BEFORE THE HISTORIC RESOURCES COMMISSION OF ASHEVILLE AND BUNCOMBE COUNTY

) Application for
) Certificate of Appropriateness
) 53 Birch Street
)

This application for a Certificate of Appropriateness ("COA") requesting the establishment of a new burial area within Riverside Cemetery and associated construction of retaining walls, fencing, pathways and pergola. (the "Application") came before the Historic Resources Commission of Asheville and Buncombe County (the "HRC") on July 8, 2026. The HRC held a quasi-judicial hearing and, based on the competent, material and substantial evidence presented at the hearing, voted unanimously to approve the Application. In support of that decision, the HRC makes the Findings of Fact and Conclusions of Law:

FINDINGS OF FACT

1. The property at issue (the "Property") is located at 53 Birch Street in the City of Asheville. The Owners/Applicants are CITY OF ASHEVILLE/ Jonathan Warner (the "Applicant").

2. The Application requests that the HRC grant a Certificate of Appropriateness for site improvements for new burial area in southeastern section of existing cemetery property, including installation of stabilized granite fines

paths, one (1) 3.25' tall stone veneer retaining wall, one (1) 4' tall stone retaining wall, two (2) 2' tall stone veneer free-standing walls, and one (1) ~6' tall stacked stone wall, installation of 40" tall section of black aluminum fencing, construction of a brown flagstone paved area with 9' 4" tall x 28' wide stained wood pergola and bench, and installation of landscaping; ground cover must be established within 15 days of completion of construction, and the remainder of the landscaping must be installed within three years; if archaeological resources are discovered during site work, work will cease until City staff and State archaeology staff have been notified and have inspected the site. All work will be in accordance with the drawings and plans entered into evidence at the hearing.

3. The Property is located in the Montford Historic District, and the design standards for Landscaping and Trees found on pages 40-41, Fences and Walls on pages 36-37, Archaeology on pages 32-33, and Walkways, Driveways and Off-Street Parking on pages 50-51 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended July 8, 2026, were used to evaluate this request, and the Application is consistent with these standards for the following reasons:

a. Landscape plan incorporates foundation plantings, driveway and parking buffers and yard trees of native and non-invasive plant species from the Montford Recommended Species List.

b. New landscape structures are compatible with the historic neighborhood in material and scale.

c. New fence will be metal and sited in a location that is compatible with the traditional historic relationship of fences to historic properties in the district.

d. New walls will be stone and site in locations that are compatible with the traditional historic relationship of walls to historic properties in the district.

e. New walkways will be stone and compatible with the site and district in terms of dimension, configuration, materials, color and texture.

CONCLUSIONS OF LAW

Based on the foregoing FINDINGS OF FACT, the HRC makes the following CONCLUSIONS OF LAW:

1. The Application is congruous with the special character of the Montford Historic District. Therefore, the CA is hereby approved. All necessary

permits and variances required by law must be obtained before work may commence.

This the 12th day of August, 2026.

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Amy Moxley, Vice Chair
Historic Resources Commission
of Asheville & Buncombe County