



City of Marion
Historic Preservation Commission Meeting
AGENDA
Thursday, August 8, 2024 7:00PM
Marion City Hall Annex

- **Call Meeting to Order**
- **Agenda changes and approval**
- **Public Comment**
- **Public Hearings**
 - **Certificate of Appropriateness for Contributing Building in the Main Street Historic District - HPC 24-01 (Ledbetter)**
 - **Certificate of Appropriateness for a Non-Contributing Building in the Main Street Historic District – HPC 24-02 (Davis)**
- **New Business**
- **Adjourn Meeting**

Any individual with a disability who needs an interpreter or other auxiliary aids, please contact City Hall at (828) 652-3551. To request services needed, please make the request 3-5 days prior to the meeting. For additional information or assistance, please contact Landis Hollifield, City Clerk/Public Information Officer at (828) 652-3551. Servicios de intérpretes están disponibles sin costo de acuerdo a la ley del Título VI.



MEMORANDUM

DATE: March 14, 2024
TO: Historic Preservation Commission
FROM: Vance McNees, City Planner
THROUGH: Heather Cotton, Planning and Development Director
SUBJECT: Certificate of Appropriateness

Crystal Ledbetter (Ledbetter Properties, LLC) is requesting a Certificate of Appropriateness for proposed work at 7 and 13 North Main Street pursuant to Unified Development Ordinance, Section 3-8.9 "Certificates of Appropriateness; Required." The property is more fully described as PIN 1701.11.67-4477 on the McDowell County GIS map.

The building is located within the Main Street Historic District and is designated as a contributing structure within the District. The building has multiple 911 addresses. The Applicant is proposing work at the following addresses:

7 North Main Street portion of the building:

Removal of brick in three (3) second floor windows that face West Court Street, so that three (3) egress windows may be installed per architectural and building code requirements.

13 North Main Street portion of the building:

Removal and replacement of the current storefront windows and framing. Installation of new glass, entry door, and framing.

The purpose of the Certificate of Appropriateness is to ensure that the proposed changes do not harm the historical integrity of the District and the contributing structures within it. Work that is inconsistent with the historical integrity of the District and contributing structures may result in the City losing its designated status. The loss of designated status would have a negative impact on contributing buildings within the District. Property owners of contributing buildings are currently eligible for both federal (20%) and state historic tax credits (20%) when making improvements that are equal to or exceed 50% of the appraised value.

The potential scope of work to be done has been included with the application and reviewed by City of Marion Planning and Development Staff and the Marion Business Association (MBA) for recommendation. Both staff and the MBA are recommending approval of this Certificate of Appropriateness application.

Please see attached for the application and required materials.



CITY OF MARION
PLANNING AND DEVELOPMENT

STAFF ANALYSIS
CERTIFICATE OF APPROPRIATENESS
Historic Preservation Commission

CASE NUMBER:	HP 24-01
Date of Submission:	06/27/2024
A. PROPERTY INFORMATION	
Project Title:	Storefront Replacement, Remove Brick on Second-Story Façade and add Windows
PIN:	1701.16.74-4477
Address:	7 and 13 North Main Street
Owner:	Ledbetter Properties LLC
Applicant:	Crystal Ledbetter
Square Footage	5,000
Zoning District:	C-1 Central Business and within DO Downtown Overlay
Current Land Use Activity	Commercial

B. LOCATION MAP + ZONING MAP

Figure 1: Tax Parcel Information and Aerial Map



Figure 2: Tax Parcel Information and Aerial Map



C. SECRETARY OF INTERIOR'S STANDARDS OF REHABILITATION

When evaluating an applicant's request the following standards of rehabilitation should be considered:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.
10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

D. APPLICANT'S PROPOSAL

The Applicant is proposing to remodel the street level store front at 13 North Main Street. The remodel will include the replacement of windows, door, and glazing (windows). No modification to the masonry facade is proposed as part of the project.

The Applicant is proposing to remove previously bricked in windows on the second-story south facing façade, and install three new Colonial 6-over-6 double hung/single hung windows.

E. HISTORIC BUILDING AND DISTRICT EVALUATION

The Main Street Historic District was designated and listed on the National Register of Historic Places in 1990. The period of historic significance is 1894 through 1937. The District is summarized as:

"Rows of brick commercial buildings, none over four stories in height, from a tight grouping of adjoining buildings lining the east and west sides of Main Street...Most of the commercial buildings date from circa 1900-1920. Almost all buildings are of a simple early 20th century commercial style, but several exhibit Neoclassical influences, with the exception of Hotel Eagle, the oldest building in the district, having Victorian era stylistic influences. The following are examples of buildings that contributed to the style of construction and building materials used during the period for which the District is designated.

Exterior improvements are proposed to the Merchant's and Farmer Bank Building, which is a contributing building in the Main Street Historic District. The building is listed as contributing building (No. 9) on the Main Street Historic District designation form. It is described as the Merchant's and Farmer Bank; (ca. 1902) a two-story building with round arched window openings on the second floor. All windows have been bricked in, but bricks are recessed, so configuration is still apparent. Four windows are above the storefront on the north end of the building. Two are above the southernmost storefront, with another wrapping the corner over what was originally a corner entrance. **Brick has been painted and storefronts are completely altered. A 1910 photo reveals that all of the upper floor windows originally were simple rectangles with 1-over-1 double hung sashes and stone lintels**, as evidenced by those on the south façade (see picture below). **A remodeling, possibly done when the Merchant's and farmer's Bank occupied the corner unit from 1908 to 1931, when it merged with First National Bank, yielded taller elevations, brackets in deep eaves beneath a molded cornice**, and a tiled roof. Previous to 1908, a general store was located in the corner unit.

Photo Credit (Ex. One, Two, and Three Below): Images of America, Marion, Kim Clark and the McDowell House Project Advisory Committee 2013

Picture One: Merchant's and Farmer Bank (Circa 1902)

Picture taken in the 1930s of the southern and eastern facing façade of the Merchant's and Farmer Bank



Picture Two: Merchant's and Farmer Bank (Circa 1902)

Picture taken in the 1953 of the southern and eastern facing façade of the Merchant's and Farmer Bank



F. APPLICABLE ORDINANCE SECTIONS

Sec. 8-3.10. Criteria to determine appropriateness.

The following review criteria, along with companion design guidelines and the guidelines of the Secretary of the Interior, shall be considered, where relevant, to make findings of fact indicating the extent to which the application for a certificate of appropriateness is or is not congruous with the historic aspects of the designated landmark or district:

- Walls.
- Proportion of width to height of the total building façade.
- Proportion, shape, positioning, location, pattern and sizes of any elements of fenestration.
- Building materials,
- Surface textures.
- Color.
- Expression of architectural detailing.
- Exterior lighting and appurtenant features.

G. STAFF REVIEW

Staff has reviewed the Applicant's request and found:

1. The property will be used as it was historically and/or one that will result in minimal change to the distinctive materials, features, spaces, and spatial relationships found with the Main Street Historic District.
2. **The exterior improvements will not detract from the historical character of the contributing building or the District. The store-front improvements are being made to a previously altered store front that is not consistent with the District. Further alteration to the store front as proposed will not detract from the historical character of the District, and will not further compromise the historical integrity of the contributing structure. The Applicant is also proposing to remove brick from previously "bricked in windows" on the south-facing second-story façade. This brick was installed after the period of significance (1894-1937) and detracts from the historical integrity of the contributing building and the District. The proposed modifications will enhance the historical integrity of the contributing structure and District if the replacement windows of are consistent in design and size as the original 1902 windows.**
3. Modifications do not create a false sense of time (i.e. as a non-contributing structure not attempting to create a false sense of historical development).
4. **Modifications are being proposed to the building that impact its historical significance. Staff would recommend that the second-story windows be consistent in design to the original "1-over-1 double hung" windows, and not the 6-over-6 double hung/single hung as proposed. Additionally, the glazing should not include tint, reflective, or other specialized coating.**
5. The use of distinctive materials, features, finishes, and construction techniques that characterize the District are being applied to the project.
6. New features, colors, textures all match the original design of the building and are in keeping with the same found within the District.
7. No chemicals or physical treatments have been proposed as part of this project.
8. No archaeological resources will be impacted as a result of this project.
9. **New exterior alterations and related new construction will not destroy historical materials, features, and spatial relationships that characterize the district or adjacent contributing structures. The alterations will improve the integrity of the building and the District by removing formally bricked up windows that impaired the historical integrity of the building and District.**

10. Construction will be undertaken in a manner that will not have a negative impact on the original form and integrity of the building and should not eliminate the future potential of the building to maintain its contributing status.

Upon receiving the application, City of Marion Planning and Development Staff sent the application and scope of proposed work to the Marion Business Association's (MBA) Façade Committee for review and recommendation. The Marion Business Association (MBA) is recommending approval of the proposed project. Staff is also recommending approval with conditions.

H. ADDITIONAL DOCUMENTATION SUBMITTED

- Certificate of Appropriateness Application
- Current and Past Photographs of the property
- Proposed renderings of what the property will look like
- Architectural designs

I. SUMMARY OF STAFF COMMENTS AND RECOMMENDED CONDITIONS OF APPROVAL

Staff recommends approval of the Certificate of Appropriateness with the following condition:

1. The second-floor windows shall match the size and architectural design of the original 1-over-1 single hung windows that existed at the time of original construction (ca. 1902) having clear glazing that is not covered or enhanced with tint, reflective film, or similar material that is not consistent with a material used at the time of original construction.



CITY OF MARION

194 N. Main Street • P.O. Drawer 700• Marion, NC 28752

Planning & Development Services

CERTIFICATE OF APPROPRIATENESS APPLICATION

(PLEASE TYPE OR PRINT IN INK)

Applicant's Name/Contact Person: Crystal Ledbetter Phone Number: 828.527.2078

Applicant's Mailing Address: 1156 Grants Mtn Rd Marion State: NC Zip: 28752

Historic Name of Property: The Bobbitt Building

Location: Please include the full street address of the property and the McDowell County Parcel Identification Number (PIN), which can be found on the McDowell County website <http://www.mcdowellcountygis.com/>.

Physical Address: (1) 7 N. Main St Marion (2) 13 N. Main St Marion

Parcel ID Number (PIN) 17011474477 / 1701-67-4477

GIS Location of Property: 000019 Main St Marion

Check all that apply:

Proposed Work: Exterior Reconstruction, Exterior Alteration, and /or Demolition

Description of Work:

- ① Removal of brick in three second floor windows facing W. Court St. Installing three egress windows per architectural and building code requirements.
- ② Removal of current storefront windows and framing. Install five transoms across top of framing, four rectangle pieces of glass below, new entry door and new framing.

Attach a plot plan or site plan showing all dimensions of the lot and the existing and proposed improvements and necessary setback lines if addition(s) or demolition(s) are proposed.

Attach sketches, renderings, photographs, specifications, material descriptions and other information of sufficient detail to clearly show the proposed exterior alterations, additions, changes or new construction.

Note: Applicant must submit a notarized letter authorizing them to act on the property owner's behalf and stating the Applicant's name, address and phone number.

I CERTIFY THAT ALL OF THE INFORMATION PRESENTED IN AND WITH THIS APPLICATION IS TO THE BEST OF MY KNOWLEDGE, IS TRUE, COMPLETE AND ACCURATE.

Crystal Ledbetter
SIGNATURE OF APPLICANT

6.27.24

DATE



Ledbetter Properties, LLC
Attention: Alan & Crystal

Job: Alan & Crystal Ledbetter
Address: 13 N Main St.
Marion NC 28752
Mobile: 828 527 2241
Email: ledbetterpropertiesnc@gmail.com

Current Facade

Windows

1960s 1 ½" x 1" Aluminum Frame – ¼" Clear Annealed Glass

Door

3'0" x 7'0" Aluminum LH Swing with transom



828-724-9999



www.mcdowellglass.com
info@mcdowellglass.com



4805 US 70 W, Marion, NC 28752



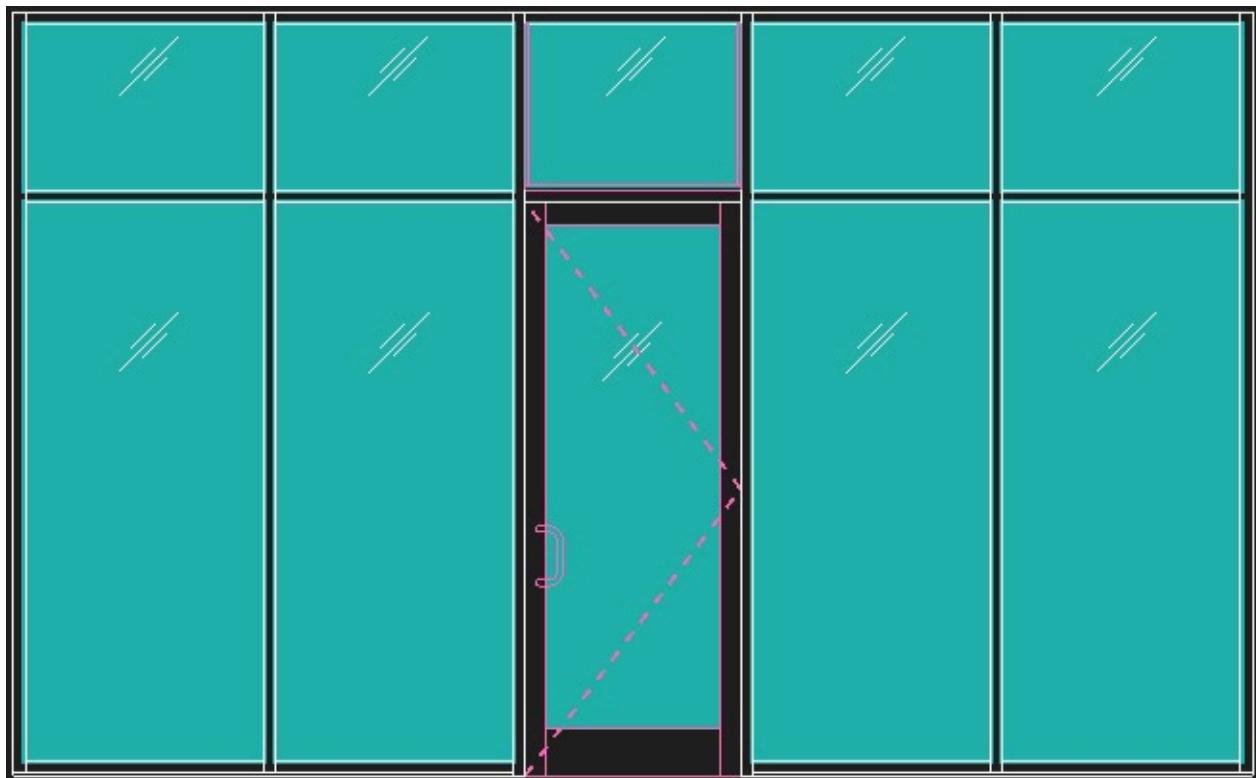
Proposed Facade

Windows

YKK 2" x 4.5" Commercial Frame - Dark Bronze Anodized Finish
1" Clear Insulated Annealed Glass

Door

YKK 20D Narrow Stile Door (3'0" x 8'0"), LH Swing, w/ Transom
Dark Bronze Anodized Finish
Clear - 1/4" Tempered Glass
Surface Mounted Door Closer
Standard Push/Pull Handles



828-724-9999



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4805 US 70 W, Marion, NC 28752



Proposed Facade to closely match adjoining property at 15 N Main St Marion, NC 28752
(pictured below)



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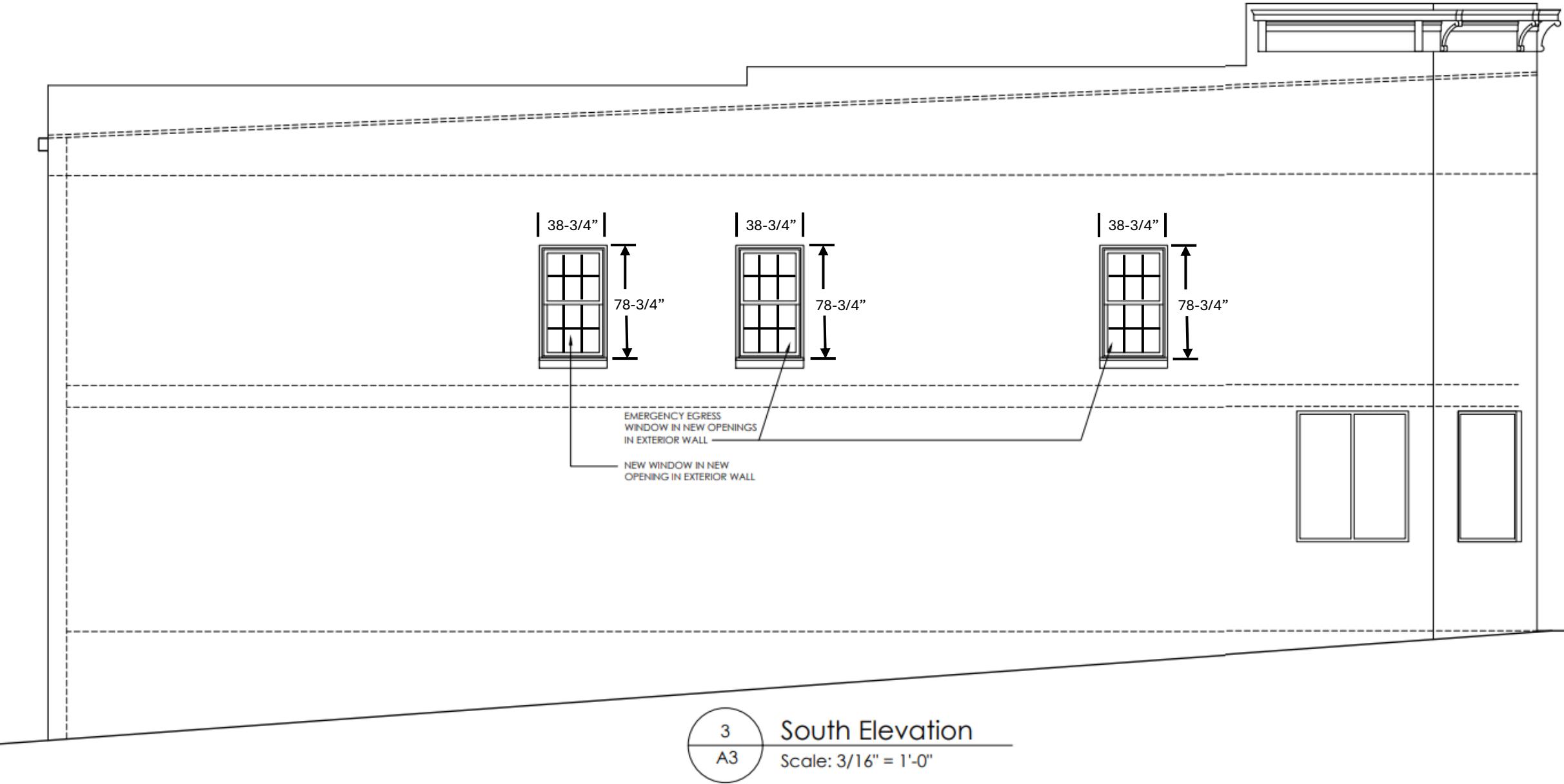


4805 US 70 W, Marion, NC 28752





West Court St.

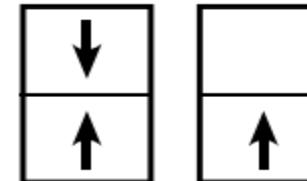


3
A3

South Elevation
Scale: 3/16" = 1'-0"



QUAKER
COMMERCIAL WINDOWS AND DOORS



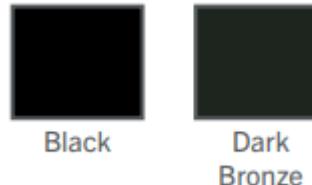
 **BRIGHTON**
SERIES

Brighton Series
R-50
6" Frame Depth
Double Hung/Single Hung

ARCHITECTURAL PAINT COATINGS AND FINISHES

- ◊ Baked on powder coat finish meets ANSA/AAMA 2604 specs and is available in unlimited colors

Exterior Aluminum Clad



Black

Dark
Bronze

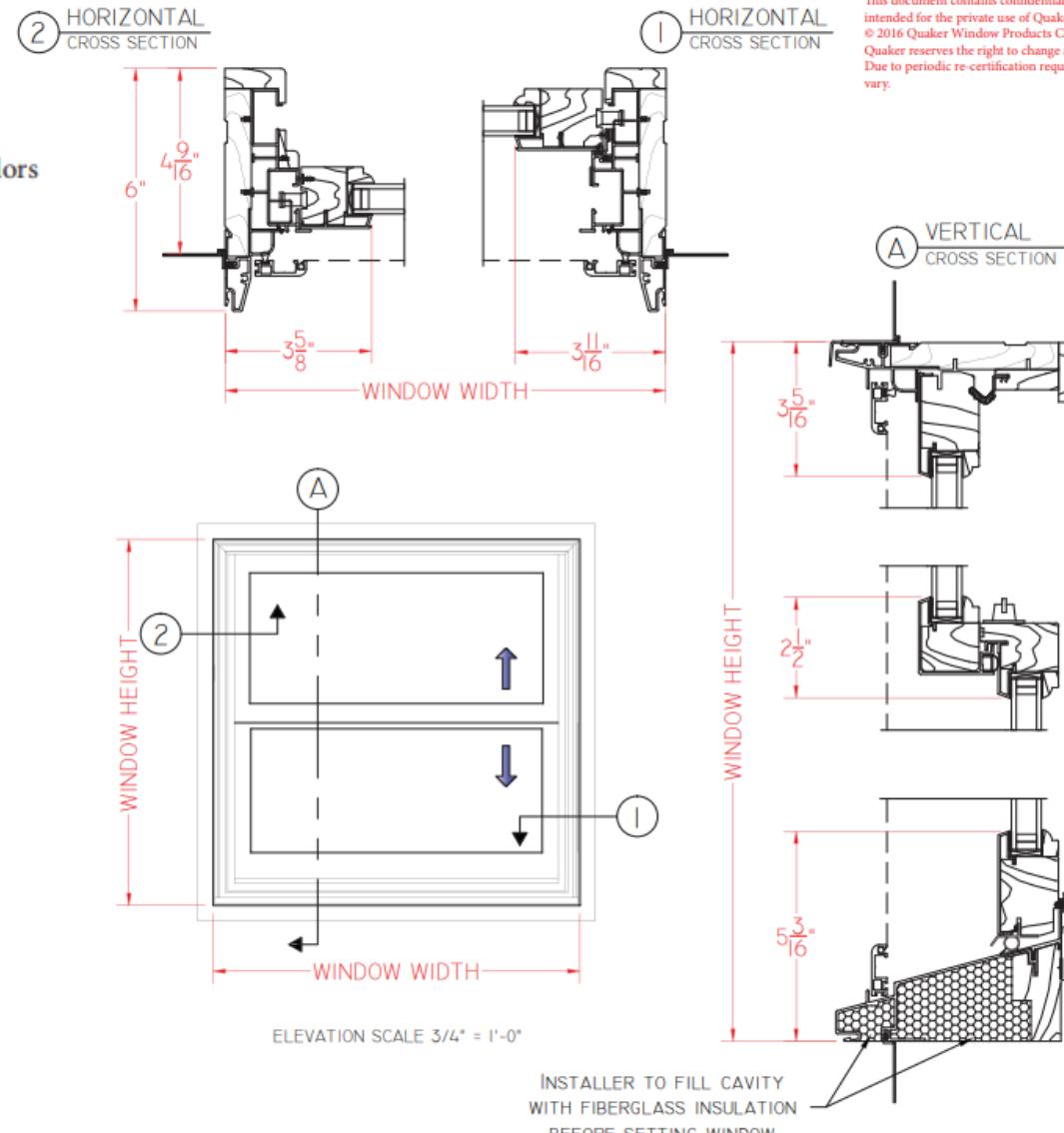
Interior Radiatta Pine

The Lasting Beauty of Wood

- Warm and beautiful interior courtesy of Radiatta Pine wood
- Specially treated in advance to maximize protection against water, mold and mildew
- Adheres to strict industry standards of the Window and Door Manufacturer's Association (WDMA).



Radiatta Pine
Interior Wood Species for all
Brighton Windows and Doors



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Due to periodic re-certification requirements, result shown may vary.

BRIGHTON SERIES DOUBLE HUNG/SINGLE HUNG

The Quaker Brighton Series Double Hung/Single Hung window is ideal for a variety of applications including - Energy Efficient, Apartments, Assisted Living and Housing Authority.

FEATURES

- ◊ Commercial Framing System
 - 6" main frame
- ◊ Enhanced Design
 - Extruded clad exterior, pine interior
- ◊ Glazing
 - $\frac{3}{4}$ " insulated glass
- ◊ Hardware
 - Two block and tackle balancers and vinyl step jamb liners
 - Self-aligning cam-type locks
- ◊ Screen
 - Extruded aluminum screen frame with BetterVue™ mesh

BENEFITS

- ◊ The capacity to match exterior colors for unique project facades
- ◊ The ability to facilitate large sizes for taller and wider window openings

OPTIONS

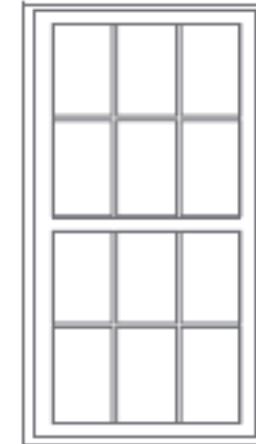
- ◊ Available Configurations
 - Double Hung
 - Single Hung
 - Bay or bow unit
- ◊ Muntin Choices
 - Internal, wood removable or simulated divided lites available
- ◊ Limited travel hardware
- ◊ Nailing Fin
- ◊ Screen
 - Extruded aluminum screen frame with aluminum wire mesh
 - Extruded aluminum screen frame with sunscreen mesh
 - Extruded aluminum screen frame with stainless steel 0.009" thickness mesh
- ◊ Glazing
 - Capillary tubes
 - Argon gas
 - Wide variety of glazing, tinting and thickness options
- ◊ Panning & Trim Choices
 - Wide variety of panning, receptor and trim available
- ◊ Mulling
 - Wide variety of structural mulls

PERFORMANCE

- ◊ Structural & Thermal (test reports or thermal simulations available upon request)

Model	Double Hung/Single Hung
AAMA/WDMA/CSA 101/LS.2/A440-08 Rating	R-50
Structural Load P.S.F.	75.19
Air at 50 MPH (cfm/ft ²)	0.04
Water (No Penetration) P.S.F.	7.52
U-Value (with Low-E and Argon)	0.28-0.32
SHGC (with Low-E and Argon)	0.12-0.29

Window test size: 36" x 84"
Operating Force: 22 lbf (maintain motion), 3 lbf (locks)



Colonial 6 over 6





MEMORANDUM

DATE: August 8, 2024
TO: Historic Preservation Commission
FROM: Vance McNees, City Planner
THROUGH: Heather Cotton, Planning and Development Director
SUBJECT: Certificate of Appropriateness for 32 North Main Street

Grayson England is requesting a Certificate of Appropriateness on behalf of Joe Davis for proposed work at 32 North Main Street pursuant to Unified Development Ordinance, Section 3-8.9 "Certificates of Appropriateness; Required." The property is more fully described as PIN 1701.07.67-5599 on the McDowell County GIS maps.

The project consists of the replacement of two (2) windows, the installation of three (3) doors where three (3) windows currently exist, and the addition of a balcony on the front (Main Street side) of the building. The building is located within the Main Street Historic District and is not designated as a contributing structure.

The purpose of the Certificate of Appropriateness is to ensure that the proposed changes do not harm the historical integrity of the District. Work that is inconsistent with the historical integrity of the District may result in the City losing its designated status. The loss of designated status would have a negative impact on contributing buildings within the District. Property owners of contributing buildings are eligible for both federal (20%) and state historic tax credits (20%) when making improvements that are equal to or exceed 50% of the appraised value.

The potential scope of work has been included with the application and reviewed by City of Marion Planning and Development Staff and the Marion Business Association (MBA) for recommendation. Both staff and the MBA are recommending approval of this Certificate of Appropriateness application.

Please see attached for the application and required materials.



CITY OF MARION
PLANNING AND DEVELOPMENT

STAFF ANALYSIS
CERTIFICATE OF APPROPRIATENESS
Historic Preservation Commission

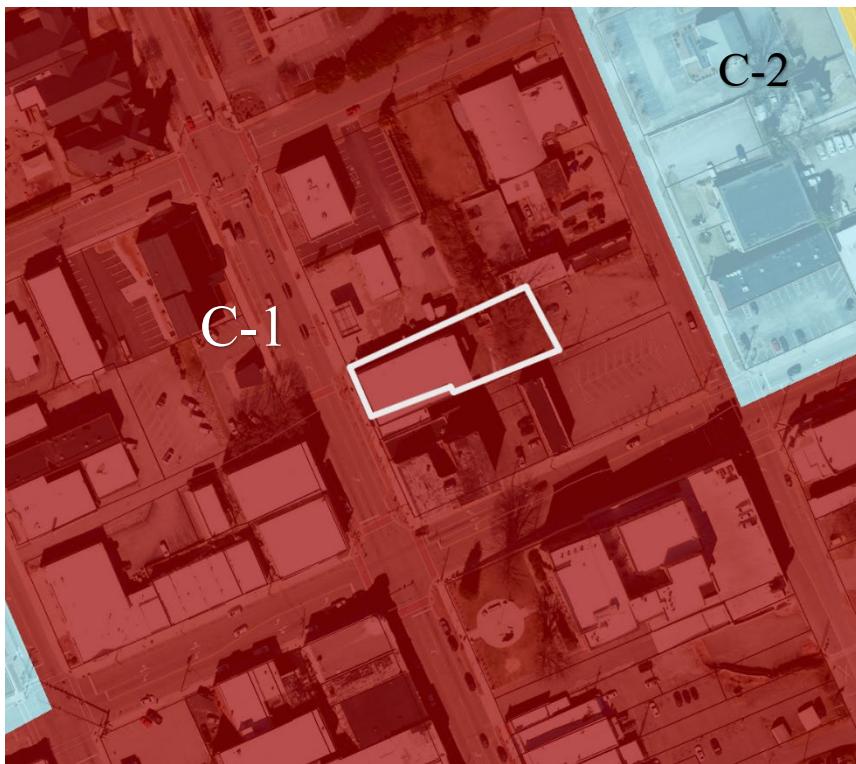
CASE NUMBER:	HP 24-02
Date of Submission:	07/02/2024
A. PROPERTY INFORMATION	
Project Title:	Balcony
PIN:	1701.07.67-5599
Address:	32 North Main Street
Owner:	Davis, Joseph Donald III
Applicant:	Grayson England DBA Joe Davis
Square Footage	15,220 square feet (Lot Size)
Zoning District:	C-1 Central Business and within DO Downtown Overlay
Current Land Use Activity	Commercial

B. LOCATION MAP + ZONING MAP

Figure 1: Tax Parcel and Aerial Map



Figure 2: Zoning Map



C. SECRETARY OF INTERIOR'S STANDARDS OF REHABILITATION

When evaluating an applicant's request the following standards of rehabilitation should be considered:

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces and spatial relationships.
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.
3. Each property will be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.
9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

D. APPLICANT'S PROPOSAL

The Applicant is proposing to replace two windows, install three doors where three (3) windows are currently located. The applicant is also proposing to install a second-story balcony with shed type cover.



Current Facade



Proposed Facade Renovation

D. HISTORIC BUILDING AND DISTRICT EVALUATION

The Main Street Historic District was designated and listed on the National Register of Historic Places in 1990. The period of significance is 1894 through 1937. The District is summarized as:

"Rows of brick commercial buildings, none over four stories in height, from a tight grouping of adjoining buildings lining the east and west sides of Main Street...Most of the commercial buildings date from circa 1900-1920. Almost all buildings are of a simple early 20th century commercial style, but several exhibit Neoclassical influences, with the exception of Hotel Eagle, the oldest building in the district, having Victorian era stylistic influences. The following are examples of buildings that contributed to the style of construction and building materials used during the period for which the District is designated.

Photo Credit (Ex. One, Two, and Three Below): Images of America, Marion, Kim Clark and the McDowell House Project Advisory Committee 2013

Example One: Hotel Flemming (Circa 1910)

This structure is no longer in existence, but contains similar building style and elements found within the Main Street Historic District for the period of designation. This building would have been located directly across the street from subject property.



Example Two: Hotel Marianna (Circa 1910).

This structure is a contributing building in the District and is located on the same block and same side of the street as the subject property. Hotel Marianna has undergone significant alteration over the years. The second floor balcony shown in the picture below (Circa 1910) was removed in the 1980s. The property owner submitted plans to the NC State Historic Preservation Office (SHPO) and to the US Dept. of Interior and has been approved for rehabilitation and Historic Preservation Tax Credits. The State and US Dept. of Interior approved the project without the reinstallation of the second floor balcony so long as the bay windows are replaced. This project is awaiting private investment funding.



Example Three: Hotel Eagle (Circa 1910).

This structure is a contributing building in the District and is located on the same block as the subject property, but on the west side of Main Street. Hotel Eagle has undergone significant alteration over the years. The second floor balcony shown in the picture below (Circa 1892) was removed at an unknown time.



D. APPLICABLE ORDINANCE SECTIONS

Sec. 8-3.10. Criteria to determine appropriateness of proposal.

The following review criteria, along with companion design guidelines and the guidelines of the Secretary of the Interior, shall be considered, where relevant, to make findings of fact indicating the extent to which the application for a certificate of appropriateness is or is not congruous with the historic aspects of the designated landmark or district:

- Walls.
- Proportion of width to height of the total building façade.
- Proportion, shape, positioning, location, pattern and sizes of any elements of fenestration.
- Building materials.
- Surface textures.
- Color.
- Expression of architectural detailing.
- Exterior lighting and appurtenant features.

E. STAFF REVIEW

Staff has reviewed the Applicant's request and found:

1. The property will be used as it was historically and/or one that will result in minimal change to the distinctive materials, features, spaces, and spatial relationships found with the Main Street Historic District.
2. The exterior improvements will not detract from the historical character of the district.
3. Modifications do not create a false sense of time (i.e. as a non-contributing structure not attempting to create a false sense of historical development).

4. **Modifications are being proposed to the building that do impact future historical significance in its own right.**
5. The use of distinctive materials, features, finishes, and construction techniques that characterize the District are being applied to the project.
6. New features, colors, textures all match the original design of the building and are in keeping with the same found within the District.
7. No chemicals or physical treatments have been proposed as part of this project.
8. No archaeological resources will be impacted as a result of this project.
9. New exterior alterations and related new construction will not destroy historical materials, features, and spatial relationships that characterize the district or adjacent contributing structures.
10. **Construction will be undertaken in a manner that will have a negative impact on the original form and integrity of the building and may eliminate the future potential of the building qualifying as a contributing building in a future.**

Upon receiving the application, City of Marion Planning and Development Staff sent the application and scope of proposed work to the Marion Business Association's (MBA) Façade Committee for review and recommendation. The Marion Business Association (MBA) is recommending approval of the proposed project. Staff is also recommending approval with conditions.

E. ADDITIONAL DOCUMENTATION SUBMITTED

- Certificate of Appropriateness Application
- Current Photographs of the property
- Conceptual rendering the property once improvements are completed.
- Architectural designs
- City of Marion Authorized Agent Form
- Color Palette Inspiration photograph
- Release and Agreement (releases the City from any and all liability associated with the placement or presence of the items in or upon a public way)

F. SUMMARY OF STAFF COMMENTS AND RECOMMENDED CONDITIONS OF APPROVAL

Staff recommends **APPROVAL of the Certificate of Appropriateness** with the following conditions:

1. The applicant must provide the signed release and agreement that releases the city from all liability regarding items within the public way. (The city has already received this document.)
2. The post(s) should be installed a minimum of 1.5 feet behind curb and gutter in accordance with NCDOT requirements.
3. If any work occurs within 5 feet of the roadway and/or road closure must take place, NCDOT approval will be required.
4. A plan for the protection of all public street trees located within the construction area shall be provided and approved by the city's street superintendent and city arborist prior to building permit issuance.
5. Commercial signage not permitted above on or above second story balcony.



CITY OF MARION

194 N. Main Street • P.O. Drawer 700 • Marion, NC 28752

Planning & Development Services

CERTIFICATE OF APPROPRIATENESS APPLICATION

(PLEASE TYPE OR PRINT IN INK)

Applicant's Name/Contact Person: England Builders / Grayson England Phone Number: 652 4067

Applicant's Mailing Address: 260 Barnes Rd, A City: Marion State: NC Zip: 28752

Historic Name of Property: _____

Location: Please include the full street address of the property and the McDowell County Parcel Identification Number (PIN), which can be found on the McDowell County website <http://www.mcdowellcountygis.com/>.

Physical Address: 32 N. Main Street

Parcel ID Number (PIN) 1701-67-5599

Check all that apply:

Proposed Work: Exterior Reconstruction, Exterior Alteration, and /or Demolition

Description of Work:

Replace windows (2), Install (3) doors where 3 windows now exist.
Add balcony with shed type cover.
On the main street side.

Attach a plot plan or site plan showing all dimensions of the lot and the existing and proposed improvements and necessary setback lines if addition(s) or demolition(s) are proposed.

Attach sketches, renderings, photographs, specifications, material descriptions and other information of sufficient detail to clearly show the proposed exterior alterations, additions, changes or new construction.

Note: Applicant must submit a notarized letter authorizing them to act on the property owner's behalf and stating the Applicant's name, address and phone number.

I CERTIFY THAT ALL OF THE INFORMATION PRESENTED IN AND WITH THIS APPLICATION IS TO THE BEST OF MY KNOWLEDGE, IS TRUE, COMPLETE AND ACCURATE.

Grayson England
SIGNATURE OF APPLICANT

7-2-24

DATE



City of Marion
Authorized Agent Form

I, Joe Davis, do hereby appoint

Grayson England / England Builders as my duly authorized agent to act and speak for me before the City of Marion on the following matters:

Project Title: Davis Balcony

Physical Address: 32 N. Main Street

Print Name

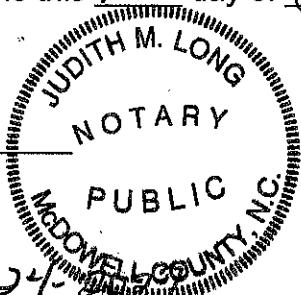
Joe Davis

Signature

Joe Davis

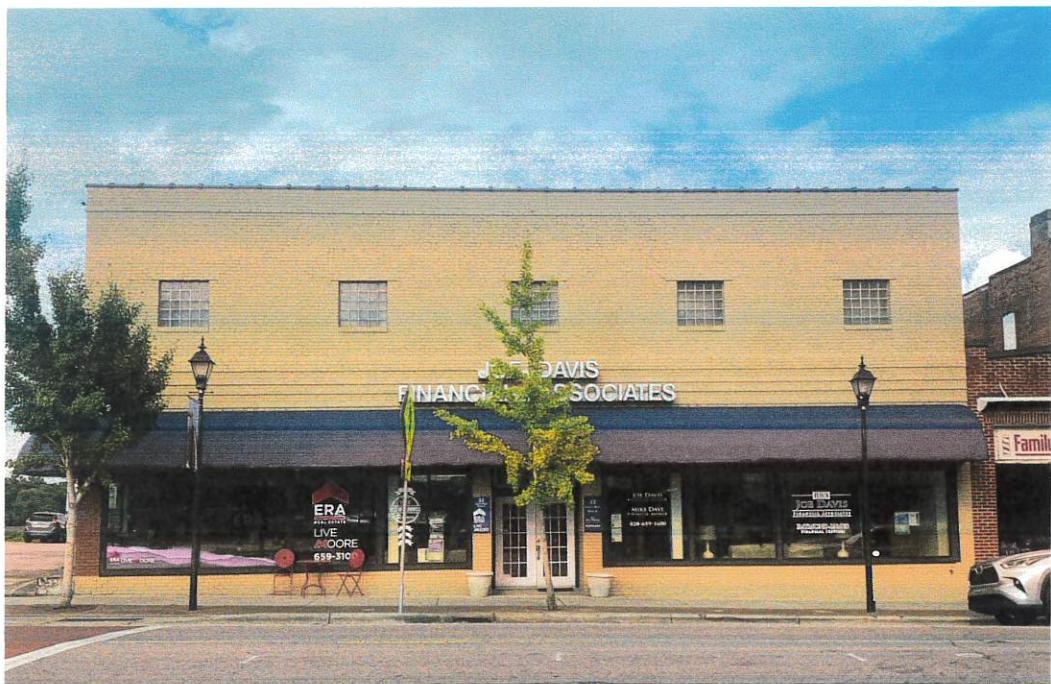
Subscribed and sworn before me this 17th day of June, 2024.

Judith M. Long
Notary Public



My commission expires: 6-24-2024

**32 North Main Street
Marion, NC 28752**



Current Facade



Proposed Facade Renovation

**32 North Main Street
Marion, NC 28752**



**Color Palette Inspiration:
Light beige painted brick, black trim, black awning**



For Office Use Only

Fee Paid \$ _____

Cash _____ Check # _____

Registration Date: _____

Permit # _____

CITY OF MARION

194 N. Main Street • P.O. Drawer 700 • Marion, NC 28752

Planning & Development Services

COMMERCIAL/MULTI-FAMILY ZONING PERMIT APPLICATION

(PLEASE TYPE OR PRINT IN INK)

Applicant's Name: Grayson England Phone Number: 652 4067

Business Name: England Builders, Inc

Applicant's Mailing Address: 260 Barnes Rd, Suite A, Marion, NC 28752

Physical Address of Property: 32 N. main street

Parcel ID Number (PIN) 1701-67-5599

Existing Use: Commercial Proposed Use: Commercial

Zoning District: _____ Lot Size: 15,220 SF Gross Floor Space: 13,716 SQ. FT.

A site plan shall be submitted to the Planning & Inspections Department on a scale of no less than one inch equals 100 feet prepared by a licensed engineer, land surveyor, or architect. The submitted site plan must contain all items listed in Attachment A of this application. No new or amended site plan shall be required if an adequate Site Plan is on file with the Planning and Inspections Department, no increase in or rearrangement in parking is proposed or required, and no increase in impervious surface is proposed or required. All applications must be deemed complete and in compliance with the City Code to be processed.

I CERTIFY THAT THE FOREGOING INFORMATION TOGETHER WITH THE DRAWINGS AND SPECIFICATIONS SUBMITTED HEREWITH IS ACCURATE TO THE BEST OF MY KNOWLEDGE AND I AGREE TO THE TERMS AND CONDITIONS ENUMERATED BELOW.

Applicant

Date

7-2-24

1. All construction work shall comply with the applicable State and local laws. Deviation from the approved site plan submitted herewith must be approved by the Zoning Administrator in advance.
2. The construction site must be maintained in a safe and orderly condition at all times.
3. Land Disturbing Activities must be conducted in accordance with the Sedimentation Pollution Control Act (North Carolina General Statute §113-51 through § 113-60.) Any land disturbance greater than 1-acre must have an Erosion and Sedimentation Control Plan approved by the North Carolina Department of Environment and Natural Resources. Please contact the Land Quality Division for more information.
4. §15.92, §15.93, and § 15.94 of the Marion City Code will further explain street cleaning and repair of damages to any public street, sidewalk, and storm drainage as a result of construction. Please see the above referenced section for additional information.
5. Applicants must secure a Certificate of Occupancy before occupying the new building or part thereof, or before changing the use.
6. This permit shall expire 6 months after date of issuance if work has not commenced, or upon discontinuance of work for a period of 12 months.

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL
RELEASE AND AGREEMENT

THIS RELEASE is executed and entered into this the 3rd day of July, 2024.

By Grayson England (hereinafter referred to as "undersigned").

1. It is further acknowledged by the undersigned that use of streets, sidewalks, and other public places located within the municipal limits of the City of Marion is subject to regulation by the City.
2. It is further acknowledged that Section 15-134(a)(4) of Marion City Code prohibits the placing of any items on the public sidewalk unless the merchant wishing to do so first provides the City Manager with a signed notarized statement accepting total and complete responsibility for any accidents or other problems relating to the items placed street, sidewalk, or other public place.

3. Description of specific item(s) and number of items to be placed on the street, sidewalk, and/or other public place:

Balcony

4. Undersigned hereby agrees to indemnify the City and to hold the City harmless from any and all claims, damages, or liability to any person whatsoever, (including attorney fees, costs of court and any other expenses) which may arise from or in any way related to, the placement of the items described above on the sidewalk. Should any such claim be made against the City, the undersigned agrees to assume the cost of defending such claim, and to reimburse the City for any expenses it incurs in the defense such claim. Undersigned agrees to maintain sufficient liability insurance coverage to enable it to comply with the provisions of this Release and Agreement and name the City of Marion as additionally insured under the policy.

Undersigned maintains liability insurance on the business in question with: Miller Insurer, Spruce Pine, and agrees to forward a copy of this Release and Agreement to its Insurer.

5. Undersigned stipulates that, by the promises and representations contained herein, it has induced the City to allow it to place the items referred to above on the public street, sidewalk, or other public place. Undersigned acknowledges that such permission may at any time be immediately withdrawn if undersigned is found to be in violation of any part of the Marion City Code, or if, in the sole discretion of the City, the items placed in or upon the public way, or the activities associated with them, are considered an unreasonable hazard or violation of law. Undersigned hereby releases the City from any and all liability either associated with the City's exercise of its discretion in making such determination, or in any other way arising from the placement or presence of the items referred to above in or upon a public way, or from any activities associated in any way with such items.

Name (Print) Grayson England

Signature

Grayson England Date: 7/3/24

Effective on the date and year first above written.

STATE OF NORTH CAROLINA
COUNTY OF McDOWELL

I, Heaven Friesland

a Notary Public, certify that

Grayson England

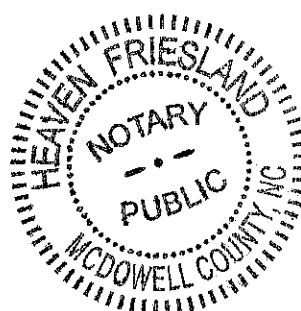
personally came before me this day and acknowledged the

due execution of the foregoing instrument. IN WITNESS WHEREOF, I have hereunto set my hand and notarial seal,

this the 3 day of July, 2024.

Heaven Friesland
Notary Public

My Commission Expires: February 26 2028



ENGLAND BUILDERS INC.

GENERAL CONTRACTOR

260 Barnes Road, Suite A
Phone: 828-652-4067

E-Mail: info@englandbuilders.com

Marion, NC 28752
Fax: 828-652-5820

July 2, 2024

Re: Balcony at 32 N. Main Street, Marion, NC

1. Joe Davis, 32 N. Main Street, Marion, NC
Grayson England, England Builders, Inc.
2. We have included the tax listing from McDowell County GIS
3. Building use is not intended to change. The building is approximately 60 ft wide facing Main Street. The proposed balcony to be added would be 60 ft wide, 7 ft deep. The proposed location for support posts would be 5 ft out from the front of the building, with 2 ft cantilever above for a total of 7 feet.
4. N/A
5. N/A
6. Utilities are located at the rear of the existing building. No fire hydrant
7. N/A
8. N/A – Existing with no change
9. N/A - Existing with no change
10. N/A - Existing with no change
11. N/A
12. N/A
13. Please see attached information from NCDOT stating the posts should be installed a minimum of 1.5 ft behind curb and gutter and not to impede pedestrian pathway.

England Builders

From: Butler, Jason <jbutler5@ncdot.gov>
Sent: Tuesday, June 11, 2024 3:46 PM
To: England Builders
Cc: Fleming, Joseph C; Boyce, Antawan L
Subject: RE: [External] Balcony on Main Street

It appears it would be located outside of NCDOT right of way, the post should be installed a minimum of 1.5' behind curb and gutter and not to impede pedestrian pathway. No approval required from NCDOT unless you are working within 5' of roadway or require a lane closure. Please coordinate work with the City of Marion.

Jason Butler
Assistant District Engineer
Division 13
North Carolina Department of Transportation
jbutler5@ncdot.gov
3931 NC 226 S
Marion, NC 28752
828-803-6100



From: England Builders <info@englandbuilders.com>
Sent: Thursday, June 6, 2024 2:30 PM
To: Butler, Jason <jbutler5@ncdot.gov>
Subject: RE: [External] Balcony on Main Street

CAUTION: External email. Do not click links or open attachments unless verified. Report suspicious emails with the Report Message button located on your Outlook menu bar on the Home tab.

Hi Jason,
Thank you for your prompt reply. The address is 32 North Main Street.

Judy

England Builders, Inc.
260 Barnes Road, Suite A
Marion, NC 28752
828.652.4067
www.englandbuilders.com

From: Butler, Jason <jbutler5@ncdot.gov>
Sent: Thursday, June 6, 2024 2:24 PM

