

**STATE OF NORTH CAROLINA
HENDERSON COUNTY**

**BEFORE THE HENDERSONVILLE
HISTORIC PRESERVATION COMMISSION
FILE NO. H23-005-COA**

**IN RE THE APPLICATION OF
ERIC LOMBARDO
FOR A CERTIFICATE OF
APPROPRIATENESS
PIN 9569-72-0812**

**FINDINGS OF FACT,
CONCLUSIONS OF LAW AND
DECISION**

This matter came before the Hendersonville Historic Preservation Commission on February 15, 2023 for a quasi-judicial hearing on the application of Eric Lombardo for a certificate of appropriateness for a property located at 1306 Hyman Avenue, Hendersonville, NC, Hyman Heights Historic District, Hendersonville, PIN 9568-78-0812 (“Subject Property”) for the addition of a shed in the rear yard of the Subject Property.

The subject property is a lot created in 2021 from a portion of 1304 Hyman Ave. Therefore, there is no information regarding the Subject Property in the designation report.

The file was submitted into the record. In addition, Alexandra Hunt, Planner and Eric Lombardo, owner, testified and/or presented evidence, after first being duly sworn.

Issues

The Historic Preservation Commission’s adopted Residential Design Standards and the Secretary of the Interior’s Standards are incorporated in these findings and conclusions by reference. The question presented was whether the relevant standards permit the addition of a shed as requested in the application.

Section 2.5 of the Design Standards provides, in pertinent part, that:

Section 2.5 Garages and Accessory Structures

- Sec. 2.5.6 - Locate and orient new garages and accessory buildings in locations compatible with the traditional relationship of garages and accessory buildings to the main structure and the site in the district.
- Sec. 2.5.7 - It is not appropriate to introduce a prefabricated accessory building if it is not compatible in size, form, height, proportion, materials, and details with historic accessory structures in the historic district, or unless screened from view from the street.
- Sec. 2.5.8 - It is not appropriate to introduce a new garage or accessory building if doing so will detract from the overall historic character of the principal building and the site, or require removal of a significant building element or site feature, such as a mature tree.
- Sec. 2.5.9 - It is not appropriate to introduce features or detail to a garage or an accessory building in an attempt to create a false historical appearance.

Testimony

Testimony is accurately reflected in the minutes.

FINDINGS OF FACT

Based on the above testimony, the Board finds as follows:

1. The affected property is 1306 Hyman Avenue, Hendersonville.
2. The Subject Property is located at 1306 Hyman Ave, Hendersonville, situated within the Hyman Heights Historic District, and is owned by Eric Lombardo.
3. The Subject Property is not listed in the local designation report because it is a newly created lot from the division of 1304 Hyman Ave.
4. The former owner of the Subject Property received a COA to construct the home in October, 2021.
5. Applicant has requested to add a 10 ft by 12 ft detached shed to the rear yard of the property.
6. The proposed shed has cement fiber siding and an asphalt shingle roof. The materials and finish match the newly constructed home approved in October, 2021.
7. The proposed shed is not easily visible from the public right-of-way.
8. The proposed shed is situated on cement blocks and not a permanent foundation.
9. The proposed shed is not incongruous with the Hyman Heights Historic District and meets the following Design Standards:
 - a. Sec. 2.5.7 – The shed is compatible with the traditional relationship of accessory buildings to the main structure and the site in the district..
 - b. Sec 2.5.8 – The shed is compatible in size, for, height, proportion, materials, and details with historic accessory structures in the historic district..
 - c. Sec 2.5.8 – The shed is screened from view from the street.

CONCLUSIONS OF LAW

Based on the above findings of fact, the Commission concludes as follows:

The addition of a shed in the rear yard of the Subject Property as proposed, if installed according to the information reviewed at the hearing and with any representations made by the applicant, is not incongruous with the character of the Hendersonville Historic Preservation Commission Design Standards pursuant to Section 28-147 of the City Code, and the Certificate of Appropriateness should be granted, subject to any conditions as stated above.

DECISION

For the above reasons,

The application for a certificate of appropriateness is granted, subject to the conditions as stated,

and the certificate is ordered issued.

Done this _____ day of _____, 2023.

Chair