

STATE OF NORTH CAROLINA  
COUNTY OF BUNCOMBE

BEFORE THE HISTORIC PRESERVATION COMMISSION  
FOR THE TOWN OF BLACK MOUNTAIN

In the Matter of the  
Application for a Certificate  
Of Appropriateness for  
125 Cherry Street

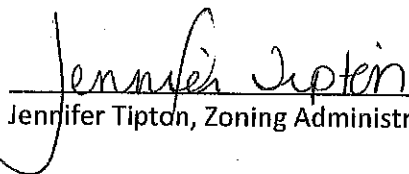
NOTICE OF CONTINUANCE

WHEREAS the public hearing before the Historic Preservation Commission on the application for a certificate of appropriateness for new construction at 125 Cherry Street submitted by Andrea McNair was scheduled to be held on January 17, 2018, at 5:30 p.m. in the Board Room at Town Hall at 160 Midland Avenue, and notice of such hearing was provided;

WHEREAS, inclement weather has made it impossible to assemble a quorum of the commission and it is in the interest of the safety of the applicant and any persons desiring to attend the hearing.

NOW, THEREFORE, the public hearing on the application for a certificate of appropriateness for new construction at 125 Cherry Street is hereby continued to Wednesday, January 24, 2018, at 5:30 p.m., to be held in the Board Room of Town Hall at 160 Midland Avenue.

This the 17<sup>th</sup> day of January, 2018.

  
Jennifer Tipton, Zoning Administrator



## **TOWN OF BLACK MOUNTAIN**

160 Midland Avenue ♦ Black Mountain ♦ N.C. ♦ 28711

Phone: (828) 419-9300 ♦ Fax: (828) 669-2030

### **MEMORANDUM**

To: Town of Black Mountain Historic Preservation Commission  
From: Jennifer Tipton, Zoning Administrator  
Re: Agenda Packet for January 17, 2018  
Date: January 8, 2018

**The Town of Black Mountain Historic Preservation Commission will meet on Wednesday, January 17, 2018 at 5:30 p.m. in Town Hall at 160 Midland Avenue.**

Please find the following items for your information and use at the meeting:

1. The proposed agenda;
2. Draft minutes from August 15, 2017, October 10, 2017 and November 15, 2017; and
3. Certificate of Appropriateness Application for 125 Cherry Street.

Please let Jennifer Tipton know if you are **unable** to attend this meeting.  
[jennifer.tipton@townofblackmountain.org](mailto:jennifer.tipton@townofblackmountain.org) or (828) 419-9373.

The Town of Black Mountain is committed to providing accessible facilities, programs and services for all people in compliance with the American with Disabilities Act. Should you need assistance or a particular accommodation for this meeting, please inform Jennifer Tipton at (828) 419-9373 or by email at [jennifer.tipton@townofblackmountain.org](mailto:jennifer.tipton@townofblackmountain.org).

CC: Jessica Trotman, Planning Director  
Ron Sneed, Town Attorney



## **PUBLIC NOTICE**

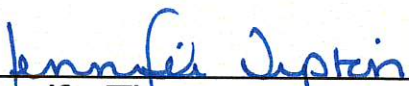
### **BLACK MOUNTAIN HISTORIC PRESERVATION COMMISSION**

#### **REGULAR MEETING**

**Wednesday, January 17, 2018 at 5:30 p.m.**

The Black Mountain Historic Preservation Commission will meet for their monthly meeting on **Wednesday, January 17, 2018 at 5:30 p.m.** at Town Hall, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to consider a Certificate of Appropriateness request for new construction at 125 Cherry Street, further identified as PIN #0619-35-3779.00000.

The meeting is open to the public.

  
Jennifer Tipton  
Zoning Administrator

The Town of Black Mountain 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 a particular accommodation for this meeting please contact, Jennifer Tipton, Zoning Administrator at (828) 669-2030 or by email at [Jennifer.tipton@townofblackmountain.org](mailto:Jennifer.tipton@townofblackmountain.org)

*Posted to the Town Bulletin Board 12/29/17*

[www.townofblackmountain.org](http://www.townofblackmountain.org)



**Historic Preservation Commission**

**January 17, 2018**

**5:30 p.m.**

**PROPOSED AGENDA**

**I. CALL TO ORDER**

**II. ADOPTION OF AGENDA**

**III. ADOPTION OF MINUTES**

August 15, 2017

October 17, 2017

November 15, 2017

**IV. BUSINESS**

1. Certificate of Appropriateness Application for 125 Cherry Street

**V. HISTORIC PRESERVATION COMMISSION/STAFF COMMENTS – Reports and Communications**

**VI. PUBLIC COMMENT**

**VII. ADJOURNMENT**



## TOWN OF BLACK MOUNTAIN

### Certificate of Appropriateness Application

#### Historic Preservation Commission

#### Application for Review by the Historic Preservation Commission

I, the undersigned, do hereby respectfully make application for your review my request concerning the property described below:

1. The property is located at 125 9999 CHERRY STREET, between W. STATE ST. and CHERRY LANE on the EAST side of the street and referenced by Buncombe County Parcel Identification Number (PIN) 0619-35-3779. It has a frontage of 79.68 feet and a depth of 40.5 feet.

2. The property is owned by:

ANDREA McNAIR  
Address: 117 CHERRY STREET, BLACK MOUNTAIN NC 28711  
Telephone Number: (828) 301-4595

3. The following is requested:

- ☐ Administrative Review
- ☒ Certificate of Appropriateness
- ☐ Minor Work Committee Review
- ☐ Conservation District Review

For (describe work):

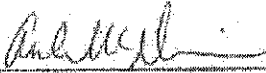
THE PROJECT SHALL HAVE 2,945 SQ. FT. OF RETAIL SPACE ON STREET LEVEL 2,913 SQ. FT. SECOND FLOOR WITH (3) RESIDENTIAL APARTMENTS BEHIND BUILDING THERE WILL BE (6) PRIVATE PARKING SPACE THERE WILL BE EXTERIOR STEPS FROM PARKING UP TO CHERRY ST.

4. Attached is a plot plan showing all dimensions of the lot and the existing and proposed improvements and necessary setback lines.

Certificate of Appropriateness Application

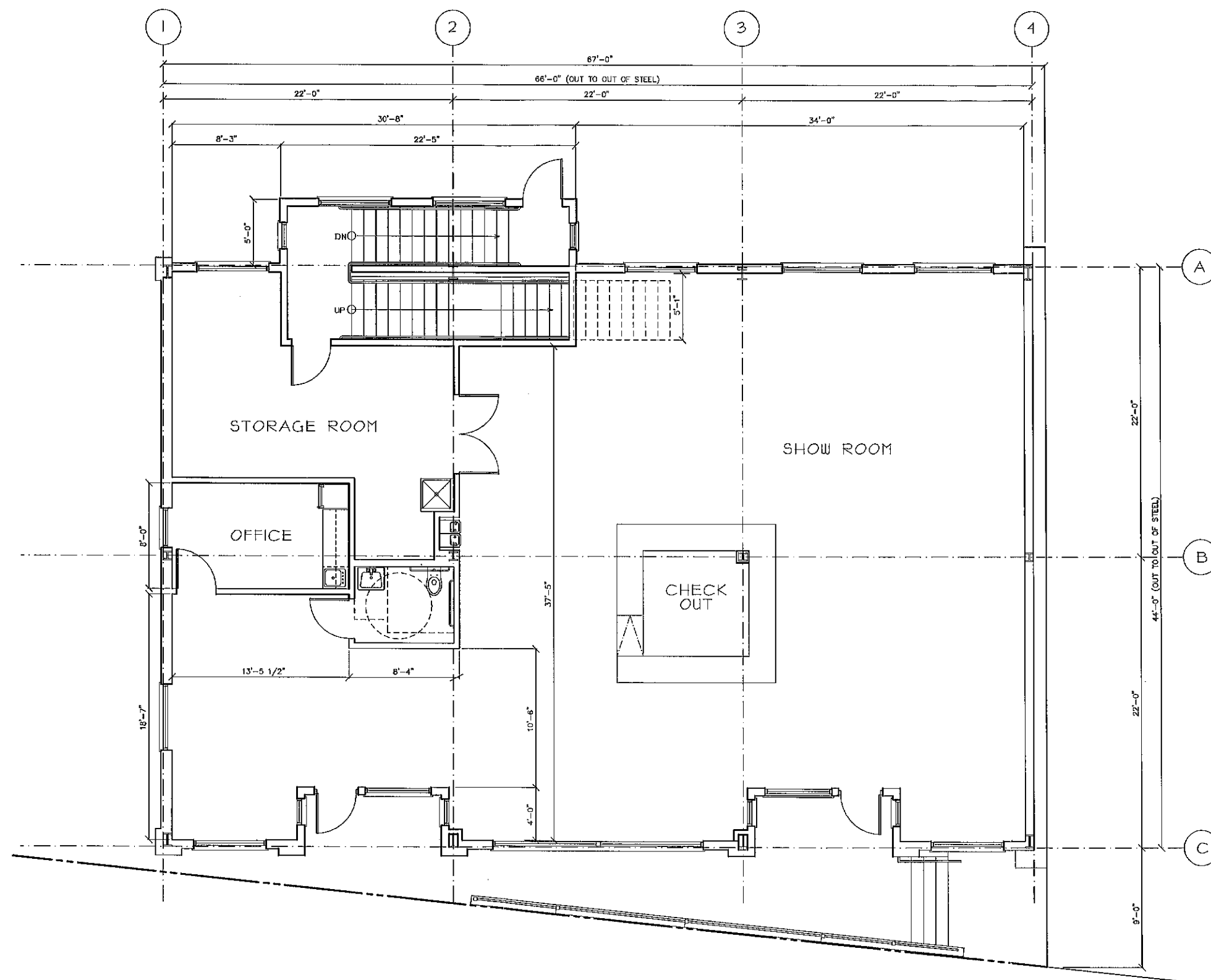
5. Attached are sketches, drawings, photographs, specifications, descriptions and other information of sufficient detail to clearly show the proposed exterior alterations, additions, changes or new construction.

I certify that all of the information presented by the undersigned in this application is accurate to the best of my knowledge, information and belief.

  
\_\_\_\_\_  
Signature of Applicant

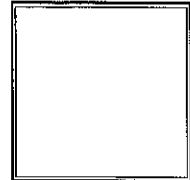
10-20-17  
\_\_\_\_\_  
Date Submitted





| ACTION/REVISION    | DATE          |
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| PRELIMINARY DESIGN | OCT. 20, 2017 |
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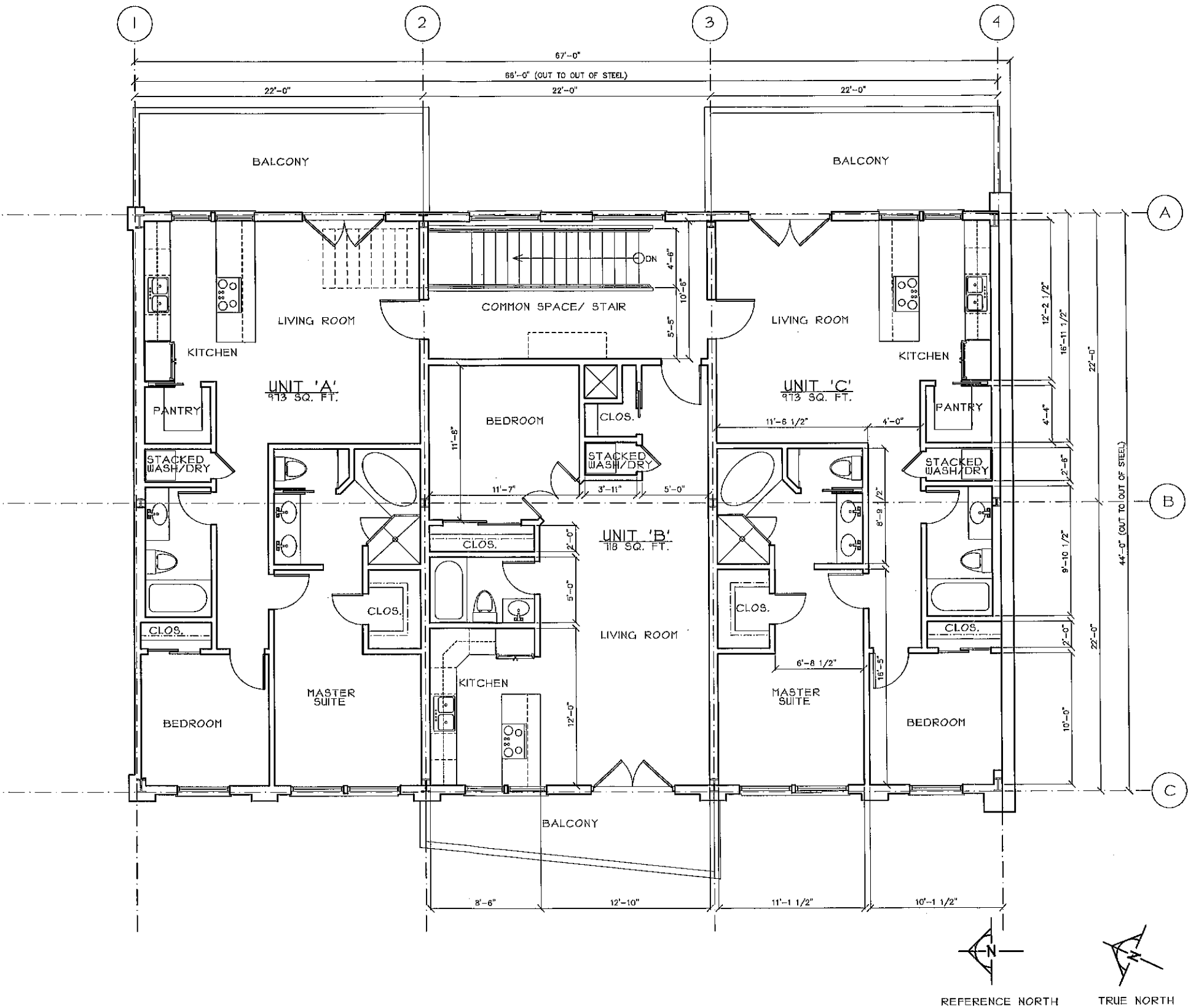
**McNAIR ART GALLERY**  
RETAIL / RESIDENTIAL MIXED USE  
BLACK MOUNTAIN, NORTH CAROLINA



12 S. Lexington Ave.  
Unit 303  
Asheville, NC 28801  
(828) 252-1440

**Acanthus Design Studio**  
architecture and landscape design

|             |                |
|-------------|----------------|
| Project #   | 11-17          |
| Designed by | CSG            |
| Drawn by    | CSG            |
| Checked by  | CSG            |
| Sheet No.   | A1.1           |
| Contents    | 1st FLOOR PLAN |

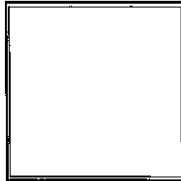


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McNAIR ART GALLERY

RETAIL/ RESIDENTIAL MIXED USE

BLACK MOUNTAIN, NORTH CAROLINA



12 S. Lexington Ave.

Unit 303

Asheville, NC 28801

(828) 252-7640

Acanthus Design Studio

architecture and landscape design

|              |       |
|--------------|-------|
| Project #:   | 11-17 |
| Designed by: | CSG   |
| Drawn by:    | CSG   |
| Checked by:  | CSG   |

Sheet No.

A1.2

Contents:

2nd FLOOR PLAN



WEST (FRONT) ELEVATION



EAST (REAR) ELEVATION

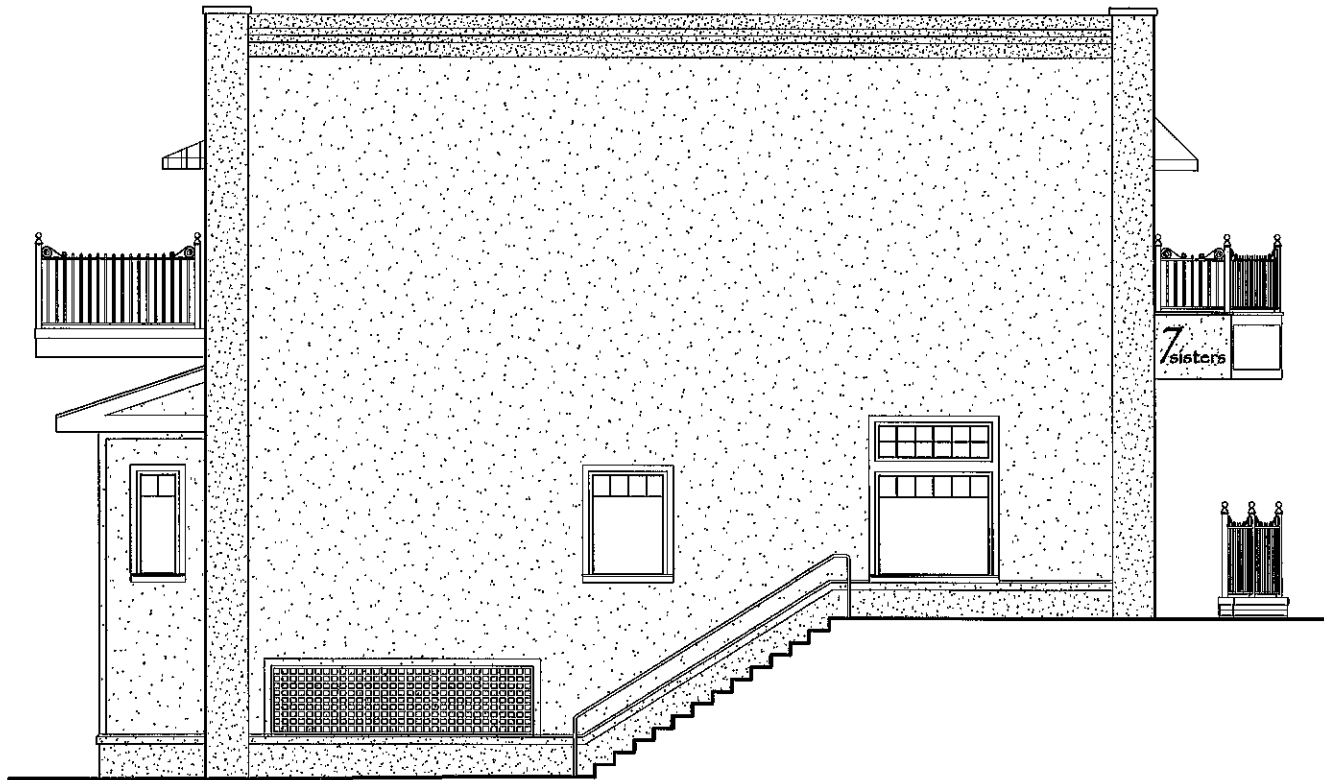
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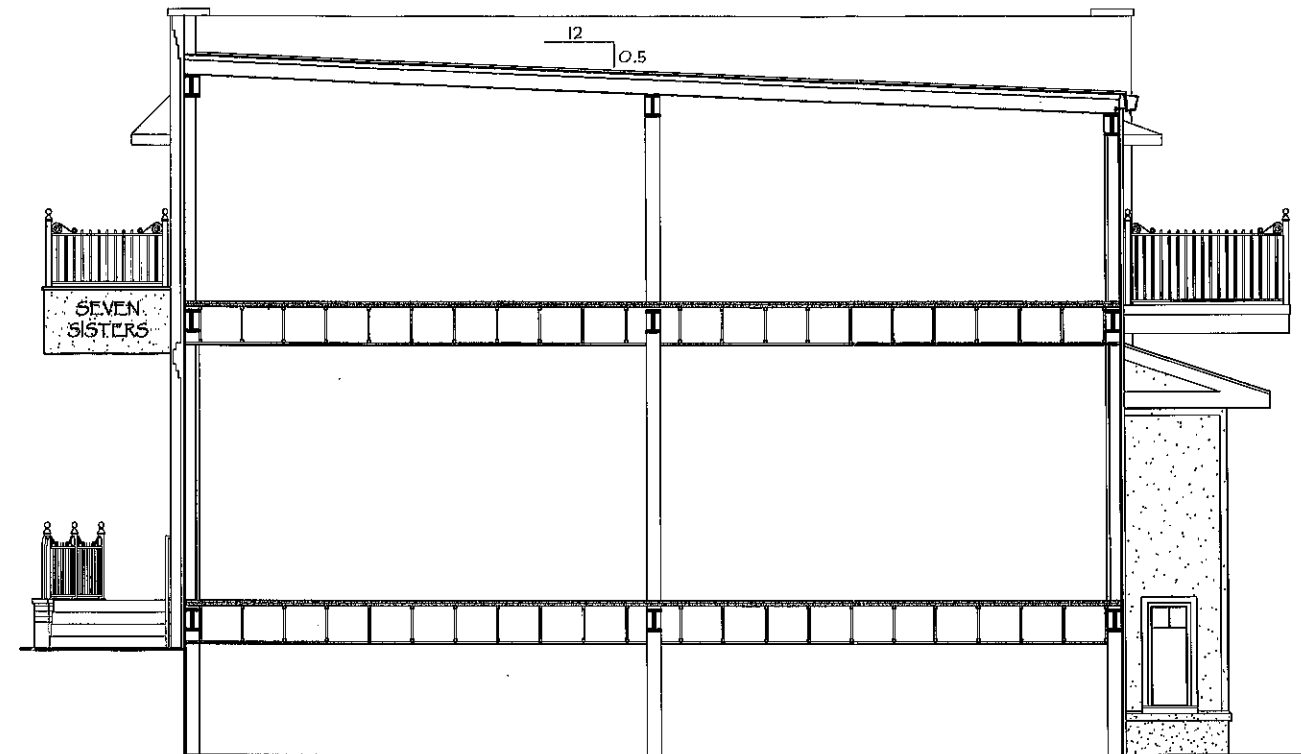
12 S. Lexington Ave.  
Unit 303  
Asheville, NC 28801  
(828) 252-1640

**Acanthus Design Studio**  
architecture and landscape design

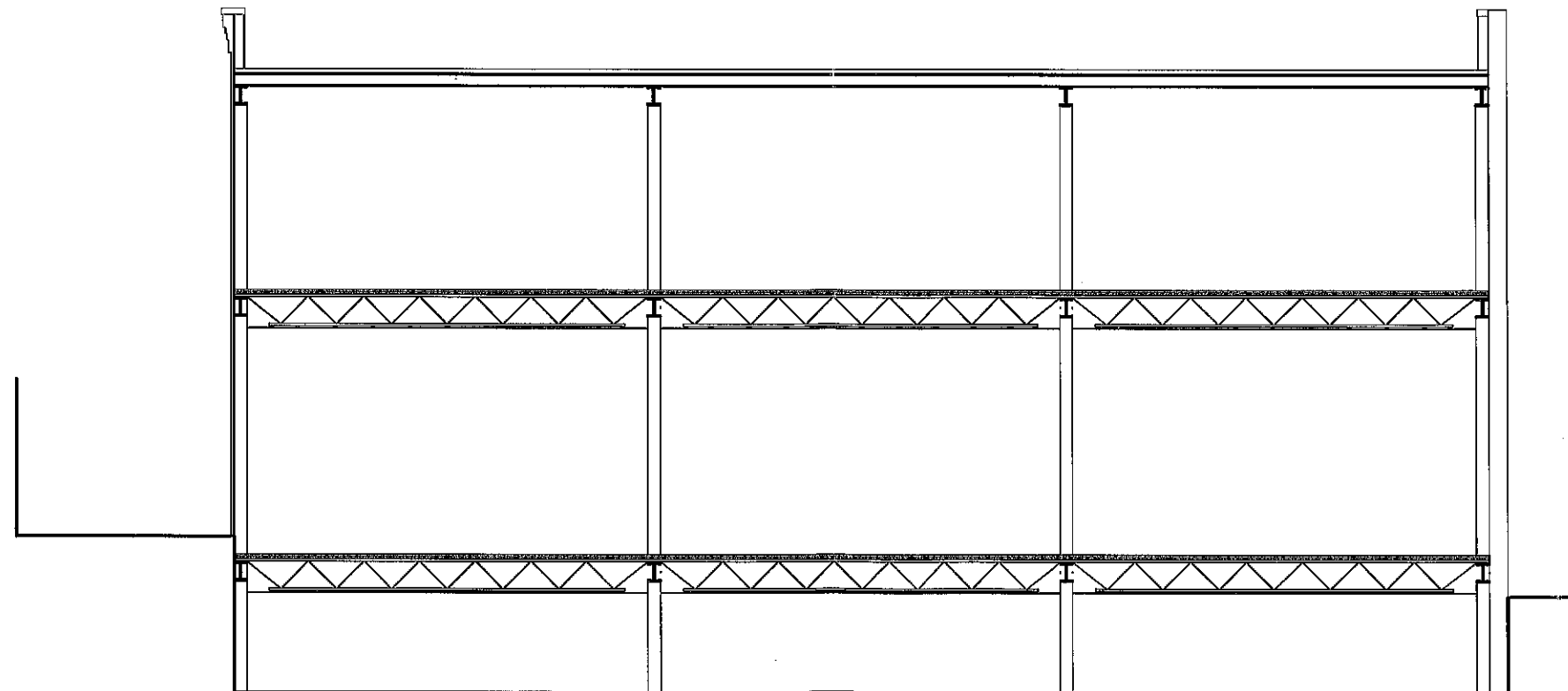
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| Project #:   | 11-17      |
| Designed by: | CSG        |
| Drawn by:    | CSG        |
| Checked by:  | CSG        |
| Sheet No.    | A2.1       |
| Contents:    | ELEVATIONS |



NORTH ELEVATION



WEST-EAST SECTION



NORTH-SOUTH SECTION

| ACTION/REVISION    | DATE          |
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**McNAIR ART GALLERY**  
 RETAIL / RESIDENTIAL MIXED USE  
 BLACK MOUNTAIN, NORTH CAROLINA

12 S. Lexington Ave.  
 Unit 303  
 Asheville, NC 28901  
 (828) 252-7640

**Acanthus Design Studio**  
 architecture and landscape design

|              |       |
|--------------|-------|
| Project #:   | 11-17 |
| Designed by: | CSG   |
| Drawn by:    | CSG   |
| Checked by:  | CSG   |

Sheet No.  
**A2.2**

Contents:  
 ELEVATIONS/SECTIONS



## **LEGAL NOTICE**

### **BLACK MOUNTAIN HISTORIC PRESERVATION COMMISSION**

### **EVIDENTIARY HEARING**

**Wednesday, January 17, 2018 at 5:30 p.m.**

The Black Mountain Historic Preservation Commission will meet on **Wednesday, January 17, 2018 at 5:30 p.m.** in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to consider a Certificate of Appropriateness for new construction at 125 Cherry Street, further identified as PIN #0619-35-3779.00000.

The meeting is open to the public.

  
\_\_\_\_\_  
Jennifer Tipton  
Zoning Administrator

The Town of Black Mountain 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 a particular accommodation for this meeting please contact, Jennifer Tipton, Zoning Administrator at 419-9373 or by email at [Jennifer.tipton@townofblackmountain.org](mailto:Jennifer.tipton@townofblackmountain.org)

*Posted to the Town Bulletin Board 12/29/17  
Published in the Black Mountain News 01/04/18 and 01/11/18*

[www.townofblackmountain.org](http://www.townofblackmountain.org)



## **Town of Black Mountain**

160 MIDLAND AVENUE • BLACK MOUNTAIN, NORTH CAROLINA • 28711 Phone (828) 419-9300

**BUILDING, PLANNING & ZONING**

Fax (828) 669-2030

TDD 1-800-735-2962

### **NOTICE OF REQUEST FOR A CERTIFICATE OF APPROPRIATENESS FOR A MAJOR WORK WITHIN THE HISTORIC DISTRICT**

**DATE: January 2, 2018**

**TO: Name  
Address  
City, State, Zip**

**FROM: TOWN OF BLACK MOUNTAIN  
BUILDING, PLANNING AND ZONING**

**PROPERTY DESCRIPTION/PIN #: 125 Cherry Street  
PIN #0619-35-3779.00000**

An application for a Certificate of Appropriateness has been applied for by: **Andrea McNair**

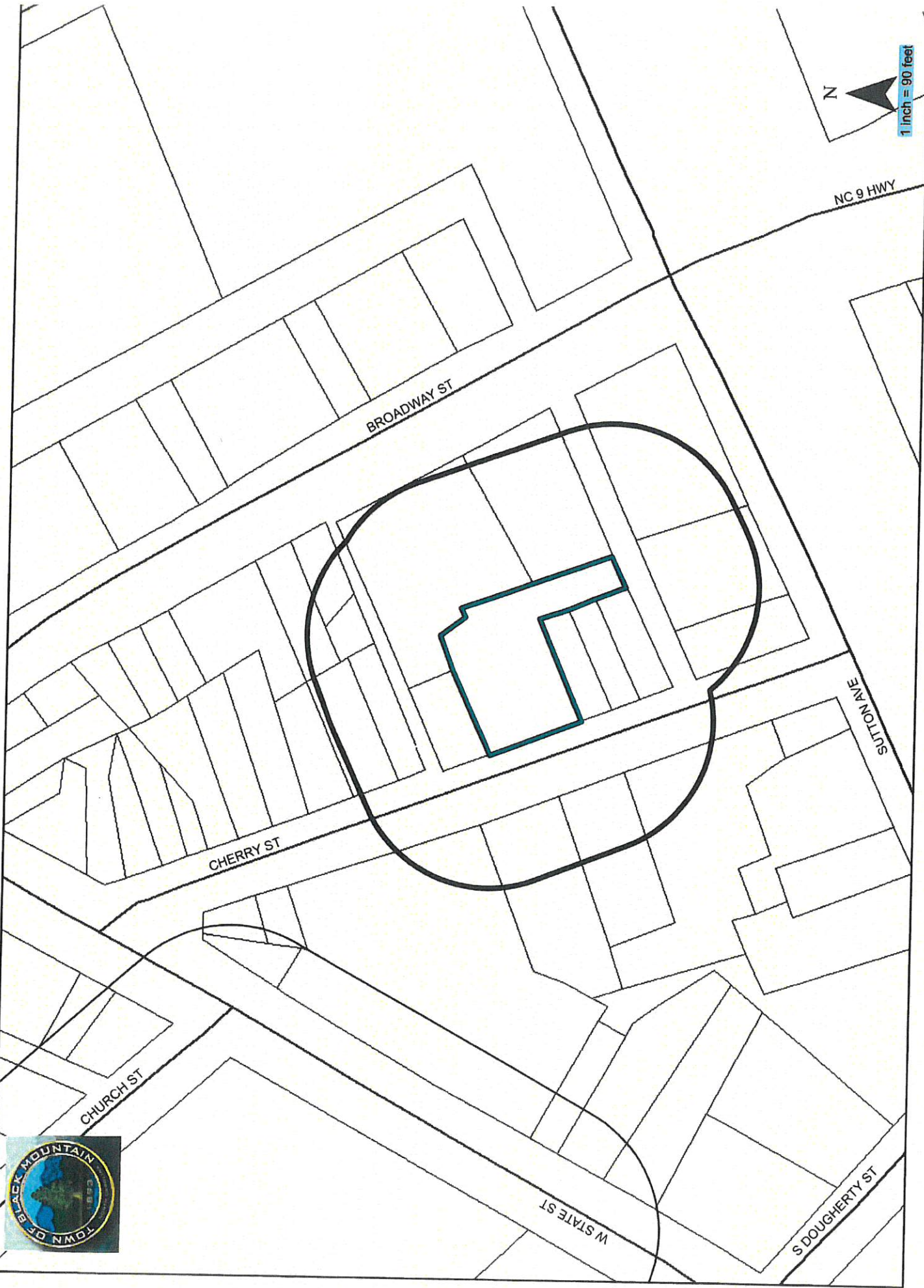
This Certificate of Appropriateness is requested to allow the property owner to: **Construct a 2,945 square foot retail space on street level and 2,913 square feet on second level with three residential apartments behind the building. There will be six private parking spaces and exterior steps leading from parking up to Cherry Street.**

***A Public Hearing will be held Wednesday, January 17, 2018 @ 5:30 P. M. in the Town Hall Board Room, 160 Midland Avenue, Black Mountain, N.C.***

The purpose of the historic district is to encourage the restoration, preservation, rehabilitation and conservation of historically, architecturally and archaeologically significant structures, buildings, sites, objects and their surroundings, and to review construction design to ensure compatibility with the character of the district. Under Section 4.7.3.14 (B) of the Land Use Code for the Town of Black Mountain, we are informing you as an adjoining property owner that there will be a public hearing to consider a request for a Certificate of Appropriateness for a major work within the District and that you may choose to show cause as to why this request should not be granted. If you have any questions regarding this Notice, please contact the Building, Planning and Zoning Department at 828-419-9300.

| Name                        | Address                 | City           | State | Zip   | PIN #        |                   |
|-----------------------------|-------------------------|----------------|-------|-------|--------------|-------------------|
| Andrea Munn, LLC            | 55 Highland Drive       | Black Mountain | NC    | 28711 | 0619-35-3779 |                   |
| Channing Howard             | 165 Eastern Ave         | Essex          | MA    | 1929  | 0619-35-3823 |                   |
| J & L Bufler LLC            | 119 Cherry Street       | Black Mountain | NC    | 28711 | 0619-35-3827 |                   |
| Greene Rafter Enterprises   | PO Box 428              | Folly Beach    | SC    | 29439 | 0619-35-3910 |                   |
| Harry Hyder (LE)            | PO Box 926              | Black Mountain | NC    | 28711 | 0619-35-4904 | c/o Joseph Hyder  |
| 120 Broadway Street LLC     | 5925 Carnegie Blvd #390 | Charlotte      | NC    | 28209 | 0619-35-4932 |                   |
| Greene Rafter Enterprises   | PO Box 428              | Folly Beach    | SC    | 29439 | 0619-35-3991 |                   |
| 120 Broadway Street LLC     | 5925 Carnegie Blvd #390 | Charlotte      | NC    | 28209 | 0619-35-4843 |                   |
| 128 Broadway Street LLC     | 5925 Carnegie Blvd #390 | Charlotte      | NC    | 28209 | 0619-35-4796 |                   |
| Grey Eagle Land Company LLC | PO Box 428              | Folly Beach    | SC    | 29439 | 0619-35-5647 |                   |
| Sobol Family Living Trust   | 204 Chapel Road         | Black Mountain | NC    | 28711 | 0619-35-4643 |                   |
| Northhub LLC                | 30 Westgate Pkwy #193   | Asheville      | NC    | 28806 | 0619-35-3691 | Attn: Ryan Israel |
| Barry Bruce Ricketts        | PO Box 6                | Black Mountain | NC    | 28711 | 0619-35-2633 |                   |
| Barry Bruce Ricketts        | PO Box 6                | Black Mountain | NC    | 28711 | 0619-35-2720 |                   |
| Ann Daniel Lea              | 930 Fearington Post     | Pittsboro      | NC    | 27312 | 0619-35-1795 |                   |
| Larry and Donna Robinson    | 313 Joan Ct             | Beaufort       | NC    | 28516 | 0619-35-1834 |                   |
| Terri Lynn Fisher           | 26 Onteora Blvd         | Asheville      | NC    | 28803 | 0619-35-3781 |                   |
| Stanley Jones               | 206 Stonewall Avenue    | Swannanoa      | NC    | 28778 | 0619-35-3773 |                   |

125 Cherry Street - 100' Buffer



## CERTIFICATE OF MAILING

This is to certify that the foregoing document (NOTICE OF REQUEST FOR A CERTIFICATE OF APPROPRIATENESS FOR 125 CHERRY STREET) has been duly served by depositing a copy of the same in the United States Mail, first-class, postage pre-paid, to the following:

Andrea Munn, LLC  
55 Highland Drive  
Black Mountain, NC 28711

J & L Butler, LLC  
119 Cherry Street  
Black Mountain, NC 28711

Harry Hyder (LE)  
c/o Joseph Hyder  
PO Box 926  
Black Mountain, NC 28711

128 Broadway LLC  
5925 Carnegie Blvd #390  
Charlotte, NC 28209

Sobol Family Living Trust  
204 Chapel Road  
Black Mountain, NC 28711

Barry Bruce Ricketts  
PO Box 6  
Black Mountain, NC 28711

Larry and Donna Robinson  
313 Joan Court  
Beaufort, NC 28516

Stanley Jones  
206 Stonewall Avenue  
Swannanoa, NC 28778

Channing Howard  
165 Eastern Avenue  
Essex, MA 01929

Greene Rafter Enterprises  
PO Box 428  
Folly Beach, SC 29439

120 Broadway Street LLC  
5925 Carnegie Blvd #390  
Charlotte, NC 28209

Grey Eagle Land Company LLC  
PO Box 428  
Folly Beach, SC 29439

Northhub LLC  
Attn: Ryan Israel  
30 Westgate Pkwy #193  
Asheville, NC 28806

Ann Daniel Lea  
930 Farrington Post  
Pittsboro, NC 27312

Terri Lynn Fisher  
26 Oteora Blvd  
Asheville, NC 28803

Jennifer Tipton  
Jennifer Tipton, CZO  
Zoning Administrator

January 2, 2018  
Date

Buncombe County, North Carolina

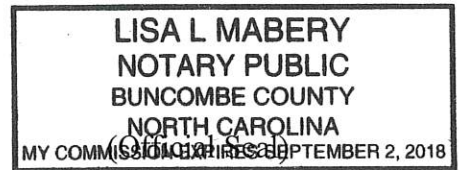
I certify that the following person personally appeared before me this day,  
acknowledging to me that she signed the foregoing document (Certificate of Mailing for  
NOTICE OF REQUEST FOR A CERTIFICATE OF APPROPRIATENESS FOR 125 CHERRY  
STREET: Jennifer Tipton.

Date: 1/2/18

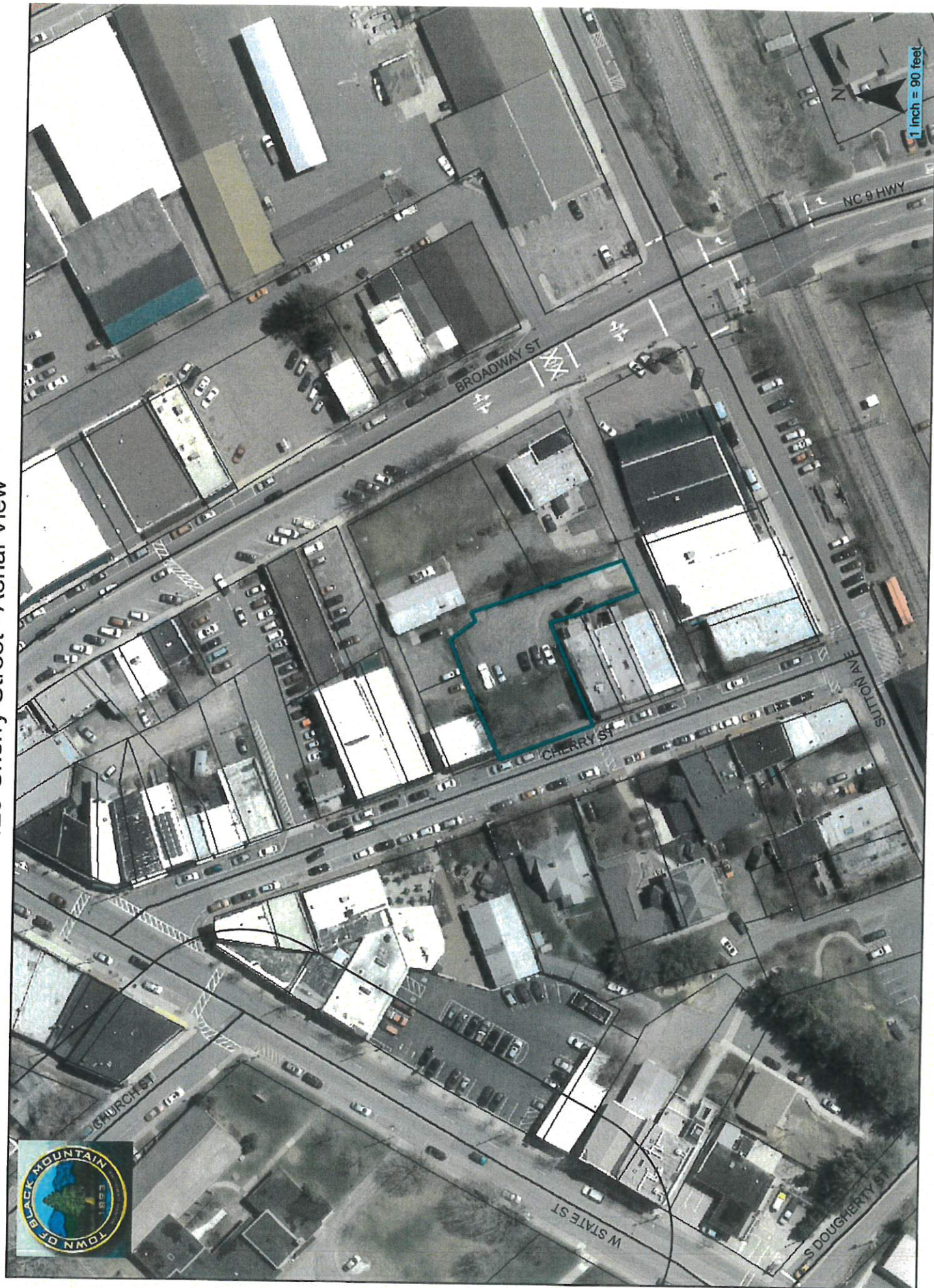
Notary Signature: Lisa L Mabery

Notary Printed Name: Lisa L Mabery

My Commission Expires: September 2, 2018



125 Cherry Street - Aerial View



# PUBLIC HEARING

**CERTIFICATE OF  
APPROPRIATENESS  
FOR NEW CONSTRUCTION  
125 CHERRY STREET  
JANUARY 17, 2018  
5:30 P.M.**

**160 MIDLAND AVENUE  
BLACK MOUNTAIN, NC 28711  
828-419-9373 FOR MORE INFORMATION**