



CITY OF HENDERSONVILLE HISTORIC PRESERVATION COMMISSION

Operations Center - Assembly Room | 305 Williams St. | Hendersonville NC 28792
Wednesday, January 18, 2023 – 5:00 PM

AGENDA

1. **CALL TO ORDER**
2. **PUBLIC COMMENT**
3. **APPROVAL OF AGENDA**
4. **APPROVAL OF MINUTES**
5. **NEW BUSINESS**
 - A. 147 4th Ave W. Addition of Exterior Light Fixture Above Sign – (H22-119-COA) – *Alexandra Hunt / Planner I*
 - B. 123 3rd Ave W. – Fill-in Existing Window Openings & Addition of Windows on Rear Façade (H22-117-COA) – *Alexandra Hunt / Planner I*
6. **OLD BUSINESS**
7. **OTHER BUSINESS**
 - A. Discussion of Draft Presentation for Community Education & Outreach on Historic Preservation - Jim Welter
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 AGENDA ITEM SUMMARY PLANNING DIVISION



SUBMITTER: Alexandra Hunt, Planner I **MEETING DATE:** January 18, 2023

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

TITLE OF ITEM: 147 4th Ave W. Addition of Exterior Light Fixture Above Sign –
(H22-119-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 # H22-119-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]
2. The proposed location of the exterior light fixture does not conceal any historic architectural features of the existing brick façade. [Sec. 2.4.3]

Suggested Condition(s) for Approval:

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.

[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 # H22-119-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 **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 not compatible with the historic nature of the property and district in terms of design, material, use, size, scale, color, and brightness. [Sec. 2.4.1]
2. The proposed location of the exterior light fixture is obtrusive and will damage existing historic architectural features of the brick façade. [Sec. 2.4.3]

[DISCUSS & VOTE]

SUMMARY:

The City is in receipt of a Certificate of Appropriateness (COA) application from Laura Flores (Applicant) and Staton Rental, Inc. (Property Owner) to install an exterior light fixture for the purpose of illuminating an existing business sign at the subject property located at 147 4th Avenue West.

The subject property is a two-story red striated brick Commercial Style building covering one-third of the block with six storefronts that have been modified with metal panels and aluminum frame display windows and doors.

The Applicant made the following statement related to their request:

“To install a light fixture above current signage to be placed on the façade above the awning.” (Exhibit A)

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

PROJECT/PETITIONER NUMBER:	H22-119-COA
PETITIONER NAME:	Laura Flores (Applicant)
EXHIBITS:	<ul style="list-style-type: none"> A. Staff Report B. COA Application C. Henderson County Property Records

147 4th Ave West – Addition of Exterior Light Fixture Above Sign (H22-119-COA)

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

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PROJECT SUMMARY

Applicant: Laura Flores

Property Owner: Staton Rental, Inc.

Property Address: 147 4th Ave. West

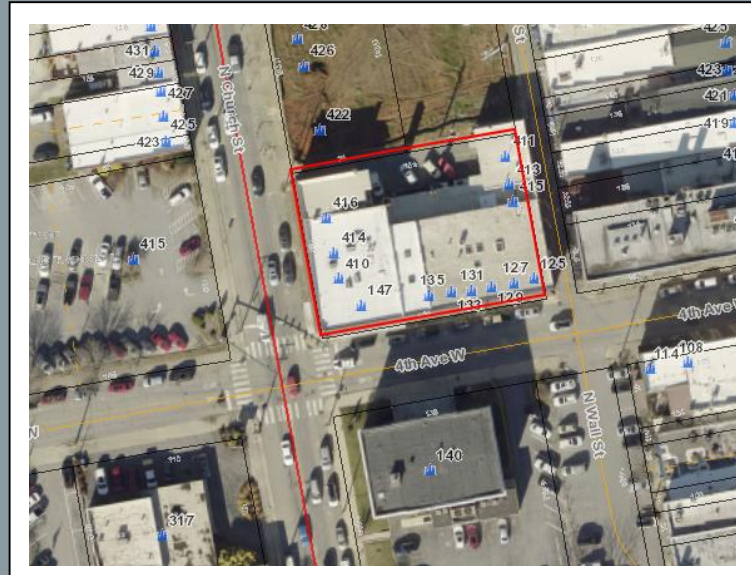
Project Acreage: 9568-78-6159

Parcel Identification Number(s):

Current Parcel Zoning: C-1 Central Business

Historic District: Main Street Historic District

Project Type: Major Work (Addition of Exterior Light Above Existing Sign)



SITE VICINITY MAP

Project Summary:

The City is in receipt of a Certificate of Appropriateness (COA) application from Laura Flores (Applicant) and Staton Rental, Inc. (Property Owner) to install an exterior light fixture for the purpose of illuminating an existing business sign at the subject property located at 147 4th Avenue West.

The subject property is a two-story red striated brick Commercial Style building covering one-third of the block with six storefronts that have been modified with metal panels and aluminum frame display windows and doors.

The Applicant made the following statement related to their request:

“To install a light fixture above current signage to be placed on the façade above the awning.” (Exhibit A)

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



CITY OF HENDERSONVILLE – MAIN STREET HISTORIC OVERLAY MAP

HISTORY OF SUBJECT PROPERTY

125-147 4th Ave. W. Staton Building. ca. 1920. Contributing.



Two-story red striated brick Commercial Style building covering approximately one-third of the block. Tiled pent roof extends out over the second story with pairs of brackets in the eaves, on the south and west sides. The south elevation has double, triple, and quadruple windows, all one-over-one. The six storefronts have been modified with metal panels and aluminum frame display windows and doors. The storefront at 133 Fourth Avenue West retains its original configuration with tile window aprons and paneled ceiling. The central entry to the second floor retains its original door and transom. The north elevation has six-over-one windows, with some four-over-one. The east elevation is less decorative than the others with one-over-one windows. There is a small one-story addition behind this building, built by 1943. Some of the early uses in the building included a drugstore, offices, and telephone exchange. (Sanborn maps).

PAST COA APPROVALS

- May 2010 – Staff approved COA for the replacement of a metal awning with a metal awning matching the same design and dimensions as existing awning.
- June 2012 – Staff approved COA for the installation of a cloth awning.
- February 2014 – Staff approved COA for roof replacement.
- March 2019 – Staff approved COA to replacement damaged metal awning in kind.

SITE CONDITIONS - SITE IMAGES



Proposed location
of exterior light.

Proposed location of exterior light highlighted in yellow submitted by Applicant (See Exhibit A).

PROPOSED LIGHT FIXTURE


Sunlite 1-Light Black Steel Outdoor Gooseneck Barn Light Wall Mounted Sconce

by Sunlite ★★★★★ (20) 164

84⁹⁶

Product Details Specifications Questions & Answers Customer Reviews

Specifications
Dimensions: H 11.5, W 12, D 15



Sconce Type
Barn
[See Similar Items](#)

Number of Lights
1 Light
[See Similar Items](#)

Power Source
Hardwired
[See Similar Items](#)

Light Direction
Down
[See Similar Items](#)

Fixture Material
Steel
[See Similar Items](#)

Damp/Wet Rating
Wet Rated
[See Similar Items](#)

Durability
Weather Resistant
[See Similar Items](#)

Style
Farmhouse
[See Similar Items](#)

Dimensions

Mounting Deck Height (in.)	5	Mounting Deck Width (in.)	5
Product Depth (in.)	15	Product Height (in.)	11.5
Product Width (in.)	12		

Details

Compatible Bulb Type	Halogen, Incandescent, LED, No Bulbs Included	Damp/Wet Rating	Wet Rated
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[.com/b/Lighting-Outdoor-Lighting-Outdoor-Wall-Lighting-Outdoor-Sconces/Farmhouse/N-5yc1vZcdpuZ1z17pru](#) [See Similar Items](#) [Outdoor Sconce](#)

Proposed exterior light fixture submitted by Applicant.

EXAMPLES OF EXTERIOR LIGHTING IN THE MSD



DESIGN STANDARDS CRITERIA

The proposed major work project is governed by the *Hendersonville Historic Preservation Commission Main Street 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 2.4 Lighting

Sec. 2.4.1 - Introduce exterior lighting that is compatible with the historic nature of the structure, the property, and district. Compatibility of exterior lighting and lighting fixtures is assessed in terms of design, material, use, size, scale, color, and brightness.

Sec. 2.4.3 - When mounting lighting fixtures on buildings, select those that are as unobtrusive as possible and whose installation will not damage or conceal any historic architectural features.

Sec. 2.4.6 - Introduce directional lighting that does not spill light onto adjacent properties. Exterior lighting in parking lots should be directed into the parking area itself.

EXHIBITS

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



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

12/27/2022

Local District/Landmark

4th/Main St

Address of Property

147 4th Ave West Suite B Hendersonville, NC 28792

Property Owner: Name

Staton Rentals Ken Allen Property Manager

Address

108 4th Ave West Hendersonville NC 28792

Day Phone

828 674 1796

Contact Name (if other than owner)

Laura Flores

Address

832 4th Ave West Hendersonville NC 28739

Phone

8283299397

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

To install a light fixture above current signage. To be placed on the facade above awning.

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.

Guidelines Section 2.4, 2.7: Sign will be lit in a manner compatible with the historic character and the pedestrian scale of the historic district. Light fixture itself will shine down. To be placed just above the sign panel, centering the sign.

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
SignatureOwner's
Signature

Matrix x Sunlite 1-Light Black Steel Outd x +


https://www.homedepot.com/p/Sunlite-1-Light-Black-Steel-Outdoor-Gooseneck-Barn-Light-Wall-Mounted-Sconce/318511511 67% ☆ Search

Import bookmarks... Getting Started NextHome Inc. Canopy zipForm® Plus 20.04.01 Estate Sales Asheville, ... Email & Office Map Image Place your Order >> Other Bookmarks

1-Light Black Steel Outdoor Gooseneck Barn Light Wall Mounted Sconce by Sunlite ★★★★★ (93) ❤️ 164 \$84.96 [TOP](#)

Product Details Specifications Questions & Answers Customer Reviews

Specifications
Dimensions: H 11.5, W 12, D 15



Sconce Type
Barn
[See Similar Items](#)

Number of Lights
1 Light
[See Similar Items](#)

Power Source
Hardwired
[See Similar Items](#)

Light Direction
Down
[See Similar Items](#)

Fixture Material
Steel
[See Similar Items](#)

Damp/Wet Rating
Wet Rated
[See Similar Items](#)

Durability
Weather Resistant
[See Similar Items](#)

Style
Farmhouse
[See Similar Items](#)

Dimensions

Mounting Deck Height (in.)	5	Mounting Deck Width (in.)	5
Product Depth (in.)	15	Product Height (in.)	11.5
Product Width (in.)	12		

Details

Compatible Bulb Type	Halogen, Incandescent, LED, No Bulbs Included	Damp/Wet Rating	Wet Rated
		Light Type	Outdoor Sconce

https://www.homedepot.com/b/Lighting-Outdoor-Lighting-Outdoor-Wall-Lighting-Outdoor-Sconces/Farmhouse/N-5yc1vZcdpuZ1z17pru

Type here to search

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Matrix x Sunlite 1-Light Black Steel Outd x +

https://www.homedepot.com/p/Sunlite-1-Light-Black-Steel-Outdoor-Gooseneck-Barn-Light-Wall-Mounted-Sconce/318511511 67% ☆ Search

Import bookmarks... Getting Started NextHome Inc. Canopy zipForm® Plus 20.04.01 Estate Sales Asheville, ... Email & Office Map Image Place your Order >> Other Bookmarks

1-Light Black Steel Outdoor Gooseneck Barn Light Wall Mounted Sconce by Sunlite ★★★★★ (93) ❤️ 164 \$84.96 [TOP](#)

Product Details Specifications Questions & Answers Customer Reviews

Product Details

Sunlite's black gooseneck barn fixture uses one medium base E26 bulb (not included). It is UL rated for wet locations and is a great addition to any indoor or outdoor space. Its elegant curves will bring a rustic or industrial edge to your area. Its high quality aluminum will endure even in rough conditions and protect it from the elements. This outdoor barn light fixture is ideal for entrance ways, corridors, balconies and general wall lighting.

- Durable steel construction will retain its quality and withstand even rough conditions, all mounting hardware is included for easy installation
- Fixture is UL listed for wet locations and will not rust or lose its elegance even in extreme weather
- Has a shade diameter of 12 in. and an overall height of 11.5 in., the 5 in. wall plate is designed to fully conceal the electric box for a perfect look
- Fixture requires one medium (E26) base bulb (maximum 60-Watt), bulb not included
- [Click here for more information on Electronic Recycling Programs](#)
- [Return Policy](#)
- California residents [see Prop 65 WARNINGS](#)

Additional Resources

From the Manufacturer

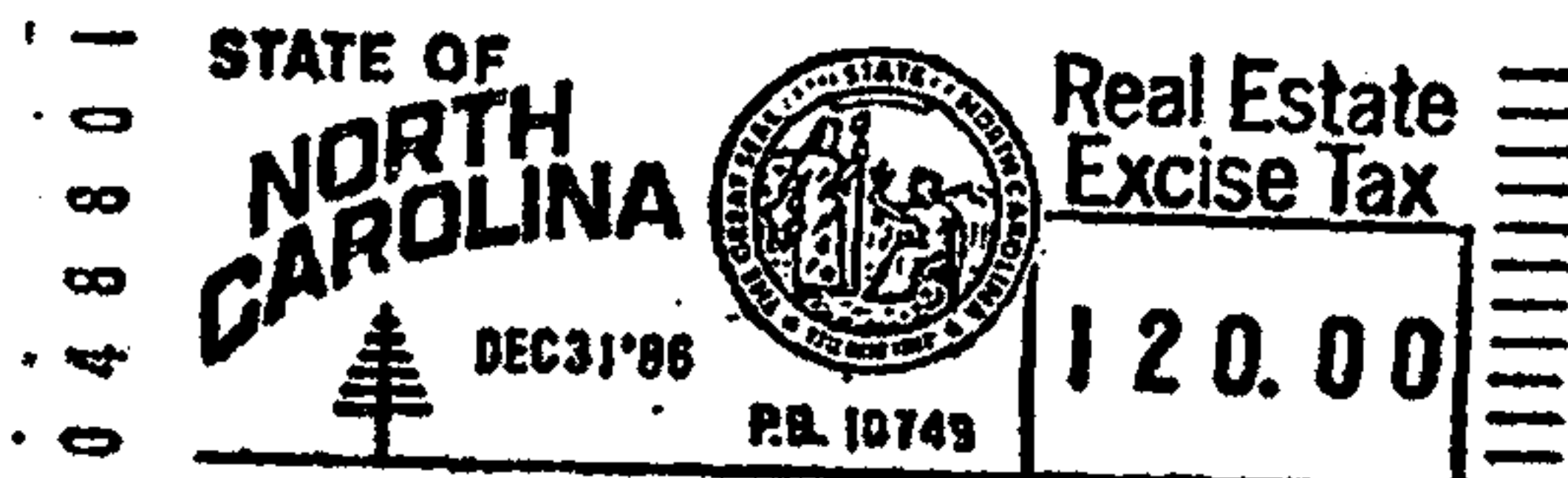
- [Warranty](#)
- [Return Policy](#)

Specifications
Dimensions: H 11.5, W 12, D 15

Type here to search

48°F 2:31 PM 12/28/2022





845

Filed and recorded in the Register of Deeds Office for
Henderson County, N. C. this 31 day of Dec, 1986
at 445 o'clock, P.M. in Book 690 at page 845
Ray H. Hester
Register of Deeds

Excise Tax \$120.00

Recording Time, Book and Page

Tax Lot No. Parcel Identifier No.
Verified by County on the day of, 19.....
by

Mail after recording to Randolph C. Romeo

This instrument was prepared by Randolph C. Romeo

Brief description for the Index

Staton Building

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made this 31st day of December, 1986, by and between

GRANTOR

WACHOVIA BANK AND TRUST COMPANY, N.A., TRUSTEE,
and, EDITH ELMO T. STATON, (Widow), Individually,
and BARBARA S. JOHNSON, Individually

GRANTEE

STATON RENTAL, INC., A
NORTH CAROLINA CORPORATION

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g. corporation or partnership. 10

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

WITNESSETH, that the Grantor, for a valuable consideration paid by the Grantee, the receipt of which is hereby acknowledged, has and by these presents does grant, bargain, sell and convey unto the Grantee in fee simple, all that certain lot or parcel of land situated in the City of Hendersonville, Hendersonville Township,

Henderson County, North Carolina and more particularly described as follows:
LYING and being in the City of Hendersonville and beginning on a stake at the point where the north margin of Fourth Avenue West intersects with the east margin of Church Street; and running thence with the east margin of Church Street, North 11 deg. West 109 feet to a stake; J.W. Jackson's southwest corner and the northern margin of an alley; thence with the line of said Jackson and the northern margin of the alley, North 79 deg. East 113.1 feet to the centerline of a brick wall, which said wall is the southern wall of a room occupied by the Carolina Gas Company as a storage room and the east end of the alley; thence with the center line of said wall, continuing same course, 36.9 feet to a stake in the west margin of Jackson Alley; thence with the west margin of Jackson Alley, South 11 deg. East 109 feet to a point where the west margin of Jackson Alley intersects with the northern margin of Fourth Avenue West; thence with the northern margin of Fourth Avenue West, South 79 deg. West 150 feet to the point of BEGINNING.

AND BEING that property described in Deed Book 229, Page 221 of the Henderson County Registry, and including any interest conveyed in Deed Book 227, Page 411, of the Henderson County Registry, a Deed Book 406, Page 141, of the Henderson County Registry.

SUBJECT TO AND EXCEPTING any easements, rights of ways, restrictions and adverse conveyances of record in the Henderson County Registry.

Wachovia Bank and Trust Company, N.A., is the Trustee under that Trust Agreement dated the 17th day of October, 1985, wherein Edith Elmo T. Staton is the Grantor, and Edith Elmo T. Staton and Barbara Staton Johnson are the sole beneficiaries of said Trust. Wachovia Bank and Trust Company, N.A., hereby executes this Deed solely in its capacity as trustee, and Edith Elmo T. Staton and Barbara Staton Johnson hereby execute this Deed to convey any interest, whether present or contingent, which they may have in the above-described property.

846

The property hereinabove described was acquired by Grantor by instrument recorded in

A map showing the above described property is recorded in Plat Book page.....

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

And the Grantor covenants with the Grantee, that Grantor is seized of the premises in fee simple, has the right to convey the same in fee simple, that title is marketable and free and clear of all encumbrances, and that Grantor will warrant and defend the title against the lawful claims of all persons whomsoever except for the exceptions hereinafter stated. Title to the property hereinabove described is subject to the following exceptions:

Subject to the Deed of Trust recorded at Deed of Trust Book 413, Page 774, Henderson County Registry.

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

WACHOVIA BANK AND TRUST COMPANY, N.A. -Trustee
(Corporate Name)

By: J.M. [Signature]
Vice President

ATTEST: [Signature]
Assistant Secretary (Corporate Seal)

USE BLACK INK ONLY

Edith Elmo T. Staton (SEAL)
EDITH ELMO T. STATON

Barbara S. Johnson (SEAL)
BARBARA S. JOHNSON

(SEAL)

NORTH CAROLINA, Henderson County.

I, a Notary Public of the County and State aforesaid, certify that EDITH ELMO T. STATON and BARBARA S. JOHNSON Grantor,

personally appeared before me this day and acknowledged the execution of the foregoing instrument. Witness my hand and official stamp or seal, this 31st day of December, 1986.

My commission expires: 7-14-91 Ruth Good Notary Public

NORTH CAROLINA, Buncombe County.

I, a Notary Public of the County and State aforesaid, certify that T. Cecil Talent personally came before me this day and acknowledged that he is Assistant Secretary of Wachovia Bank and Trust Company, N.A., as Trustee a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its VICE

President, sealed with its corporate seal and attested by HIMSELF as its Assistant Secretary. Witness my hand and official stamp or seal, this 31 day of DECEMBER, 1986.

My commission expires: 3-14-88 Theresa A. Barnwell Notary Public

The foregoing Certificate(s) of [Signature]

is/are certified to be correct. This instrument and this certificate are duly registered at the date and time and in the Book and Page shown on the first page hereof.

[Signature] REGISTER OF DEEDS FOR Henderson COUNTY
By [Signature] Deputy/Assistant - Register of Deeds



CITY OF HENDERSONVILLE AGENDA ITEM SUMMARY PLANNING DIVISION



SUBMITTER: Alexandra Hunt, Planner I **MEETING DATE:** January 18, 2023

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

TITLE OF ITEM: 123 3rd Ave W. – Fill-in Existing Window Openings & Addition of Windows on Rear Façade (H22-117-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 # H22-117-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 building
2. The location of the proposed work is on the rear façade of the subject property with semi-public access.
3. The proposed work does not diminish the original design of the building or damage historic materials and features. [Sec. 3.4.2.10]
4. The proposed new windows are compatible with the location of the existing windows. [Sec. 3.4.2.10]

Suggest Condition(s) for Approval:

1. The new masonry materials and mortar will match the historic materials in composition, size, shape, color, pattern, and texture that surround the existing window units. [Sec. 3.4.3.3]
 2. The proposed new windows will not be vinyl and will comply with the Artificial Materials policy in Section 3.8 of the Main Street Design Standards. [Sec. 3.4.2.14]
- [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 # H22-117-COA and located within the Main Street Historic District, if added according to the information reviewed at this hearing and, with any representations made by the applicant on record of this hearing, is **incongruous** with the character of the Hendersonville Historic Preservation Commission Design Standards (Main Street) for the following reasons:

1. The subject property is a contributing building.
2. The location of the proposed work is on the rear façade of the subject property with semi-public access.
3. The proposed work to fill in the original window openings is not appropriate. [Sec. 3.4.2.9]
4. The proposed windows do not match the original size, scale, proportion, pane or panel division and detail. [Sec. 3.4.2.3]
5. The proposed new windows diminish the original design of the building and are not compatible with the existing units in proportion, shape, positioning, size and details. [Sec. 3.4.2.14]

[DISCUSS & VOTE]

SUMMARY:

The City is in receipt of a Certificate of Appropriateness (COA) application from Eli M. Jones (Applicant) and Lupri LLC (Property Owner) to partially fill-in the existing window openings of two windows located in the rear façade of the subject property and the installation of two new windows in each of the remaining window openings. The subject property is located at 123 3rd Avenue West.

The subject property is a two-story brick Commercial Style building with two storefront openings. Both storefronts have been modernized.

The Applicant made the following statement related to their request:

“We are proposing to fill in the 2 rear ground level windows with brick that best matches the current brick style/color and add windows that are 12 inches tall by 44 inches wide (existing window opening) at the top of the new brick. See attached drawing. This is due to security concerns because the current windows are at/or below grade.” (Exhibit A)

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

PROJECT/PETITIONER NUMBER:	H22-117-COA
PETITIONER NAME:	Eli M. Jones (Applicant)
EXHIBITS:	<ul style="list-style-type: none"> A. Staff Report B. COA Application C. Henderson County Property Records

123 3rd Avenue West – Fill-in Existing Window Openings & Addition of Windows on Rear Facade (H22-117-COA)

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

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PROJECT SUMMARY

Applicant: Eli M. Jones

Property Owner: Lupri LLC (Exhibit B)

Property Address: 123 3rd Ave W.

Project Acreage: 0.18 Acres

Parcel Identification Number(s):

9568-77-7864

Current Parcel Zoning: C-1 Central Business

Historic District: Main Street Historic District

Project Type: Major Work (Fill in existing window openings and addition of two windows on rear facade)



SITE VICINITY MAP

Project Summary:

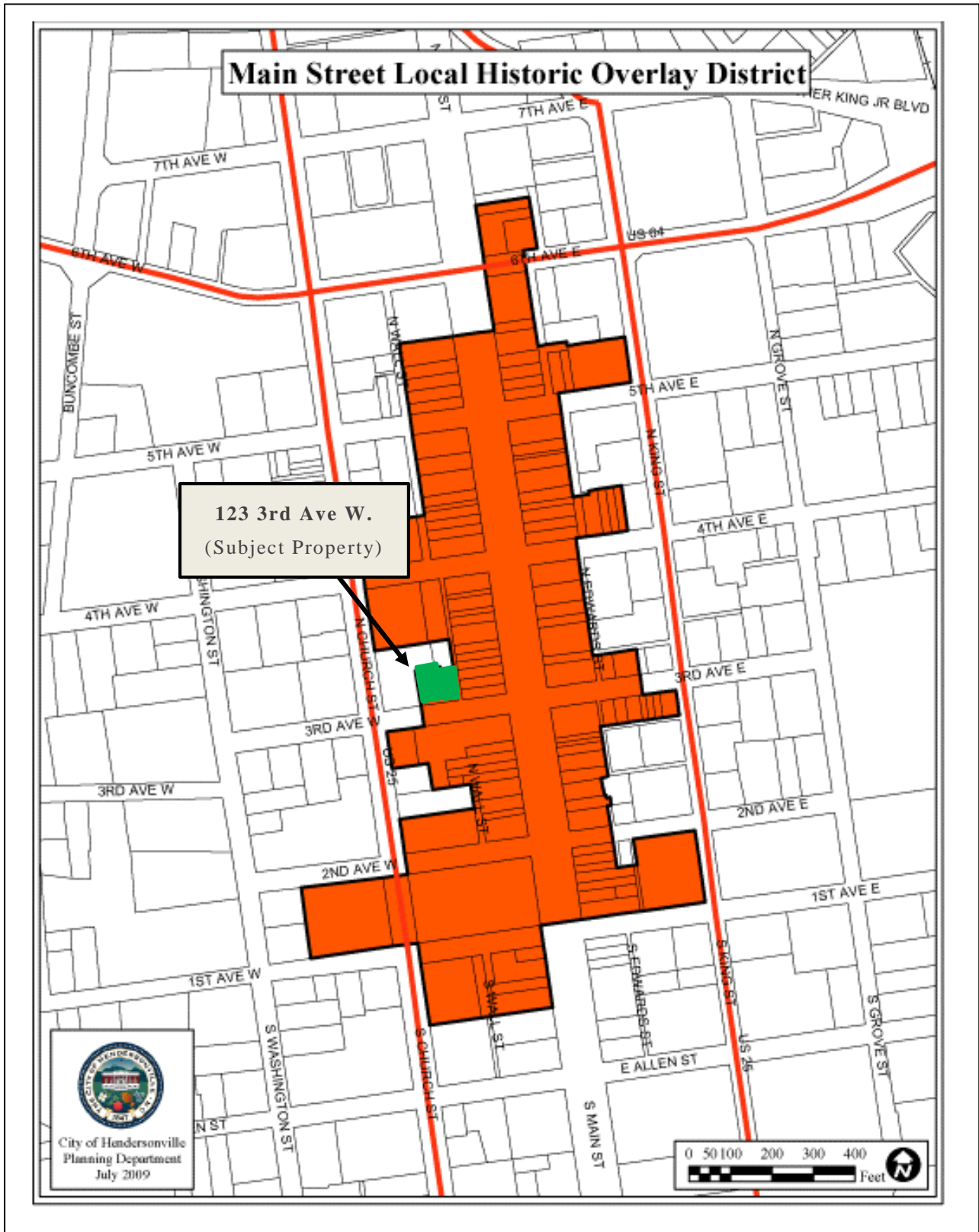
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The subject property is a two-story brick Commercial Style building with two storefront openings. Both storefronts have been modernized.

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“We are proposing to fill in the 2 rear ground level windows with brick that best matches the current brick style/color and add windows that are 12 inches tall by 44 inches wide (existing window opening) at the top of the new brick. See attached drawing. This is due to security concerns because the current windows are at/or below grade.” (Exhibit A)

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



CITY OF HENDERSONVILLE – MAIN STREET HISTORIC OVERLAY MAP

HISTORY OF SUBJECT PROPERTY

127-131 3rd Ave. W. Commercial Building. ca. 1925. Contributing.



Two-story brick Commercial Style building with two storefront openings. Both storefronts have been modernized. Upstairs windows have been replaced with central fixed panes flanked by one-over-one sash. There is a row of decorative vertical brick above the storefronts.

PAST COA APPROVALS

- There are no past COA approvals for the subject property.

SITE CONDITIONS - SITE IMAGES



SITE CONDITIONS CONT'D



APPLICANT SUBMITTED PROPOSED WORK



EXAMPLES OF FILLED IN WINDOWS FRONTING MAIN ST.



234 N Main St.: Early 20th century two-story painted striated brick commercial structure. The second-story windows have been filled in with brick panels with diamond ornament.



226 N Main St.: Non-contributing one-story brick building. The 2005 Local Designation Report does not describe the upper façade windows as at the time the survey was conducted the upper façade was covered with a modern corrugated metal façade that was later removed in 2008. There is no indication on the condition of the windows after the façade was removed.

EXAMPLES CONT'D



423 N Main St.: Contributing, one-story brick commercial building and bricked-in second story. Example of in-fill brick on the second story that does not match the existing brick façade.



Example of mismatched brick on rear façade of the building the subject property is located in.

DESIGN STANDARDS CRITERIA

The proposed major work project is governed by the *Hendersonville Historic Preservation Commission Main Street 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 3.3 Side and Rear Facades

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

There are some instances in downtown where the rear façade serves as public or semi-public access. Usually, the design of these façades reflects this public utility resulting in an elevation with similar detailing to its primary façade that is more inviting to the consumer or general public.

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

Sec. 3.3.4 - If replacement of a deteriorated façade feature is necessary, replace only the deteriorated element to match the original in size, scale, proportion, material, texture and detail.

Section 3.4.2 Windows and Doors

Sec. 3.4.2.1 - Retain and preserve original windows and doors.

Sec. 3.4.2.2 - Retain and preserve openings and details of windows and doors, such as trim, sash, glass, lintels, sills, thresholds, shutters, and hardware.

Sec. 3.4.2.3 - If replacement of a window or door element is necessary, replace only the deteriorated element to match the original in size, scale, proportion, pane or panel division, material, and detail.

Sec. 3.4.2.4 - It is not appropriate to replace windows or doors with stock items that do not fill the original openings or duplicate the unit in size, material, and design.

Sec. 3.4.2.9 - It is not appropriate to fill in existing window or door openings or to replace or cover them with plywood.

Sec. 3.4.2.10 - It is not appropriate to introduce new windows or doors if they would diminish the original design of the building or damage historic materials and features. Keep new windows and doors compatible with existing units in proportion, shape, positioning, location, size, materials, and details.

Sec. 3.4.2.14 - 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.

Section 3.4.3 Masonry

Sec. 3.4.3.1 - Retain and preserve original masonry walls, foundations, and roofs.

Sec. 3.4.3.3 - Retain and preserve historic masonry materials whenever possible. If replacement is necessary, use new masonry materials and mortar that match the historic materials in composition, size, shape, color, pattern, and texture. Consider substitute materials only if the original materials are not technically feasible

Section 3.6 Safety and Accessibility

A new use or a substantial rehabilitation of a historic building can result in requirements to meet contemporary standards for both life safety and accessibility to people with disabilities. The North Carolina State Building Code and the federal guidelines for adhering to the Americans with Disabilities Act of 1990 both provide some flexibility in compliance when dealing with historic buildings. Review of proposed exterior alterations to meet life safety and accessibility standards is based on whether the alteration will compromise the architectural and historic character of the building and the site.

Introducing a large feature on the exterior of a historic building without destroying or diminishing significant architectural features is clearly a challenge. Likewise, adding an exterior fire stair or fire exit requires careful study of all alternatives. Regardless of the magnitude of an alteration to a historic building, temporary and reversible changes are preferred over permanent and irreversible ones.

The Main Street Historic District is part of the Primary Fire Limits as outlined by G.S. 160-435. Additional regulations may apply to signage, awnings, storefronts, facades, balconies and other changes to buildings.

Sec. 3.6.1 - Review proposed new uses for existing historic buildings to determine if related building code and accessibility requirements are feasible without compromising the historic character of the building and the site.

Sec. 3.6.2 - Meet health and safety code and accessibility requirements in ways that do not diminish the historic character, features, materials, and details of the building.

Section 3.8 Artificial Materials

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

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

EXHIBITS

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

Entry #: 62 - 12/20/2022 **Status:** Submitted **Submitted:** 12/20/2022 12:31 PM

Date: 12/20/2022 **Local District/Landmark:** Downtown Historic District

Address of Property:
123 3rd Avenue West

Property Owner Name:
Lupri LLC

Address
2669 High Brass Trl, Myrtle Beach, South Carolina 29588

Day Phone:
(843) 424-1865

Contact Name: (if other than owner)
Eli M Jones

Address
2669 HIGH BRASS TRL, MYRTLE BEACH, South Carolina 29588-8414

Phone **Email**
(843) 424-1865 ej7747@gmail.com

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

We are proposing to fill in the 2 rear ground level windows with brick that best matches the current brick style/color and add windows that are 12 inches tall by 44 inches wide (existing window opening) at the top of the new brick. See attached drawing. This is due to security concerns because the current windows are at/or below grade.

Upload attachments here: **Attachments:**
Photographs, Sketch

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.

The existing window casings are at ground level and have been damaged by water intrusion and termites. The addition of brick on the bottom of the window openings will match the existing brick building exterior. Other buildings that abut this alleyway have similar rectangular windows to the ones we plan to install. The large existing windows are also a problem for us as they have been broken several times by unknown persons traversing behind the building. The proposed window improvements are in keeping with the historic character of the neighborhood.

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:

Email

ej7747@gmail.com

Item B.

Eli M Jones

Official Use:

Date Received:

Received By:





Return to Lawrence A. Hogan

STATE OF NORTH CAROLINA
OCT 29 1998
PR 10749
Real Estate Excise Tax
509.00

Excise Tax \$ 509.00

Filed and recorded in the Register of Deeds Office for Henderson County, N. C. this 29 day of October 1998 at 4:55 o'clock P. M. in Book 969 at page 93

Media W. Moles
Register of Deeds

By: Linda S. Overfute-Deputy

Recording Time, Book and Page

Tax Lot No. _____ Parcel Identifier No. _____
Verified by _____ County on the _____ day of _____, 19____
by _____

Mail after recording to
This instrument was prepared by Lawrence A. Hogan

Brief Description for the index 119 W. Third Street

NORTH CAROLINA GENERAL WARRANTY DEED

THIS DEED made October 29, 1998, by and between

GRANTOR

GRANTEE

HARRY C. CLARKE and wife, ANNE F. CLARKE

LUPRI, LLC
A North Carolina Limited Liability Company

Enter in appropriate block for each party: name, address, and, if appropriate, character of entity, e.g., corporation or partnership.

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

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

Attached Exhibit A

C:\WPDOCS\5\SMITH.DEE

The property hereinabove described was acquired by Grantor by instrument recorded in Book 785 , Page 554.

A map showing the above described property is recorded in Plat Book , Page .

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

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

Title to the property hereinabove described is subject to the following exceptions:

IN WITNESS WHEREOF, the Grantor has hereunto set his hand and seal, or if corporate, has caused this instrument to be signed in its corporate name by its duly authorized officers and its seal to be hereunto affixed by authority of its Board of Directors, the day and year first above written.

(Corporate Name)

By: _____

President

ATTEST:

Secretary (Corporate Seal)

USE BLACK INK ONLY

Harry C. Clarke (SEAL)

Anne F. Clarke (SEAL)

(SEAL)

(SEAL)

SEAL-STAMP

USE BLACK INK

NORTH CAROLINA, Henderson County.

Lawrence A. Hogan, a Notary Public of the County and State aforesaid, certify that Harry C. Clarke and wife, Anne F. Clarke, personally appeared before me this day and acknowledged the execution of the foregoing instrument.

Witness my hand and official stamp or seal, this

29 day of October, 1998

My commission expires: 7/20/2003

Notary Public

SEAL-STAMP

USE BLACK INK ONLY

NORTH CAROLINA, Henderson County.

I, a Notary Public of the County and State aforesaid, certify that _____, personally came before me this day and acknowledged that he/she is _____ Secretary of _____, a North Carolina corporation, and that by authority duly given and as the act of the corporation, the foregoing instrument was signed in its name by its _____ President, sealed with its corporate seal and attested by him/her as its _____ Secretary. Witness my hand and official stamp or seal, this _____ day of _____, 19____.

My commission expires:

Notary Public

STATE OF NORTH CAROLINA; COUNTY OF HENDERSON

The foregoing certificate() of

Notary Public/~~Notario Público~~ is/ ~~am~~ certified to be correct. This instrument presented for registration and recorded in this office

this 29 day of October, 1998, at 4:55 P. M. in Book 969, page 93

NEDRA WINTZLER MOLES, Register of Deeds

by:

Exhibit A
Luther E. Smith and wife, Priscilla Smith, and LUPRI, LLC

8969

P096

BEGINNING at an Existing Railroad Spike, at the southeast corner of the property described in Deed Book 785, at Page 554 and being in the northern margin of the Right of Way of Third Avenue West and the southwest corner of the alley also known as Wall Street, and running thence, South 81 deg. 51 min. 39 sec. West 85.75 feet to an Existing Iron Pipe; thence, leaving Third Avenue West, North 08 deg. 09 min. 01 sec. West 86.54 feet to a point that is the northwest corner of the property as described in Deed Book 785, at Page 554 and is South 65 deg. 19 min. 43 sec. East 125.92 feet from the marker known as N.C. Grid Monument Post Office; thence, North 80 deg. 39 min. 39 sec. East 45.18 feet to an Existing Iron Pin.; thence North 80 deg. 39 min. 39 sec. East 15.82 feet to a point in the southern margin of the James H. Cunningham property as described in Deed Book 933, at Page 220; thence, South 08 deg. 09 min. 01 sec. East 6.83 feet to an Existing Iron Pipe; thence North 82 deg. 04 min. 37 sec. East 24.66 feet to the northeast corner of the property as described in Deed Book 785, at Page 554 and being in the western margin of the alley known as Wall Street; thence with the western margin of Wall Street, South 08 deg. 13 min. 22 sec. East 80.89 feet to the point and place of the BEGINNING, containing 0.168 acres, more or less, and being all of that property as described by the "Survey for Luther E. Smith and wife, Priscilla P. Smith", by Patterson & Patterson, dated October 15, 1998, Job No. 98-10-65-A, and being a portion of that property described in Deed Book 785, at Page 554, Henderson County Registry.