Historic Resources Commission of Asheville & Buncombe County
Meeting Minutes of June 11, 2025
1st Floor North Conference Room
City Hall (70 Court Plaza)
4:00 p.m.

Present: Chair Sioux Oliva, Vice-Chair Will Hornaday, Celesta Gorman, Shannon Watkins, Robert Mays, Bill Roberts, Leslie Humphrey

Absent: Amy Moxley, Cecil Holt

Staff: Alex Cole, Jannice Ashley, Matt Holloway, Drew Wilson, Haley Mahoney

Administrative

- Vice-Chair Hornaday moved to approve the minutes and the Findings of Fact & Conclusions of Law of the June 11, 2025 meeting. This motion was seconded by Mr. Mays and carried unanimously.
- After Chair Oliva explained the public hearing rules, all those present in the audience and staff who anticipated speaking were sworn in.

Public Hearings

Historic Resources Planner Alex Cole presented the following staff reports together for 46 and 42 Pearson Drive.

1. Certificate of Appropriateness - 46 Pearson Drive (PIN 9649024666) - After the fact approval to install wood picket and wood post and wire fencing. Applicant: Jennifer Edwards-Abbotts

Owner/Applicant: Jennie Edwards-Abbotts
Subject Property: 46 Pearson Drive
Hearing Date: June 11, 2025
Historic District: Montford
PIN: 9649024666
Zoning District: RS8

Property Description: 0.15 acre parcel containing an early 20th century one-and-a-half story bungalow with lap siding.

Certificate of Appropriateness Request: After the fact approval to construct new wood post and wire fencing in side and rear yard, and to construct wood privacy fencing in rear yard. All work will be in accordance with attached and approved drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Standards & Submittal Requirements:

1. Staff has concerns regarding the following:
    a. Horizontal and cross wood members are not appropriate on post and wire fencing, except on gates (p.37, #6).
    b. Rear yard fences may sometimes extend into the side yard; at minimum, they must be set back at least 1' behind the front facade (p. 37, #9).
    c. Fences in front yards should not exceed 4' in height (including posts and finials), and should be no more than 65% solid (p.37, #7).

The standards for Fences and Walls found on pages 36-37 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

Staff Recommendation - Staff recommends approval of the request for the following reasons, provided concerns are addressed:

1. Top and bottom rails will be removed from post and wire fencing.
2. Fencing in front yard will be modified to not exceed 4 feet in height and be no more than 65% solid.
3. Fencing in side yard will be set back at least one foot beyond front building facade.
4. Privacy fencing does not exceed 6 feet in height.
5. Fencing is sited in locations that are compatible with the traditional historic relationship of fences to historic properties in the district.

2. Certificate of Appropriateness - 42 Pearson Drive (PIN 9649025600) - After the fact approval to install wood picket and wood post and wire fencing. Applicant: John Drummond

Owner/Applicant: John Drummond
Subject Property: 42 Pearson Drive
Hearing Date: June 11, 2025
Historic District: Montford
PIN: 9649025600
Zoning District: RS8

Property Description: 0.18 acre parcel containing a late 19th- early 20th century one-story weatherboarded triple-A cottage; constructed prior to 1917.

Certificate of Appropriateness Request: After the fact approval to construct new wood post and wire fencing in side and rear yard, and to construct wood privacy fencing in rear yard. All work will be in accordance with attached and approved drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Standards & Submittal Requirements:

1. Staff has concerns regarding the following:
    a. Horizontal and cross wood members are not appropriate on post and wire fencing, except on gates (p.37, #6).
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    c. Fences in front yards should not exceed 4' in height (including posts and finials), and should be no more than 65% solid (p.37, #7).

The standards for Fences and Walls found on pages 36-37 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

Staff Recommendation - Staff recommends approval of the request for the following reasons, provided concerns are addressed:

1. Top and bottom rails will be removed from post and wire fencing.
2. Fencing in front yard will be modified to not exceed 4 feet in height and be no more than 65% solid.
3. Fencing in side yard will be set back at least one foot beyond front building facade.
4. Privacy fencing does not exceed 6 feet in height.
5. Fencing is sited in locations that are compatible with the traditional historic relationship of fences to historic properties in the district.

Ms. Cole began by explaining that she would present the applications for 42 and 46 Pearson Drive together since they are related projects and essentially the same request. She noted that the application for 46 Pearson had been discussed at the previous meeting and was continued. The design standards stipulate that top and bottom rails are not allowed for post and wire fencing, nor are fences in side yards to be parallel with a front facade. Ms. Cole explained that the applicant for 46 Pearson Drive, Ms. Jennifer Edwards-Abbotts, had submitted additional photos of other similar fences in the district. However, at the last meeting, Ms. Edwards-Abbotts

it was explained to the applicant that she would need to submit addresses to go with the photos so the fences could be verified as compliant. Ms. Cole confirmed that these photos could not be used as evidence to support the request since the addresses had not been supplied as requested. She went further to add that upon investigation, she was able to determine that some of the fences in question were outside the historic district boundary, which the applicant may not have realized when she took the photos. Ms. Cole stated that her concerns from the last meeting remained, and said the standards for fences were explicit; this fencing was not consistent with the standards.

Vice-Chair Hornaday asked Ms. Cole whether the heights of the fencing noted on the photos were measured from grade. Ms. Cole responded that the heights needed to be accurate and measured from grade. Vice-Chair Hornaday then followed up by asking whether the height of the fences presented an issue, and Ms. Cole said it was difficult to tell if the fencing was taller than what the standards allow based on the photos. She said she would defer to the applicant to clarify. Vice-Chair Hornaday then asked for clarification on the fencing materials and whether hog wire was allowed. Ms. Cole provided some background on the current standards: she explained that prior to 2016, any fence in a front yard in this district could be approved administratively except wood picket fences; staff started to see applications for wire fencing, like goat wire, that was more contemporary than the finer gauge wire fencing historically found in Montford; when the standards were amended in 2016, it was agreed that the contemporary goat fencing could be allowed, but top and bottom rails would not be appropriate. Ms. Cole noted that the City had conducted community engagement on the amendments at the time.

Mr. Mays asked Ms. Cole if the top and bottom rails top and bottom rails were to be removed, and the wire was stretched between the existing posts, if the fencing would be in compliance with the standards. Ms. Cole confirmed that would solve the issue of the top and bottom rails.

Ms. Edwards-Abbots, property owner of 46 Pearson, addressed the Commission and stated that she had amended her application since the last hearing, but that the amendment did not get processed. Ms. Cole responded that the additional photos the applicant had submitted had been shared with the Commission members. Ms. Edwards-Abbotts then stated that she had learned some new information since the last meeting surrounding proposed amendments to the current guidelines. She said she had heard that there was work on the guidelines being conducted by the people in the district and the HRC prior to Helene that would potentially amend the standards for fences. Based on this information, she said she wanted to request two things from the Commission: (1) to move the guidelines amendments for fences forward, and (2) that the HRC table the decision on her fence until the guidelines were amended.

Chair Oliva responded that the discussions surrounding the amendments to the district guidelines was an ongoing process, and that Ms. Edwards-Abbotts' application would need to move forward today. She noted that it was necessary to move forward since this is an after-the-fact request for a fence that is currently not in compliance with the existing standards.

Mr. John Drummond, owner of 42 Pearson, addressed the Commission and inquired about whether along the Gay Street side of the property the fence would need to be a picket, privacy, or chainlink fence. He expressed that it was odd to allow chainlink fencing, as he did not believe they were historical in character. Mr. Drummond further noted that if he were to put a

privacy fence up, that this would not make sense either, as the whole point of the standards was to keep Montford open in nature. He also stated that he had seen a lot of different types of fencing around the neighborhood, and it was frustrating to hear that he cannot do what he has seen other neighbors do. Additionally, Mr. Drummond was also frustrated by his experience with permitting a rock wall outside his Montford home. He claimed he was told by Ms. Cole that columns were in no circumstances permissible in the district, but upon showing Ms. Cole other columns within the district, the work was allowed to move forward. Mr. Drummond then went on to express further exasperations with improvements to his rock steps and walkway.

Vice-Chair Hornaday interjected to steer the conversation back to the fences, and asked for some clarification on the portion of fencing Mr. Drummond was describing. Mr. Drummond explained that he was referencing the fencing between his home and the recreation center next door. Mr Drummond noted that he thought his proposal for a privacy fence would be OK, since he considered this to be a side street, but stated he would prefer it to be open. Ms. Cole clarified that a wire fence in that location was problematic, but rather the top and bottom rails on the fencing were the issue. Privacy fencing wouldn't be allowed along Gay Street because the house is on a corner and there are technically two front yards. Mr. Drummond voiced a concern with the fence being left susceptible to bear damage without the support of the rails.

Chair Oliva said that she understood Mr. Drummond's frustration, especially when applicants may have seen other similar features (*e.g. fences*) that they believed had been permitted within the district; however, without knowing the exact example, location, or whether it received appropriate permitting, it is the job of the Commission to work within the current guidelines and the evidence at hand.

Mr. Drummond said what he thought the standards needed to be corrected. He questioned if the standards were to be changed in the future would they be able to change their fencing back to how it is at present. Ms. Gorman said that would be a decision that would be made in the future should the standards be amended. She said the Commission still had to talk with the neighborhood to determine what the amendments might be. The changes might be in favor of the applicants' fencing but it would be bad if they weren't and the Commission then had to tell the applicants to correct the fencing then. Ms. Edwards-Abbotts said that was why she was asking if they could table the the discussion either way

Mr. Drummond questioned if other fences might be in violation of the standards, and Ms. Gorman said potentially yes. She noted that as Ms. Cole had explained there were also likely existing fences that pre-dated the 2016 amendments.

Ms. Cole reiterated what she had said earlier about goat wire fencing and it having a more contemporary appearance than finer gauge loop wire. She explained that disallowing top and bottom rails had been a compromise of sorts so that the goat fencing material could be allowed, and without top and bottom rails it had a similar appearance to finer gauge wire fencing.

Mr. Mays asked for further clarification on fencing materials, and Ms. Cole responded that finer gauge metal fencing was common historically in the district. She said the issue of bears had not come up in the discussions with the neighborhood when the standards were updated in 2016. Mr. Mays then asked Ms. Cole how much time the applicant had to bring the

fencing into compliance, and Ms. Cole replied that it depended on the particular issue and what the individual circumstances were. Senior Assistant City Attorney Jannice Ashley explained that violations could not go on forever, but that the aim was to come up with a reasonable timeframe to correct the issue rather than one based on a potential change in standards. Ms. Ashley recalled that, in the past, she had seen the HRC name the timeframe (*e.g. 6 months*), as they do not want the violation to extend beyond the length of a CA, which is good for one year. She also spoke to Mr. Drummond's comments about surrounding neighbors with violating features (*e.g. fences*), and noted that without the addresses of those properties, the City cannot enforce anything. However, if the addresses were provided, and an investigation concluded a violation, then the City can open an enforcement case.

Mr. Drummond interjected to say that he had brought forward one house that had a privacy fence on his street. He said he had spoken to many neighbors who said there had not been a fence at the property in question previously. However, when speaking with Ms. Cole, Mr. Drummond thought she had told him that there was a fence there, and he wondered what these contradictions meant for enforcement of guidelines. Ms. Cole replied that she was unsure of which property Mr. Drummond was referring to, and he clarified it was the one across from the Montford Convenience Store. Ms. Cole confirmed this property did in fact have a pre-existing fence. Mr. Drummond refuted this by saying he had not seen a fence there in the three years he walked his dog past the property. Ms. Cole acknowledged what Mr. Drummond said, and responded that she would not argue about it.

Ms. Ashley interjected and pointed out that Mr. Drummond knew the process for conducting work within the historic district, and questioned him as to why he failed to apply for a CA prior to putting in the fencing. She stated that this was why after-the-fact cases tended to be so contentious, as the applicants should have known that there was a process and standards that needed to be followed. Ms. Ashley then circled back to the importance of the HRC selecting a reasonable timeframe to ask the applicants to come into compliance with the standards.

Mr. Mays asked if the Commission was being asked to approve something that was curative, and Ms. Ashley responded that she wasn't sure the Commission had arrived at a place where they felt like they could approve the cases. She said if not then the applications would be denied and the Commission would need to say that the fencing would be removed in a specific period of time. She reiterated that the timeframe the Commission agreed to shouldn't go on too long but should also be reasonable for the applicant.

Mr. Mays stated that it appeared that the fence posts could remain but the wire needed to change. Mr. Drummond said this was why he was asking if he could just replace it with chainlink which would have rails but in a different material. Ms. Humphrey stated that chainlink is strongly discouraged, and Mr. Drummond said he did not realize discouraged was the same as not allowed. Mr. Drummond followed by saying he would try to get a contractor to take the top and bottom rails off, and keep the fencing how it is with the spacing between posts. Ms. Humphrey noted that hog wire came in shorter lengths so it might work better if the posts were closer together.

Mr. Drummond asked for clarification on whether the issue was just the top and bottom wooden rail, and Ms. Watkins confirmed. She added that the fencing in the side yard also needed to be set back beyond the front building facade by at least one foot.

Vice-Chair Hornaday added there was also the question surrounding the fence height and whether the lattice portion of the fencing had been included in the measurements provided by the applicants. Mr. Drummond explained that the lattice was decorative, and questioned whether he would need to chop it off. Ms. Cole said that the lattice portion was part of the fencing, and that the HRC would need the applicants to verify the heights of the fencing.

Ms. Watkins asked the applicants to let the commissioners know how much time they thought they would need to bring the fences into compliance. Mr. Drummond explained he could provide a guess, but would need to get his contractor on site before he could provide a more exact timeframe. Ms. Watkins expressed her sympathy for the situation, as the Commission recognized the expense to alter or remove and replace the fence as installed.

Vice-Chair Hornaday asked Mr. Drummond whether he wanted to amend his application and to correct the issues with the fencing that were not compliant with the standards. Mr. Drummond expressed that he would like to get his contractor out there to assess the situation. Ms. Ashley noted that the applicants need to amend their application to show that they will meet the standards with their final installation in order to receive an approval. Ms. Edwards-Abbotts responded that she could not guarantee that she would be able to meet the height standards, as she did not know how tall the fencing currently was. Ms. Ashley provided a suggestion to amend the application to remove the decorative trim and ensure the other fencing meets the height limits, and the conditions can be verified by staff.

Ms. Edwards-Abbotts said that she would like to follow along and participate in the community outreach for any future amendments. Ms. Cole explained that work on revised guidelines has been stalled since Helene, but staff will work with the City's communications team to come up with a thorough engagement plan with the neighborhood, and the Executive Committee should be able to resume work on considerations of amendments to the standards later this summer. Ms. Cole thinks that the engagement with the neighborhood will likely occur this coming fall or winter.

The Commission had some back and forth with Ms. Ashley and the applicants about the appropriate timeline for the fences to be brought into compliance, and it was decided that six months was a reasonable timeframe. Mr. Drummond asked if the process was for them to request an amendment to their applications, and then complete the work according to the approved amendment. The Commission affirmed, and the applicants said that they were amending the application during this meeting. As part of the conditions of the motion to approve the amended request, the applicant will have to complete the work in the specified time.

Chair Oliva opened the floor for public comment at 4:38 p.m. Mr. Ben Mitchell stood to provide comment, and Chair Oliva swore him in. Mr. Mitchell started by explaining that he did not know these applicants personally, but when he was on the Commission there started a pattern of after-the-fact approval requests. He encouraged the HRC to enforce the rules how they are, and if the rules change that is one thing, but in the meantime they should focus on the rules how they are.

Chair Oliva closed the floor for public comment at 4:40pm, and there was no further discussion on the application by the Commission.

MOTION TO APPROVE CERTIFICATE OF APPROPRIATENESS (42 PEARSON DRIVE)

Based upon the evidence presented to this Commission, including Exhibit A - application and project description (3 pages); Exhibit B - photographs (7 pages); Exhibit C - Google street view image; and the Commission's actual inspection and review of subject property;

I move that this Commission **approve** the Certificate of Appropriateness based on the following:

1. That the application is for after the fact approval to construct new wood post and wire fencing in side and rear yard, not to exceed 4' in height from grade; construct wood privacy fencing in rear yard, not to exceed 6' in height from grade; section of wire fencing in side yard will be relocated to be set back at least 1' beyond the front building corner. All work will be completed in accordance with approved and attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

2. That the standards for Fences and Walls found on pages 36-37 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

3. This application **does** meet the design standards for the following reasons:
    a. Top and bottom rails will be removed from post and wire fencing.
    b. Fencing in front yard will be modified to not exceed 4 feet in height and be no more than 65% solid.
    c. Fencing in side yard will be set back at least one foot beyond front building facade.
    d. Privacy fencing does not exceed 6 feet in height.
    e. Fencing is sited in locations that are compatible with the traditional historic relationship of fences to historic properties in the district.

4. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** congruous with the special historic character of the Montford Historic District.

Motion by: Vice-Chair Hornaday

Second by: Ms. Gorman

Vote for: Unanimous

Vote against: None

Based upon the foregoing findings and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued** with the following conditions:

1. Top and bottom rails will be removed from post and wire fencing, and post and wire fencing will be set back from front building corner by at least 1' no later than December 11, 2025.
2. Fence heights will be verified in the field by staff.

Motion by: Vice-Chair Hornaday
Second by: Ms. Gorman
Vote for: Unanimous
Vote against: None

A copy of the written decision approving the Certificate of Appropriateness is attached hereto and incorporated by reference.

MOTION TO APPROVE CERTIFICATE OF APPROPRIATENESS (46 PEARSON DRIVE)

Based upon the evidence presented to this Commission, including Exhibit A - application and project description (3 pages); Exhibit B - photographs (7 pages); Exhibit C - Google street view image; and the Commission's actual inspection and review of subject property;

I move that this Commission **approve** the Certificate of Appropriateness based on the following:

1. That the application is for after the fact approval to construct new wood post and wire fencing in side and rear yard, not to exceed 4' in height from grade; construct wood privacy fencing in rear yard, not to exceed 6' in height from grade; section of wire fencing in side yard will be relocated to be set back at least 1' beyond the front building corner. All work will be completed in accordance with approved and attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

2. That the standards for Fences and Walls found on pages 36-37 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

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    c. Fencing in side yard will be set back at least one foot beyond front building facade.
    d. Privacy fencing does not exceed 6 feet in height.

e. Fencing is sited in locations that are compatible with the traditional historic relationship of fences to historic properties in the district.

4. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** congruous with the special historic character of the Montford Historic District.

Motion by: Vice-Chair Hornaday
Second by: Ms. Gorman
Vote for: Unanimous
Vote against: None

Based upon the foregoing findings and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued** with the following conditions:

1. Top and bottom rails will be removed from post and wire fencing, and post and wire fencing will be set back from front building corner by at least 1' no later than December 11, 2025.
2. Fence heights will be verified in the field by staff.

Motion by: Vice-Chair Hornaday
Second by: Ms. Gorman
Vote for: Unanimous
Vote against: None

A copy of the written decision approving the Certificate of Appropriateness is attached hereto and incorporated by reference.

3. Certificate of Appropriateness - 112 Pearson Drive (PIN 9649031309) - Color tinting of existing brick masonry siding. Applicant: Darcy Ballard

Historic Resources Planner Alex Cole presented the following staff report and oriented the commission to the property.

Owner/Applicant: Darcy Ballard
Subject Property: 112 Pearson Drive
Hearing Date: June 11, 2025
Historic District: Montford
PIN: 9649031309
Zoning District: RS8

Property Description: 0.33 acre parcel containing a contemporary one-story Ranch-style house.

Certificate of Appropriateness Request: Tinting of existing unpainted brick masonry exterior of primary structure. All work will be in accordance with attached and approved drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Standards & Submittal Requirements:

1. Staff has concerns regarding proposed tinting of existing brick masonry.
    a. Painting of brick, stone, copper, bronze, concrete or cement block surfaces that were historically unpainted is not allowed (p. 71, #3).
    b. Every effort should be made to maintain the architectural integrity of non-contributing structures (p.69, #1).

The standards for Non-Contributing Structures found on pages 68-69 and Painting and Paint Colors on pages 70-71 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

Staff Recommendation - Staff does not recommend approval of the request for the following reasons:

1. Structure has historically unpainted brick exterior siding, and painting of brick, stone, copper, bronze, concrete or cement block surfaces that were historically unpainted is not allowed.
2. Painting the brick exterior of the structure would alter the architectural integrity of the structure.

Ms. Cole began by noting that a major work application that included painting the brick exterior of the house had been reviewed by the Commission a couple of years ago. Ms. Cole noted the structure was a one-story ranch-style house identified as a non-contributing structure She explained that the standards for painting did not allow for painting of unpainted masonry, and also brought attention to the standards for non-contributing structures on page 68 and 69 of the design standards.

Ms. Cole stated that the current proposal was to tint the brick versus paint it, which would still alter the character of the brick. Ms. Cole recalled during the last public hearing regarding this property, the Commission had acknowledged that painting unpainted masonry can cause damage to it. She noted that it also changes the character of it.. Ms. Cole then recalled a past case in the Montford Historic District at the corner of Cumberland and West Chestnut where the owners of a mid-century church had similarly proposed to paint the brick

exterior. The commission did not allow it because they determined that the brick was an integral part of the character of the structure, which is often true for mid-century structures. Ms. Cole stated she was not in support of changing the color of the brick on the structure, and that she was happy to answer any questions.

Ms. Humphrey asked for clarification on the location of the house and the district boundary, and. Ms. Cole stated that the house was within the district boundary, so the standards do apply.

Mr. Mays questioned whether the standards for painting applied to this property since it's a non-contributing structure, and Ms. Cole responded that, in her professional opinion, the standards for painting applied to all structures.. Ms. Cole acknowledged that this topic does not come before the HRC often, and explained her interpretation of the standards by reading page 69 and stating that every effort should be made to maintain the architectural integrity of non-contributing structures; the original red brick color is one of the only character defining features of the house in question.

Ms. Humphrey questioned whether it was the color selected that was an issue, and Ms. Cole replied that paint color was only usually evaluated for new construction. Ms. Cole stated that if the house had already been painted, the owner could re-paint with whatever color they wanted. Ms. Humphrey agreed, stating the Commission did not dictate what color to paint houses in Montford. Ms. Cole reiterated that unpainted masonry is treated differently from painting a house in general, because it goes against the standards. Additionally, she commented that though the house was not historic when the district was founded, it technically was old enough to be registered as historic if the City were to update the National Register nomination for the district.

Mr. Mays asked what the proposed color was, and Ms. Cole responded that it was a cream color. She noted that the specific color number or name had not been provided so she would defer to the applicant.

Ms. Darcy Ballard, property owner, addressed the commission and said her house was labeled as a contemporary single-story brick ranch, meaning her property was non-contributing to the historic district. Page 68 of the district standards state non-contributing structures are not considered historic. Ms. Ballard explained her interpretation that non-contributing structures should not have to follow historic standards, and said she had seen painted brick everywhere in Montford, such as fireplaces, chimneys, porches, foundations, pebble dash, etcetera. She said she did not think painting her house would change its character, as the roofline defined the character and tinting the brick would not take away the fact that it was a single story ranch. Ms. Ballard explained she wanted a more cohesive look for her home and for it to fit into the neighborhood better, which was discussed in the standards. She said that tinting the brick is better for the material than painting it because water cannot seep into it. She noted the lifespan of the tint was estimated to be between 20 - 30 years according to the manufacturing company.

Chair Oliva asked Ms. Ballard what year the home was built, and she responded that it was built in 1961. Chair Oliva clarified that the house was technically old enough to be considered historic. Ms. Ballard noted it was not according to the district guidelines, but Chair

Oliva explained according to historic preservation standards, a structure built in 1961 does qualify as historic. Chair Oliva further explained her interpretation of “contemporary” as describing the period it was built, and that the structure was historic.

Mr. Mays noted his interpretation of the standards to mean alterations to the structure did not have to follow historic structure guidelines so long as it upholds its architectural integrity, and he did not believe changing the color of the brick would affect the architectural integrity of the structure.

Ms. Gorman disagreed, and said that changing unpainted masonry does alter a structure’s architectural integrity, and that colored brick was not compatible with the neighborhood.

There was some back and forth on whether or not painting the brick was appropriate. Ms. Ballard reiterated that there was colored brick all over Montford. Chair Oliva acknowledged there were many painted homes in the neighborhood. Mr. Mays said that it was possible some of the painted brick houses could be just outside the historic district boundary. Ms. Gorman noted homes in the neighborhood may have been painted before the district standards were created. She said she understood the frustration of the applicant, as she agreed the house would look beautiful painted; however, the HRC must enforce the standards. Ms. Cole added that there were also likely houses in the district that had been painted without approval.. Ms. Ballard acknowledged these points, and reiterated that she believed her house would still fit in with the character of the neighborhood if it were to be painted.

Vice-Chair Hornaday asked Ms. Ballard if tinting the brick had been on her original application a few years prior. Ms. Ballard replied that her previous application requested to paint the brick. She added that the guidelines did not mention staining, and only mention painting or sealing not being allowed.

Ms. Ballard shared a tinted brick as an example, and the commission members passed it around the room.

Ms. Gorman asked Ms. Ballard what would happen to the brick in 20-30 years. Ms. Ballard replied that the manufacturer’s product lifetime is estimated to last 20-30 years, but it could last longer; the brick may fade, but it will not flake.

Chair Oliva opened the floor for public comment at 5:03 p.m., and when no one spoke, she closed the floor for public comment.

Mr. Mays said that Montford had shifted over time from a more working-class neighborhood to now a higher-end area. He reiterated his opinion that tinting the brick would not take away from the architectural integrity of the structure.

Chair Oliva stated her opinion that this was a historic house that reflects the mid-century modern style of architecture, and it has the integrity from when it was built intact. Mr. Mays agreed the home was historic, but remarked that he believed the standards for painting should not apply to non-contributing structures. Chair Oliva disagreed, and said that the original

character of the structure is representative of the overall neighborhood.

Ms. Humphrey pointed to a contributing brick house on Montford Avenue, and said that it would change the character of it if it were to be painted. Vice Chair Hornaday agreed stating that like that house, the applicant's house is also in the district and must follow the standards. He added that when the survey of the neighborhood was conducted in the late 1970s, there were many homes that were not yet historic but the standards still applied to those structures.. He further explained that the standards were clear in that applying paint to unpainted masonry was not allowed. Ms. Humphrey noted that the applicant would not have to apply for permission to paint the already painted part of the structure, and Vice-Chair Hornaday noted that this was not the issue before the commission today, but that she was correct.

Mr. Mays reiterated that he did not think that the standards for painting were applicable to non-contributing structures.. Vice-Chair Hornaday asked Mr. Mays he thought the standards for additions, or altering windows and doors, would apply based on his interpretation.. Mr. Mays responded there were separate standards for non-contributing structures.

Chair Oliva asked if the Commission had any more comments. Ms. Gorman asked whether the applicant might want to consider withdrawing her application, as she would not be able to apply for a similar scope of work for a year if the case were to be denied. Ms. Ballard said that she did not have any plans to apply for any further requests at this time.

Ms. Watkins expressed her agreement with Chair Oliva that the structure did have historic character, and even though it is a non-contributing structure the rules of the historic district apply meaning the applicant cannot paint the brick.

There was no further discussion on the application.

MOTION TO DENY CERTIFICATE OF APPROPRIATENESS

Based upon the evidence presented to this Commission, including Exhibit A - application, photograph & product specifications; Exhibit B - samples of tinted brick (received June 11, 2025); and the Commission's actual inspection and review of subject property by all members;

I move that this Commission **deny** the Certificate of Appropriateness based on the following:

1. That the application is for tinting of existing unpainted brick masonry exterior of primary structure. All work will be completed in accordance with approved and attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

2. That the standards for Painting and Paint Colors found on pages 70-71 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

3. This application **does not** meet the design standards for the following reasons:
    a. Structure has historically unpainted brick exterior siding, and painting of brick, stone, copper, bronze, concrete or cement block surfaces that were historically unpainted is not allowed.
    b. Painting the brick exterior of the structure would alter the architectural integrity of the structure.

4. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are not** congruent with the special historic character of the Montford Historic District.

Motion by: Vice-Chair Hornaday
Second by: Ms. Watkins
Vote for: Chair Oliva, Vice-Chair Hornaday, Ms. Gorman, Ms. Humphrey, Mr. Roberts, Ms. Watkins
Vote against: Mr. Mays

Based upon the foregoing findings and for the reasons set forth therein, I move that a Certificate of Appropriateness be **denied**.

Motion by: Vice-Chair Hornaday
Second by: Ms. Gorman
Vote for: Chair Oliva, Vice-Chair Hornaday, Ms. Gorman, Ms. Watkins, Ms. Humphrey, Mr. Roberts
Vote against: Mr. Mays

A copy of the written decision denying the Certificate of Appropriateness is attached hereto and incorporated by reference.

4. Certificate of Appropriateness - 19 Brook Street (PIN 9647795641) - Demolition of existing one story structure. Applicant: 63 Brook Street, LLC

Historic Resources Planner Alex Cole presented the following staff report and oriented the commission to the property.

Owner/Applicant: 63 Brook Street LLC
Subject Property: 19 Brook Street
Hearing Date: June 11, 2025
Historic District: Biltmore Village - Sub-Area: High Density Cottage
PIN: 9647795641
Zoning District: Community Business II

Property Description: 1.04 acre vacant parcel containing a one-story structure with brick exterior, multiple commercial storefronts, and a flat roof, constructed in 1956; parcel also contains surface parking and undeveloped wooded area to the rear of the structure.

Certificate of Appropriateness Request: Demolition of existing structure due to damage from Hurricane Helene. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Standards & Submittal Requirements:

Staff has no concerns.

The standards for Goals for the Biltmore Village Historic District found on pages 7-9 in Book 1, Chapter 2 on of the Biltmore Village Historic District Design Review Standards, adopted October 1, 1988 and Ch.2: Land Use and Planning Goals found on page 15 and Ch. 5: Proposed Plan and Character of Biltmore Village found on pages 53-58 of the Biltmore Village Development Plan, adopted July 1, 1992, were used to evaluate this request.

Staff Recommendation - Staff recommends approval of the request for the following reasons:

1. Existing structure was significantly damaged by the catastrophic flooding event during Hurricane Helene.
2. Existing structure is not consistent with the original character of Biltmore Village, and demolition of the structure is not inconsistent with the goals of re-establishing the original character of the district.
3. Existing structure is not consistent with 1991 Biltmore Village Development Plan, which identifies this parcel as being part of the High Density Cottage Sub-Area

Ms. Cole described the subject property as being located on Brook Street where it becomes Sweeten Creek Road, and said the building had been previously occupied by Catawba Brewing. The structure had been significantly damaged by the flooding from Hurricane Helene, and the proposal was to demolish the structure. She said the structure was considered to be non-contributing even though it was built in 1951. Ms. Cole stated that it was sad to her to lose any buildings but noted that the redevelopment plan for Biltmore Village called for new development at this location to be more consistent with the historic character of the district than the existing building. The applicant was on a tight deadline for the structure to be removed as part of the Private Property Debris Removal Program (PPDR). Ms. Cole explained that the design standards don't speak directly to demolition; however, the redevelopment plan identifies this site as a high-density cottage area. Ms. Cole suggested that redevelopment on the site could potentially look similar to 10 Brook Street in the future, but noted that there was not a plan

to redevelop the site at present.

In response to Ms. Humphrey, Ms. Cole said the property was privately owned. The City was aiding with the PPDR program and was managing the application process.

The applicant, Mr. Ben Mitchell, addressed the commission and noted that the structure had been largely vacant for many years. It would be prohibitively expensive to bring it into a reasonable condition, and would likely garner little leasing interest. The storm caused significant damage, and the private PPDR program made demolition the best path forward. Mr. Mitchell explained his team worked with Buncombe County to initiate demolition under the program, and he understood the demolition must get approved by the commission since the structure was within a historic district. He said he hoped the proposal would be looked upon favorably since the structure had been in disrepair for some time. Additionally, he hoped in the future there could be a new development plan proposed that would blend in better with the neighborhood. A new structure on the site could be a 25,000 square foot building set closer to the street with parking at the rear side. Mr. Mitchell said that such a structure would be popular among merchants currently in the village, and he hoped redevelopment could happen soon. However, this demolition had a time constraint.

Chair Oliva asked the Commission if they had any questions for the applicant. Ms. Watkins asked if Mr. Mitchell understood that any future redevelopment would have to be approved by the Commission, and Mr. Mitchell replied that he understood. Ms. Watkins recalled a past condo development proposal for this parcel. Mr. Mitchell said that major retailers had also looked at this site for redevelopment, and he hoped that demolition of the existing building might result in more desire for redevelopment at this location.

Vice-Chair Hornaday asked if there would be any tree removal or grading, and Mr. Mitchell said there was no significant grading or tree removal planned for the site at this time. Vice-Chair Hornaday then asked if the wall at the south end of the property would be removed, and Mr. Mitchell replied that he did not know exactly where the wall was in relation to the property boundary, but the existing knee wall at the south end of the property would likely remain intact for the short term for erosion control and would be painted to cover any graffiti.

Ms. Humphrey asked about the embankment behind the building and inquired about potential mudslides. Mr. Mitchell responded that would likely have to be addressed once the demolition occurred. He noted there had been some trees that have fallen from the hilltop in the past, but the property behind the structure is owned by an affiliated party. He suggested that future development would likely include the adjoining property. Mr. Mitchell continued that the demolition contractors were licensed erosion control specialists and that the existing structure was anywhere from 3 to 8 feet from the embankment.

Chair Oliva opened the floor for public comment at 5:27 p.m., and when no one spoke, she closed the floor for public comment.

There was no further discussion on the application.

MOTION TO APPROVE CERTIFICATE OF APPROPRIATENESS

Based upon the evidence presented to this Commission, including Exhibit A - application and project description (3 pages); Exhibit B - private property debris removal documents (10 pages); Exhibit C - substantial damage estimate documents (7 pages); Exhibit D - property map; Exhibit E - photographs (4 pages); and the Commission's actual inspection and review of subject property by all members;

I move that this Commission **approve** the Certificate of Appropriateness based on the following:

1. That the application is for demolition of existing structure due to damage from Hurricane Helene. All work will be completed in accordance with approved and attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

2. That the standards for New Construction in "Contemporary Styles" found on pages 13-15 Book 3, Chapter 4 of the Biltmore Village Historic District Design Review Standards, adopted October 1, 1988 and Ch. 5: Proposed Plan and Character of Biltmore Village found on pages 53-58 of the Biltmore Village Development Plan, adopted July 1, 1992, were used to evaluate this request.

3. This application **does** meet the design standards for the following reasons:
    a. Existing structure was significantly damaged by the catastrophic flooding event during Hurricane Helene.
    b. Existing structure is not consistent with the original character of Biltmore Village, and demolition of the structure is not inconsistent with the goals of re-establishing the original character of the district.
    c. Existing structure is not consistent with 1991 Biltmore Village Development Plan, which identifies this parcel as being part of the High Density Cottage Sub-Area.

4. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** congruent with the special historic character of the Biltmore Village Historic District.

Motion by: Vice-Chair Hornaday

Second by: Ms. Gorman

Vote for: Unaminous

Vote against: None

Based upon the foregoing findings and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

Motion by: Vice-Chair Hornaday

Second by: Ms. Gorman
Vote for: Unaminous
Vote against: None

A copy of the written decision approving the Certificate of Appropriateness is attached hereto and incorporated by reference.

5. Certificate of Appropriateness - 56 Pearson Drive (PIN 9649024726) - Construction of a new two-story addition on rear elevation of existing primary structure. Applicant: Johnny Kuscera

Historic Resources Planner Alex Cole presented the following staff report and oriented the commission to the property.

Owner/Applicant: FENTON TY;FENTON ANGELICA ELOISE/Johnny Kuscera
Subject Property: 56 Pearson Drive
Hearing Date: June 11, 2025
Historic District: Montford
PIN: 9649024726
Zoning District: RS8

Property Description: .016 acre parcel containing a late 19th-early 20th century two-story vernacular Queen Anne type dwelling with shingles over brick veneer, stone foundation, porch with Montford brackets, and a classical balustrade.

Certificate of Appropriateness Request: Demolition of existing enclosed porch, addition, stair and deck on rear elevation and construction of a 365 square foot two-story addition with painted wood shake siding, wood trim and dark gray asphalt shingle roofing matching existing; new windows will be Pella wood 1/1 double-hung and custom 4-lite sliders; doors will be Pella wood single lite; new 13' 4" x 4' wood deck with wood railing with _____ pickets spaced __ on center will be constructed on west elevation of addition; any original/historic windows or doors being removed will be retained and preserved on site. All work will be in accordance with attached and approved drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Standards & Submittal Requirements:

1. Staff has asked the applicant to provide the following additional information for review:

    - Deck materials and railing detail
    - Revised site plan illustrating material adjacent to new bar windows

The standards for Additions found on pages 88-89, Windows and Doors on pages 84-85of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

Staff Recommendation - Staff recommends approval of the request for the following reasons:

1. New addition is site as inconspicuously as possible on the rear elevation and where historic character defining features will not be damaged, destroyed or obscured.
2. Addition is inset from rear building corners so as to differentiate it from the existing building and to reduce public visibility.
3. Addition is designed so as to be compatible with the existing building in height, massing, roof form and pitch.
4. Size and scale of the addition is limited so as to reduce the visual impact to the historic building; addition will not overpower the site or substantially alter the site's proportion of built area to green space.
5. Windows and doors on the addition are similar to those on the original building in proportion, spacing and materials.
6. Exterior surface and siding materials are compatible with the existing building in material, texture, color and character.

Ms. Cole explained that the application was for removal of an existing portion of the house on the rear elevation and construction of a new addition. Ms. Cole referenced the 1951 Sanborn map, which shows the structure originally had a porch on the rear elevation, but whether it was one or two stories wasn't clear Ms. Cole noted that she asked the applicant to clarify the materials of the area noted on the plans as an exterior bar. She said she initially had concerns regarding the proposed sliding windows but she said she had seen them on the rear of another historic house, and so she assumed the commission had approved this type of window in the past.. The trim proposed around the windows was a concern, however; but she noted that might be just because of the way it was drawn. She said she would defer to the applicant for clarification on that detail.

Ms. Humphrey questioned whether or not the proposed fenestration on the addition matched the rest of the house. Ms. Cole that the commission had approved a variety of different window types on rear elevations, and noted that the next application includes an existing set of sliding windows on an addition.. The standards state that the fenestration on an addition should be similar to the original building, but there had generally been more leniency given for the rear of a building. Ms. Humphrey replied that none of the windows were in the historic style of the windows on the house. Ms. Cole asked Ms. Humphrey if she had concerns regarding the proposed French doors, and Ms. Humphrey confirmed that she did. Ms. Cole said that the commission had approved French doors on rear elevations many times in the past.

Chair Oliva swore in the applicants, Mr. Johnny Kuscera and Ms. Ava Carr. Mr. Kuscera shared that Ms. Carr was the architect for the project, and he was the contractor and builder. Mr. Kuscera said they were open to options for the windows. Ms. Carr said that the addition was for a new kitchen, and the owners wanted to take advantage of the view from the back of the house.

Vice-Chair Hornaday asked if the window on the upper-left side of the house was original to the home, and Mr. Kuscera replied that he believed so.. He asked if the applicant will be reusing the original window, and Mr. Kuscera stated he did not know, but it could be possible. Ms. Carr added that she did not think the window was original, but she thought that if it was, they could find a place for it. Vice-Chair Hornaday replied stating the applicant did not have to repurpose it, but if the window was original it could be stored on site.

Vice-Chair Hornaday then questioned what material was proposed under the balcony deck. Mr. Kuscera said all the trim would match the existing trim. Vice-Chair Hornaday clarified that he was asking about the material on the ground under the deck, and the applicants said that had not been determined yet, but it would likely be stone or concrete.Mr. Kuscera also noted that they had not figured out the bar area materials, and if there would be a quartz or wood slab underneath the sliding windows.

Chair Oliva opened the floor for public comment at 5:43 p.m., and when no one spoke, she closed the floor for public comment.

Vice-Chair Hornaday asked the Commission if they would be supportive of adding a condition regarding saving the possibly original window, and Ms. Cole noted that was a fairly standard condition. Vice-Chair Hornaday further added that he would like to see a condition for staff approval of the final material choices for the bar and ground surface under the deck. Ms. Cole added it may be best for the applicant to just use a piece of furniture for the bar instead of adding an architectural feature to the structure. She stated that might be more appropriate than adding something other than extending the wood trim.

When there was no further discussion on the application.

MOTION TO APPROVE CERTIFICATE OF APPROPRIATENESS

Based upon the evidence presented to this Commission, including Exhibit A - application; Exhibit B - elevation drawings, floor plans & site plans (19 pages); Exhibit C - window & door specifications (21 pages); Exhibit D - photographs (10 pages); Exhibit E - existing floor plans and elevation drawings (4 pages); Exhibit F - project description; Exhibit G - Sanborn fire insurance map; and the Commission's actual inspection and review of subject property by all members;

I move that this Commission **approve** the Certificate of Appropriateness based on the following:

1. That the application is for demolition of existing enclosed porch, addition, stair and deck on rear elevation and construction of a 365 square foot two-story addition with painted wood shake siding, wood trim and dark gray asphalt shingle roofing matching existing; new windows will be Pella wood 1/1 double-hung and custom 4-lite sliders; doors will be Pella wood single lite; new 13' 4" x 4' wood deck with wood railing will be constructed on west elevation of addition; any original/historic windows or doors being removed will be retained and preserved on site. All work will be in accordance with attached and approved drawings

and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

2. That the standards for Additions found on pages 88-89 and Windows and Doors on pages 84-85 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

3. This application **does** meet the design standards for the following reasons:
    a. New addition is site as inconspicuously as possible on the rear elevation and where historic character defining features will not be damaged, destroyed or obscured.
    b. Addition is inset from rear building corners so as to differentiate it from the existing building and to reduce public visibility.
    c. Addition is designed so as to be compatible with the existing building in height, massing, roof form and pitch.
    d. Size and scale of the addition is limited so as to reduce the visual impact to the historic building; addition will not overpower the site or substantially alter the site's proportion of built area to green space.
    e. Windows and doors on the addition are similar to those on the original building in proportion, spacing and materials.
    f. Exterior surface and siding materials are compatible with the existing building in material, texture, color and character.

4. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** congruent with the special historic character of the Montford Historic District.

Motion by: Vice-Chair Hornaday

Second by: Ms. Gorman

Vote for: Chair Oliva, Vice-Chair Hornaday, Ms. Gorman, Ms. Watkins, Mr. Mays, Mr. Roberts

Vote against: Ms. Humprhey

Based upon the foregoing findings and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued**.

With the following conditions:

1. Deck materials and railing detail will be submitted for staff review and approval.
2. Ground material and counter design/material adjacent to bar area will be submitted for staff review and approval.

Motion by: Vice-Chair Hornaday

Second by: Ms. Gorman

Vote for: Chair Oliva, Vice-Chair Hornaday, Ms. Gorman, Ms. Watkins, Mr. Mays, Mr. Roberts

Vote against: Ms. Humprhey

A copy of the written decision approving the Certificate of Appropriateness is attached hereto and incorporated by reference.

6. Certificate of Appropriateness - 133 Montford Avenue (PIN 9649123337) - Construction of a new two-story addition on rear elevation of existing primary structure. Applicant: Greg Lambert

Historic Resources Planner Alex Cole presented the following staff report and oriented the commission to the property.

Owner/Applicant: Elizabeth Allen
Subject Property: 133 Montford Avenue
Hearing Date: June 11, 2025
Historic District: Montford
PIN: 9649031309
Zoning District: RS8

Property Description: 0.31 acre parcel containing the A. H. Cobb House: late 19th-early 20th century one-and-a-half story highly irregular Queen Anne-style dwelling with an angled porch with turned posts, sawn brackets, shingles over weatherboards, bay windows, and a tower effect; constructed prior to 1907.

Certificate of Appropriateness Request: Removal of existing deck on rear elevation and construction of a new two-story addition two new covered porches and new deck; all siding materials and details, trim, soffit and roofing material to match existing; new windows will be wood 1/1 double-hung; existing 3-lite sliding window on rear elevation will be reused on addition; one existing interior single-lite wood door will be used on new addition as an exterior door; one new _____ single-lite wood door will be installed on addition and one existing single-lite wood door will be reused on addition; three (3) existing double-hung windows on rear elevation will be replaced with an existing pair of single-lite French doors; all new deck materials, including flooring, railings, newel posts and screening, will match existing; new 5' x 10.75" wide x 3' 8.25" deep brick chimney will be constructed within north elevation of new first floor porch. All work will be in accordance with attached and approved drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

HRC Staff Concerns per the Applicable Standards & Submittal Requirements:

1. Staff has concerns regarding the massing of the proposed chimney above the roofline as it relates to the existing chimneys on the house (p. 89, #4).
2. Staff has asked the applicant to provide the following additional items for review:
    - Exact manufacturer specifications for new windows and doors
    - Brick sample or image
    - Lighting specifications

The standards for Additions found on pages 88-89, Porches, Entrances and Balconies on pages 72-73, Windows and Doors on pages 84-89 and Decks on pages 38-39 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

Staff Recommendation - Staff recommends approval of the request for the following reasons, provided concerns have been addressed:

1. Addition is sited inconspicuously on the rear elevation, and where historic character defining features are not damaged, destroyed or obscured.
2. Addition is designed to be compatible with the existing building in height, massing, roof form and pitch.
3. The visual impact of the addition on the existing historic building is limited by its scale and size; the addition does not visually overpower the site or substantially alter the site's proportions of built area to green space.
4. Existing windows and doors are being reused, and new windows and doors are similar to those in the original building in their proportions, spacing and material.
5. New porches are on the rear elevation and compatible with the existing structure in terms of roof form, scale, details, materials and color.
6. Deck will be located on the rear elevation, inset by at least 12 inches from rear building corners, aligned with the first floor of the building, and compatible with the historic building in scale, proportion, materials and detail.

Ms. Cole gave a brief overview of the proposal, which involved a new two-story addition and porch. She said her main concern was that the size of the proposed chimney on the porch was fairly large as compared to the existing chimneys on the house. She said she had discussed this with the applicant, and had suggested that the chimney might be redesigned to have shoulders and be narrower at the top. Ms. Cole added that she had also asked the applicant to provide the exact specifications for the windows and doors, photographs of a brick sample for the chimney, and clarification of any proposed exterior lighting fixtures.

Mr. Mays asked what the proposed dimensions for the chimney were, and Ms. Cole responded that by her measurements it appeared to be about six feet wide and four feet deep. Vice-Chair Hornaday asked if the City allowed chimneys below a window, and Ms. Cole said would defer to the architect to answer the question.

In response to Vice-Chair Hornaday, Ms. Cole clarified that she had suggested to the

applicant that perhaps the chimney could be narrower above the roofline to appear more proportionate to the existing chimneys on the house.Vice-Chair Hornaday then asked if the addition would be visible from the road, and Ms. Cole said that it would only be visible from the alley behind the house. The back yard was also fairly large so it wouldn't be that visible from the alley either.

Chair Oliva called for a short recess at 6:00 p.m. The meeting was called back to order at 6:06 p.m.

Mr. Greg Lambert, architect, and Ms. Elizabeth Allen, property owner, addressed the commission. Mr.Lambert said that they were planning to match the existing light fixtures as closely as possible. Mr. Lambert also stated that the new windows will be identical to the windows on the existing addition, which were approved in 2016. With regards to the chimney, he explained that it had been redesigned to be on the interior of the porch and was narrower than the original design. It could also be relocated to be on the back side of the porch if having it on the side and closer to the windows were an issue.

Vice-Chair Hornaday asked for clarification on the location of the chimney, and Mr. Lambert responded that instead of the chimney being on the side as originally proposed, it could be located on the rear and farther from the windows if building safety were an issue. Ms. Ashley noted that it could be a condition on the approval that the applicant submit revised plans to staff if the chimney had to be moved.

Vice-Chair Hornaday then requested clarification on the width of the chimney at the base and top. Mr. Lambert said it would be dependent on the flue size. Vice-Chair Hornaday noted that there was not much in the standards regarding porch chimneys. Chair Oliva offered that the chimney should be more proportionate to the existing chimneys in her opinion. Vice-Chair Hornaday asked Mr. Lambert if the chimney would incorporate the same brick as used on the rest of the structure, and Mr. Lambert replied that the new brick would match the existing brick.

Chair Oliva opened the floor for public comment at 6:14 p.m. When no one spoke, she closed the floor for public comment.

There was no further discussion on the application.

MOTION TO APPROVE CERTIFICATE OF APPROPRIATENESS

Based upon the evidence presented to this Commission, including Exhibit A - application & project description (3 pages); Exhibit B - elevation drawings, floor plans & renderings (9 pages); Exhibit C - material specifications (21 pages); Exhibit D - site plans; Exhibit E - owner’s affidavit; Exhibit F - photographs (4 pages); Exhibit G - additional renderings (3 pages - received June 11, 2025); and the Commission’s actual inspection and review of subject property by all members;

I move that this Commission **approve** the Certificate of Appropriateness based on the following:

1. That the application is for removal of existing deck on rear elevation and construction of a new two-story addition two new covered porches and new deck; all siding materials and details, trim, soffit and roofing material to match existing; new windows will be wood 1/1 double-hung; existing 3-lite sliding window on rear elevation will be reused on addition; one existing interior single-lite wood door will be used on new addition as an exterior door; one new single-lite wood door will be installed on addition and one existing single-lite wood door will be reused on addition; three (3) existing double-hung windows on rear elevation will be replaced with an existing pair of single-lite French doors; all new deck materials, including flooring, railings, newel posts and screening, will match existing; new 5' x 10.75" wide x 3' 8.25" deep brick chimney will be constructed within north elevation of new first floor porch. All work will be completed in accordance with approved and attached drawings and plans. **All permits, variances, or approvals as required by law must be obtained before work may commence.**

2. That the standards for Additions found on pages 88-89, Porches, Entrances and Balconies on pages 72-73, Windows and Doors on pages 84-89 and Decks on pages 38-39 of the Montford Historic District Design Review Standards, adopted April 14, 2010 and amended December 11, 2019, were used to evaluate this request.

3. This application **does** meet the design standards for the following reasons:
    a. Addition is sited inconspicuously on the rear elevation, and where historic character defining features are not damaged, destroyed or obscured.
    b. Addition is designed to be compatible with the existing building in height, massing, roof form and pitch.
    c. The visual impact of the addition on the existing historic building is limited by its scale and size; the addition does not visually overpower the site or substantially alter the site's proportions of built area to green space.
    d. Existing windows and doors are being reused, and new windows and doors are similar to those in the original building in their proportions, spacing and material.
    e. New porches are on the rear elevation and compatible with the existing structure in terms of roof form, scale, details, materials and color.
    f. Deck will be located on the rear elevation, inset by at least 12 inches from rear building corners, aligned with the first floor of the building, and compatible with the historic building in scale, proportion, materials and detail.

4. That the action and improvements proposed in the application before us for a Certificate of Appropriateness **are** congruous with the special historic character of the Montford Historic District.

Motion by: Vice-Chair Hornaday
Second by: Ms. Gorman
Vote for: Unaminous
Vote against: None

Based upon the foregoing findings and for the reasons set forth therein, I move that a Certificate of Appropriateness be **issued** with the following conditions:

1. Finalized chimney location and design will be submitted for staff review and approval.
2. Window, door, brick and lighting specifications will be submitted for staff review and approval.

Motion by: Vice-Chair Hornaday

Second by: Ms. Gorman

Vote for: Unaminous

Vote against: None

A copy of the written decision approving the Certificate of Appropriateness is attached hereto and incorporated by reference.

Other Business

Education Event Steering Committee

Ms. Cole said that the first meeting of the steering committee had occurred, and a variety of ideas for the educational event(s) had been discussed. She said she hoped to have more updates for the commission on specifics in the near future.

Chair Oliva added that she had met with Ellen Pearson, a professor at UNCA, who was looking for a grant for the South Asheville Cemetery. The cemetery suffered $53,000 worth of tree damage as a result of Helene.

Biltmore Village National Register Nomination Update

Ms. Cole explained that staff, the Preservation Society of Asheville and Buncombe County (PSABC), and the State Historic Preservation Office (SHPO) had been working together on a plan to potentially update the National Register nomination for Biltmore Village. When the Biltmore Village was originally designated as historic, it was common for groups of properties, not necessarily all adjoining, to be nominated for historic status. The goal in updating the nomination is to create a National Register district boundary for Biltmore Village , which would allow more properties to be eligible for rehabilitation tax credits; credits could be applied for retroactively. The remainder of the county funding for historic resources would be donated to PSABC to go towards the nomination.It may be a complicated nomination to update, but Ms. Cole hopes the process will not take more than a year.

Ms. Cole said that she and PSABC and SHPO staff would be attending the next Biltmore Village merchant's association meeting to discuss the project with them.

Ms. Cole then pulled up the state's GIS database and showed the commission an approximate boundary of the district. She explained that the local historic district overlay was much larger than the National Register district boundary would be. She said there were about 20 properties that were contributing and eligible to apply for tax credits. An increase to the boundary would allow about a 30% increase in the number of contributing properties.

Historic Preservation Fund

Ms. Cole explained that the current reconciliation bill being considered by Congress would eliminate the federal Historic Preservation Fund entirely, which funds all SHPOs and THPOs. This bill would mean a reduction in the service capabilities of the SHPO. The HPF funding also provides grant monies to CLGs, which is how most of the preservation projects at the local level are funded.

Ms. Cole said she did not know what this might ultimately mean, but the results could be fairly dramatic if the fund were to be completely eliminated. She added that SHPOs have not yet received the funding they were already allocated for 2025. Ms. Cole encouraged commission members to reach out to elected officials on this topic if they felt so inclined.

Other Comments from Commissioners, Public and Staff

Ms. Ashley asked for clarification on how the boundaries for the National Register district in Biltmore Village would be established.. Ms. Cole explained that NCDOT had completed a corridor study of Swannanoa River Road in 2018, and as part of that work, they completed a study of nearby historic resources. The boundary Ms. Cole showed on the GIS map was the eligible district boundary as determined from the 2018 study.

In response to Ms. Ashley, Ms. Cole explained to the commission the variance process for historic structures. She said that if the structure was substantially damaged - i.e. the cost to repair the building to pre-storm conditions exceeded 50% of the value of the structure - then the structure would have to be brought into full compliance with the City's flood ordinance. However, the variance process was specific to historic structures and relief from the flood protection standards because having to come into full compliance would necessarily impact historic character.

Ms. Cole said that the Board of Adjustment had heard six variance cases for historic structures. She explained that there had been far fewer cases than initially expected because many of the damage estimates had been reduced below the 50% threshold over time.

<u>Adjournment</u>

At 6:39 p.m., Vice-Chair Hornaday moved to adjourn the meeting. This motion was seconded by Ms. Gorman and carried unanimously.