



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, Senior Admin
Re: Agenda Packet for April 20, 2022
Date: April 13, 2022

The **Town of Black Mountain Historic Preservation Commission** will meet on **Wednesday, April 20, 2022, at 6:00 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 February 16, 2022;
3. HPC Brochure/Welcome Packet; and
4. Certificate of Appropriateness Request for 135 Cherry St.

Please let Jennifer Tipton know if you are **unable** to attend this meeting.
jennifer.tipton@tobm.org or (828) 419-9371.

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) 419-9371 or by email at jennifer.tipton@tobm.org.

CC: Ron Sneed, Town Attorney



LEGAL NOTICE

BLACK MOUNTAIN HISTORIC PRESERVATION COMMISSION

EVIDENTIARY HEARING

Wednesday, April 20, 2022, at 6:00 p.m.

The Black Mountain Historic Preservation Commission will meet on **Wednesday, April 20, 2022, at 6:00 p.m.** in the Board Room in the Town Hall Building, 160 Midland Avenue, Black Mountain, NC. The purpose of this meeting is to hear a Certificate of Appropriateness request for 135 Cherry Street, further identified as PIN #0619-35-3781.00000, to build a rear deck.

The meeting is open to the public.

Jennifer Tipton
Senior Admin

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 at (88) 419-9371 or by email at Jennifer.tipton@tobm.org.

Posted to the Town Bulletin Board 04/01/2022
Published in the Black Mountain News 04/7/2022 and 04/14/2022

www.townofblackmountain.org



**Historic Preservation Commission Regular Meeting
April 20, 2022**

PROPOSED AGENDA

I. CALL TO ORDER

- Welcome
- Determination of Quorum

II. ADOPTION OF AGENDA

- **Motion:** To adopt the agenda as presented [or as amended]

III. ADOPTION OF MINUTES

- **Motion:** To adopt the minutes of February 16, 2022, as written [or as amended]

IV. OLD BUSINESS

- HPC Brochure/Welcome Packet

V. NEW BUSINESS

- Certificate of Appropriateness Request for 135 Cherry Street

VI. COMMUNICATION FROM HISTORIC PRESERVATION COMMISSION

VII. COMMUNICATION FROM STAFF

VIII. ADJOURNMENT

TOWN OF BLACK MOUNTAIN HISTORIC PRESERVATION COMMISSION

The Black Mountain Historic Preservation Commission held its regular meeting on Wednesday, February 16, 2022, at 6:00 p.m. in Town Hall at 160 Midland Avenue, Black Mountain, North Carolina and electronically via Zoom.

I. CALL TO ORDER

The meeting was called to order at 6:11 p.m. with the following members present:

Matthew Turner, Vice Chair

Ron Collins

Jay Parmar

Absent:

Susan Leive, Chair

Staff:

Jennifer Tipton, Senior Admin

Charlie Russell, Building and Fire Inspector

Others Present:

Casey McKissick

Bill Roberts

Shawn Slome

Marcus Duarte

John Richardson

The meeting was called to order at 6:11 p.m. and duly constituted and opened for business with a quorum of three (3) regular members.

II. ADOPTION OF AGENDA

Ron Collins made a motion to adopt the agenda as presented. The motion was seconded by Jay Parmar and approved by a vote of 3-0.

III. ADOPTION OF MINUTES

Ron Collins made a motion to adopt the minutes of December 15, 2021, and January 19, 2022, as written. The motion was seconded by Jay Parmar and approved by a vote of 3-0.

IV. NEW BUSINESS

1. Certificate of Appropriateness Request – 120 Broadway and 99999 Broadway

Jennifer Tipton said that Casey McKissick is requesting a Certificate of Appropriateness for 120 Broadway and 99999 Broadway to have a beer garden and food service with the majority of the seating to be located outside. Ms. Tipton reminded all in attendance that the Historic Commission will only be looking at the materials and design and not the use of the property. Casey McKissick, 143 Buttonwood Drive, began his presentation with a slideshow (a copy of which is attached to these minutes) explaining his concept for the property. Mr. McKissick would like to have sitebuilt steel structures for the outdoor seating areas, picnic tables, repairing the stone wall with new river stones, an arched entrance with black steel posts with a black or grey steel/metal sign with the name cut into the metal. The sign will be metal and stone with very little color. The kitchen area will have a roll down door and a bar seating area and an enlarged patio. The steel structures are fireproof and low maintenance. There will either be gravel or concrete slabs under the picnic shelter. The courtyard area will have sod and landscaping to create a family atmosphere for the property. The pitch of the roofs of the steel structures will be

Historic Preservation Commission Regular Meeting
February 16, 2022

the same as the roof pitch of the existing building. The paint colors are historic Sherwin William colors (Liberty Pewter and . The dumpster will be screened. The fencing will be camouflaged with landscaping. The outdoor cooking area will have a stone surround enclosure where someone can cook but guests cannot enter and the top would be engineered steel. The outdoor cooking area would be used for weekends and special events and would allow visitors to come and get a plate and speak with the chef. The outdoor area will also have outdoor string lighting.

Ron Collins and Susan Leive met with Mr. McKissick on site and spoke about the color palette and materials and the use of river rock as it is a valley building material. They also spoke about steel or wood materials and not using plastic furniture outside. Mr. Collins has a concern about the rolling door and toning down the color of the aluminum. Mr. McKissick said that the color of the door will match the metal of the outdoor storage buildings. Two more restrooms may need to be added to the property to get the desired occupancy count and they cannot be added inside the building so an outdoor bathroom may need to be added but would be screened and it would not be visible from the street and the screen would be steel posts and the bathroom building would be the same materials as the current building. The alleyway will remain open to pedestrian traffic but no vehicle traffic will be allowed. ADA access will be made available from Broadway to the property. The only barrier between this property and the Veranda will be a fence that is required to obtain an ABC license.

Matthew Turner made a motion to close the evidentiary hearing. The motion was seconded by Jay Parmar and approved by a vote of 3-0.

The Commission deliberated and found the following:

Ron Collins made a motion to grant the Certificate of Appropriateness as presented and to not have to come back for the bathrooms if the final plan is described as is. Matthew Turner seconded the motion and it was approved by a vote of 3-0.

V. OLD BUSINESS

1. Mural and Other Artwork Standards Amendments

Jennifer Tipton went over the amendments that included separating out mural standards from sign standards and combining mural and other artwork standards. There were some minor amendments to the wording for maintenance to change from signs and awnings to murals and other artwork. Matt Turner made a motion to accept the amendments as amended. The motion was seconded by Ron Collins and approved by a vote of 3-0.

2. Welcome Packets

Jennifer Tipton presented list of resources with QR codes as well as the Historic Preservation Commission brochure. The idea would be to hand these out to new business and property owners within the Historic District. Ms. Tipton said that she would work on creating a new brochure that would include the QR codes so that only one piece of information would need to be given out. The brochure would also be located on the website as well. Ms. Tipton will create a mock-up and bring to the next meeting.

VI. COMMUNICATION FROM HISTORIC PRESERVATION COMMISSION

None.

Historic Preservation Commission Regular Meeting
February 16, 2022

VII. COMMUNICATION FROM STAFF

None.

VII. ADJOURNMENT

The meeting was adjourned by consensus.

Prepared by:

Susan Leive, Chair

Jennifer Tipton, Senior Admin

• **What if I disagree with the decision?**

You may appeal the decision of the Historic Preservation Commission to the Board of Adjustment within thirty (30) days of the date of the decision. The Board of Adjustment will review the record of the meeting to determine whether the Historic Preservation Commission found sufficient factual evidence to support its decision. Appeals of decisions of the Board of Adjustment are filed with the Buncombe County Superior Court.

HISTORIC PRESERVATION COMMISSION MEMBERS

Susan Leive, Chair

Matthew Turner, Vice Chair

Ron Collins

Jay Parmar

Vacant



NC State Historic Preservation Office
https://nc_state_hp_office



Black Mountain Historic District
Standards
<https://tobm.hpc>



National Register of Historic Places
https://national_register



National Trust for Historic
Preservation
https://national_trust



Secretary of Interior's Standards
<https://tobm.hpc>



Swannanoa Valley Museum
https://swannanoa_museum



Black Mountain – Swannanoa
Chamber of Commerce
https://bm_chamber



Certificate of Appropriateness
Application and Procedure
<https://tobm.hpc>

Resources

Contact Information

If you have any questions about your historic property, please contact:

Jennifer Tipton **Senior Admin**

Planning and Development
Town of Black Mountain
160 Midland Avenue
Black Mountain, NC 28711
828-419-9300, option 4
Jennifer.tipton@tobm.org

If you are contemplating renovations to your historic property, please feel free to drop by the Planning and Development Department and browse through our files of information. Please also visit the Historic Preservation Commission's webpage to learn more about deadlines, standards, and tips to make your next preservation project a success.



<https://tobm.hpc>



Guide to the Town of Black Mountain Historic Preservation Commission



Q & A

- **What is the Black Mountain Historic Preservation Commission or HPC?**

The Historic Preservation Commission is a group of Black Mountain residents appointed by the Town Council to regulate changes to historic properties within the Historic District. The Historic Preservation Commission meets on the 3rd Wednesday of every month at 6:00 p.m. at Town Hall. These meetings are open to the public.

- **How do I know if my property is located in the Historic District?**

The Historic District includes properties on the west side of Broadway Street to South Dougherty Street. You may also call the Planning and Development Department to inquire a specific property.

- **If my property is located in the Historic District, what do I need to know?**

Before making any changes to the exterior of your property, you should review the Historic District Standards and consult with the Planning and Development Department to determine whether approval is required. This includes changes to the exterior of the building, as well as fencing, porches, siding, windows, doors, additions, accessory structures, roofing, painting, signs, murals, and solar panels. "Interior changes are not regulated by the Historic Preservation Commission.

- **What is a Certificate of Appropriateness (COA)?**

A Certificate of Appropriateness or "COA" is a document evidencing approval that a change or repair to a historic property conforms to the guidelines set forth in the Historic District Standards, similar to a permit. The COA should be posted in the window until work is complete.

- **Do I have to get a COA before I begin work?**

Yes. Failure to get approval for certain projects can result in fines or removal of the work.



- **What if my property has already been modified – do I still need to get a COA?**

Yes. Regardless of whether changes were previously made to your property, you still need to obtain approval for any future changes.

- **Where can I get a copy of the Historic District Standards?**

You can download a copy of the Historic District Standards from <https://tobm.hpc>. You may request a printed copy from the Planning and Development Department at (828) 419-9300, option 4.

- **How do I get a COA?**

You will need to fill out a COA application. To get a copy of the application, please call the Planning and Development Department at (828) 419-9300, option 4. Forms are also available on the Town of Black Mountain website at <https://tobm.hpc>. The application must be submitted at least one month in advance of the next meeting date.

- **What information should I include in my application?**

Your application should include a complete detailed description of your project and (depending on the type of project) photos of the existing property and illustrations of the proposed change, sample materials, sample paint colors, architectural drawings and plans, and other relevant information.

- **What factors does the HPC consider in making its decision?**

The primary consideration is whether the proposed change complies with the Historic District Standards. Other considerations include:

1. Scale and proportion of changes.
2. Visibility of the change from the street.
3. Materials used.
4. Compatibility with the property and the Historic District as a whole.



- **Can I get guidance about my project without submitting a formal application?**

Yes. You may contact the Planning and Development Department for advice and guidance regarding your project. Depending on the type of work, you may be able to obtain a COA by administrative approval, without having to attend a meeting. You also have the option of meeting with two members of the Historic Preservation Commission for advice and guidance on a project prior to a meeting.

- **How long does the approval process take?**

After you submit your completed application, it will be reviewed by the Historic Preservation Commission at the next monthly meeting. You will receive a notice of the meeting date and time. A decision is usually made at the meeting, but sometimes the meeting may be continued. If the COA application is approved, then the COA will be issued no later than one week after the meeting.

- **What happens at the meeting?**

You will appear at the meeting to explain your project to the Historic Preservation Commission. You may want to bring your contractor with you. You should also bring photographs, drawings, and sample building materials. The Historic Preservation Commission may ask questions and can approve the COA as presented, approve the COA with conditions, or deny the COA. The meeting is an evidentiary hearing so parties with standing will also have a chance to speak and ask questions.

- **How long is a COA valid?**

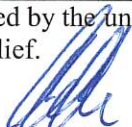
The COA is valid for six (6) months. If needed, you can apply for one extension.



TOWN OF BLACK MOUNTAIN PLANNING AND DEVELOPMENT SERVICES

CERTIFICATE OF APPROPRIATENESS APPLICATION

www.townofblackmountain.org

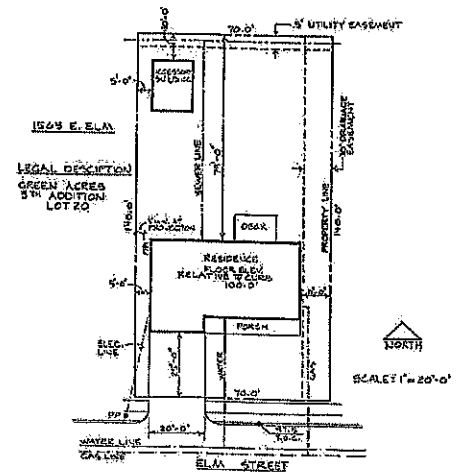
PROPERTY INFORMATION		
Address: <u>135 Cherry Street</u>		PIN #: <u>0619-35-3781</u>
Property Owner: <u>Terri Dolan</u>		
Address: <u>32 El Tots Dr, Swannanoa, NC 28778</u>		Phone #: <u>704-3579-1023</u>
APPLICANT INFORMATION		
Name: <u>Austin Edwards</u>		Phone #: <u>828-301-1733</u>
Address: <u>291 Jims Branch Rd Swannanoa 28778</u>		Email: <u>blannc.gustine@gmail.com</u>
PROJECT INFORMATION		
☐ Administrative Review ☒ Certificate of Appropriateness ☐ Minor Works Committee Review ☐ Conservation District Review		
Description of Project: <u>Deck on back of property</u>		
Site plan, sketches, drawings, photographs, specifications and other information attached.		
ACKNOWLEDGEMENT		
I certify that all of the information presented by the undersigned of this application is accurate to the best of my knowledge, information and belief.		
<u>Austin Edwards</u> Print Name	 Signature	<u>3/29/22</u> Date
OFFICE USE ONLY		
Date Received: <u>3/29/22</u>	Fee: <u>50</u>	Date Paid: <u>3/29/22</u>
Cash: _____ Check: <u>3701</u> Credit: _____		Meeting Date: <u>4/20/2022</u>

we;TOWN OF BLACK MOUNTAIN PLANNING AND DEVELOPMENT SERVICES
SITE PLAN REQUIREMENTS

The following information **must** be provided on the site plan in order for the plan to be accepted for review.

- Scale of plan (must be engineering scale ie: 1" = 10')
- Name of the owner and the address of the property
- Square footage of each of the following:
 - Lot
 - Existing dwelling(s)
 - Addition(s) to dwelling(s)
 - Accessory structures (ie: garage, storage, etc.)
 - Addition(s) to accessory structure(s)
- Location, square footage and use of the new structure(s)
- Maximum height of the new structure(s)
- Current lot coverage calculation
- All setback measurements for front, side and rear
- Landscape plan (if applicable)
- Parking plan (if applicable)
- Stream buffer shown

EXAMPLE



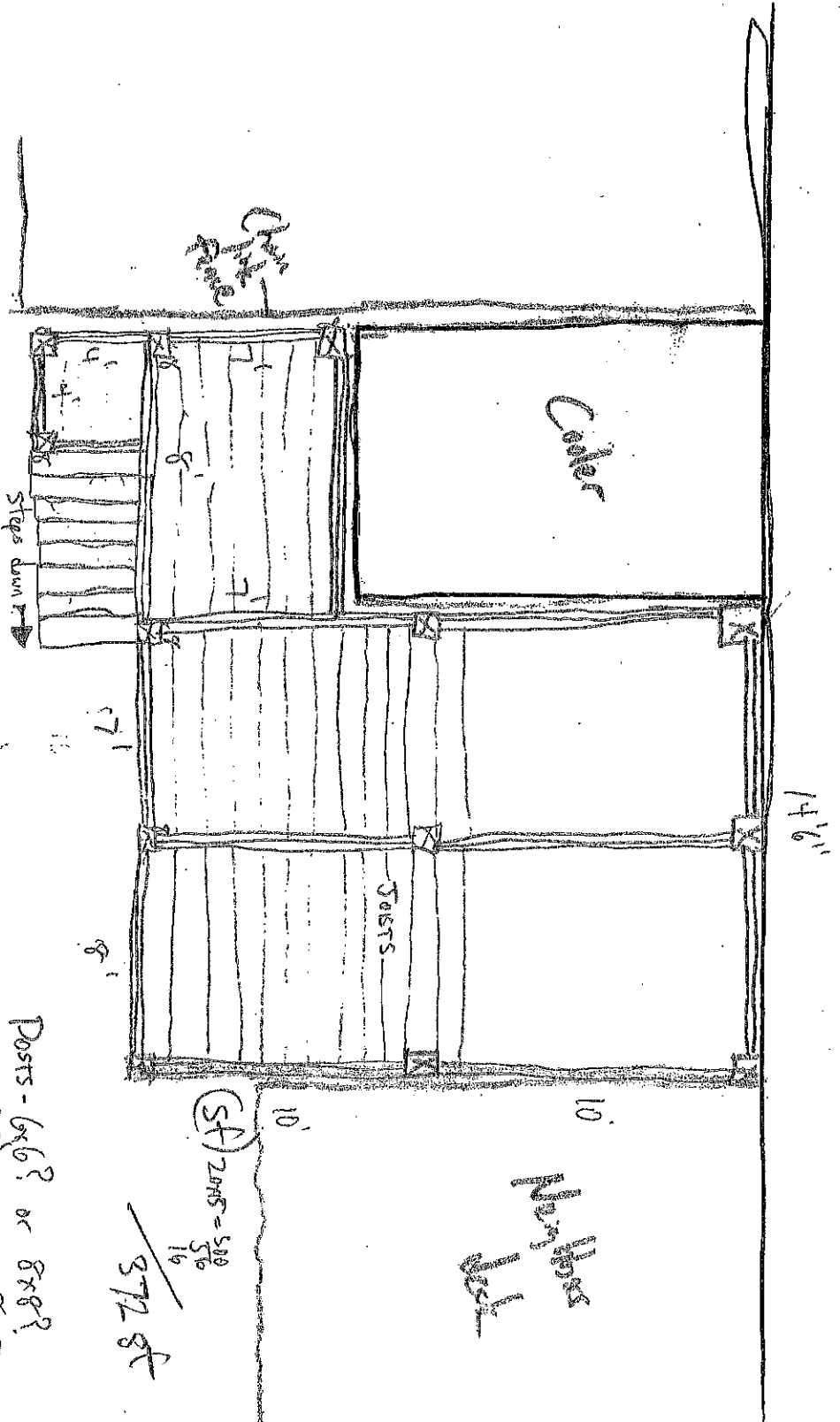
Draw your plan here (or on a separate sheet of paper if necessary):

New deck using Fire X treated lumber for framing. Resysta decking, PT Posts and Handrails.

$$-2 \times 12 \text{ bal} - (2)$$

100

Jennifer Tipton
44-9321



Hand Rail - 6x6 Posts
 2x4 Top & bottom
 2x6 or 2x8 top cap

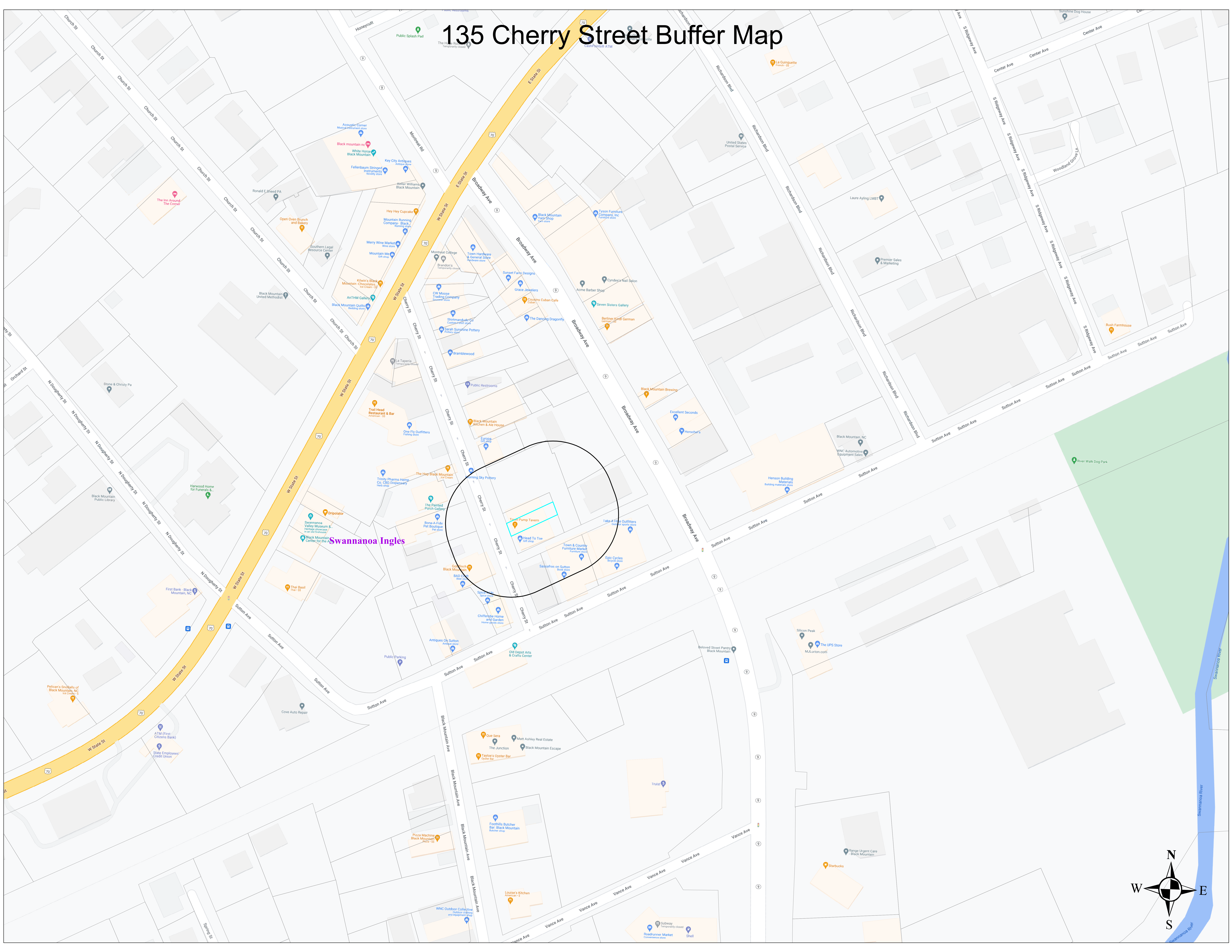
STEPS - 2x12x14 - 2
 Trunk - 2x12x16 - 2

FOOTERS - 13' Posts
 - 2x4x24x18" deep
 - 5 yards of concrete
 \$160/yd - \$750

Posts - 6x6? or 8x8?
 (13) 12-5 x8-7
 Band - 2x12x10 - 16
 2x12x16 - 6
 Joists - 2x10x16 - 20
 Decking - 5/4x4x16 - 400 sf

$$\frac{(510 - 510)}{16} = 372 \text{ sf}$$

This is a detailed street map of Black Mountain, North Carolina, centered on the Swannanoa River. The map shows a grid of streets including Church St, W State St, Broadway Ave, and Sutton Ave. A black circle highlights a specific area in the center, and a red rectangle highlights a smaller area within it. The Swannanoa River is shown as a blue line on the right side of the map. A compass rose is located in the bottom right corner.



<u>Name</u>	<u>Address</u>	<u>City</u>	<u>State</u>	<u>Zip</u>
Terri Lynn Fisher	32 El Tots Dr	Swannanoa	NC	28778
Liluna LLC	649 Morgan Hill Rd	Fairview	NC	28730
Blumer Enterprises LLC	29 Hope View Rd	Swannanoa	NC	28778
Sobol Family Living Trust	204 Chapel Road	Black Mountain	NC	28711
Grey Eagle Land Company LLC	PO Box 428	Folly Beach	SC	29439
128 Broadway Street LLC	600 Kellwood Pkwy, Ste. 310	Chesterfield	MO	63017
Foothills on Broadway LLC	4107 Fairway Downs Ct	Charlotte	NC	28277
Channing Howard	165 Eastern Ave	Essex	MA	1929
Essi Shilati and Minoo Shilati 2006 Revocable Trust	201 Ocean Ave, #404-B	Santa Monica	CA	90402
Essi Shilati and Minoo Shilati 2006 Revocable Trust	201 Ocean Ave, #404-B	Santa Monica	CA	90402
Stanley Jones; Debby Sharp	206 Stonewall Ave	Swannanoa	NC	28778
Marhsall Kent Otto; Anna Brem Otto	PO Box 1057	Montreat	NC	28757
Amy Pate	151 Hilltop Road	Black Mountain	NC	28711
Barry Bruce Ricketts	PO Box 6	Black Mountain	NC	28711
Barry Bruce Ricketts	PO Box 6	Black Mountain	NC	28711
Barry Bruce Ricketts	PO Box 6	Black Mountain	NC	28711
Barry Bruce Ricketts	PO Box 6	Black Mountain	NC	28711

<u>PIN #</u>
0619-35-3781
0619-35-3689
0619-35-3691
0619-35-4643
0619-35-5647
0619-35-4796
0619-35-4843
0619-35-3823
0619-35-3870
0619-35-4705
0619-35-3773
0619-35-2748
0619-35-1794
0619-35-2730
0619-35-2615
0619-35-2663
0619-35-2599



Town of Black Mountain

160 MIDLAND AVENUE • BLACK MOUNTAIN, NORTH CAROLINA • 28711
PLANNING & DEVELOPMENT

Phone (828) 419-9300
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: April 1, 2022

TO: Property Owner

**FROM: TOWN OF BLACK MOUNTAIN
PLANNING & DEVELOPMENT**

**PROPERTY DESCRIPTION/PIN #: 135 Cherry Street
PIN #0619-35-3781.00000**

An application for a Certificate of Appropriateness has been applied for by: **Terri Dolan**

This Certificate of Appropriateness is requested to allow the property owner to: **build a 356 square foot deck on the rear of the building**

An Evidentiary Hearing will be held Wednesday, April 20, 2022, @ 6:00 P. M. in the Board Room of Town Hall, 160 Midland Avenue, Black Mountain, NC 28711.

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 Planning and Development Department at 828-419-9300.

[illegible]

April 13, 2022

1:1,128

0 0.0075 0.015 0.03 mi