

MEMORANDUM

TO: Historic Preservation Commission
FROM: Community Development Department
RE: 1420 Ridgecrest Drive (H21-31-DEM)
DATE: May 18, 2022



DEMOLITION BY NEGLECT

Staff requests that the Historic Preservation Commission (HPC) consider “filing a petition with the City” charging that the structure located at 1420 Ridgecrest Drive (herein after “Subject Property”) undergo Demolition by Neglect as set out under Section 28-191 of the City of Hendersonville Code of Ordinances. The history of the property as it relates to Demolition by Neglect is detailed in the timeline attached as Exhibit 1. Staff conducted a cursory investigation into the condition of the subject property on September 21, 2021 and found that the structure contained defects that significantly impaired the integrity of the structure as set out in the standards defined in Section 28-190. Staff last presented the findings from the cursory inspection to the HPC during the October 2021 regular meeting. This item has been continued from the October 2021 regular meeting.

Background

The Subject Property has had a long history concerning the maintenance and condition of both the primary structure and associated greenhouse. In 2006, the HPC filed its first petition for Demolition by Neglect with the Zoning Administrator resulting in the removal of the greenhouse but not the primary structure. From 2006 to present, both Staff and the HPC have worked with the property owners to make repairs to the structure as outlined in Exhibit 1.

During the October 2021 regular meeting, Ms. Vaneslow indicated that there was a question of ownership of the Subject Property. The HPC subsequently continued the matter until December 2021 to allow Ms. Vaneslow time to acquire legal assistance. In November 2021, Ms. Vaneslow notified Staff that she retained Mr. Alexander of W.G. Alexander and Associates. In December 2021, Mr. Alexander notified Staff that title to the Subject Property has been determined and requested a continuance until February 2022 (Exhibit 2). The HPC continued the matter until February 2022. During the February regular meeting the HPC granted Mr. Alexander's request for a second continuance for an additional 30-60 days to work through existing estate issues and confer with the property owners to determine a plan for repairs. Staff did not receive an update from Mr. Alexander in advance of the April 2022 regular meeting. Staff conducted a cursory inspection of the Subject Property from the right-of-way on April 25, 2022. Due to The following analysis is based on the cursory inspection conducted on September 21, 2021.

Analysis:

Section 28-191 of the City of Hendersonville Zoning Ordinance allows for the HPC to file a petition with the zoning administrator requesting that the administrator process the correction of deterioration or making of repairs to any historic landmark or structure located within an historic district.

The property is listed as **contributing** in the Hyman Heights Local Designation Report and is described as:

1420 Ridgecrest Drive. Contributing. Built ca. 1920. An intact, one-and-a-half-story, gable-end, brick-veneered bungalow with entry portico and front dormer edged with triangular knee braces.

The subject property is listed as **contributing** on the National Register and described as:

1420 Ridgecrest Place. Columbus Few House. Contributing. by 1926. One-story plus basement vernacular bungalow with an irregular floor plan, side gable roof, and a front gable dormer supported by knee braces. Entry stoop has a front gable roof and square posts. Walls are brick veneer with shingles in the gable ends and dormer. Windows are one-over-one. Heavily wooded lot drops away to the rear. Columbus Few, the postmaster, and wife Bessie lived here from 1939 to at least 1949. Fair to poor condition.

Greenhouse. Contributing. by 1954. Removed 2014.

The following is a list of the standards for use when considering a structure for demolition by neglect. These standards are set out in Section 28-190 of the City of Hendersonville Zoning Ordinance. ***NOTE: The following information is from a cursory inspection conducted on September 21, 2021. City Code requires that a finding of demolition by neglect be made by the Zoning Administrator following a petition by the Historic Preservation Commission.***

Chapter 28 Article VI Sec. 28-190. - Standards.

The exterior features of any building or structure (including walls, fences, light fixtures, steps, pavement, paths, or any other appurtenant feature), or any type of outdoor advertising sign either designated as an historic landmark or located within an historic district shall be preserved by the owner or such other person who may have legal possession, custody and control thereof against decay and deterioration and kept free from structural defects. The owner, or other person having such legal possession, custody and control, shall upon written request by the city repair such exterior features if they are found to be deteriorating, or if their condition is contributing to deterioration, including but not limited to any of the following defects which have the effect of significantly impairing the integrity of such building or structure or the special character of such historic district:

(1) Deterioration of exterior walls, foundations, or other vertical support that causes leaning, sagging, splitting, listing, or buckling.

- **Exterior masonry has deteriorated in several areas. The foundation masonry contains cracks.**
- **See Exhibit 3, Figures 2-6 from September 21, 2022 Cursory Inspection**

(2) Deterioration of flooring or floor supports, roofs, or other horizontal members that causes leaning, sagging, splitting, listing, or buckling.

- **Roof replaced/repared 2015**
- **Unable to determine from September 21, 2021 Cursory Inspection**

(3) Deterioration of external chimneys that causes leaning, sagging, splitting, listing, or buckling.

- **Difficult to determine during cursory inspection.**
- **See Exhibit 3, Figure 18 provided from September 21, 2021 Cursory Inspection**

(4) Deterioration or crumbling of exterior plasters or mortars.

- **Deteriorating and missing mortar is present in numerous and various places on the exterior of the structure.**
- **See Exhibit 3, Figures 2-6 from September 21, 2021 Cursory Inspection**

(5) Ineffective waterproofing of exterior walls, roofs, and foundations, including broken windows or doors.

- **Some window frames are rotting, large gaps between window and frame are present, some wood window trim is completely exposed/unpainted.**
- **See Exhibit 3, Figures 7-10 from September 21, 2021 cursory inspection**

(6) Defective protection or lack of weather protection for exterior wall and roof coverings, including lack of paint, or weathering due to lack of paint or other protective covering.

- **Roof on main structure appears to be in good condition**
- **Some windows are unpainted**
- **Unable to determine if there is weather protection on the brick**

(7) Rotting, holes, and other forms of decay.

- **Some rot observed on window frames and eaves**
- **See Exhibit 3, Figures 13-17 from September 21, 2021 cursory inspection**

(8) Deterioration of exterior stairs, porches, handrails, window and door frames, cornices, entablatures, wall facings, and architectural details that causes delamination, instability, loss of shape and form, or crumbling.

- **Some rot observed on window frames and eaves**
- **See Exhibit 3, Figures 13-17 from September 21, 2021 cursory inspection**

(9) Heaving, subsidence, or cracking of sidewalks, steps, or pathways.

- **Exterior concrete stairs have erosion underneath concrete**
- **See Exhibit 3, Figure 11 from September 21, 2021 cursory inspection**

(10) Deterioration of fences, gates, and accessory structures.

- **Foundation / wall for former boiler room / greenhouse is leaning.**
- **See Exhibit 3, Figure 12.**

(11) Deterioration that has a detrimental effect upon the special character of the district as a whole or the unique attributes and character of the historic landmark.

- **The front façade of the structure appears to be in relatively sufficient aesthetic condition.**
- **See Exhibit 3, Figure 1.**

(12) Deterioration of any exterior feature so as to create or permit the creation of any hazardous or unsafe conditions to life, health, or other property.

- **The potential exists for this criteria to be present but it is beyond the scope of the Planning Staff to make this determination.**

Procedure:

Chapter 28 Article VI Sec. 28-191. - Petition and action.

The historic preservation commission may file a petition listing specific defects with the zoning administrator requesting that administrator act under the following procedures to require the correction of deterioration or making of repairs to any historic landmark or structure located within an historic district so that such structure shall be preserved and protected in accordance with the purposes of Section 28-1 of this Code.

1. Whenever a petition is filed with the zoning administrator charging that a structure is undergoing demolition by neglect, the administrator shall, if her preliminary investigation discloses a basis for such charges, within seven days issue and cause to be served upon the owner and/or such other person who may have legal possession, custody, and control thereof, as the same may be determined by reasonable diligence, a complaint stating the charges in that respect and containing a notice that an administrative hearing will be held before the administrator not less than 30 nor more than 45 days after the serving of such complaint; that the owner and/or parties in interest shall be given a right to answer to give testimony at the place and time fixed in the complaint; that the commission shall also be given notice of the hearing and that the rules of evidence prevailing in courts of law or equity shall not be controlling administrative hearings before the administrator. The purpose of an administrative hearing is to receive evidence concerning the charge of deterioration and to ascertain whether the owner and/or other parties in interest wishes to petition the commission for a claim of undue economic hardship.

2. If after such notice and administrative hearing, the administrator determines that the structure is undergoing demolition by neglect because it is deteriorating, or if its condition is contributing to deterioration, according to the standards of section 28-190, the administrator shall state in writing the findings of fact in support of such determination and shall issue and cause to be served upon the owner and/or other parties in interest therein an order to repair within the time specified those elements of the structure that are deteriorating, contributing to deterioration, or deteriorated. In the event that the owner and/or other parties in interest wish to petition for a claim of undue economic hardship, the administrator's order shall be stayed until after the commission's determination in accordance with the procedures of section 28-193.

EXHIBITS:

- 1) Exhibit 1 – Timeline of Demolition by Neglect / COA Actions
- 2) Exhibit 2 – Email from Mr. Alexander
- 3) Exhibit 3 - Photos from cursory inspection on September 20, 2021
- 4) Exhibit 4 – Photos from ROW on April 25, 2022