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 March 8, 2023
Date: February 6, 2023

The **Town of Black Mountain Historic Preservation Commission** will meet on **Wednesday, March 8, 2023, 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 15, 2023;

3. Certificate of Appropriateness – 114 Cherry Street; and

4. Certificate of Appropriateness – 116 Cherry Street.

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: Jessica Trotman, Planning Director
Russell Cate, Planner 1/Zoning Administrator
Ron Sneed, Town Attorney

PUBLIC NOTICE
AVISO PÚBLICO

BLACK MOUNTAIN HISTORIC PRESERVATION COMMISSION

SPECIAL CALL MEETING
CONVOCATORIA ESPECIAL ORDINARIA

Wednesday, March 8, 2023, at 6:00 p.m.
Miércoles 08 de marzo de 2023, a las 6:00 p.m.

The Black Mountain Historic Preservation Commission will meet for a special called meeting on **Wednesday, March 8, 2023, at 6:00 p.m**. at Town Hall, 160 Midland Avenue, Black Mountain, NC.
La Comisión de Preservación Histórica de Black Mountain se reunirá para una reunión especial convocada sobre **el miércoles 15 de marzo de 2023 a las 6:00 p.m.** en el Ayuntamiento, 160 Midland Avenue, Black Mountain, NC.

The meeting is open to the public.
La reunión está abierta al público.

_____
Jennifer Tipton
Senior Admin

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La ciudad de Black Mountain se compromete a proporcionar instalaciones, programas y servicios accesibles para todas las personas en cumplimiento con la Ley de Estadounidenses con Discapacidades (ADA). Si necesita ayuda o un alojamiento en particular para esta reunión, comuníquese con Jennifer Tipton al (828) 419-9371 o por correo electrónico a Jennifer.tipton@tobm.org.

Posted to the Town Bulletin Board 02/17/2023
www.townofblackmountain.org

Historic Preservation Commission Special Called Meeting
March 8, 2023

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 15, 2023, as written [or as amended]

IV. OLD BUSINESS

V. NEW BUSINESS
- Certificate of Appropriateness – 114 Cherry Street
- Certificate of Appropriateness – 116 Cherry Street

VI. COMMUNICATION FROM HISTORIC PRESERVATION COMMISSION

VII. COMMUNICATION FROM STAFF

VIII. ADJOURNMENT

The Black Mountain Historic Preservation Commission held its regular meeting on Wednesday, February 15, 2023, at 6:00 p.m. in Town Hall at 160 Midland Avenue, Black Mountain, North Carolina.

I. **CALL TO ORDER**

Amy Pate

Absent:

Jay Parmar, Chair
Matthew Turner
Richard House

Staff:

Russell Cate, Planner I/Zoning Administrator

A quorum was not present to conduct business.

Rob and Katie Artema discussed their preliminary plans for 114 Cherry Street. Key items from the plans include demolition of existing stairs/porch and then construction of a covered porch, design/engineering constraint of wood not being permitted for the porch roof or underside of the porch roof, tile on the front of The Hop will be removed, pebbledash will be added, gutter lines will be buried, exterior color to be "Night Owl" (gray with a hint of green), window trim color to be "Barn Red", and window frame color to be black, and improve rear access (which is not used by the public). Mr. Artema submitted his Certificate of Appropriateness application for official review by the Historic Preservation Commission.

The meeting adjourned at 6:35 p.m.

Prepared by:

_____
Jay Parmar, Chair

_____
Jennifer Tipton, Senior Admin

TOWN OF BLACK MOUNTAIN PLANNING AND DEVELOPMENT SERVICES

CERTIFICATE OF APPROPRIATENESS APPLICATION

www.townofblackmountain.org

PROPERTY INFORMATION	
Address: 114 Cherry Street	PIN #: 0619-35-2748
Property Owner: RARE Holdings LLC	
Address: 2581 US Hwy 70 Swannanoa	Phone #: 828.712.1854
APPPLICANT INFORMATION	
Name: RARE Holdings By Rob Atema	Phone #: 828.712.1854
Address: 2581 US Hwy 70 Swannanoa NC 28778	Email: rob@reversipcontracting.com

PROJECT INFORMATION

☒ Minor Work ☐ Major Work

Description of Project:
Remove and Replace Front Porch with Larger Porch. Pebble Dash Sides and Back of Building, Remove Tile From Brick on Cherry Street

Site plan, sketches, drawings, photographs, specifications and other information must be 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.

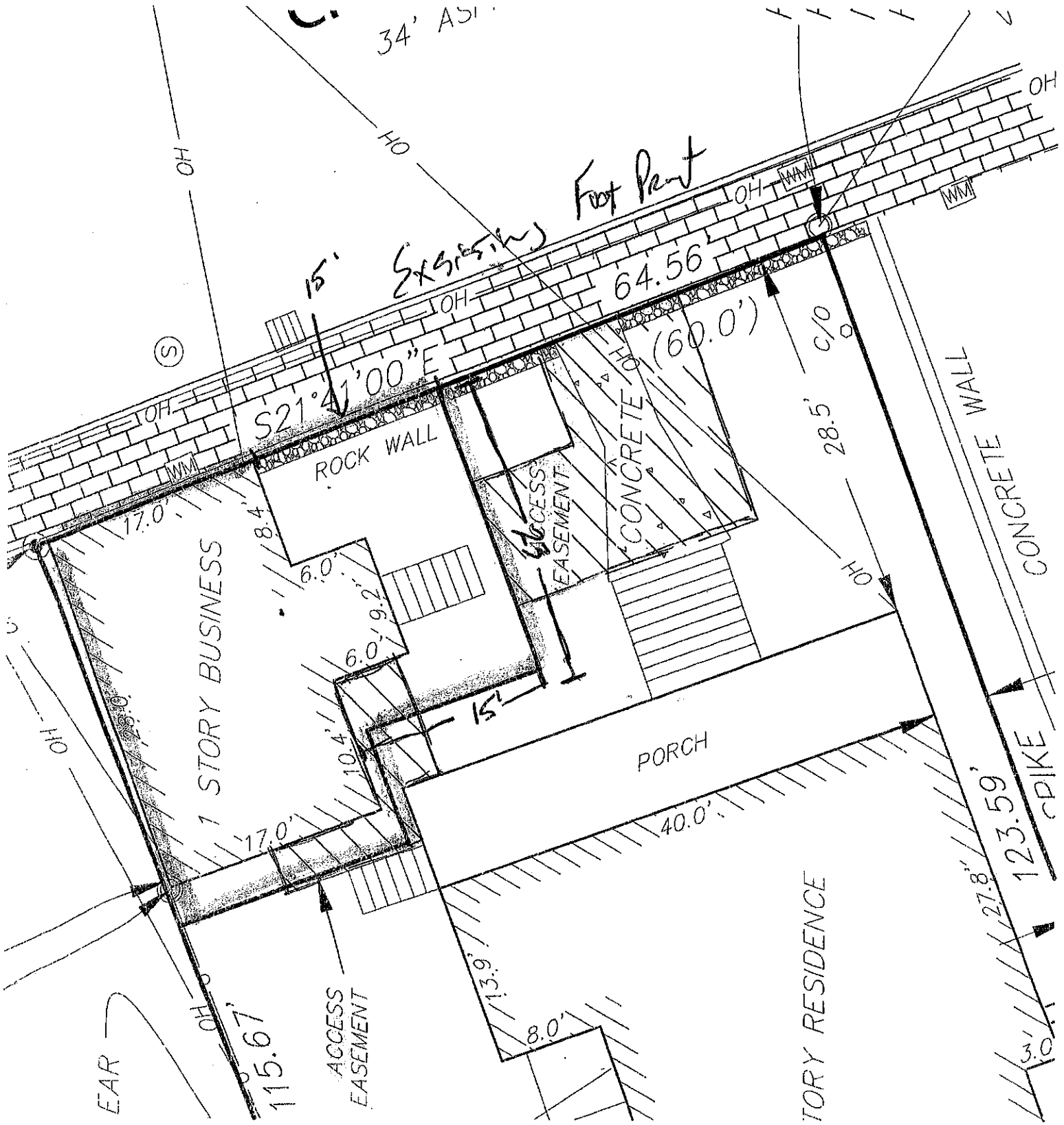
Rob Atema	[signature]	2/8/23
Print Name	Signature	Date

OFFICE USE ONLY

Date Received:	Fee:	Date Paid:
Cash: Check: Credit:		Meeting Date:

Action:
☐ Approved ☐ Approved with Conditions ☐ Denied

☐ Withdrawn ☐ COA Not Required ☐ Staff Approval


34' AS
OH
Existing Foot Print
15'
64.56'
S21°41'00"E
ROCK WALL
17.0'
8.4'
6.0'
9.2'
6.0'
10.4'
17.0'
1 STORY BUSINESS
ACCESS EASEMENT
CONCRETE
(60.0')
C/O
28.5'
CONCRETE WALL
15'
PORCH
40.0'
13.9'
8.0'
115.67'
ACCESS EASEMENT
EAR
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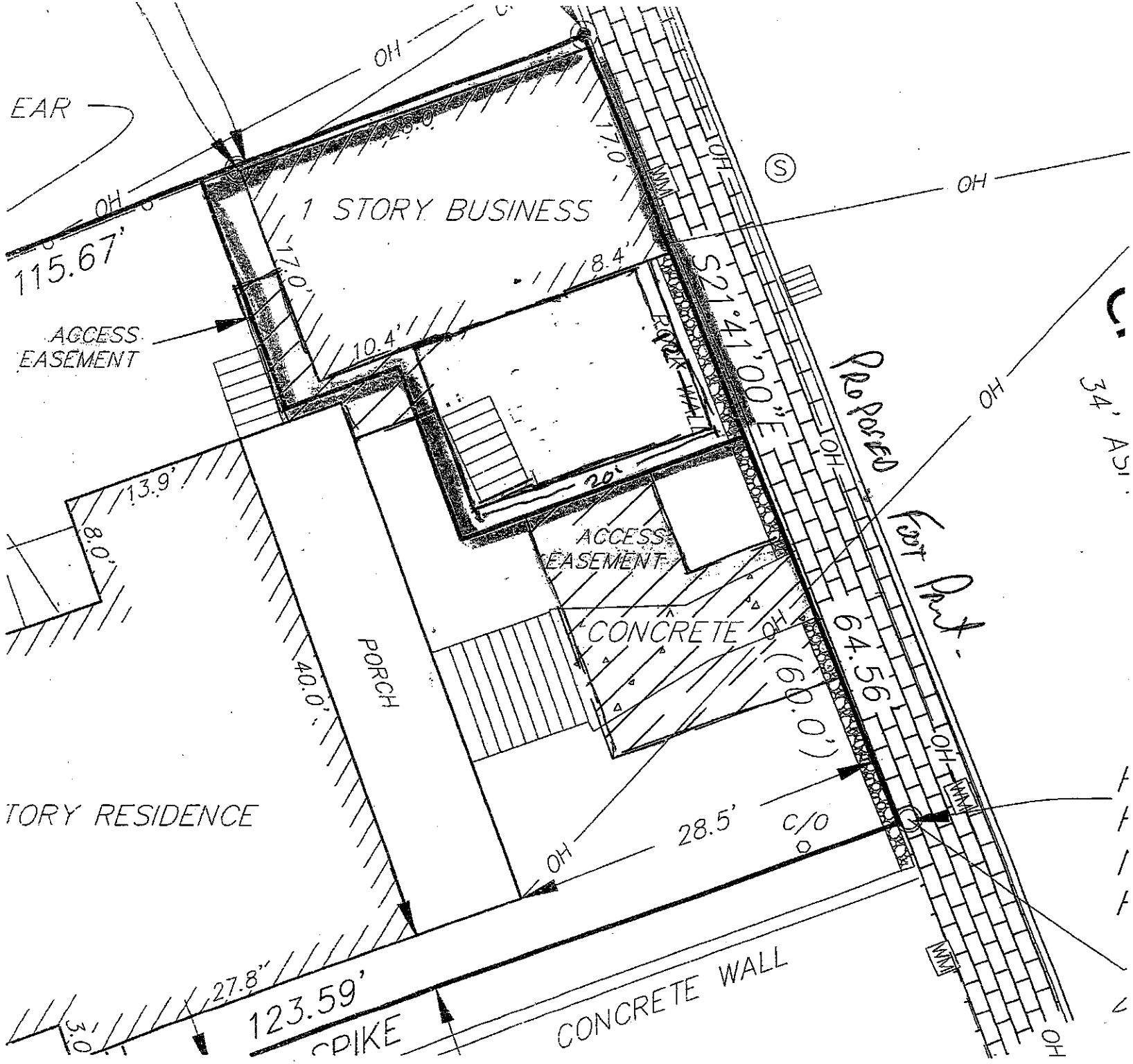
27.8'
123.59'
SPIKE
3'
WM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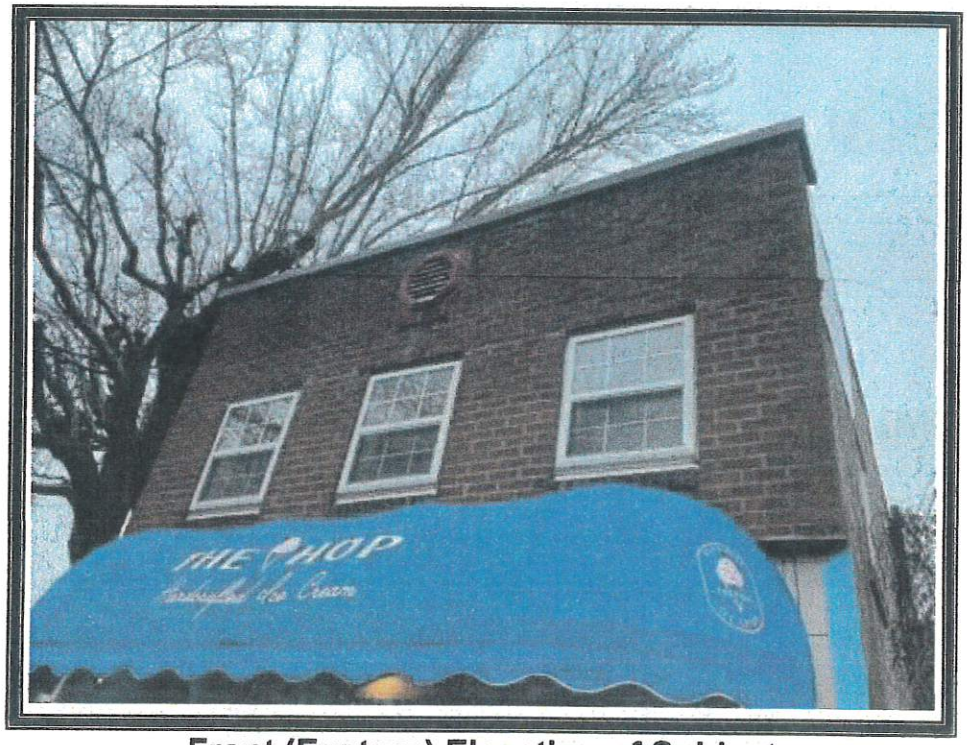
PORCH
40.0'
TORY RESIDENCE
28.5'
C/O
27.8"
123.59'
3.0'
CONCRETE WALL
WM

REMOVE
TILE

Front (Eastern) Elevation of Subject

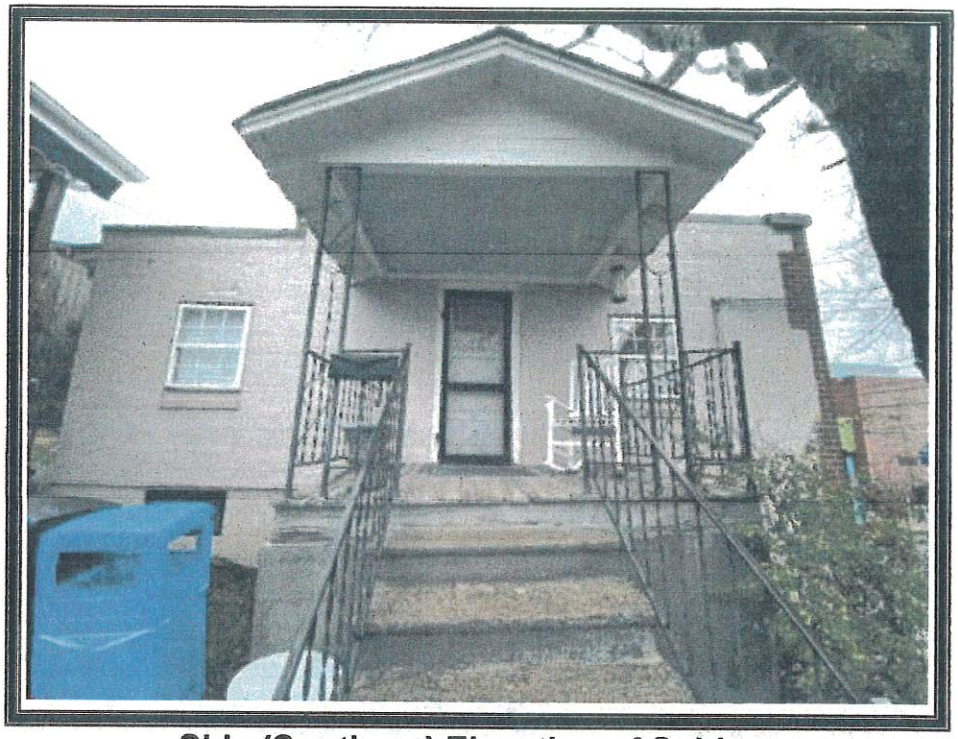


Front (Eastern) Elevation of Subject

PeBAle
DAS2

Side (Northern) Elevation of Subject

Side (Northern) Elevation of Subject



Side (Southern) Elevation of Subject
Entrance to the Upper Level

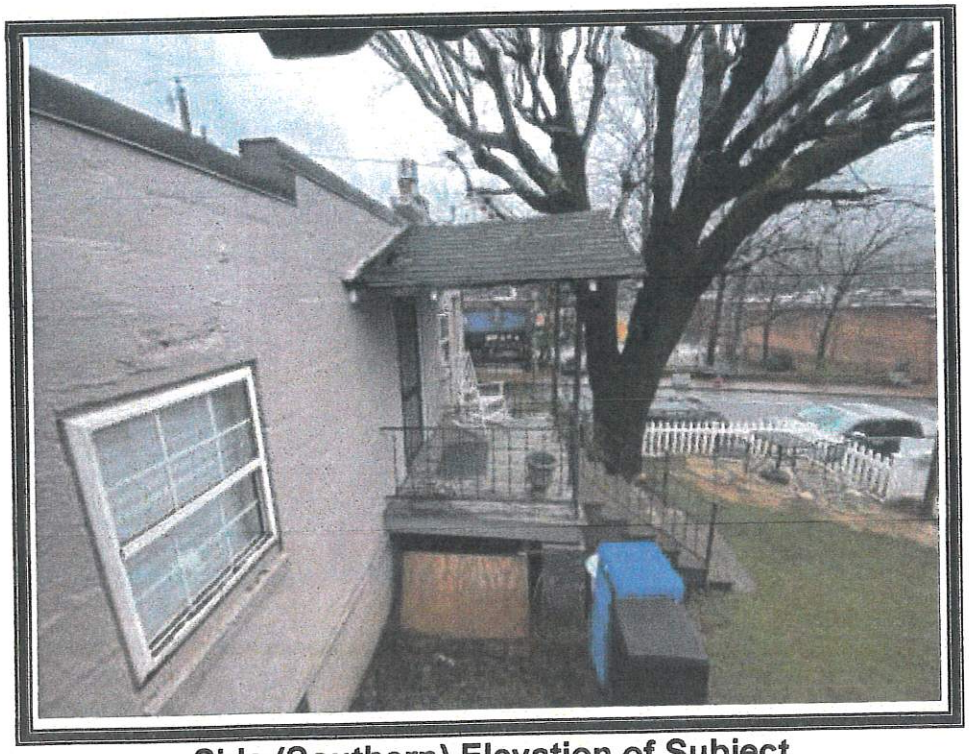
Remove Due To Rot And Replace with Larger (14 x 20) porch

Side (Southern) Elevation of Subject

Pebble Dash

Rear (Western) Elevation of Subject

Pebble Dash



Side (Southern) Elevation of Subject

COA 01-23 - 114 Cherry Street Buffer Map

February 17, 2023

1:1,128

0 0.0075 0.015 0.03 mi

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

PINNUM	OWNER	ADDRESS	CITYNAME	STATE	ZIP CODE
'061935179400000'	PATE AMY S	151 HILLTOP RD	BLACK MTN	NC	28711
'061935183400000'	LOOSE DOGS LLC	313 JOAN CT	BEAUFORT	NC	28516
'061935261500000'	BARRY BRUCE RICKETTS REVOCABLE TRUST	PO BOX 6	BLACK MOUNTAIN	NC	28711
'061935266300000'	BARRY BRUCE RICKETTS REVOCABLE TRUST	PO BOX 6	BLACK MOUNTAIN	NC	28711
'061935273000000'	BARRY BRUCE RICKETTS REVOCABLE TRUST	PO BOX 6	BLACK MOUNTAIN	NC	28711
'061935274800000'	RARE HOLDINGS LLC	2581 US HIGHWAY 70	SWANNANOA	NC	28778
'061935299300000'	TOWN OF BLACK MOUNTAIN	260 MIDLAND AVE	BLACK MTN	NC	28711
'061935377300000'	JONES STANLEY E;SHARP DEBBY D	206 STONEWALL AVE	SWANNANOA	NC	28778
'061935382300000'	HOWARD CHANNING B	165 EASTERN AVE	ESSEX	MA	1929
'061935382700000'	J & L BUTLER LLC	PO BOX 309	BLACK MTN	NC	28711
'061935387000000'	ESSI SHILATI AND MINOO SHILATI 2006 REVOCABLE TRUST	201 OCEAN AVE UNIT 404B	SANTA MONICA	CA	90402
'061935391000000'	SECOND STREAM LLC	14 WOODLINK RD	ASHEVILLE	NC	28801
'061935470500000'	ESSI SHILATI AND MINOO SHILATI 2006 REVOCABLE TRUST	201 OCEAN AVE UNIT 404B	SANTA MONICA	CA	90402

Town of Black Mountain

160 MIDLAND AVENUE • BLACK MOUNTAIN, NORTH CAROLINA • 28711 Phone (828) 419-9300
PLANNING & DEVELOPMENT 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**:** **02/21/2023**

TO**:** **Property Owner**

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

PROPERTY DESCRIPTION/PIN #**:** **114 Cherry Street**
PIN #0619-35-2748.00000

An application for a Certificate of Appropriateness has been applied for by**:** **RARE Holdings LLC (Rob Atema)**

This Certificate of Appropriateness is requested to allow the property owner to**:** **Remove and replace front porch with larger porch. Pebble dash to sides and back of building. Removbe tile from brick on Cherry Street side.**

An Evidentiary Hearing will be held Wednesday, March 8, 2023, @ 6:00 P. M. in the Board Room of Town Hall at 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 an evidentiary 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.

COA 01-23 - 114 Cherry Street Aerial Map

February 17, 2023

1:1,128

0 0.0075 0.015 0.03 mi

TOWN OF BLACK MOUNTAIN PLANNING AND DEVELOPMENT SERVICES

CERTIFICATE OF APPROPRIATENESS APPLICATION

www.townofblackmountain.org

PROPERTY INFORMATION	
Address: 116 Cherry Street Black Mtn 28711	PIN #: 061935179400000
Property Owner: Amy S. Pate	
Address: 151 Hilltop Rd Black Mtn NC 28711	Phone #: 727-366-1662
APPPLICANT INFORMATION	
Name: Amy S. Pate	Phone #: 727-366-1662
Address: 151 Hilltop Rd Black Mtn NC 28711	Email: imacreativesoul@gmail.com

PROJECT INFORMATION

☐ Minor Work ☒ Major Work

Description of Project:

1) Resurface Slab where old building was removed and add concrete to square up and clean up long edge
2) Install Metal post / gray composite material horizontal fence to replace chain link fence on NE side of property approximately 25' (where pottery shed shop is adjacent in side yard behind 114 Cherry St Hop building)
3) Construct / Install roof structure over existing deck on the back of the house - previously approved by Historic Board 11/2022

Site plan, sketches, drawings, photographs, specifications and other information must be 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.

Amy S. Pate		2/24/2023
Print Name	Signature	Date

OFFICE USE ONLY

Date Received:	Fee:	Date Paid:
Cash: ____ Check: ____ Credit: ____		Meeting Date:

Action:

☐ Approved ☐ Approved with Conditions ☐ Denied

☐ Withdrawn ☐ COA Not Required ☐ Staff Approval

Certificate of Appropriateness applications and all supporting information must be received no later than 21 days prior to the Historic Preservation Commission meeting. Incomplete applications will not be accepted. The Commission meets on the third Wednesday of each month at 6:00 p.m. in the Board Room of Town Hall, 160 Midland Avenue. Applicants are strongly encouraged to attend the meeting.

Appeals of decisions of the Historic Preservation Commission may be taken to Superior Court of Buncombe County in accordance with N.C.G.S. 160D-947 and 160D-1402. Appeals are in the nature of "certiorari", which is a review of the record of the meeting to ensure that the commission followed proper procedures in making its decision.

Certificates of Appropriateness remain in force for the duration of a project. However, if a period of one year passes and no progress has been made toward completing the project, the COA expires, and a new application must be submitted and approved before work may resume.

A new COA application must be submitted for any changes to approved plans. Deviating from approved plans constitutes a violation of the historic district regulations and is subject to civil penalties. The current maximum penalty is $50 a day, with each day constituting a separate offense, not to exceed $500.00.

The Certificate of Appropriateness does not relieve the property owner from the responsibility of obtaining any other required permits. Building permits and other permits may be required even if a Certificate of Appropriateness is not required. For more information, contact the Planning and Development Department at 828-419-9300, option 4.

Documentation must be provided in a format that is legible and can be copied easily. Applications may be submitted electronically to Jennifer.tipton@tobm.org as long as they are signed.

COA 02-23 - 116 Cherry Street Buffer Map

February 17, 2023

1:2,257

0 0.0175 0.035 0.07 mi

Sources: Esri, HERE, Garmin, USGS, Intermap, INCREMENT P, NRCan, Esri Japan, METI, Esri China (Hong Kong), Esri Korea, Esri (Thailand),

PINNUM	OWNER	ADDRESS	CITYNAME	STATE	ZIP CODE
'061935064400000'	TOWN OF BLACK MOUNTAIN	260 MIDLAND AVE	BLACK MOUNTAIN	NC	28711
'061935066800000'	THE SWANNANOA VALLEY HISTORICAL AND PRESERVATION ASSOCIATION	PO BOX 306	BLACK MOUNTAIN	NC	28711
'061935075200000'	LAUDENSLAYER JOSEPH G;LAUDENSLAYER ALYSON R	221 1/2 W STATE ST	BLACK MOUNTAIN	NC	28711
'061935150000000'	TOWN OF BLACK MOUNTAIN	160 MIDLAND AVE	BLACK MOUNTAIN	NC	28711
'061935157300000'	THE TOWN OF BLACK MOUNTAIN	160 MIDLAND AVE	BLACK MOUNTAIN	NC	28711
'061935179400000'	PATE AMY S	151 HILLTOP RD	BLACK MOUNTAIN	NC	28711
'061935183400000'	LOOSE DOGS LLC	313 JOAN CT	BEAUFORT	NC	28516
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'061935274800000'	RARE HOLDINGS LLC	2581 US HIGHWAY 70	SWANNANOA	NC	28778
'061935368900000'	RUPP FAMILY LLC	106 DEER RUN RD	BLACK MOUNTAIN	NC	28711
'061935377300000'	JONES STANLEY E;SHARP DEBBY D	206 STONEWALL AVE	SWANNANOA	NC	28778
'061935378100000'	FISHER TERRI LYNN	32 EL POTS DR	SWANNANOA	NC	28778
'061935382300000'	HOWARD CHANNING B	165 EASTERN AVE	ESSEX	MA	1929
'061935382700000'	J & L BUTLER LLC	PO BOX 309	BLACK MOUNTAIN	NC	28711
'061935387000000'	ESSI SHILATI AND MINOO SHILATI 2006 REVOCABLE TRUST	201 OCEAN AVE UNIT 404B	SANTA MONICA	CA	90402
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NOTICE OF REQUEST FOR A CERTIFICATE OF APPROPRIATENESS
FOR A MAJOR WORK WITHIN THE HISTORIC DISTRICT

DATE**:** **02/21/2023**

TO**:** **Property Owner**

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

PROPERTY DESCRIPTION/PIN #**:** **116 Cherry Street**
PIN #0619-35-1794.00000

An application for a Certificate of Appropriateness has been applied for by**:** **Amy Pate**

This Certificate of Appropriateness is requested to allow the property owner to**:** **Place a roof over rear deck and add a rear fence.**

An Evidentiary Hearing will be held Wednesday, March 8, 2023, @ 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 an evidentiary 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.

COA 02-23 - 116 Cherry Street Aerial Map

February 17, 2023

1:1,128

0 0.0075 0.015 0.03 mi

LEGAL NOTICE

BLACK MOUNTAIN HISTORIC PRESERVATION COMMISSION

SPECIAL CALL EVIDENTIARY HEARING

Wednesday, March 8, 2023, at 6:00 p.m.

The Black Mountain Historic Preservation Commission will meet in a special called meeting on **Wednesday, March 8, 2023, 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 114 Cherry Street, further identified as PIN #0619-35-2748.00000, to replace front porch, add pebble dash to sides and rear of building, and remove tile from brick on front of building and to hear a Certificate of Appropriateness request for 116 Cherry Street, further identified as PIN #0619-35-1794.00000, to add a fence to the rear yard.

The meeting is open to the public.

_____
Jennifer Tipton
Senior Admin

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Posted to the Town Bulletin Board 02/17/2023
Published in the Black Mountain News 02/23/2023 and 03/02/2023

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