed to Roy Neill and wife, Lynn J. Neill, as found in Deed Book 782 at Page 305 of the Henderson County Registry and runs thence from said beginning point with the western line of Tract 1 of deed found in Deed Book 784 at page 393 in the Henderson County Registry, South 8 deg. 55 min. 12 sec. East 70.95 feet to a point set in the southern margin of a 10-foot alley; thence with said alley, South 80 deg. 38 min. 39 sec. West 16.4 feet to a point set, said point being at the southeasternmost corner of the Luther Smith property as found in Deed Book 683 at Page 489 in the Henderson County Registry; thence with the Smith property North 8 deg. 30 min. 27 sec. West 71.07 feet to a point in the southern margin of Third Avenue East; thence with the sidewalk and margin of said street, North 81 deg. 04 min. 53 sec. East 15.96 feet to the point and place of BEGINNING.

AND BEING a portion of that Property conveyed to Elmer and Helen Neill in Bk 766 at page 763 of the Henderson County Registry.

The purpose of this deed is to correct the description previously conveyed from Elmer and Helen Neill, husband and wife to Sam and Lynn K. Neill in Book 784 at page 393 of the Henderson County registry. The deed conveyed to Elmer and Helen Neill conveyed the title to the 70 feet deep lot which included title to a private alleyway 10 feet wide on the southern boundary of each lot. The deed conveying this property in Book 784 at page 393 omitted title to the 10-foot wide alleyway on the southern end of each lot.

There is excepted from this conveyance a 10 foot wide alleyway on the southern edge of these lots. This private alleyway is for the use and benefit of those lots bordering the southern edge of third avenue between King Street and Edwards Alley.

Elmer Neill passed away in 2006 and conveyed his interest in all his property to Helen Neill in that will probated in 22 E 619.