

DATE

March 8, 2023

SUBJECT

Certificate of Appropriateness Request:

H-02-23

Applicant:

Allen L. Brooks, AB Architecture

Location of subject property:

40 Franklin Ave NW

PIN:

5620-79-3073

Staff Report prepared by:

Autumn C. James, Senior Planner

BACKGROUND

- The subject property, 40 Franklin Ave. NW, is designated as a “Pivotal” structure in the North Union Street Historic District (Exhibit A).
- “Highly significant, two-story, frame house in the "Domestic Gothic" style popularized by the American architect Andrew Jackson Downing during the mid-19th century, the only surviving example of the style in Concord. House enjoys perhaps the most picturesque setting in the district. House has L-shaped, gable-roofed main block and pair of rear, two-story gable-roofed wings. All gables are trimmed with wavy bargeboard, as are the sharply pitched, gable-roofed dormers that pierce the roofline of the main-block and one of the rear wings. In addition to these characteristically Gothic features, the house has Italianate details often seen in Downing-inspired designs, including a three-sided, slanted bay window on the west (left) facade bay, a handsome wrap-around porch with chamfered, molded and bracketed porch posts, and an entrance with a two-leaf, four-panel door and a molded architrave. House has asbestos siding. House deeply set in one of the district's largest lots, which is bordered by rubble stone walls and closely planted shrubs. Within the walls, informally arranged features include a greenhouse, reflecting pool, and gazebo. B. Franklin Rogers (1847-1908) was a schoolteacher and later a traveling salesman who invested in local businesses (Exhibit A).

DISCUSSION

On January 18, 2023, Allen L. Brooks, AB Architecture, applied for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 for modification of the exterior siding (Exhibit B). This application follows a previously approved Certificate of Appropriateness for the removal of non-original siding on the right (east) and rear (north) elevations and installation of board and batten wood siding to match the existing structure. Once work commenced, the removed asphalt and vinyl siding revealed wood lap siding.

To support continuity and flow with the original, the applicant is proposing the installation of wood lap siding. The original siding is a nominal 1x6, and the new siding would be a nominal 1x8. Siding would show contrast from the original historic structure. The 1x8 boards could be ripped to virtually match the original 1x6 boards which would allow for replacement of deteriorated or missing pieces. All original siding will be saved and salvaged for reuse. Vertical trim boards will be included to define areas of alteration and separate original from new, the sill band trim will be restored, the trim between the siding will be replaced and replicated, and circular attic vents will be restored.

ATTACHMENTS

Exhibit A: National Register of Historic Places Inventory

Exhibit B: Application for Certificate of Appropriateness

Exhibit C: Subject Property Map

Exhibit D: Site Plan

Exhibit E: Applicant Submitted Photographs

Exhibit F: Recorded Order Dated April 13, 2022

Exhibit G: Full Staff Report (H-27-22)

Exhibit H: Draft Order Dated January 11, 2023

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS

Approval Requirement Needs Table: Siding

Alteration of siding from one material to another (shingles to clapboard etc.). Applications of any simulated materials, aluminum siding, plastic siding, etc. requires Commission Hearing and Approval.

Approval Requirement Needs Table: Siding Removal

Removal of siding to be replaced with another material (shingles to clapboard etc.) requires Commission Hearing and Approval.

Chapter 4: Local Standards and General Policies

***Alterations:** Alterations having no historical basis shall be avoided whenever possible. Any type of alteration of exterior features of a building, site, or environment within the Historic Districts which is not specifically listed within these regulations shall be referred to the Historic Preservation Commission for action on the issuance of a Certificate of Appropriateness.*

- *All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.*
- *Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right and this significance shall be recognized and respected.*
- *Contemporary design for alterations and additions to existing properties shall be encouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.*
- *New additions or alterations shall be construed in such a manner as to preserve the essential form and integrity of the structure, should the addition or alteration be removed.*

Chapter 5 – Section 4: Siding and Exterior Materials

- *There are a variety of materials available for use on the exterior of both existing structures and for new construction. Wood siding is the predominate exterior material within the Historic Districts, although some structures have masonry.*
- *Because artificial siding is not considered an authentic, historical material, it is prohibited from being used on structures defined by the Commission as Pivotal and Contributing to the Historic Districts, or for large accessory structures.*

RECOMMENDATION

1. The Historic Preservation Commission should consider the circumstances of this application for a Certificate of Appropriateness relative to the North and South Union Street Historic Districts Handbook and act accordingly.
2. If approved, applicant(s) should be informed of the following:
 - City staff and Commission will make periodic on-site visits to ensure the project is completed as approved.
 - Completed project will be photographed to update the historic properties survey.

United States Department of the Interior
National Park Service

National Register of Historic Places
Inventory—Nomination Form

For NPS use only
received _____
date entered _____

Continuation sheet	Item number	Page
Inventory List - North Union Street Historic District, Concord	#7	45

One-story, frame Queen Anne style cottage with facade composed of two cross gables. Gable on east (right) side projects forward of main block and has cut-away corners. Both gables embellished with sawn ornaments with spindlework and cut-out ventilator. Wrap-around porch has Tuscan columns which replaced original porch supports at undetermined early 20th. century date.

75. B. Franklin Rogers House
40 Franklin Avenue, N.W.
ca. 1880
P

High significant, two-story, frame house in the "domestic Gothic" style popularized by the American architect Andrew Jackson Downing during the mid-19th. century, the only surviving example of the style in Concord. House enjoys perhaps the most picturesque setting in the district. House has L-shaped, gable-roofed main block and pair of rear, two-story gable-roofed wings. All gables are trimmed with wavy bargeboard, as are the sharply pitched, gable-roofed dormers that pierce the roofline of the main block and one of the rear wings. In addition to these characteristically Gothic features, the house has Italianate details often seen in Downing-inspired designs, including a three-sided, slanted bay window on the west (left) facade bay, a handsome wrap-around porch with chamfered, molded and bracketed porch posts, and an entrance with a two-leaf, four-panel door and a molded architrave. House has asbestos siding. House deeply set in one of the district's largest lots, which is bordered by rubble stone walls and closely planted shrubs. Within the walls, informally arranged features include a greenhouse, reflecting pool, and gazebo.

B. Franklin Rogers (1847-1908) was a schoolteacher and later a traveling salesman who invested in local businesses.

76. House
68 Franklin Avenue, N.W.
c. 1905
C

One-story, frame cottage with side gable roof and projecting west (left) facade bay. Two-bay porch with turned posts and balustrade; 2/2 sash windows. Vinyl siding. One of a pair of speculative cottages said to have been built by businessman J.L. Hartsell, whose Spring Street residence adjoins this property (see #126).



Application for Certificate of

General Requirements

The Unified Development Ordinance imposes the following rules, regulations and requirements on requests for Certificates of Appropriateness. The applicant must, with reference to the attached plans, demonstrate how the proposed use satisfies these requirements:

1. Project or Type of Work to be Done: SIDING CHANGE FOR EXTERIOR
2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
 - SEE ATTACHMENT 1
 - ELEVATIONS
 - PHOTOS SENT VIA EMAIL SEPARATELY IN LINK PROP BOX W/ LAST SUBMISSION
 - FEE - DELIVERED TO OFFICE BY OWNER

**Required Attachments/
Submittals**

- ✓ 1. Scaled site plan, if additions or accessory structures are proposed, on letter, legal or ledger paper. Larger sized copies will be accepted if 16 folded copies are submitted for distribution.
- ✓ 2. A photograph of the front of the house.
- ✓ 3. Photographs of site, project, or existing structures from a "before" perspective
- ✓ 4. Drawings, sketches, renderings, elevations, or photographs necessary to present an illustration of the project from an "after" perspective.
- 5. Samples of windows, doors, brick, siding, etc. must be submitted with application.
- ✓ 6. Detailed list of materials that will be used to complete the project.

Applications may be submitted electronically.

Certification

(1) I hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department. (2) I understand that City staff and/or members of the Historic Preservation Commission may make routine visits to the site to insure that work being done is the same as the work that was approved. (3) I understand that photographs of the completed project will be made to update the City's historic districts inventory database.

18 JAN 2022
Date

[Signature]
Signature of Owner/Agent

Planning & Neighborhood Development
35 Cabarrus Ave W • P.O. Box 308 • Concord, NC 28025
Phone (704) 920-5152 • Fax (704) 920-6962 •



Application
for Certificate of

AN INCOMPLETE APPLICATION WILL NOT BE PLACED ON THE AGENDA UNTIL ALL OF THE REQUIRED ATTACHMENTS AND/OR ITEMS LISTED ON PAGE 2 ARE SUBMITTED.

APPLICANT INFORMATION

Name: ALLEN L. BROOKS, AIA ; AB ARCHITECTURE
Address: 3021 ENGLIS AVE.
City: CHARLOTTE State: NC Zip Code: 28203 Telephone: 704.502.4554

OWNER INFORMATION

Name: TOBY L. & KELSEY E. CAMERON RIFFER
Address: 40 FRANKLIN AVE. NW, CONCORD, NC

Attachment 1

Historic B.F. Rogers House
40 Franklin Avenue NW

18 January 2023

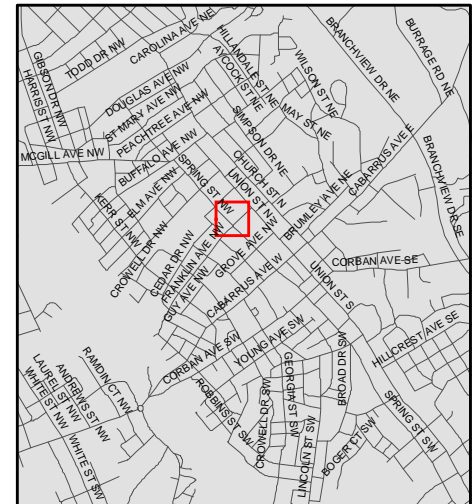
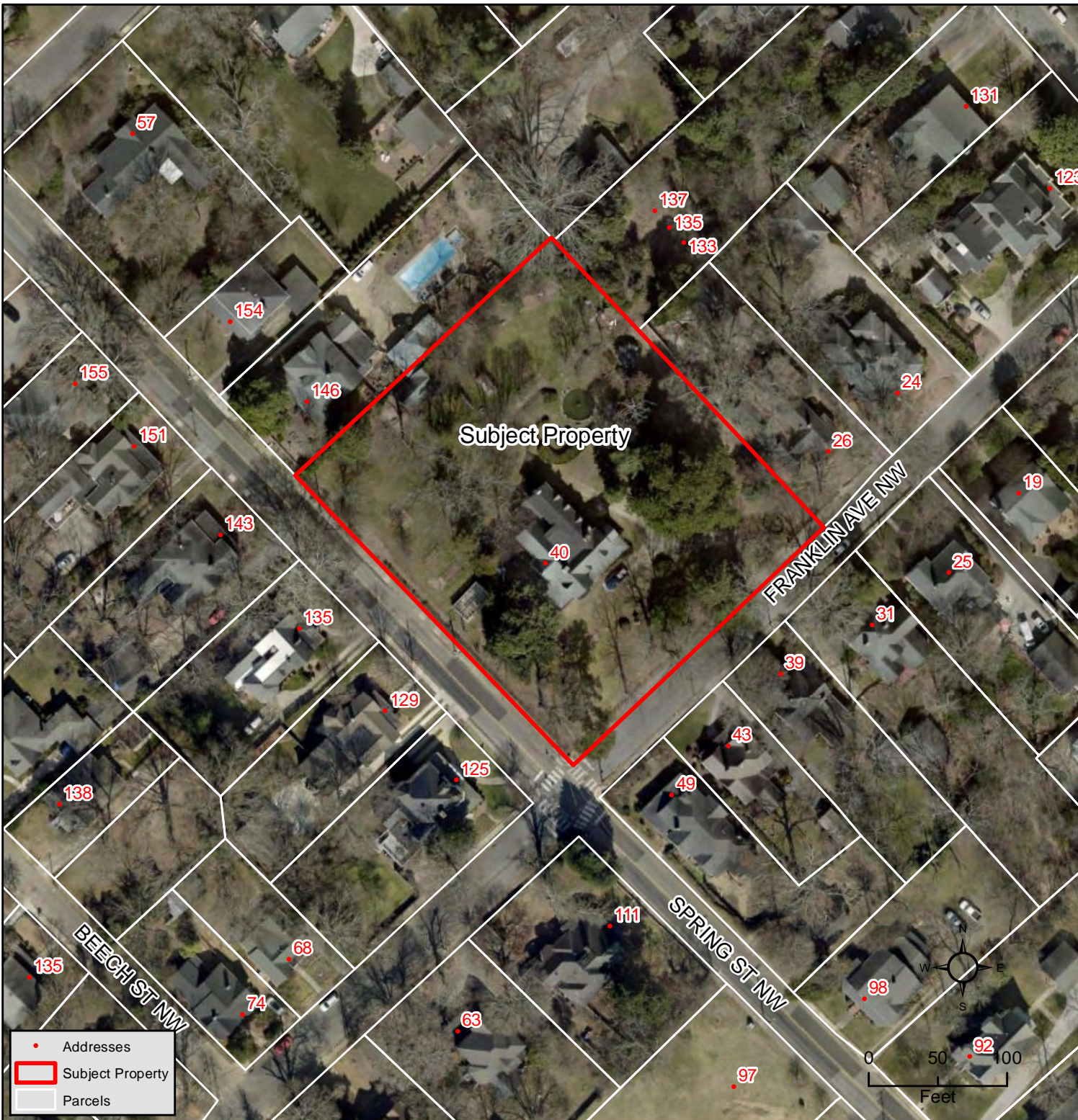
RE: House exterior changes of siding:

- 1) Approved COA, from April 13 2022 meeting; January 11 2023
- 2) The removed asphalt and vinyl siding revealed an unexpected condition. The rear pantry room was wood lap siding. That room was thought to be an enclosed original porch. Obviously it was sided with all rear addition, as there is no breaks between the two story gabled wing and the one story shed portion.
- 3) Rethinking the siding and appearance submitted with original 2022 application as board and batten; installing wood lap siding on infilled porches and addition would have more continuity and flow with original, and not a pronounced contrast and break with vertical siding.
- 4) The original siding is a nominal 1x6, and new siding would be nominal 1x8. Siding at altered enclosed spaces and addition would contrast from the original as readability for alterations to the Historic structure.
- 5) The 1x8 could be ripped to virtually match the original 1x6 boards. This could be used to replace deteriorated or missing boards. All original siding will be saved and salvaged for reuse east original walls.
- 6) The new elevation drawings of submission, show the variation; vertical trim boards define the areas of alteration and separate original from new.
- 7) The sill band trim will be restored, and altered spaces to match the original.
- 8) When the asphalt siding was applied, the thin vertical back stop at window, door and corner trim between the siding, was broken off for flush condition. The trim will be replaced at original and replicated at new.
- 9) Circular attic vents to be restored. Nail holes in board to be filled. Paint failure to be sensitively prepared for painting; no sandblasting or rotary sander. Adhered paint to be maintained.
- 10) Guttering from second floor as depicted on drawings. No guttering will run across windows. Guttering will be sensitively placed at lower floor roofs.
- 11) Project will be a State Historic Preservation Office tax credit project.

H-02-23

40 Franklin Ave NW

PIN: 5620-79-3073



Source: City of Concord
Planning Department

Disclaimer

These maps and products are designed for general reference only and data contained herein is subject to change. The City Of Concord, it's employees or agents make no warranty of merchantability or fitness for any purpose, expressed or implied, and assume no legal responsibility for the information contained therein. Data used is from multiple sources with various scales and accuracy. Additional research such as field surveys may be necessary to determine actual conditions.

Exhibit C H-02-23



① South
1/4" = 1'-0"



② West
1/4" = 1'-0"

PROPOSED ALTERNATE (PORCH) SCHEME A - PLAN

GENERAL NOTES:

1. ALL PROPERTY LINES TO BE VERIFIED BY SURVEYOR.
2. ALL BUILDING LOCATIONS TO BE VERIFIED BY SURVEYOR.
3. FINISH GRADE TO BE COORDINATED BY CONTRACTOR AND OWNER BASED ON EXISTING SITE CONDITIONS.
4. ALL FINISH FLOOR HEIGHTS TO BE VERIFIED AT SITE & PRIOR TO CONSTRUCTION.
5. FACE OF PLYWOOD SHEATHING TO ALIGN WITH FACE OF CONCRETE WALL & SLAB.
6. FIRE BLOCK @ FLOOR & CEILING PER CODE.
7. ALL DIMENSIONS ARE TO FACE OF STUD & BRICK AT FOUNDATION.
8. STAIR RISE & TREAD DEPTH TO BE VERIFIED ON SITE BY STAIR COMPANY PRIOR TO PRODUCTION.
9. INTERIOR & EXTERIOR STAIR NOSING SHALL CONFORM TO R311.7.5.3 PROFILE - CURVATURE OF THE NOSING SHALL BE NO GREATER THAN 9/16".
10. ALL RISERS TO BE SOLID.
11. ALL CASED OPENINGS TO MATCH DOOR MFG. - CONTRACTOR TO COORDINATE.
12. RAILS TO BE 36" IN HEIGHT.
13. ALL EXTERIOR COLUMNS TO BE SQUARE COLUMNS - SEE DRAWINGS FOR ALL SIZES & HEIGHTS.
14. NO RAIL REQUIRED IF GRADE TO STOOPS & PORCHES IS LESS THAN 29" IN HEIGHT.
15. USE DOUBLE FELT FOR ALL PITCHES OF 4:12 OR LESS.
16. ALL EAVES TO MATCH EXISTING HOUSE (SEE ROOF PLAN).
17. ALL FASCIAS TO MATCH EXISTING HOUSE.
18. CONTRACTOR TO COORDINATE GUTTER & DOWNSPOUT LOCATIONS.
19. CONTINUOUS EAVE VENT U.N.O.
20. WATERPROOF MEMBRANE TO BE INSTALLED ACROSS ENTIRE SURFACE FOR ROOF PITCHES LESS THAN 2:12, FLASHING & COUNTER FLASHING AS REQUIRED.

STAIRS, RAILING & GUARD NOTES:

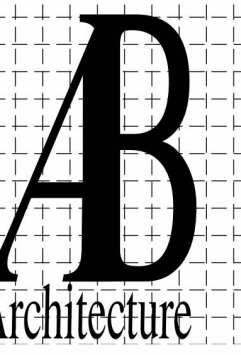
1. R311.7.1 WIDTH - STAIRWAYS SHALL NOT BE LESS THAN 36 INCHES IN CLEAR WIDTH AT ALL POINTS ABOVE THE PERMITTED HANDRAIL HEIGHT. -SEE PLANS FOR CLEAR WIDTH.
- 1.1. EXCEPTION DOES NOT APPLY TO THIS PROJECT.
2. R311.7.5.1 RISER HEIGHT - THE MAXIMUM RISER HEIGHT SHALL BE 8 1 INCHES.
- 2.1. ALB SPECIFIES MAXIMUM RISER HEIGHT SHALL BE 8 INCHES FOR THIS PROJECT.
3. R311.7.5.2 TREAD DEPTH - THE MINIMUM TREAD DEPTH SHALL BE 9 INCHES.
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5. R311.7.8.1 HANDRAIL HEIGHT - HANDRAIL HEIGHT SHALL NOT BE LESS THAN 34 INCHES AND NOT MORE THAN 38 INCHES IN HEIGHT.
6. R312.1.2 GUARD HEIGHT - GUARDS SHALL NOT BE LESS THAN 36 INCHES.
- 6.1. EXCEPTIONS 1 & 2 APPLY TO PROJECT - GUARD HEIGHT SHALL NOT BE LESS THAN 34 INCHES IF ON THE OPEN SIDE OF STAIR & SERVES AS THE RAILING.
7. R312.1.3 OPENING LIMITATIONS- REQUIRED GUARDS SHALL NOT HAVE OPENINGS FROM THE WALKING SURFACE TO THE REQUIRED GUARD HEIGHT WHICH ALLOW PASSAGE OF A SPHERE 4 INCHES IN DIAMETER.
- 7.1. EXCEPTIONS 1 & 2 APPLY TO PROJECT - OPEN SIDE OF STAIR SHALL NOT ALLOW PASSAGE OF A 6 INCH SPHERE IN DIAMETER AT THE TRIANGULAR OPENINGS (BETWEEN BOTTOM RAIL, TREAD AND RISER). GUARDS SHALL NOT ALLOW PASSAGE OF A 4" DIAMETER SPHERE ON OPEN SIDE OF STAIR.

NOTE:

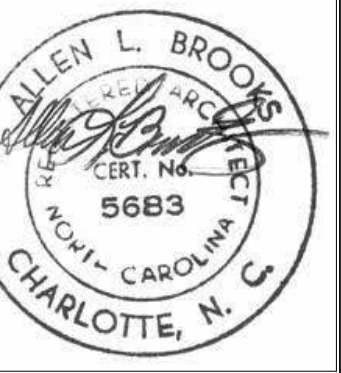
1. REUSE OR MODIFICATION OF THESE CONSTRUCTION DOCUMENTS BY THE CLIENT, WITHOUT THE ARCHITECTS PERMISSION, SHALL BE AT THE CLIENTS SOLE RISK, AND THE CLIENT AGREES TO INDEMNIFY AND HOLD THE ARCHITECT HARMLESS FOR ALL CLAIMS, DAMAGES AND EXPENSES, INCLUDING ATTORNEY FEES ARISING OUT OF SUCH REUSE BY CLIENT OR BY OTHERS ACTING THROUGH CLIENT.
2. THESE DRAWINGS ARE NOT TO BE SCALED FOR ANY REASON, ALL DIMENSIONS TO BE FIELD VERIFIED. IF DIMENSIONS ARE IN QUESTION, OBTAIN CLARIFICATION FROM ARCHITECT.

RENOVATION NOTES:

1. "D" = DOOR REPLACEMENT
2. "W" = INDICATES ADDED WINDOW



AB ARCHITECTURE
2021, EUCLID AVENUE,
CHARLOTTE NC 28203
EMAIL: brooks.ab@icloud.com
Phone: 704-502-4554



16 JUNE 2021

HISTORIC B.F. ROGERS
CARTRETT - PHIFER RESIDENCE
40 FRANKLIN AVENUE NW, CONCORD, NC

PROJECT #: 2006

ISSUE DATE: Issue Date

REVISIONS:

XX 2021

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- 6.1. EXCEPTIONS 1 & 2 APPLY TO PROJECT - GUARD HEIGHT SHALL NOT BE LESS THAN 34 INCHES IF ON THE OPEN SIDE OF STAIR & SERVES AS THE RAILING.
7. R312.1.3 OPENING LIMITATIONS- REQUIRED GUARDS SHALL NOT HAVE OPENINGS FROM THE WALKING SURFACE TO THE REQUIRED GUARD HEIGHT WHICH ALLOW PASSAGE OF A SPHERE 4 INCHES IN DIAMETER.
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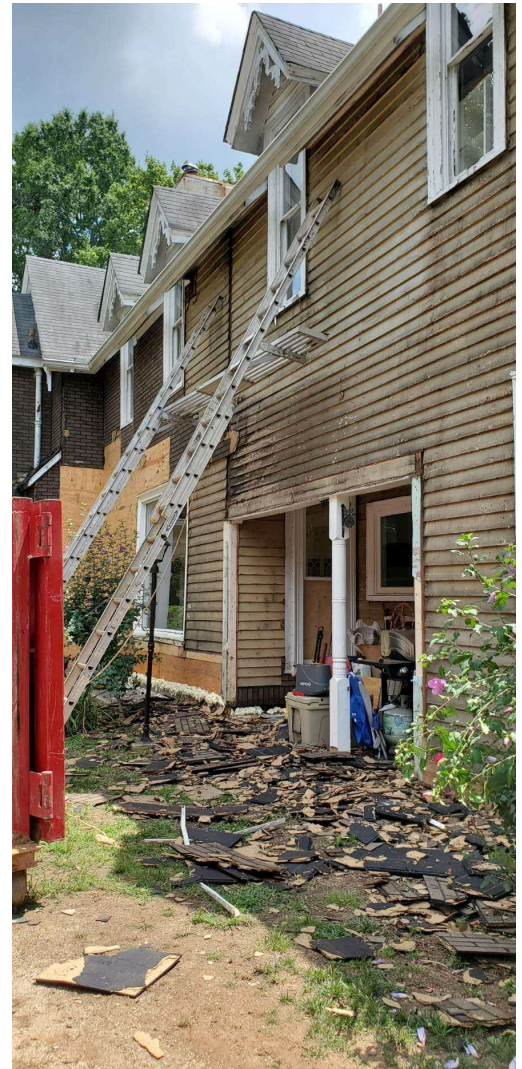
NOTE: WINDOWS = SALVAGED ORIGINALS

② East
1/4" = 1'-0"



① North
1/4" = 1'-0"

PROPOSED ALTERNATE (PORCH) SCHEME A - PLAN



FILED
 CABARRUS COUNTY NC
 WAYNE NIXON
REGISTER OF DEEDS

FILED	May 05, 2022
AT	04:16 pm
BOOK	16009
START PAGE	0259
END PAGE	0266
INSTRUMENT #	15165
EXCISE TAX	\$0.00

TMF

SCANNED AND RETURNED

Mail to: City of Concord, Planning Dept., PO Box 308, Concord, NC 28026 PIN# 5620-79-3073

NORTH CAROLINA **ORDER OF THE CITY OF CONCORD**
CABARRUS COUNTY **HISTORIC PRESERVATION COMMISSION CASE # H-05-22**

This matter came before the Historic Preservation Commission (hereinafter the "Commission") on April 13th, 2022. The Commission, heard sworn testimony from the following witnesses: Kristen Boyd-Sullivan, Allen Brooks, Toby L. Phifer and Kelley Cartrett-Phifer and considered the following exhibits: Exhibit A: National Register of Historic Places Inventory, Exhibit B: Application for Certificate of Appropriateness, Exhibit C: Subject Property Map, Exhibit D: Project Description, Exhibit E: Existing Conditions Site Plan, Exhibit F: Proposed Site Plan, Exhibit G: Existing Elevations Exhibit H: Existing 3D Elevations, Exhibit I: Proposed Elevations, Exhibit J: Proposed 3D Elevations, Exhibit K: Existing Floor Plans, Exhibit L: Proposed Floor Plans, Exhibit M: Existing Conditions Photos, Exhibit N: 2006 Inventory Photographs, Exhibit O: Gray's New Map, Exhibit P: Sanborn Map Based upon competent, material, and substantial evidence, the Commission makes these:

FINDINGS OF FACT:

1. The subject property is located at 40 Franklin St. NW, Concord, NC. The owners are Toby L. Phifer and Kelley E. Cartrett Phifer who acquired the property by deed recorded in Cabarrus County Register of Deeds Book 15333, Page 263, as recorded on July 14th, 2021.
2. 40 Franklin Ave. NW is located in the RC (Residential Compact) zoning district and is in the North Union Street Historic District and is designated as a "Pivotal" structure in the Concord Historic Districts Handbook (June 2001 ed.), (the "Handbook") Chapter 3 (Exhibit A).
3. The Handbook is an ordinance of the City of Concord duly adopted by the City Council and incorporated into the Code of Ordinances by reference.

8/26

4. On February 11th, 2022, Allen Brooks submitted an application (Exhibit B) for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 to make modifications to the property including 1) Extension of the existing driveway into the rear yard, and adding pea gravel surfacing over the existing driveway and proposed extension (Exhibits B, D, E, and F), addition of a carport, breezeway, and bay window on the east façade of the house, enclosure of existing partially open porches on the north and west façade, addition on the back or north side of the house on the second floor for pass-through with roof modifications and two (2) new arched stained-glass windows, new windows (some repurposed/relocated) on the east, north, and west facades, new doors on the west and east facades, removal of exterior toilet room, removal of one (1) window and addition of new window on the north façade, removal of non-original siding and replacement with wood lap siding where renovations are being completed (Exhibits B, D-L).
5. On February 23rd, 2022, the applicant submitted site plans, floor plans, and additional elevations (Exhibits E, F, G, H, K, and L).
6. The applicant is proposing to make modifications to the primary structure which include:
 - A) Addition of a 20' x 20' car port and breezeway connecting to the house on the east elevation. All newly added materials will be wood, painted white, to match the existing materials of the house, roof material is proposed to match the existing dark asphalt shingles on the house. Brick on the columns and proposed wall for the breezeway is specified to match the existing un-painted brick on the house.
 - B) Removal of a large fixed single pane glass window, replacing with a 3-sided bay window and associated roof on the east elevation.
 - C) An existing wood casement window will be relocated on the east elevation under the proposed car port, as well as a new (repurposed) wood door. A new set of double hung wood windows are proposed to the right of the car port on the east elevation.
 - D) On the north or rear elevation, removal of the servant exterior toilet room to the right of the existing chimney. Addition of a single wood, double hung window in its' place. Removal of window on the left side of the chimney.
 - E) Non-original siding on the north (rear) on the first-floor enclosed porch to be removed and replaced with Board and Batten siding, wood, painted white.
 - F) On the north (rear) and west (left) elevations, enclosure of the partially open porch under the existing second-floor sleeping porch. Salvaged, multi-pane casement windows are proposed on the north side of the proposed enclosed porch, and Board and Batten wood siding, painted white to match the existing home is proposed for the exterior finish.
 - G) The second story of the north (rear) façade includes an addition between the two gable roofs to accommodate a pass-through for the second-floor rooms. Two (2) arched stained-glass windows are proposed on the north facing façade. All new roofs, similar in shape and pitch of the first-floor porch roofs will include dark asphalt shingles to match the existing.

- H) On the west (left) elevation, the opening on the first-floor enclosed porch will be modified to allow for a new wood, repurposed door.
 - I) Addition of two (2) single pane square casement windows to match existing square window on the same west façade.
 - J) All areas where modifications are proposed will include the removal of the non-original (vinyl) siding and replaced with appropriate wood lap siding, painted to match the existing siding, with the exception of the areas noted with Board and Batten wood siding (Exhibits D, F, G, I and J).
7. The applicant is proposing to make site modifications by extending the existing driveway further to the back of the house along the right side to provide access to the proposed carport. The existing unpaved driveway areas, as well as the proposed extension, are proposed to be surfaced with pea gravel (Exhibits D, E & F).

Based upon these Findings of Fact, the Commission makes these:

CONCLUSIONS OF LAW

1. This matter is properly before the Commission pursuant to N.C. Gen. Stat. § 160A-400.7, et seq. and the Concord Development Ordinance.

2. Pursuant to the Handbook, Approval Requirement Needs Table:

- *Demolition: Commission Hearing and Approval for Demolition of any building or part thereof.*
- *Doors: Commission Hearing and Approval for replacement of original doors, changes in door openings.*
- *Windows: Commission Hearing and Approval for Replacement/changes in window design. Removal of original window, window components and changes in the window openings. Addition of shutters not original to building and stained-glass windows.*
- *Masonry Walls: Commission Hearing and Approval for all walls in public view or over 18 inches in height.*
- *Miscellaneous: Commission Hearing and Approval for any type of alteration of exterior features of a building, site, or environment which is not specifically listed.*
- *New construction or additions: Commission Hearing and Approval for all new construction and additions.*
- *Patios, Walks, and Driveways: Commission Hearing and Approval Required for all new patios, walks, and driveways.*
- *Roof Shape: Repairs or changes which alter roof shape.*

3. Pursuant to the Handbook, Chapter 4- Local Standards and General Policies:

Alterations: Alterations having no historical basis shall be avoided whenever possible. Any type of alteration of exterior features of a building, site, or environment within the Historic Districts which is not specifically listed within these regulations shall be referred to the Historic Preservation Commission for action on the issuance of a Certificate of Appropriateness.

- *All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.*
- *Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right and this significance shall be recognized and respected.*
- *Contemporary design for alterations and additions to existing properties shall be encouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.*
- *New additions or alterations shall be construed in such a manner as to preserve the essential form and integrity of the structure, should the addition or alteration be removed.*

4. Pursuant to the Handbook, Chapter 5- Section 2: New Addition Construction:

- *Site new additions as inconspicuously as possible, preferably on rear elevations and where historic character defining features are not damaged, destroyed, or obscured.*
- *Additions on the front elevation will not be allowed.*
- *Inset additions from rear building corners to differentiate them from the existing building and to reduce public visibility.*
- *Design additions so they are compatible with the existing building in height, massing, roof form and pitch.*
- *Reduce the visual impact of an addition on a historic building by limiting its scale and size.*
- *New additions should be compatible in character but use a contemporary design in order to differentiate additions from the historic structure.*
- *Windows in additions should be similar to those in the original buildings in their proportions, spacing, and materials.*
- *Select exterior surface siding and details that are compatible with the existing building in material, texture, color, and character.*
- *Protect significant site and landscape features from damage during or as a result of construction by minimizing ground disturbance.*

5. Pursuant to the Handbook, Chapter 5- Section 3: New Accessory Structure Construction:

- *If an original carriage house, garage or outbuilding is completely missing, replace it with either a reconstruction based on accurate documentation or a new design compatible with the historic character of the main building or historic accessory structures in the district.*
- *Keep the proportion of new garages and accessory structures compatible with the proportion of the new house. Typically, these buildings were smaller in scale than the main house.*
- *New garages and accessory structures must use traditional roof forms, materials, and details compatible with the main building or historic accessory structures in the district.*
- *Locate new garages and accessory structures in rear yards and in traditional relationship to the main buildings.*
- *Accessory buildings for Pivotal and Contributing structures should complement the siding and roof material of the primary structure.*

6. Pursuant to the Handbook, Chapter 5- Section 4: Siding and Exterior Materials:

- There are a variety of materials available for use on the exterior of both existing structures and for new construction. Wood siding is the predominate exterior material within the Historic Districts, although some structures have masonry.
- Because artificial siding is not considered an authentic, historical material, it is prohibited from being used on structures defined by the Commission as Pivotal and Contributing to the Historic Districts, or for large accessory structures.

7. Pursuant to the Handbook, Chapter 5- Section 5: Fenestrations:

- New doors should be compatible with the period and style of the structure.
- Alteration in door and window openings, especially on the principle façade, should be avoided whenever possible, except as a restorative measure to return an opening to its original size. New openings should be located in areas where they are not visible from the street or in areas where they are compatible with the original design.
- Windows on most of the historical homes are of the double hung variety. Emphasis is on vertical rather than horizontal orientation of windows. The number of lights (panes) in the sash varies with the style and period of the house.
- New windows should be consistent or compatible with existing units. The emphasis of the new windows should be vertical rather than horizontal. Wood is the most appropriate material, and vinyl and aluminum clad windows are inappropriate in most instances.
- Hybrid windows that include synthetic components or mixed composition of wood and synthetic products. This type of window should not be used for replacement of traditional wooden windows or within structures designated as Pivotal or Contributing.
- Choose windows that are appropriate for the style of building, maintain vertical emphasis, and avoid large single paned units.

8. Pursuant to the Handbook, Chapter 5- Section 6: Porches:

- Enclosing original side and rear porches with solid walls should also be avoided. However, their conversion to "sun parlors" may be appropriate in some instances. Windows in these enclosures should be smaller, multipaned, and compatible with existing windows. Larger expanses of glass are not appropriate.
- Enclosure of side or rear porches and balconies is discouraged. If enclosure of a side or rear porch is required for a new use, design the enclosure so that the historic character and features of the porch are preserved.
- Original steps should be retained and handrails should match the railing on the porch. The replacement of wooden steps with precast concrete should be avoided.

9. Pursuant to the Handbook, Chapter 5- Section 7: Roofing:

- Use materials in new construction that are consistent with the style of the building; materials should be unobtrusive in texture as well as color.
- New construction should avoid the roof being more than one-half the building's height.
- Roof shapes, texture and material should be compatible with new construction as well as with immediate buildings

10. Pursuant to the Handbook, Chapter 5- Section 9: Fences and Walls:

- *Where walls are concerned, natural stone or brick-masonry walls are encouraged and should not be coated or painted. The type and color of stone and masonry should respond to the historic nature of the property.*

11. Pursuant to the Handbook, Chapter 5- Section 10: Driveways, Walkways and Parking:

- *When new driveways are constructed, they should be separated from existing driveways by a grass strip, and should be narrow, since double width driveways are out of scale with the relatively small lots in the districts.*
- *Gravel and pavement are acceptable materials for driveways, as are some alternative materials such as cobblestone, brick, and pervious pavers.*
- *Parking areas should not be the focal point of the property, and should be located in such a manner as to minimize their visibility from the street.*
- *Use vegetation screen or berms to reduce reflection and visual confusion. Within residential areas, integrate parking areas into landscaping and surface with the appropriate materials such as concrete, brick, crushed stone or gravel. In general, asphalt should only be used for areas not visible from the street; its use will be considered on a case by case basis by the Historic Preservation Commission.*

12. The following criteria shall be considered, when relevant, by the Commission in reviewing applications for a Certificate of Appropriateness. All applications for Certificates of Appropriateness shall be subject to review based upon the Design Guidelines then in effect. These guidelines are set forth in a manual prepared and adopted by the Commission:

- lot coverage, defined as the percentage of lot area covered by primary structures;
- setback, defined as the distance from the lot lines to the building(s);
- building height;
- exterior building materials;
- proportion, shape, positioning, location, pattern and sizes of any elements of fenestration;
- surface textures;
- structural condition and soundness;
- walls--physical ingredients, such as brick, stone or wood walls, wrought iron fences, evergreen landscape masses, building facades, or combination of these;
- color (new construction only and not for existing residences); and
- effect of trees and other landscape elements.

13. The application is congruous with the historic aspects of the District.

14. Based on the standards of the Handbook, and the City of Concord Code of Ordinances, including the standards listed above, the Commission concludes that:

- A. The addition of the 20' x 20' carport and breezeway connecting to the house on the east elevation is appropriate as the addition is compatible with the existing building in height,

massing, roof form and pitch, does reduce the visual impact by limiting the scale and size, does include details that are compatible with the existing building in material, texture, and color, and is in compliance with the Historic Handbook.

- B. The replacement of the large fixed single pane window with a 3-sided bay window using original windows from the house is appropriate as the windows are consistent and compatible with existing units, are appropriate for the style of the building, do maintain vertical emphasis, does avoid large single paned units, and is in compliance with the Historic Handbook.
- C. The relocation of an original single pane casement window, the addition of a repurposed wood door and addition of two (2) double hung windows on the east elevation is appropriate as original windows are being preserved/relocated, new windows and repurposed are compatible with existing units, and is in compliance with the Historic Handbook.
- D. The removal of the exterior toilet room, and relocation of the double hung window on the left side of the chimney to the right side of the chimney on the north (rear) elevation of the house is appropriate as the alteration of the openings are not visible from the street, and are compatible with the original design, and is in compliance with the Historic Handbook.
- E. The replacement of the non-original siding with Board and Batten siding on the north (rear) elevation is appropriate as it does remove non-original siding and restore original siding and is in compliance with the Historic Handbook.
- F. The enclosure of the partially open porch located on the first floor under the second story sleeping porch and the addition of two (2) relocated/repurposed multi-pane casement windows and replacement of the non-original vinyl siding with Board and Batten siding is appropriate, as the modification does preserve the historic character and features, and is compatible with the Historic Handbook.
- G. The second story addition on the north (rear) façade and addition of two arched stained-glass windows is appropriate as the addition is sited inconspicuously, on the rear elevation, and does not damage, destroy or obscure the character defining features of the home and is in compliance with the Historic Handbook.
- H. The modification to the opening on the first-floor enclosed porch on the west (left) elevation with a repurposed door is appropriate as the proposed alteration to the opening will be restorative in nature, appropriate for the style of the building and is in compliance with the Historic Handbook.
- I. The addition of the two (2) square, single pane casement windows is appropriate as they are not visible from the street, are compatible with the original design and is in compliance with the Historic Handbook.
- J. The removal of the non-original (vinyl) siding in all areas where modifications are proposed (with the exception of areas noted with Board and Batten siding), replacing with wood lap siding, painted to match the existing color of the house, is appropriate as the

removal non-original siding and restoring with original siding is in compliance with the Historic Handbook (Exhibits D, F, G, I and J).

- K. The extension of the existing driveway on the east side of the house, further north towards the rear of the house, as well as under the proposed car port, surfaced with pea gravel, as well as surfacing the existing dirt driveway with pea gravel, is appropriate as the proposed material is consider acceptable and does avoid excessive paving, and is in compliance with the Historic Handbook (Exhibits D, E and F).

Based upon these Findings of Fact, Conclusions of Law, standards of the Handbook, and the City of Concord Code of Ordinances, including the standards listed above, and limited to the extent consistent with the application, exhibits, and testimony provided to the Commission, the Commission issues this

ORDER:

THE COMMISSION APPROVES A CERTIFICATE OF APPROPRIATENESS AS APPROVED AND SET OUT IN SECTION 14 OF THE CONCLUSIONS OF LAW ABOVE.

SO ORDERED this the 13th day of April, 2022 by the Historic Preservation Commission.

CITY OF CONCORD
HISTORIC PRESERVATION COMMISSION

BY: William Isenhour
(Chairman - William Isenhour)

ATTEST:
Angela Baldwin
Secretary

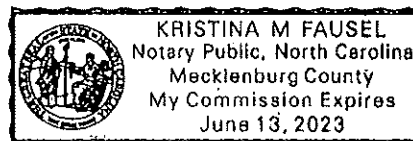
NORTH CAROLINA
CABARRUS COUNTY

I, Kristina M Fausel, a notary public for ^{Mecklenburg} ~~said~~ county and state, do hereby certify that Angela Baldwin personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal, this 14th day of April, 2022

Kristina M Fausel
Notary Public

My commission expires: June 13th 2023



DATE

January 11, 2023

SUBJECT

Certificate of Appropriateness Request:

H-27-22

Applicant:

Allen L. Brooks, AB Architecture

Location of subject property:

40 Franklin Ave NW

Staff Report prepared by:

Autumn C. James, Senior Planner

BACKGROUND

- The subject property, 40 Franklin Ave. NW, is designated as a “Pivotal” structure in the North Union Street Historic District (Exhibit A).
- “Highly significant, two-story, frame house in the "Domestic Gothic" style popularized by the American architect Andrew Jackson Downing during the mid-19th century, the only surviving example of the style in Concord. House enjoys perhaps the most picturesque setting in the district. House has L-shaped, gable-roofed main block and pair of rear, two-story gable-roofed wings. All gables are trimmed with wavy bargeboard, as are the sharply pitched, gable-roofed dormers that pierce the roofline of the main-block and one of the rear wings. In addition to these characteristically Gothic features, the house has Italianate details often seen in Downing-inspired designs, including a three-sided, slanted bay window on the west (left) facade bay, a handsome wrap-around porch with chamfered, molded and bracketed porch posts, and an entrance with a two-leaf, four-panel door and a molded architrave. House has asbestos siding. House deeply set in one of the district's largest lots, which is bordered by rubble stone walls and closely planted shrubs. Within the walls, informally arranged features include a greenhouse, reflecting pool, and gazebo. B. Franklin Rogers (1847-1908) was a schoolteacher and later a traveling salesman who invested in local businesses (Exhibit A).

DISCUSSION

The applicant is proposing to add a new porch on the right (east elevation) side of the house and replacement of a single window pane with four (4) salvaged original windows on the right side (east elevation) of the structure. The porch will align with the side porch for a more streamlined appearance and use. The proposed dimensions are 11'-0" deep, aligning with the edge of the existing porch, and 36'-0" length extending beyond kitchen side door.

The foundation for the porch will match the existing brick and the siding will match the original wood at the exterior wall. Composition shingles will be used to match existing with low pitch ice and water shield underlayment. Porch columns, brackets, and trim will match the original porch. Bead board ceiling similar to existing and running lengthwise, as original. Wood flooring tongue and groove boards in direction of slope away from the house. Four (4) salvaged original windows will be used to replace single plate glass window. Gutter and downspouts to match.

This application follows a previous Certificate of Appropriateness (Exhibit F) where a carport and breezeway addition had been approved, along with the addition of a bay window on the right side (east elevation). Once work commenced, it was found that there was damage due to previous alterations of roof and grade throughout the years, as well as ground saturation contributing to water in the basement. The carport and breezeway are no longer viable due to these issues. The addition of the porch would allow for water to be shed away from the house and be a functional addition to the structure. Additionally, the bay window will no longer be an addition to this structure, rather four (4) salvaged original windows will be used to replace the single plate glass window.

ATTACHMENTS

Exhibit A: National Register of Historic Places Inventory
Exhibit B: Application for Certificate of Appropriateness
Exhibit C: Subject Property Map
Exhibit D: Applicant Submitted Photographs
Exhibit E: Proposed Porch Addition
Exhibit F: Full Staff Report (H-05-22)
Exhibit G: Recorded Order Dated May 5, 2022

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS

Chapter 4: Local Standards and General Policies

***Alterations:** Alterations having no historical basis shall be avoided whenever possible. Any type of alteration of exterior features of a building, site, or environment within the Historic Districts which is not specifically listed within these regulations shall be referred to the Historic Preservation Commission for action on the issuance of a Certificate of Appropriateness.*

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- *Contemporary design for alterations and additions to existing properties shall be encouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.*
- *New additions or alterations shall be construed in such a manner as to preserve the essential form and integrity of the structure, should the addition or alteration be removed.*

Chapter 5 – Section 2: New Addition Construction

- *Site new additions as inconspicuously as possible, preferably on rear elevations and where historic character defining features are not damaged, destroyed, or obscured.*
- *Inset additions from rear building corners to differentiate them from the existing building and to reduce public visibility.*
- *Design additions so they are compatible with the existing building in height, massing, roof form and pitch.*
- *Reduce the visual impact of an addition on a historic building by limiting its scale and size.*
- *New additions should be compatible in character but use a contemporary design in order to differentiate additions from the historic structure.*
- *Windows in additions should be similar to those in the original buildings in proportions, spacing, and materials.*
- *Select exterior surface siding and details that are compatible with the existing building in material, texture, color, and character.*
- *Protect significant site and landscape features from damage during or as a result of construction by minimizing ground disturbance.*

Chapter 5- Section 5: Fenestrations

- *Alteration in door and window openings, especially on the principle façade, should be avoided whenever possible, except as a restorative measure to return an opening to its original size. New openings should be located in areas where they are not visible from the street or in areas where they are compatible with the original design.*
- *Windows on most of the historical homes are of the double hung variety. Emphasis is on vertical rather than horizontal orientation of windows. The number of lights (panes) in the sash varies with the style and period of the house.*
- *New windows should be consistent or compatible with existing units. The emphasis of the new windows should be vertical rather than horizontal. Wood is the most appropriate material, and vinyl and aluminum clad windows are inappropriate in most instances.*
- *Hybrid windows that include synthetic components or mixed composition of wood and synthetic products. This type of window should not be used for replacement of traditional wooden windows or within structures designated as Pivotal or Contributing.*
- *Choose windows that are appropriate for the style of building, maintain vertical emphasis, and avoid large single paned units.*

Chapter 5- Section 6: Porches

- *Enclosing original side and rear porches with solid walls should also be avoided. However, their conversion to “sun parlors” may be appropriate in some instances. Windows in these enclosures should be smaller, multipaned, and compatible with existing windows. Larger expanses of glass are not appropriate.*
- *Enclosure of side or rear porches and balconies is discouraged. If enclosure of a side or rear porch is required for a new use, design the enclosure so that the historic character and features of the porch are preserved.*
- *Original steps should be retained and handrails should match the railing on the porch. The replacement of wooden steps with precast concrete should be avoided.*

Chapter 5- Section 7: Roofing

- *Use materials in new construction that are consistent with the style of the building; materials should be unobtrusive in texture as well as color.*
- *Roof shapes, texture and material should be compatible with new construction as well as with immediate buildings*

RECOMMENDATION

1. The Historic Preservation Commission should consider the circumstances of this application for a Certificate of Appropriateness relative to the North and South Union Street Historic Districts Handbook and act accordingly.
2. If approved, applicant(s) should be informed of the following:
 - City staff and Commission will make periodic on-site visits to ensure the project is completed as approved.
 - Completed project will be photographed to update the historic properties survey.



NORTH CAROLINA
High Performance Living

Application for
Certificate of Appropriateness

AN INCOMPLETE APPLICATION WILL NOT BE PLACED ON THE AGENDA UNTIL ALL OF THE REQUIRED ATTACHMENTS AND/OR ITEMS LISTED ON PAGE 2 ARE SUBMITTED.

APPLICANT INFORMATION

Name: Allen L. Brooks, MA AB Architecture
Address: 2021 Euclid Ave
City: Charlotte State: NC Zip Code: 28203 Telephone: 704-502-4554

OWNER INFORMATION

Name: Jody L. Piper + Kelley E. Catrett-Piper
Address: 40 Franklin Ave NW
City: Concord State: NC Zip Code: 28015 Telephone: 704-608-9275

SUBJECT PROPERTY

Street Address: 40 Franklin Ave NW P.I.N. # 5120793073
Area (acres or square feet): 1.65 Current Zoning: RC Land Use: residential

**Staff Use
Only:**

Application Received by: _____ Date: _____, 20 _____
Fee: \$20.00 Received by: _____ Date: _____, 20 _____

The application fee is nonrefundable.

General Requirements

The Unified Development Ordinance imposes the following rules, regulations and requirements on requests for Certificates of Appropriateness. The applicant must, with reference to the attached plans, demonstrate how the proposed use satisfies these requirements:

1. Project or Type of Work to be Done: Renovation + Additions (Porch Addition)
2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
See Attachment
Plans
Photos - Sent via email Separately in Link - Drop Box
See - Delivered by Owner

Required Attachments/Submittals

1. Scaled site plan, if additions or accessory structures are proposed, on letter, legal or ledger paper. Larger sized copies will be accepted. Digital copies are preferred.
2. Detailed written description of the project.
3. Photographs of site, project, or existing structures from a "before" perspective.
4. Drawings, sketches, renderings, elevations, or photographs necessary to present an illustration of the project from an "after" perspective if applicable.
5. Samples of windows, doors, brick, siding, etc. must be submitted with application.
6. Detailed list of materials that will be used to complete the project.

Certification

(1) I hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department. (2) I understand that City staff and/or members of the Historic Preservation Commission may make routine visits to the site to insure that work being done is the same as the work that was approved. (3) I understand that photographs of the completed project will be made to update the City's historic districts inventory database.

1/8/23
Date

Holley Cartwright-Phipps
Signature of Owner/Agent

Attachment 1

Historic B.F. Rogers House
40 Franklin Avenue NW

10 December 2022

RE: Current approved COA from meeting April 13, 2022 for H-05-22

Proposed new Application Submission predicated on discoveries of failed structure and necessity to repair with consideration for future maintenance.

Points of Consideration:

- 1) Photos exhibit removed non-original siding revealing the original wood lap siding.
- 2) Photos show the area covered by building wrap at the NE corner of house opposite the corner intersection of Franklin and Spring streets with the house fronting on Franklin.
- 3) Under the building wrap, there was rot and termite damage due to alterations of roof and grade through the years at the dining room side wall with the full plate glass window. Also there was a recessed basement entry at interior corner now covered with infill soil. The area on that side of house is flat and water saturates ground and contributes to water in basement.
- 4) A porch could shed water away from house and be useful for the owners instead of a carport.
- 5) The formerly proposed bay and carport would not be built with this application.
- 6) Two options are offered A) aligns with side porch for a more streamline appearance and use, preferred by owners; B) offset middle porch to distinguish original, but with complexity. Both added side porches would no have handrails as it is close to grade, and would in itself differentiate from original.
- 7) Detailed Specifications: foundation to match existing brick; siding to match original wood at exterior wall; composition shingles to match existing with low pitch ice & water shield underlayment; porch columns, brackets and trim to match original porch; bead board ceiling similar to existing and running lengthwise as original; wood flooring T&G boards in direction of slope away from house; Salvaged (4) original windows to replace single plate glass window; guttering and downspouts to match
- 8) Project will still be a State Historic Preservation Office tax credit project.

United States Department of the Interior
National Park Service

National Register of Historic Places
Inventory—Nomination Form

For NPS use only
received
date entered

Continuation sheet	Item number	Page
Inventory List - North Union Street Historic District, Concord	#7	45

One-story, frame Queen Anne style cottage with facade composed of two cross gables. Gable on east (right) side projects forward of main block and has cut-away corners. Both gables embellished with sawn ornaments with spindlework and cut-out ventilator. Wrap-around porch has Tuscan columns which replaced original porch supports at undetermined early 20th. century date.

75. B. Franklin Rogers House
40 Franklin Avenue, N.W.
ca. 1880
P

High significant, two-story, frame house in the "domestic Gothic" style popularized by the American architect Andrew Jackson Downing during the mid-19th. century, the only surviving example of the style in Concord. House enjoys perhaps the most picturesque setting in the district. House has L-shaped, gable-roofed main block and pair of rear, two-story gable-roofed wings. All gables are trimmed with wavy bargeboard, as are the sharply pitched, gable-roofed dormers that pierce the roofline of the main block and one of the rear wings. In addition to these characteristically Gothic features, the house has Italianate details often seen in Downing-inspired designs, including a three-sided, slanted bay window on the west (left) facade bay, a handsome wrap-around porch with chamfered, molded and bracketed porch posts, and an entrance with a two-leaf, four-panel door and a molded architrave. House has asbestos siding. House deeply set in one of the district's largest lots, which is bordered by rubble stone walls and closely planted shrubs. Within the walls, informally arranged features include a greenhouse, reflecting pool, and gazebo.

B. Franklin Rogers (1847-1908) was a schoolteacher and later a traveling salesman who invested in local businesses.

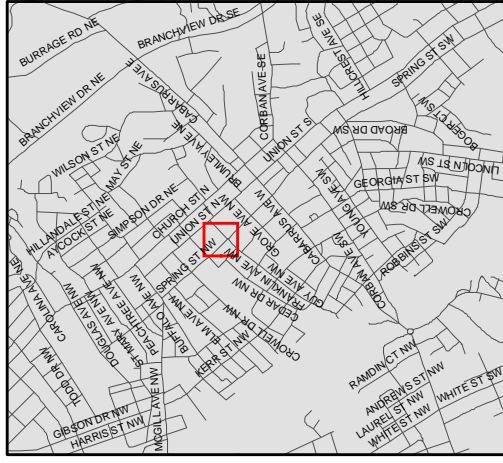
76. House
68 Franklin Avenue, N.W.
c. 1905
C

One-story, frame cottage with side gable roof and projecting west (left) facade bay. Two-bay porch with turned posts and balustrade; 2/2 sash windows. Vinyl siding. One of a pair of speculative cottages said to have been built by businessman J.L. Hartsell, whose Spring Street residence adjoins this property (see #126).

H-27-22

40 Franklin Ave NW

PIN: 5620-79-3073



Source: City of Concord
Planning Department

Disclaimer

These maps and products are designed for general reference only and data contained herein is subject to change. The City Of Concord, it's employees or agents make no warranty of merchantability or fitness for any purpose, expressed or implied, and assume no legal responsibility for the information contained therein. Data used is from multiple sources with various scales and accuracy. Additional research such as field surveys may be necessary to determine actual conditions.

Exhibit C





Existing porch and view of right side

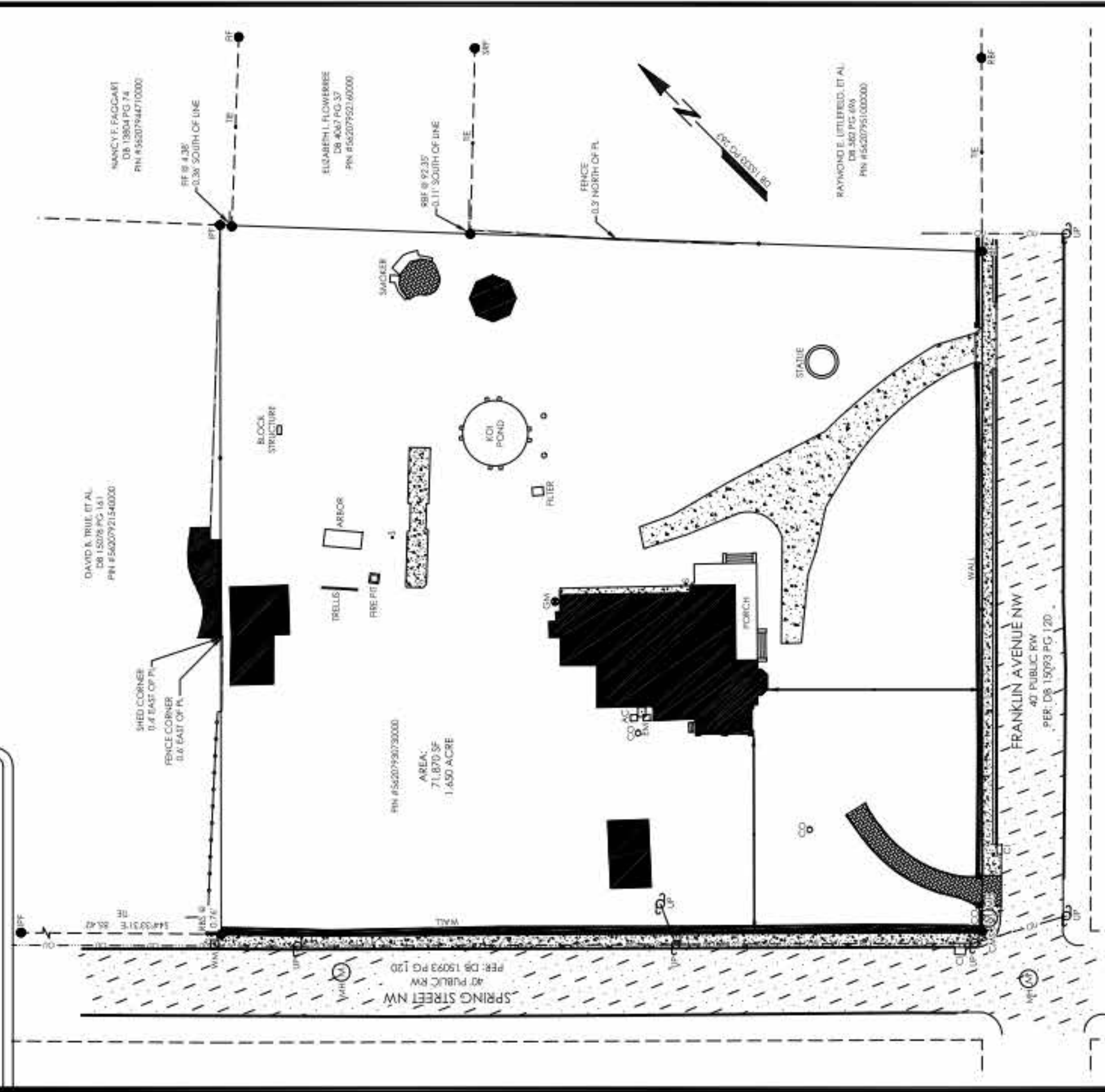


Inside corner with water filtration problem



Plate glass window to be replaced with salvaged originals

PRELIMINARY MAP
 NOT FOR RECORDING, SALES, OR CONVEYANCE
 PROFESSIONAL LAND SURVEYOR
 DATE: 01/01/21



LEGEND

- = CURB/STAKE
- AC = AIR CONDITIONERS
- BF = BEST FOUND
- CMS = CHESS MARK SET
- CO = CLEAN OUT
- EM = ELECTRICAL METER
- FF = FLAT IRON FOUND
- GM = GAS METER
- MH = MANHOLE
- PG = PAGE
- RF = REBAR FOUND
- RW = RIGHT OF WAY
- SF = SMOOTH IRON FOUND
- WM = WATER METER

LINE TYPE LEGEND

- - - - - = THIS SURVEY
- - - - - = LINES NOT SURVEYED
- - - - - = ROAD RIGHT OF WAY
- - - - - = FENCE - PICKET
- - - - - = FENCE - PICKET
- - - - - = OVERHEAD UTILITY LINE

GENERAL NOTES:

- AREA DETERMINED BY COORDINATE METHOD. ALL DISTANCES ARE GROUND DISTANCES.
- THIS SURVEY WAS COMPLETED WITHOUT THE BENEFIT OF A TITLE REPORT AND MAY BE SUBJECT TO RECORDED OR UNRECORDED EASEMENTS, RIGHTS OF WAY, SETBACKS AND/OR RESTRICTIVE COVENANTS.
- EXISTING STRUCTURES ARE SHOWN AS BROWN LINES. FOUND DIMENSIONS ARE SHOWN AS BROWN DIMENSION LINES. FOUND DIMENSIONS ARE SHOWN AS BROWN DIMENSION LINES.
- EXISTING PROPERTY IS NOT LOCATED WITHIN A SPECIAL FLOOD HAZARD ZONE (SHEEP) PER PARANO, 2/17/2006. DATED 1/17/2018.
- ZONE D FOR CARRIAGE COUNTY COG.
- EXISTING UNDERGROUND UTILITIES NOT SHOWN HEREON MAY EXIST.

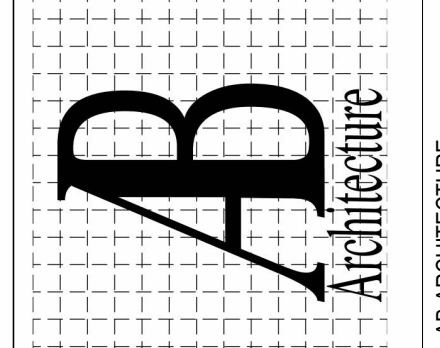
PHYSICAL SURVEY
 40 FRANKLIN AVENUE NW
 47 PUBLIC RW
 PER: DB 15093 PG 120
 CARRIAGE COUNTY, NORTH CAROLINA

DDEJ
 LAND SURVEYING & CONSTRUCTION
 300 STEELHEAD LANE, SUITE 204
 CHARLOTTE, NC 28205
 PHONE: 704.375.1234
 FAX: 704.375.1235
 WWW.DDEJ.COM

PREPARED FOR:
 TORI L. & PHILIP E. PHIFER
 40 FRANKLIN AVENUE NW, CONCORD, NC

SCALE 1" = 40'
 DRAWN BY: DDE

THESE PLANES, SPECIES, SIZES, AND MARKS ARE GIVEN FOR THE INFORMATION OF THE RECORDING OFFICE AND THE PUBLIC. THE SURVEYOR HAS CONDUCTED A VISUAL INSPECTION OF THE PROPERTY AND HAS FOUND NO DISCREPANCIES. THE SURVEYOR HAS NOT CONDUCTED A PHYSICAL SURVEY OF THE PROPERTY AND HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY. THE SURVEYOR HAS NOT CONDUCTED A PHYSICAL SURVEY OF THE PROPERTY AND HAS NOT CONDUCTED A VISUAL INSPECTION OF THE PROPERTY.



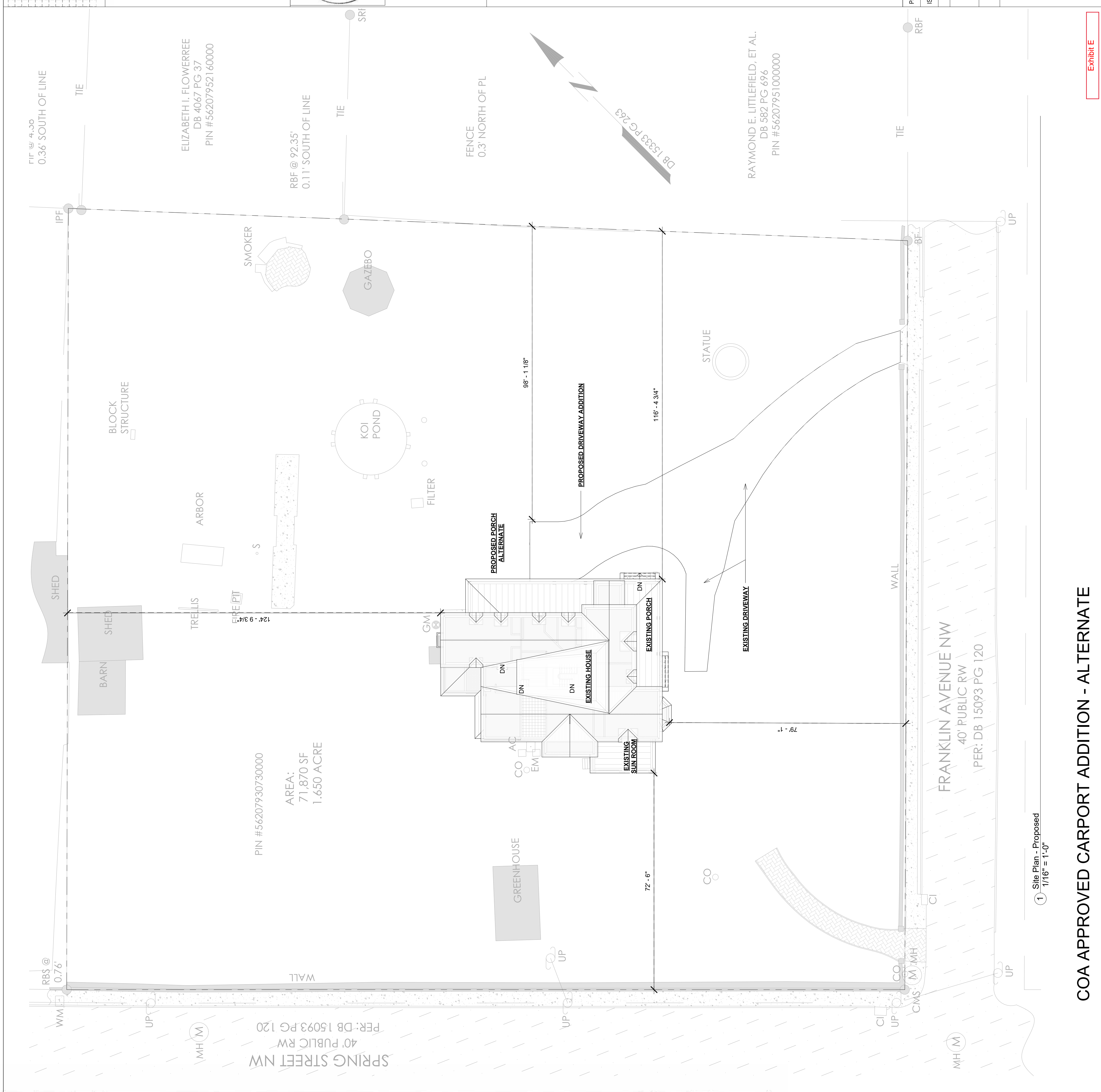
AB ARCHITECTURE
 2021 E. CLAUD AVENUE,
 CHARLOTTE, NC 28205
 EMAIL: info@abcloud.com
 PHONE: 704.532.4534



16 JUNE 2021

HISTORIC B.F. ROGERS
CARTRETT - PHIFER RESIDENCE
 40 FRANKLIN AVENUE NW, CONCORD, NC

PROJECT #	2006
ISSUE DATE:	Issue Date
REVISIONS:	REVISIONS
	XX 2021



① Site Plan - Proposed
 1/16" = 1'-0"

COA APPROVED CARPORT ADDITION - ALTERNATE

PROJECT #	2006
ISSUE DATE	Issue Date
REVISIONS:	XX 2021



CARTRETT - PHIFER RENOVATION

GENERAL NOTES:

1. ALL PROPERTY LINES TO BE VERIFIED BY SURVEYOR.
2. ALL BUILDING LOCATIONS TO BE VERIFIED BY SURVEYOR.
3. FINISH GRADE TO BE COORDINATED BY CONTRACTOR AND OWNER BASED ON EXISTING SITE CONDITIONS.
4. ALL FINISH FLOOR HEIGHTS TO BE VERIFIED AT SITE & PRIOR TO CONSTRUCTION. FINISHING TO ALIGN WITH FACE OF CONCRETE WALL & SLAB.
5. FIRE BLOCK @ FLOOR & CEILING PER CODE.
6. ALL DIMENSIONS ARE TO FACE OF STUD & BRICK AT FOUNDATION.
7. TREADS & RISES TO BE VERIFIED ON SITE BY STAIR COMPANY PRIOR TO PRODUCTION.
8. INTERIOR & EXTERIOR STAIR NOSING SHALL CONFORM TO R311.7.5.3 PROFILE - CURVATURE OF THE NOSING SHALL BE NO GREATER THAN 9/16".
9. ALL CASED OPENINGS TO MATCH DOOR MFG. - CONTRACTOR TO COORDINATE.
10. RAILS TO BE 36" IN HEIGHT.
11. ALL EXTERIOR COLUMNS TO BE SQUARE.
12. ALL EXTERIOR COLUMNS TO BE SQUARE.
13. ALL EXTERIOR COLUMNS TO BE SQUARE.
14. ALL EXTERIOR COLUMNS TO BE SQUARE.
15. PORCHES IS LESS THAN 28" IN HEIGHT.
16. USE DOUBLE FELT FOR ALL PITCHES OF 4:12 OR LESS.
17. ALL LEAVES TO MATCH EXISTING HOUSE (SEE ROOF PLAN).
18. ALL FASCIAS TO MATCH EXISTING HOUSE.
19. CONTRACTOR TO COORDINATE GUTTER & DOWNSPOUT LOCATIONS.
20. CONTINUOUS LEAVE VENT UNO.
21. WINDOWS SHALL BE INSTALLED ACROSS ENTIRE SURFACE FOR ROOF PITCHES LESS THAN 2:12. FLASHING & COUNTER FLASHING AS REQUIRED.

STAIRS, RAILING & GUARD NOTES:

1. STAIRS, RAILING & GUARD NOTES SHALL NOT BE LESS THAN 36 INCHES IN CLEAR WIDTH AT ALL POINTS ABOVE THE PERMITTED HANDRAIL HEIGHT. - SEE PLANS FOR CLEAR WIDTH.
2. EXCEPTION DOES NOT APPLY TO THIS PROJECT.
3. R311.7.5.1 RISER HEIGHT - THE MAXIMUM RISER HEIGHT SHALL BE 8 1/4 INCHES.
4. R311.7.5.2 MAXIMUM RISER HEIGHT SHALL BE 8 INCHES FOR THIS PROJECT.
5. R311.7.5.3 HANDRAIL HEIGHT - THE MINIMUM TREAD DEPTH SHALL BE 9 INCHES.
6. R311.7.5.4 HANDRAILS - HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE OF EACH CONTINUOUS RUN OF TREADS OR FLIGHT OF STAIRS WITH FOUR OF MORE RISERS.
7. R312.1.1 HANDRAIL HEIGHT - HANDRAIL HEIGHT SHALL NOT BE LESS THAN 34 INCHES AND NOT MORE THAN 38 INCHES IN HEIGHT.
8. R312.1.2 GUARD HEIGHT - GUARDS SHALL NOT BE LESS THAN 36 INCHES.
9. R312.1.3 GUARD HEIGHT - GUARDS SHALL NOT BE LESS THAN 36 INCHES.
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20. R312.1.3 GUARD HEIGHT - GUARDS SHALL NOT BE LESS THAN 36 INCHES.
21. R312.1.3 GUARD HEIGHT - GUARDS SHALL NOT BE LESS THAN 36 INCHES.

NOTE:

1. REUSE OR MODIFICATION OF THESE CONSTRUCTION DOCUMENTS BY THE CLIENT, WITHOUT THE ARCHITECT'S PERMISSION, SHALL BE AT THE CLIENT'S SOLE RISK, AND THE CLIENT AGREES TO INDEMNIFY AND HOLD THE ARCHITECT HARMLESS FROM AND AGAINST ALL DAMAGES AND EXPENSES, INCLUDING ATTORNEY FEES ARISING OUT OF SUCH REUSE BY CLIENT OR BY OTHERS ACTING THROUGH CLIENT.
2. THESE DRAWINGS ARE NOT TO BE SCALED FOR ANY REASON. DIMENSIONS TO BE FELLOWED IF DIMENSIONS ARE IN QUESTION, OBTAIN CLARIFICATION FROM ARCHITECT.

NOTE:

1. MATCH TRIM DETAILS WITH METAL DRIP CAP (WITH FLASHING) & BACK BAND TRIM AT WINDOWS.
2. SEE ELEVATIONS FOR MUNTIN PATTERN. VERIFY ANY REQUIREMENTS FOR EGRESS OR TEMPERED GLASS.
3. PROVIDE FALL PROTECTION WHERE THE WINDOW IS LESS THAN 24" ABOVE A.F.F. AND GREATER THAN 72" ABOVE GRADE OR WALKING SURFACE BELOW.
4. ABOVE GRADE OR WALKING SURFACE BELOW.
5. WINDOW SIZING:
 - 5.1. NEW CONSTRUCTION - DIMENSIONS BASED ON KOLBE ULTRA SERIES DIMENSIONS.
 - 5.2. REPAIRS TO EXISTING WINDOWS - DIMENSIONS TO BE FELLOWED IF DIMENSIONS ARE IN QUESTION, OBTAIN CLARIFICATION FROM ARCHITECT.
 - 5.3. VERIFY ANY REQUIREMENTS FOR EGRESS OR TEMPERED GLASS.
6. M.E. = MATCH EXISTING.
7. PRIOR TO ORDERING WINDOWS, SUBMIT SHOP DRAWINGS TO THE ARCHITECT FOR APPROVAL.



1 1st Floor - Proposed
1/4" = 1'-0"

PROPOSED ALTERNATE (PORCH) SCHEME A - PLAN

GENERAL NOTES:

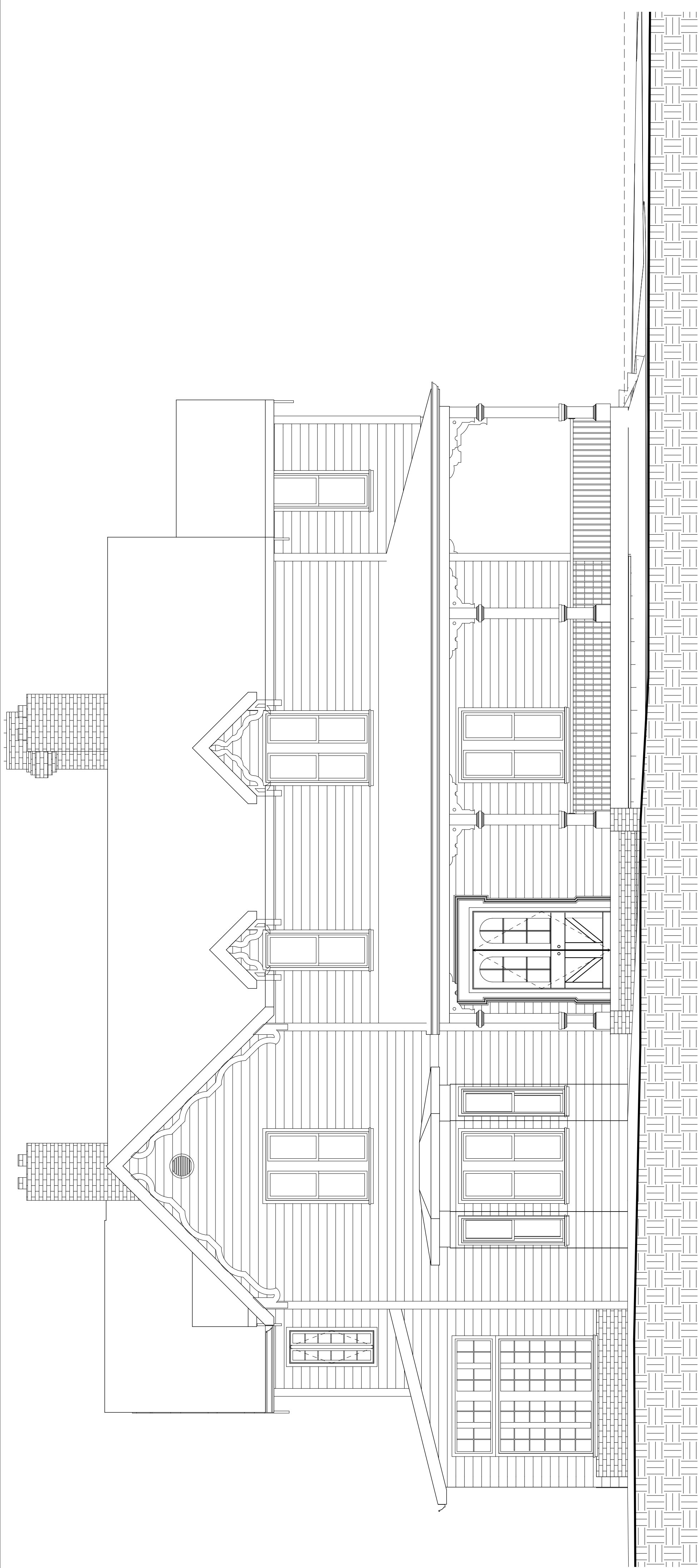
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11. RAILS TO BE 36" IN HEIGHT.
12. ALL EXTERIOR COLUMNS TO BE SQUARE.
13. ALL EXTERIOR COLUMNS TO BE SQUARE.
14. ALL EXTERIOR COLUMNS TO BE SQUARE.
15. USE DOUBLE FELT FOR ALL PITCHES OF 4:12 OR LESS.
16. ALL LEAVES TO MATCH EXISTING HOUSE (SEE ROOF PLAN).
17. ALL FASCIAS TO MATCH EXISTING HOUSE.
18. CONTRACTOR TO COORDINATE GUTTER & DOWNSPOUT LOCATIONS.
19. CONTINUOUS LEAVE VENT UNO.
20. ALL FLASHING TO BE INSTALLED.
- 21:2. FLASHING & COUNTER FLASHING AS REQUIRED.

- STAIRS, RAILING & GUARD NOTES:**
1. ALL STAIRS SHALL NOT BE LESS THAN 36 INCHES IN CLEAR WIDTH AT ALL POINTS ABOVE THE PERMITTED HANDRAIL HEIGHT. - SEE PLANS FOR CLEAR WIDTH.
 - 1.1. EXCEPTION DOES NOT APPLY TO THIS PROJECT.
 - R311.7.5.1 RISER HEIGHT - THE MAXIMUM RISER HEIGHT SHALL BE 8 1/2 INCHES.
 - 2.1. A/B SPECIFICS MAXIMUM RISER HEIGHT SHALL BE 8 INCHES FOR THIS PROJECT.
 - R311.7.5.2 HANDRAIL HEIGHT - THE MINIMUM TREAD DEPTH SHALL BE 9 INCHES.
 - R311.7.8 HANDRAILS - HANDRAILS SHALL BE PROVIDED ON AT LEAST ONE SIDE OF EACH CONTINUOUS RUN OF TREADS OR FLIGHT OF STAIRS WITH FOUR OF MORE RISERS.
 - R311.7.8.1 HANDRAIL HEIGHT - HANDRAIL HEIGHT SHALL NOT BE LESS THAN 34 INCHES AND NOT MORE THAN 38 INCHES IN HEIGHT.
 - R312.1.2 GUARD HEIGHT - GUARDS SHALL NOT BE LESS THAN 42 INCHES.
 - 1 & 2 APPLY TO PROJECT - GUARD HEIGHT SHALL NOT BE LESS THAN 34 INCHES IF ON THE OPEN SIDE OF STAIR & SERVES AS THE RAILING.
 - R312.1.3 OPENING LIMITATIONS- REQUIRED
- GUARDS:**
1. GUARDS NOT HAVE OPENINGS FROM THE WALKING SURFACE TO THE REQUIRED GUARD HEIGHT WHICH ALLOW PASSAGE OF A SPHERE 4 INCHES IN DIAMETER.
 - 7.1. EXCEPTIONS 1 & 2 APPLY TO PROJECT - OPEN SIDE OF STAIR SHALL NOT ALLOW PASSAGE OF A 6 INCH SPHERE.
 - GUARDS SHALL NOT ALLOW PASSAGE OF A 6 INCH SPHERE ON OPEN SIDE OF STAIR.

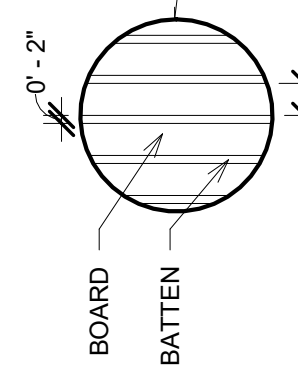
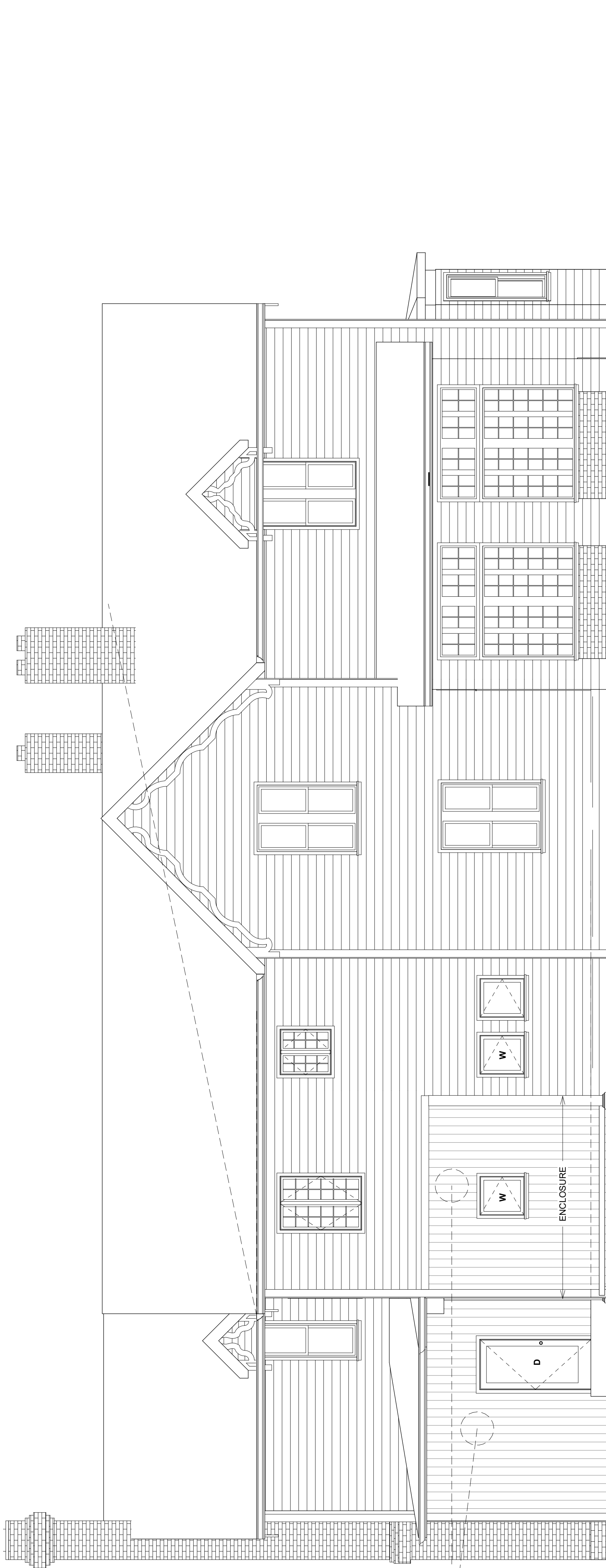
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 2. THESE DRAWINGS ARE NOT TO BE SCALED FOR ANY REASON. ALL DIMENSIONS TO BE FIELD VERIFIED. IF DIMENSIONS ARE IN QUESTION, OBTAIN CLARIFICATION FROM ARCHITECT.

RENOVATION NOTES:

1. "D" = DOOR REPLACEMENT
2. "W" = INDICATES ADDED WINDOW



① South
1/4" = 1'-0"



③ B&B SIDING DETAIL
1/4" = 1'-0"

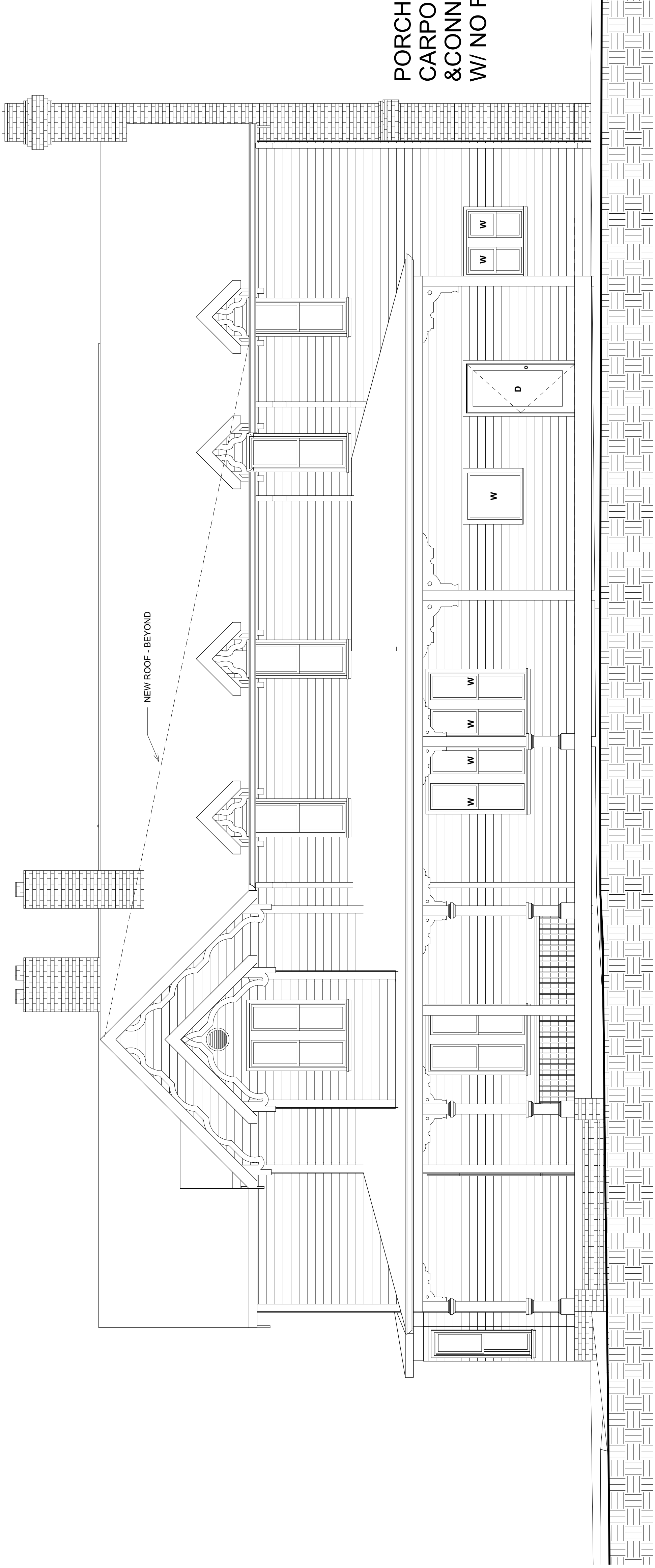
② West
1/4" = 1'-0"

PROPOSED ALTERNATE (PORCH) SCHEME A - PLAN

GENERAL NOTES:

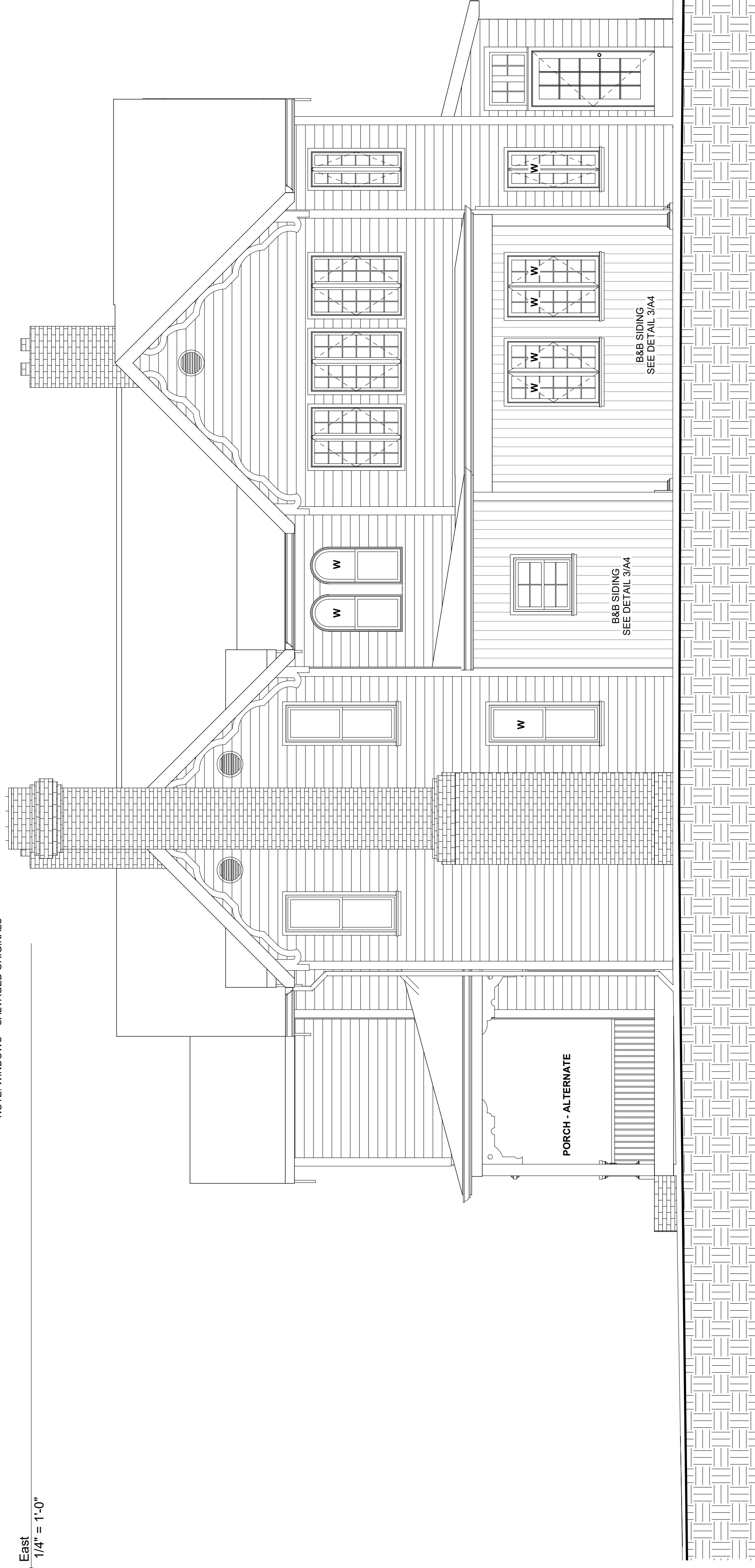
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9. INTERIOR & EXTERIOR STAIR NOSING SHALL CONFORM TO R311.7.5.3 PROFILE - CURVATURE OF THE NOSING SHALL BE NO GREATER THAN 9/16".
10. ALL CASES TO BE MATCHED TO MATCH DOOR MFG. - CONTRACTOR TO COORDINATE.
11. ALL CASES TO BE MATCHED TO MATCH DOOR MFG. - RAILS TO BE 3/8" IN HEIGHT.
12. ALL EXTERIOR COLUMNS TO BE SQUARE.
13. ALL EXTERIOR COLUMNS TO BE SQUARE.
14. ALL EXTERIOR COLUMNS TO BE SQUARE.
15. ALL EXTERIOR COLUMNS TO BE SQUARE.
16. ALL EXTERIOR COLUMNS TO BE SQUARE.
17. ALL EXTERIOR COLUMNS TO BE SQUARE.
18. ALL EXTERIOR COLUMNS TO BE SQUARE.
19. ALL EXTERIOR COLUMNS TO BE SQUARE.
20. ALL EXTERIOR COLUMNS TO BE SQUARE.
21. ALL EXTERIOR COLUMNS TO BE SQUARE.
22. ALL EXTERIOR COLUMNS TO BE SQUARE.

PORCH INSTEAD OF CARPORT & CONNECTING PORCH W/ NO RAILING



② East
1/4" = 1'-0"

NOTE: WINDOWS = SALVAGED ORIGINALS



① North
1/4" = 1'-0"

RENOVATION NOTES:

1. "D" = DOOR REPLACEMENT
2. "W" = INDICATES ADDED WINDOW

DATE: April 13th, 2022
SUBJECT:
Certificate of Appropriateness Request: H-05-22
Applicant: Allen L. Brooks, AB Architecture
Location of subject property: 40 Franklin Ave. NW
Staff Report prepared by: Kristen Boyd-Sullivan, Sr. Planner

BACKGROUND:

- The subject property, 40 Franklin Ave. NW, is designated as a “Pivotal” structure in the North Union Street Historic District. (Exhibit A).
- “Highly significant, two-story, frame house in the "Domestic Gothic" style popularized by the American architect Andrew Jackson Downing during the mid-19th century, the only surviving example of the style in Concord. House enjoys perhaps the most picturesque setting in the district. House has L-shaped, gable-roofed main block and pair of rear, two-story gable-roofed wings. All gables are trimmed with wavy bargeboard, as are the sharply pitched, gable-roofed dormers that pierce the roofline of the main-block and one of the rear wings. In addition to these characteristically Gothic features, the house has Italianate details often seen in Downing-inspired designs, including a three-sided, slanted bay window on the west (left) facade bay, a handsome wrap-around porch with chamfered, molded and bracketed porch posts, and an entrance with a two-leaf, four-panel door and a molded architrave. House has asbestos siding. House deeply set in one of the district's largest lots, which is bordered by rubble stone walls and closely planted shrubs. Within the walls, informally arranged features include a greenhouse, reflecting pool, and gazebo. B. Franklin Rogers (1847-1908) was a schoolteacher and later a traveling salesman who invested in local businesses. (Exhibit A).

Modifications to the house include:

- Carport and breezeway addition on right side (east) elevation.
- Addition of Bay Window on right side (east) elevation.
- Enclosure of open porch under existing sleeping porch on rear (north & west) elevation.
- Addition on second floor for pass-through with roof modifications and two (2) new arched stained-glass windows on rear (north) elevation.
- New windows (some repurposed/relocated) on the right (east), rear (north), and left (west) elevations.
- New doors on the left (west), and right (east) elevations.
- Removal of servant exterior toilet room, removal of one (1) window, and addition of new window on the north (rear) elevation.
- Removal of non-original siding on right (east) and rear (north) sides where renovations are proposed to be replaced with wood lap siding.

Modifications to the site include:

- Extension of the existing driveway leading to and under proposed carport with pea gravel.

DISCUSSION:

Modifications to the house:

The applicant is proposing to add a breezeway and a 20' x 20' carport, a bay window, a second story pass-through with roof modifications and new windows, enclosure of a partially open porch on the first story, as well as fenestration changes on three (3) elevations of the house (Exhibits B, D, F, & I).

East (right side) Elevation:

The applicant is proposing to add a new breezeway and 20' x 20' carport, as well as a new three-sided bay window on the right (east) side of the house (the proposed bay windows are salvaged windows from the house), similar to the existing bay on the front façade. Roof over the proposed bay will be dark asphalt shingles to match the existing on the house. A pair of new wood double-hung windows, a single wood casement window and new door (wood, to be salvaged from a time period appropriate style) are proposed under and alongside of the proposed car port (Exhibit I). The breezeway and carport will be constructed of all wood, chamfered, molded and bracketed posts painted white to match those on the porch. The base of the posts and breezeway knee walls will be constructed of brick to match the existing brick on the house (unpainted). The new roof over the car port and breezeway is proposed as dark asphalt shingles to match the existing on the house (Exhibits I & J). Along with modifications on the east elevation, non-original (vinyl) siding will be removed and replaced with appropriate wood lap siding, painted to match the existing siding (Exhibits D, I, & J).

North (Rear) Elevation: The applicant proposes to modify the rear elevation by removing the servant exterior toilet room to the right of the existing chimney, and adding a single wood, double hung window in its' place. The window on the left side of the chimney is proposed for removal to accommodate interior renovations. The open porch under the existing second-floor sleeping porch is proposed to be enclosed for interior floor space. Salvaged, multi-pane casement windows are proposed on the north side of the newly enclosed porch, and Board and Batten wood siding, painted white to match the existing home is proposed for the exterior finish. (Exhibits F, G, I, & J).

The second story of the rear façade will also include an addition between the two gable roofs to accommodate access to a pass-through for the second-floor rooms. Two (2) arched stained-glass windows are proposed on the north facing façade, recalling the front door double arched panes. New roofs, similar in shape and pitch of the first-floor porch roofs with matching asphalt shingles are proposed. (Exhibits F, G, I & J).

West (Left) Elevation:

The applicant proposes to enclose an existing, open porch on the ground floor in order to create space for the interior kitchen expansion. The west facing partially open porch under the second floor sleeping porch will again be finished with Board and Batten wood siding, painted white. A new door (repurposed from period appropriate style), and two single square (approximately 30" x 30") windows are proposed on the west facing porch enclosures. A set of salvaged, multi-pane casement windows are proposed to replace an existing double-hung window on the first floor north facing façade just forward of the newly enclosed porch (Exhibits F, G, I & J).

Driveway Modification/Addition:

The applicant is proposing to extend the existing driveway further to the back of the house along the right side to provide access to the proposed carport. The existing unpaved driveway areas, as well as the proposed extension, are proposed to be surfaced with pea gravel (Exhibits E & F).

ATTACHMENTS

Exhibit A: Historic Inventory Information
Exhibit B: Application for Certificate of Appropriateness
Exhibit C: Subject Property Map
Exhibit D: Project description
Exhibit E: Existing Conditions Site Plan
Exhibit F: Proposed Site Plan
Exhibit G: Existing Elevations
Exhibit H: Existing 3D Elevations
Exhibit I: Proposed Elevations
Exhibit J: Proposed 3D Elevations
Exhibit K: Existing Floor Plans
Exhibit L: Proposed Floor Plans
Exhibit M: Existing Conditions - Photos
Exhibit N: 2006 Inventory Photographs
Exhibit O: Gray's New Map (1882)
Exhibit P: Sanborn Map (1927)

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS:

Chapter 4 – Local Standards and General Policies

***Alterations:** Alterations having no historical basis shall be avoided whenever possible. Any type of alteration of exterior features of a building, site, or environment within the Historic Districts which is not specifically listed within these regulations shall be referred to the Historic Preservation Commission for action on the issuance of a Certificate of Appropriateness.*

- *All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.*
- *Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right and this significance shall be recognized and respected.*
- *Contemporary design for alterations and additions to existing properties shall be encouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.*
- *New additions or alterations shall be construed in such a manner as to preserve the essential form and integrity of the structure, should the addition or alteration be removed.*

Chapter 5 – Section 2: New Addition Construction

- *Site new additions as inconspicuously as possible, preferably on rear elevations and where historic character defining features are not damaged, destroyed, or obscured.*
- *Additions on the front elevation will not be allowed.*

- *Inset additions from rear building corners to differentiate them from the existing building and to reduce public visibility.*
- *Design additions so they are compatible with the existing building in height, massing, roof form and pitch.*
- *Reduce the visual impact of an addition on a historic building by limiting its scale and size.*
- *New additions should be compatible in character but use a contemporary design in order to differentiate additions from the historic structure.*
- *Windows in additions should be similar to those in the original buildings in proportions, spacing, and materials.*
- *Select exterior surface siding and details that are compatible with the existing building in material, texture, color, and character.*
- *Protect significant site and landscape features from damage during or as a result of construction by minimizing ground disturbance.*

Chapter 5- Section 4: Siding and Exterior Materials

- *There are a variety of materials available for use on the exterior of both existing structures and for new construction. Wood siding is the predominate exterior material within the Historic Districts, although some structures have masonry.*
- *Because artificial siding is not considered an authentic, historical material, it is prohibited from being used on structures defined by the Commission as Pivotal and Contributing to the Historic Districts, or for large accessory structures.*

Chapter 5- Section 5- Fenestrations:

- *New doors should be compatible with the period and style of the structure.*
- *Alteration in door and window openings, especially on the principle façade, should be avoided whenever possible, except as a restorative measure to return an opening to its original size. New openings should be located in areas where they are not visible from the street or in areas where they are compatible with the original design.*
- *Windows on most of the historical homes are of the double hung variety. Emphasis is on vertical rather than horizontal orientation of windows. The number of lights (panes) in the sash varies with the style and period of the house.*
- *New windows should be consistent or compatible with existing units. The emphasis of the new windows should be vertical rather than horizontal. Wood is the most appropriate material, and vinyl and aluminum clad windows are inappropriate in most instances.*
- *Hybrid windows that include synthetic components or mixed composition of wood and synthetic products. This type of window should not be used for replacement of traditional wooden windows or within structures designated as Pivotal or Contributing.*
- *Choose windows that are appropriate for the style of building, maintain vertical emphasis, and avoid large single paned units.*

Chapter 5- Section 6- Porches:

- *Enclosing original side and rear porches with solid walls should also be avoided. However, their conversion to “sun parlors” may be appropriate in some instances. Windows in these enclosures should be smaller, multipaned, and compatible with existing windows. Larger expanses of glass are not appropriate.*

- *Enclosure of side or rear porches and balconies is discouraged. If enclosure of a side or rear porch is required for a new use, design the enclosure so that the historic character and features of the porch are preserved.*
- *Original steps should be retained and handrails should match the railing on the porch. The replacement of wooden steps with precast concrete should be avoided.*

Chapter 5- Section 7: Roofing

- *Use materials in new construction that are consistent with the style of the building; materials should be unobtrusive in texture as well as color.*
- *New construction should avoid the roof being more than one-half the building's height.*
- *Roof shapes, texture and material should be compatible with new construction as well as with immediate buildings*

Chapter 5 - Section 10: Driveways, Walkways, and Parking:

- *When new driveways are constructed, they should be separated from existing driveways by a grass strip, and should be narrow, since double width driveways are out of scale with the relatively small lots in the districts.*
- *Gravel and pavement are acceptable materials for driveways, as are some alternative materials such as cobblestone, brick, and pervious pavers.*
- *Parking areas should not be the focal point of the property, and should be located in such a manner as to minimize their visibility from the street.*
- *Use vegetation screen or berms to reduce reflection and visual confusion. Within residential areas, integrate parking areas into landscaping and surface with the appropriate materials such as concrete, brick, crushed stone or gravel.*

RECOMMENDATION:

1. The Historic Preservation Commission should consider the circumstances of this application for a Certificate of Appropriateness relative to the North and South Union Street Historic Districts Handbook and act accordingly.
2. If approved, applicant(s) should be informed of the following:
 - City staff and Commission will make periodic on-site visits to ensure the project is completed as approved.
 - Completed project will be photographed to update the historic properties survey.

United States Department of the Interior
National Park Service

National Register of Historic Places
Inventory—Nomination Form

For NPS use only
received
date entered

Continuation sheet	Item number	Page
<u>Inventory List - North Union Street Historic District, Concord</u>	#7	45

One-story, frame Queen Anne style cottage with facade composed of two cross gables. Gable on east (right) side projects forward of main block and has cut-away corners. Both gables embellished with sawn ornaments with spindlework and cut-out ventilator. Wrap-around porch has Tuscan columns which replaced original porch supports at undetermined early 20th. century date.

75. B. Franklin Rogers House
40 Franklin Avenue, N.W.
ca. 1880
P

High significant, two-story, frame house in the "domestic Gothic" style popularized by the American architect Andrew Jackson Downing during the mid-19th. century, the only surviving example of the style in Concord. House enjoys perhaps the most picturesque setting in the district. House has L-shaped, gable-roofed main block and pair of rear, two-story gable-roofed wings. All gables are trimmed with wavy bargeboard, as are the sharply pitched, gable-roofed dormers that pierce the roofline of the main block and one of the rear wings. In addition to these characteristically Gothic features, the house has Italianate details often seen in Downing-inspired designs, including a three-sided, slanted bay window on the west (left) facade bay, a handsome wrap-around porch with chamfered, molded and bracketed porch posts, and an entrance with a two-leaf, four-panel door and a molded architrave. House has asbestos siding. House deeply set in one of the district's largest lots, which is bordered by rubble stone walls and closely planted shrubs. Within the walls, informally arranged features include a greenhouse, reflecting pool, and gazebo.

B. Franklin Rogers (1847-1908) was a schoolteacher and later a traveling salesman who invested in local businesses.

76. House
68 Franklin Avenue, N.W.
c. 1905
C

One-story, frame cottage with side gable roof and projecting west (left) facade bay. Two-bay porch with turned posts and balustrade; 2/2 sash windows. Vinyl siding. One of a pair of speculative cottages said to have been built by businessman J.L. Hartsell, whose Spring Street residence adjoins this property (see #126).

AN INCOMPLETE APPLICATION WILL NOT BE PLACED ON THE AGENDA UNTIL ALL OF THE REQUIRED ATTACHMENTS AND/OR ITEMS LISTED ON PAGE 2 ARE SUBMITTED.

APPLICANT INFORMATION

Name: ALLEN L. BROOKS, AIA ; AB ARCHITECTURE
Address: 2021 ENCLID AVE.
City: CHARLOTTE State: NC Zip Code: 28203 Telephone: 704.502.4554

OWNER INFORMATION

Name: TOBY L. & KELLEY E. CARTWRIGHT PHIFER
Address: 40 FRANKLIN AVE. NW, CONCORD, NC

Toby L. & Kelley E. Cartwright Phifer

General Requirements

The Unified Development Ordinance imposes the following rules, regulations and requirements on requests for Certificates of Appropriateness. The applicant must, with reference to the attached plans, demonstrate how the proposed use satisfies these requirements:

1. Project or Type of Work to be Done: RENOVATION & ADDITIONS
2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):

**Required Attachments/
 Submittals**

- ✓ 1. Scaled site plan, if additions or accessory structures are proposed, on letter, legal or ledger paper. Larger sized copies will be accepted if **16 folded copies** are submitted for distribution.
2. A photograph of the front of the house.
3. Photographs of site, project, or existing structures from a "before" perspective
4. Drawings, sketches, renderings, elevations, or photographs necessary to present an illustration of the project from an "after" perspective.
5. Samples of windows, doors, brick, siding, etc. must be submitted with application.
6. Detailed list of materials that will be used to complete the project.

Applications may be submitted electronically.

Certification

(1) I hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department. (2) I understand that City staff and/or members of the Historic Preservation Commission may make routine visits to the site to insure that work being done is the same as the work that was approved. (3) I understand that photographs of the completed project will be made to update the City's historic districts inventory database.

20 DEC 2021

 Date

Mark B...

 Signature of Owner/Agent

Planning & Neighborhood Development
 35 Cabarrus Ave W • P. O. Box 308 • Concord, NC 28025
 Phone (704) 920-5152 • Fax (704) 920-6962 •

Kelly Caputo



NORTH CAROLINA

High Performance Living

City: _____ State: _____

Application

for Certificate of

Zip Code: _____ Telephone: _____

SUBJECT PROPERTY

Street Address: 40 FRANKLIN AVENUE NW, CONCORD P.I.N. # 56207930730000

Area (acres or square feet): 1.65 Current Zoning: RC Land Use: RESIDENTIAL

**Staff Use
Only:**

Application Received by: _____ Date: _____, 20 _____

Fee: \$20.00 Received by: _____ Date: _____, 20 _____

The application fee is nonrefundable.

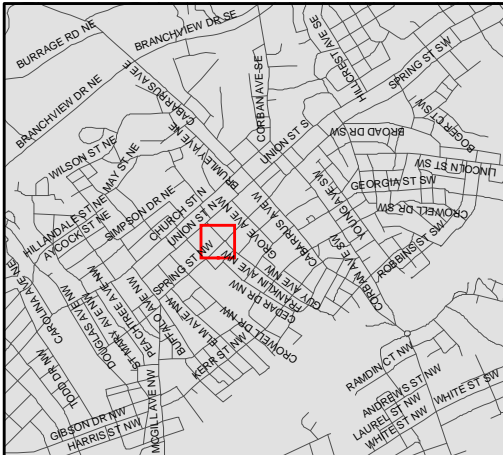
Planning & Neighborhood Development
35 Cabarrus Ave W • P. O. Box 308 • Concord, NC 28025
Phone (704) 920-5152 • Fax (704) 920-6962 •

EXHIBIT B

H-05-22

40 Franklin Ave NW

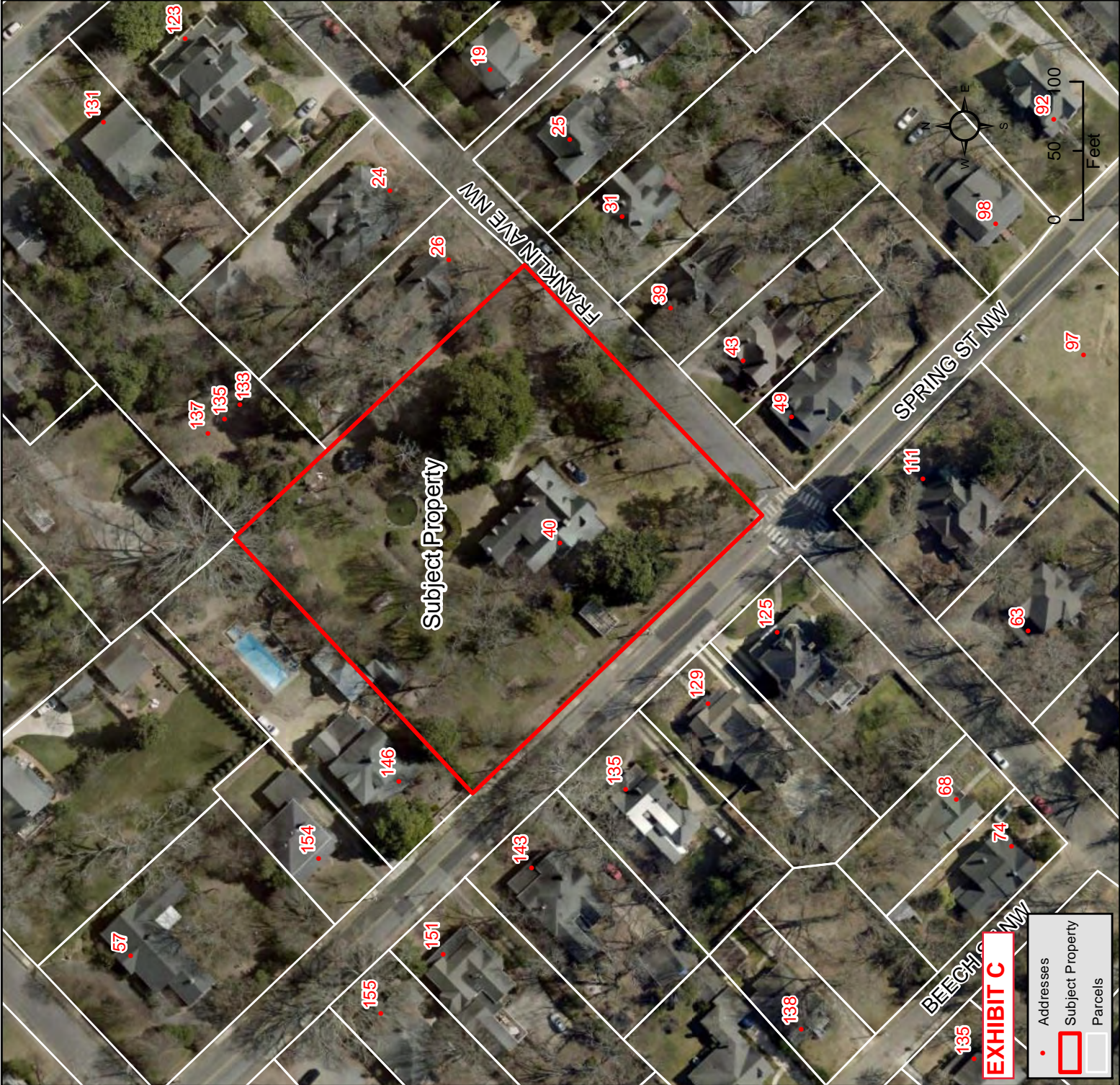
PIN: 5620-79-3073



Source: City of Concord
Planning Department

Disclaimer

These maps and products are designed for general reference only and data contained herein is subject to change. The City Of Concord, its employees or agents make no warranty of merchantability or fitness for any purpose, expressed or implied, and assume no legal responsibility for the information contained therein. Data used is from multiple sources with various scales and accuracy. Additional research such as field surveys may be necessary to determine actual conditions.



Attachment 1

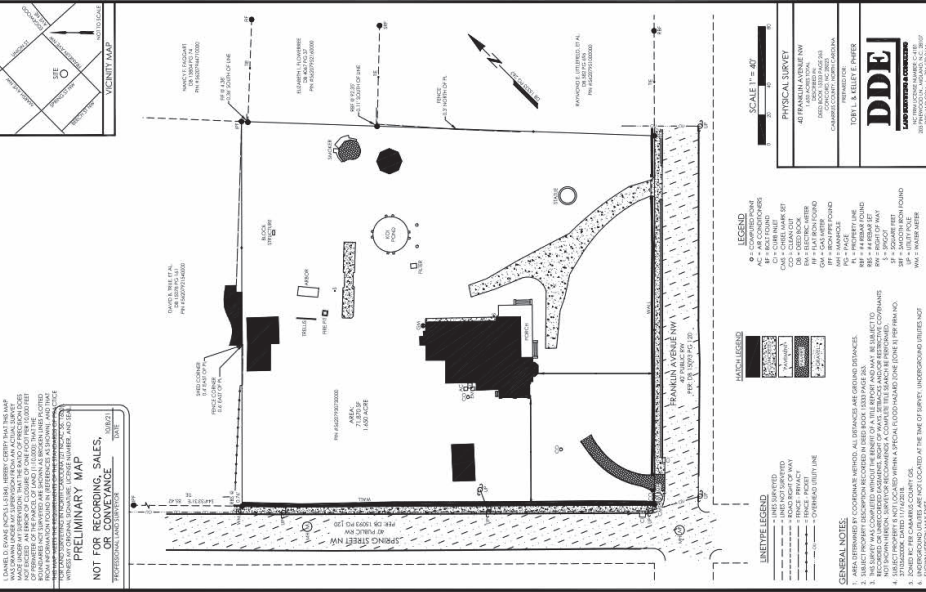
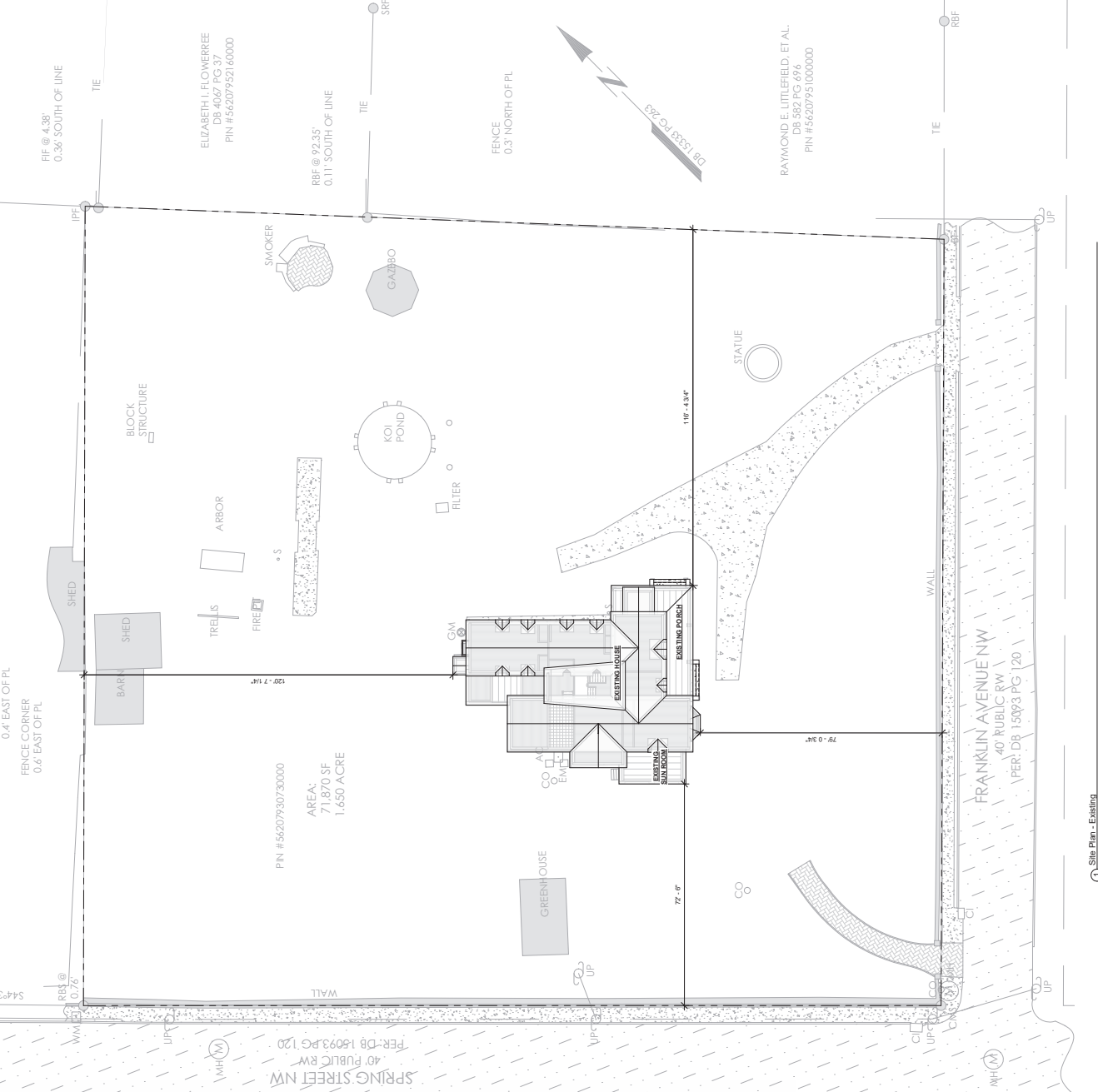
Historic B.F. Rogers House
40 Franklin Avenue NW

20 December 2021

2. Detailed specifications

House exterior changes include:

- 1) Plate glass removal @ right side for dining room bay to match front original
- 2) Carport & breezeway addition @ right side, opposite Franklin Avenue
- 3) Removal of servant exterior toilet room at rear
- 4) Enclosure of open porch under sleeping porch @ left rear
- 5) Infill addition @ rear between flanking gable roofs to accommodate access to now pass-through rooms upstairs with exterior stained glass double-arched windows to recall front door double arched panes seen at upper stair landing
- 6) Some window removals and installations @ right and rear
- 7) Salvaged original windows will be installed in the breakfast bay
- 8) Salvaged Multi-pane casement windows reused on rear of house
- 9) Salvaged kitchen windows reinstalled
- 10) Currently the house is sided in vinyl lap siding. Under that is a layer of rolled asphalt siding that simulates a brick pattern. The actual original siding material is probably under that at parts of original house but not at altered and added portions @ right side and rear.
- 11) As a matter of budget cost, owner would like to commit removal of non-original siding @ right & rear sides affected by renovation when construction begins. The nature of the progressive development of house can be examined to recover original siding to match or recall original design suspected to be wood lap siding.
- 12) There may be paneling decorative treatment such as the front left parlor bay, the sleeping porch, upper attic gables vents, etc. And there may have been additional decorative woodwork at porch head beam @ porches. All will be assessed at time of exposure and responded appropriately.
- 13) On drawings a vertical hatching represents a potential board and batten design that would cover areas of recent enclosure of open porch and was a compatible treat of the late 1800's for gothic revival.
- 14) Historically it is important to respect the "Progression Development of House" and exhibit that distinction. See attachments: a) "Greys New Map" 1882 shows a house already constructed, roughly the and placement of basic body of existing, b) "Sanborn Map" 1927 showing roughly current configuration less the upper sleeping porch and enclosed back porch.
- 15) The interior appointments of the rear kitchen wing suggest that it could have been structure moved or adjacent to house. According to public records and oral history there was a major remodeling period including installation of radiators, parquet flooring, interior embellishments, closing of fireplaces, left side glassed sunroom, left bedrooms bay extension, right side second floor addition over dining and kitchen.
- 16) Project will be a State Historic Preservation Office tax credit project.



1 Site Plan - Existing
11/10/21 11:10

EXHIBIT E



AB ARCHITECTURE
 1010 W. MARKET STREET, SUITE 100
 CHARLOTTE, NC 28202
 DINA.SOMMER@abnc.com
 PH: 704.333.1000



21 FEBRUARY 2022

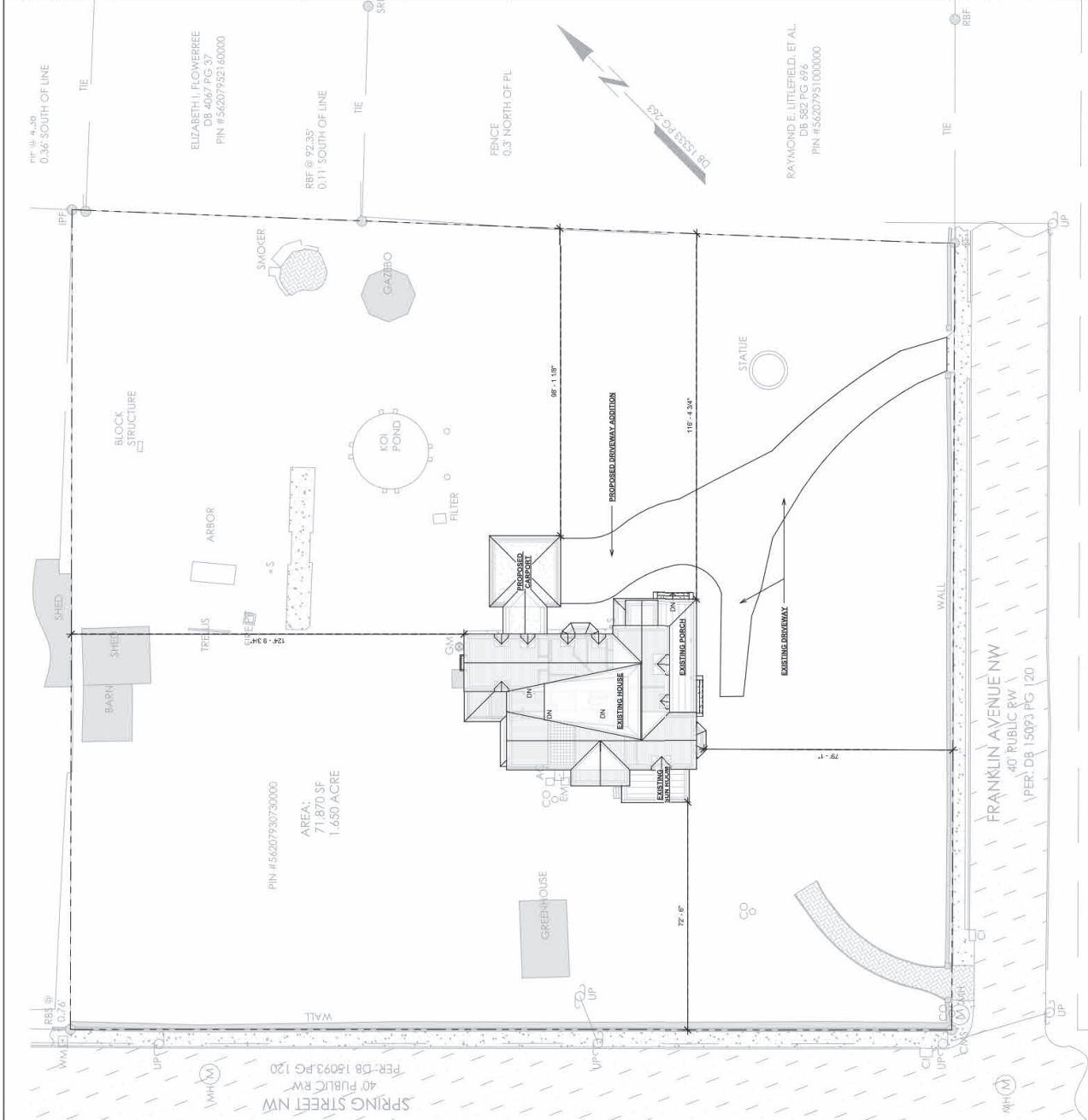
HISTORIC B.F. ROGERS
 CARTRETT - PHIFFER RESIDENCE
 40 FRANKLIN AVENUE NW, CONCORD, NC

PROJECT #	ISSUE DATE	ISSUE TITLE
		REVISIONS

SITE PLAN -
 PROPOSED

A-0.4

OF FOURTEEN



① Site Plan - Proposed
 1/16" = 1'-0"

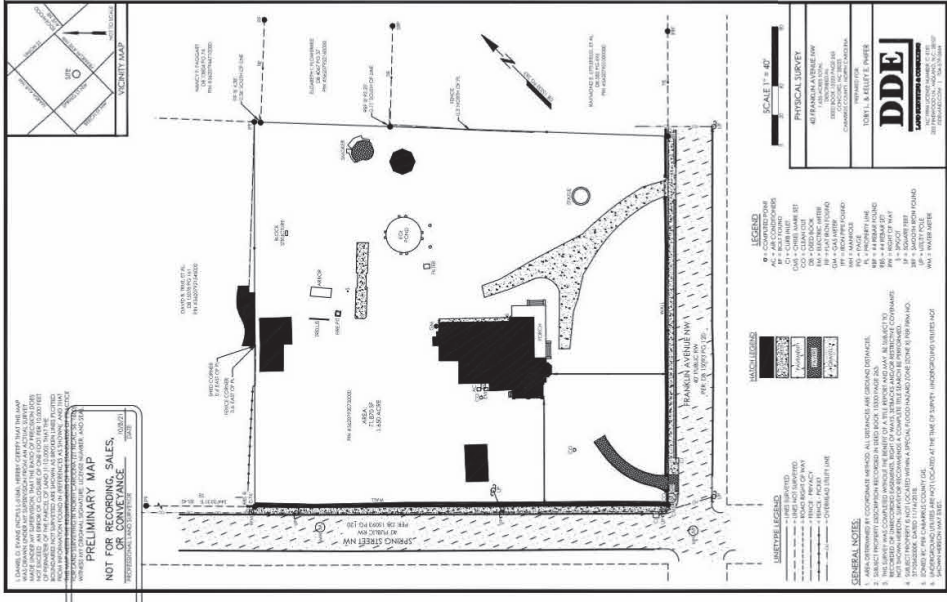


EXHIBIT F



AB ARCHITECTURE
 201 BUCKINGHAM
 CHARLOTTE, NC 28203
 PH: 704.333.8888
 WWW.ABARCHITECT.COM



21 FEBRUARY 2022

HISTORIC B.F. ROGERS
 CARTRETT - PHIFFER RESIDENCE
 40 FRANKLIN AVENUE NW, CONCORD, NC

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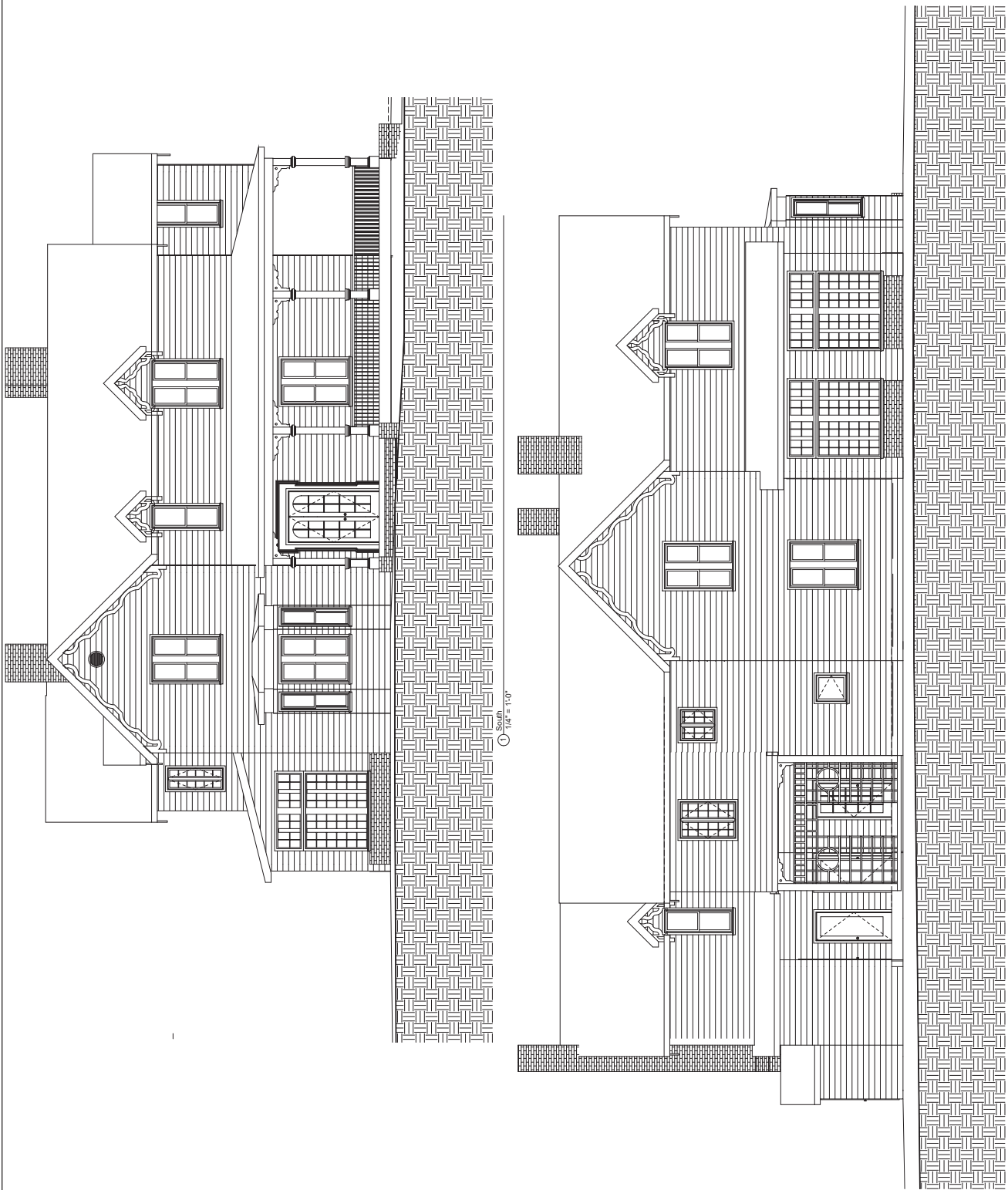
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GENERAL NOTES:

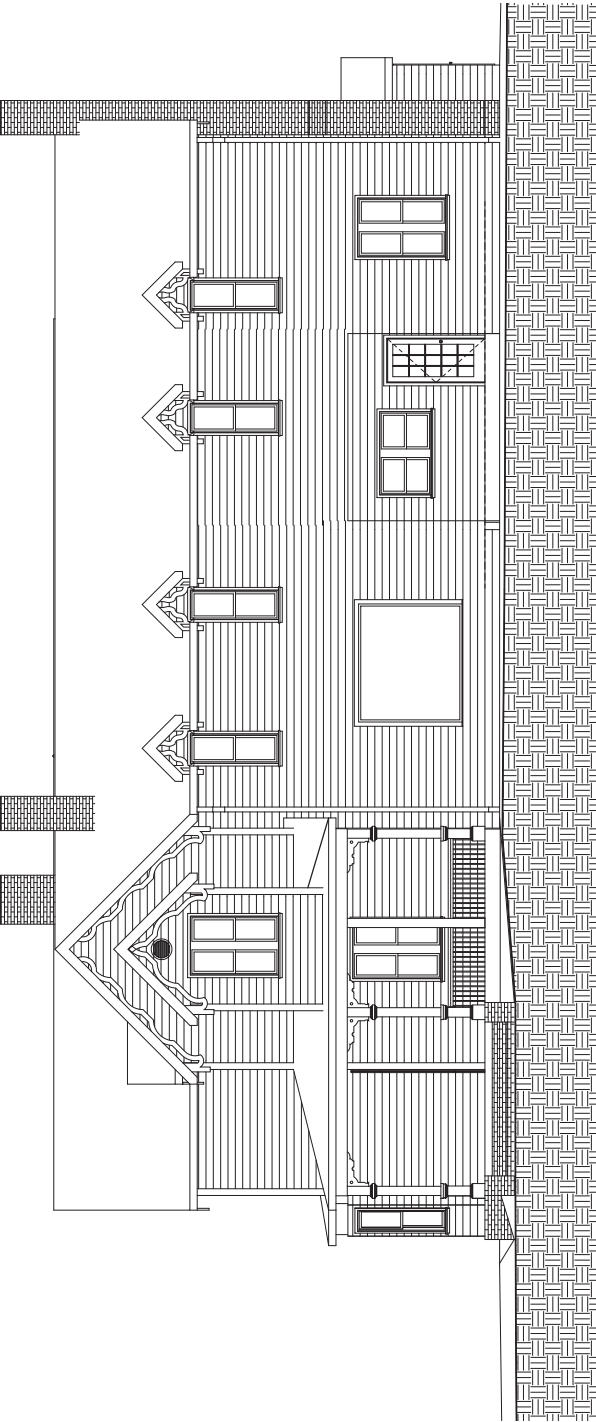
1. ALL PROPERTY LINES TO BE VERIFIED BY SURVEYOR. BUILDING LOCATIONS TO BE VERIFIED BY SURVEYOR.
2. ALL EXISTING CONDITIONS TO BE VERIFIED BY CONTRACTOR AND OWNER BASED ON EXISTING SITE PLAN.
3. FINISH FLOOR HEIGHTS TO BE VERIFIED AT SITE & PRIOR TO CONSTRUCTION.
4. ALL EXISTING WALLS, WINDOWS, DOORS, PORCHES, SILLERS, ETC. TO BE MAINTAINED TO ORIGINAL PLACE OF CONSTRUCTION UNLESS OTHERWISE NOTED.
5. ALL DIMENSIONS ARE TO FACE OF STUD & BRICK.
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8. IF FINISH FLOOR HEIGHTS TO BE VERIFIED ON SITE BY CONTRACTOR, CONTRACTOR SHALL CONFORM TO R17.1.3 PROFILE - CURVATURE OF THE CURVE SHALL BE MAINTAINED TO ORIGINAL.
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NOTE: REUSE OR MODIFICATION OF THESE ELEVATIONS SHALL BE AT THE CLIENT'S RISK. THE ARCHITECT'S PROFESSIONAL LIABILITY SHALL BE LIMITED TO THE ORIGINAL DESIGN AND CONSTRUCTION. THE ARCHITECT'S PROFESSIONAL LIABILITY SHALL NOT BE EXTENDED TO ANY DAMAGES AND EXPENSES, INCLUDING ATTORNEY FEES, INCURRED BY THE CLIENT OR OTHERS, ARISING FROM ANY REASON, ALL DIMENSIONS TO BE FIELD VERIFIED IF IN QUESTION. OBTAIN CLARIFICATION FROM ARCHITECT.

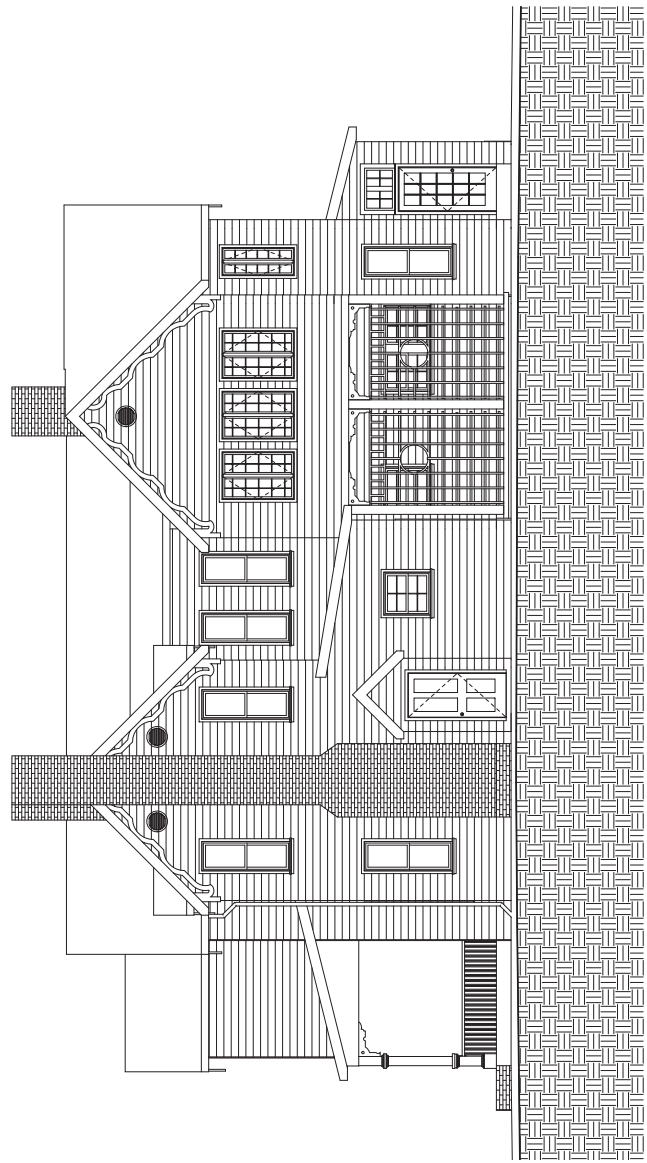


GENERAL NOTES:

1. ALL PROPERTY LINES TO BE VERIFIED BY SURVEYOR. BUILDING LOCATIONS TO BE VERIFIED BY SURVEYOR.
2. CONTRACTOR TO VERIFY ALL EXISTING CONDITIONS ON SITE.
3. CONTRACTOR AND OWNER BASED ON EXISTING SITE.
4. FINISH FLOOR HEIGHTS TO BE VERIFIED AT ALL EXISTING WALLS.
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6. ALL DIMENSIONS ARE TO FACE OF STUD & BRACK.
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8. FINISH FLOOR HEIGHTS TO BE VERIFIED ON CONFORM TO R11.7.3 PROFILE - CURVATURE OF THE CURVE TO BE VERIFIED ON SITE.
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10. ALL DIMENSIONS TO BE SOLE.
11. CONTRACTOR TO COORDINATE WITH ARCHITECT.
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North
1/4" = 1'-0"



WILMINGTON, NC
 28401 US 101C/D/AVENUE
 CHARLOTTE, NC 28203
 704.433.8008 or 704.399.0000
 www.abarchitecture.com



21 FEBRUARY 2022

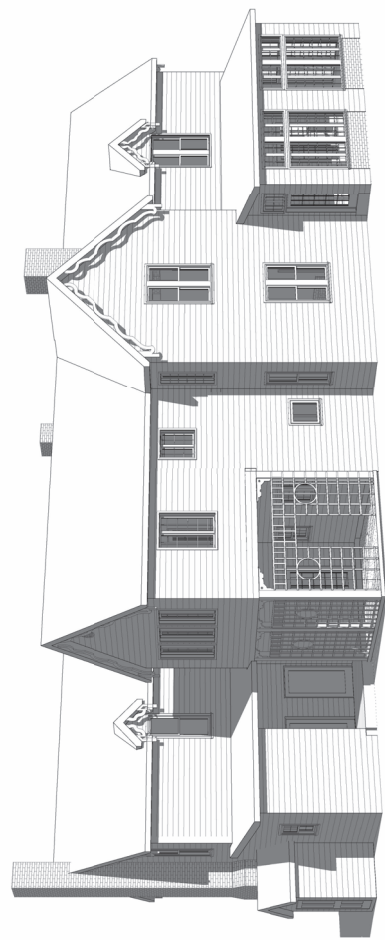
HISTORIC B.F. ROGERS
 CARTRETT - PHIFFER RESIDENCE
 40 FRANKLIN AVENUE NW, CONCORD, NC

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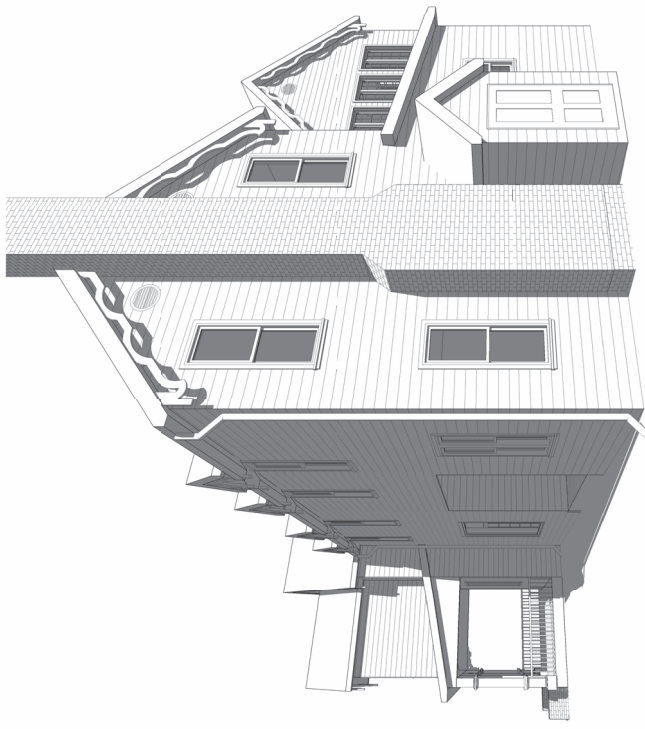
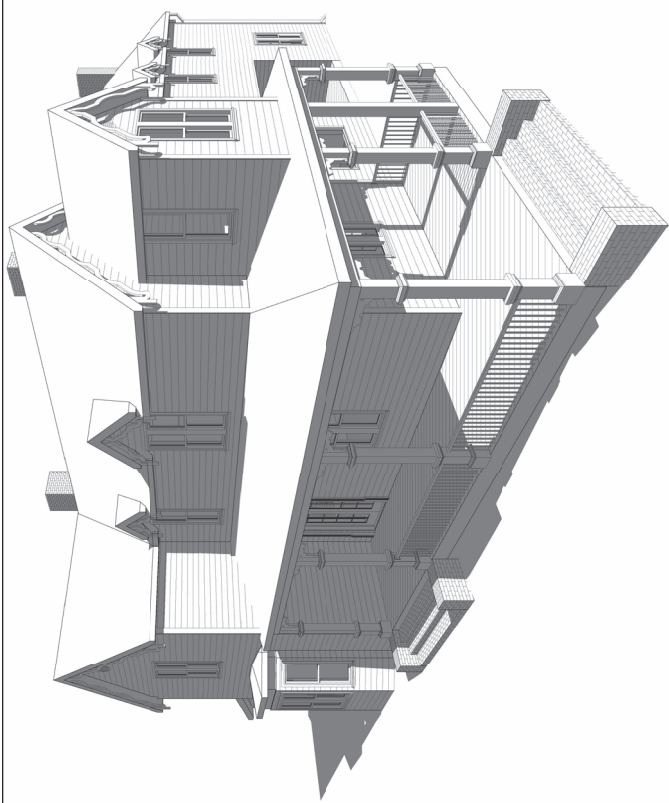
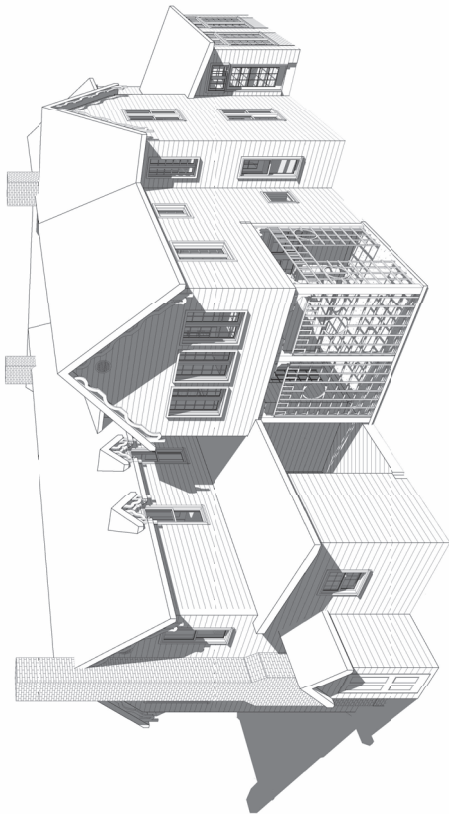


EXHIBIT H

PROJECT #	ISSUE DATE
ISSUE DATE	ISSUE DATE

GENERAL NOTES:

1. ALL PROPERTY LINES TO BE VERIFIED BY SURVEYOR. BUILDING LOCATIONS TO BE VERIFIED BY SURVEYOR.
2. CONTRACTOR TO VERIFY ALL EXISTING UTILITIES AT CONTRACTOR AND OWNER BASED ON EXISTING SITE PLAN.
3. ALL FINISH FLOOR HEIGHTS TO BE VERIFIED AT SITE & PRIOR TO CONSTRUCTION.
4. ALL CONCRETE WALLS & SLABS TO BE CAST WITH EDGE OF CONCRETE WALLS & SLABS TO MATCH PER CORE.
5. ALL DIMENSIONS ARE TO FACE OF STUD & BRICK.
6. STAIR RISE & TREAD DEPTH TO BE VERIFIED ON CONFORM TO R117.2.3 PROFILE. CURVATURE OF THE INTERIOR & EXTERIOR STAIR RISING SHALL MATCH TO R117.2.3 PROFILE.
7. ALL INTERIOR DOORS TO BE SQUARE.
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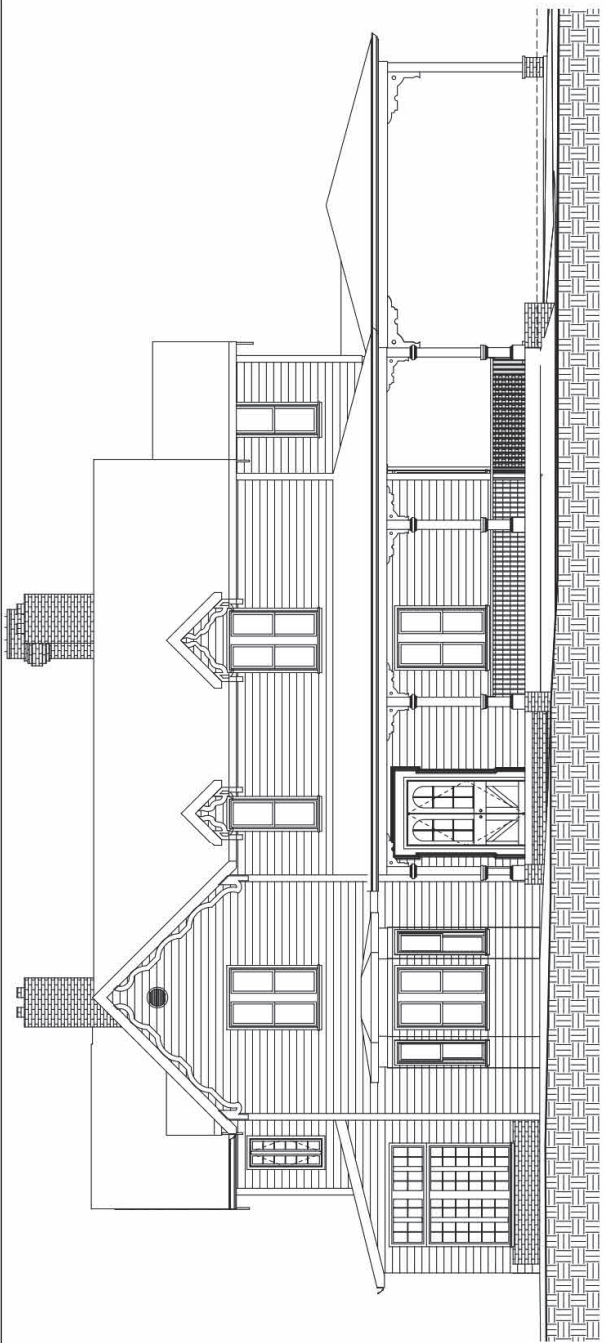
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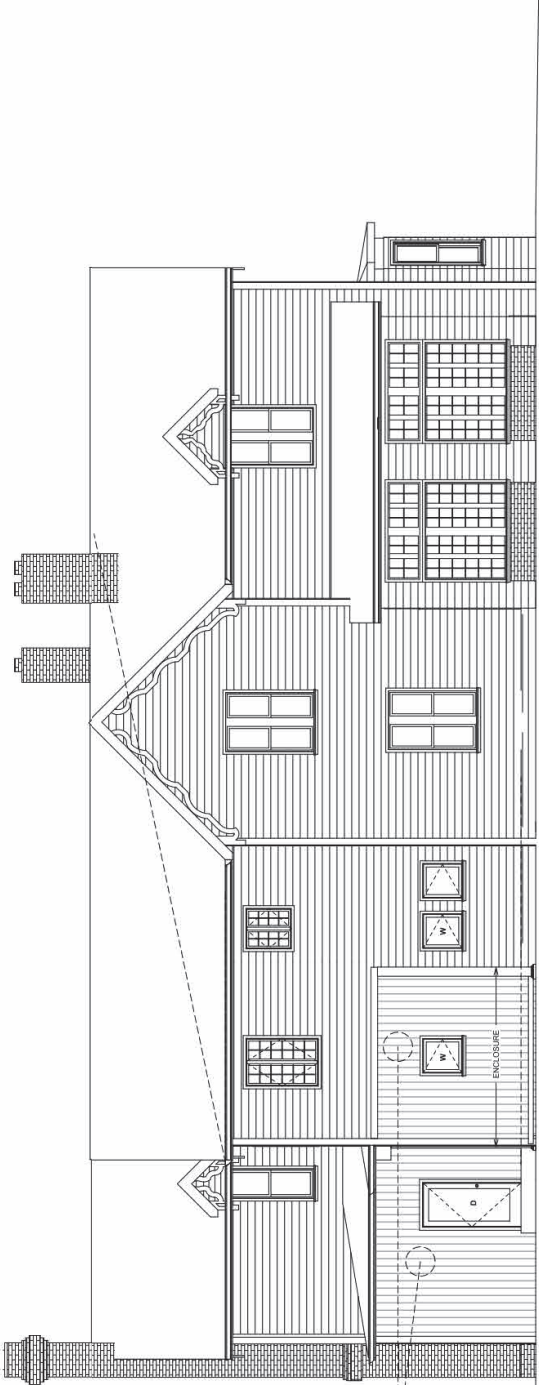
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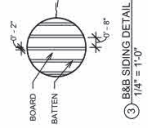
1. 1/14" - CORRECTS WINDOW
2. 1/14" - INDICATES ADDED WINDOW



① South
1/4" = 1'-0"



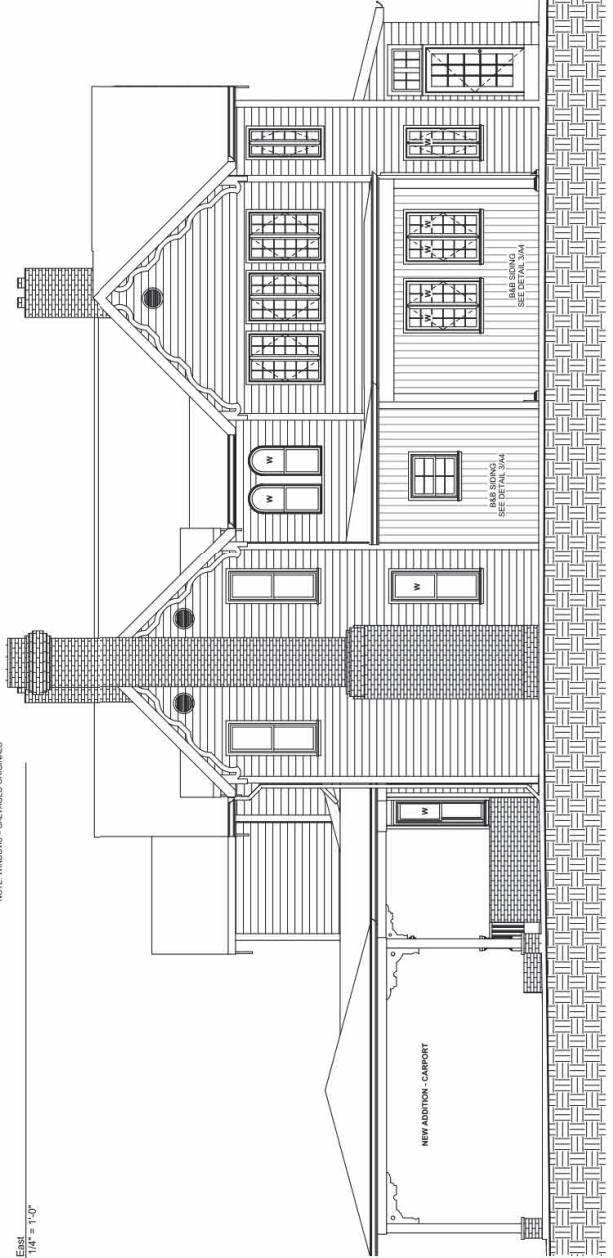
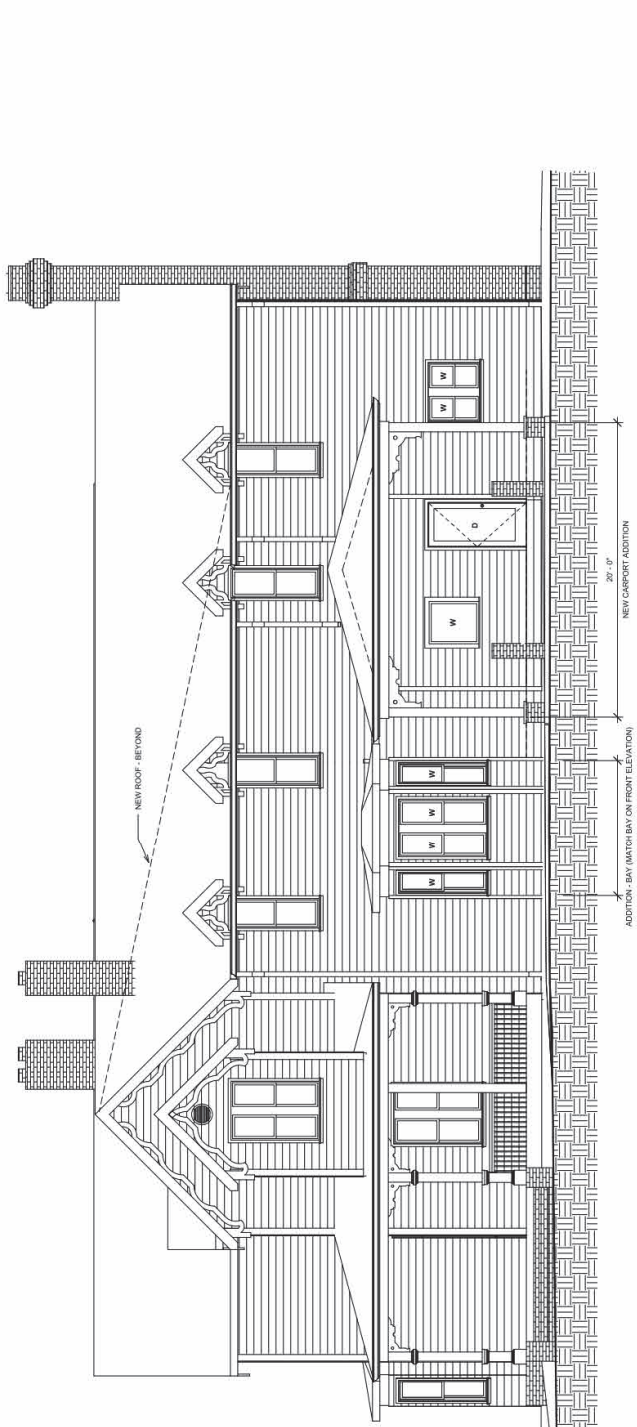
② West
1/4" = 1'-0"



③ Board & Batten Detail
1/4" = 1'-0"

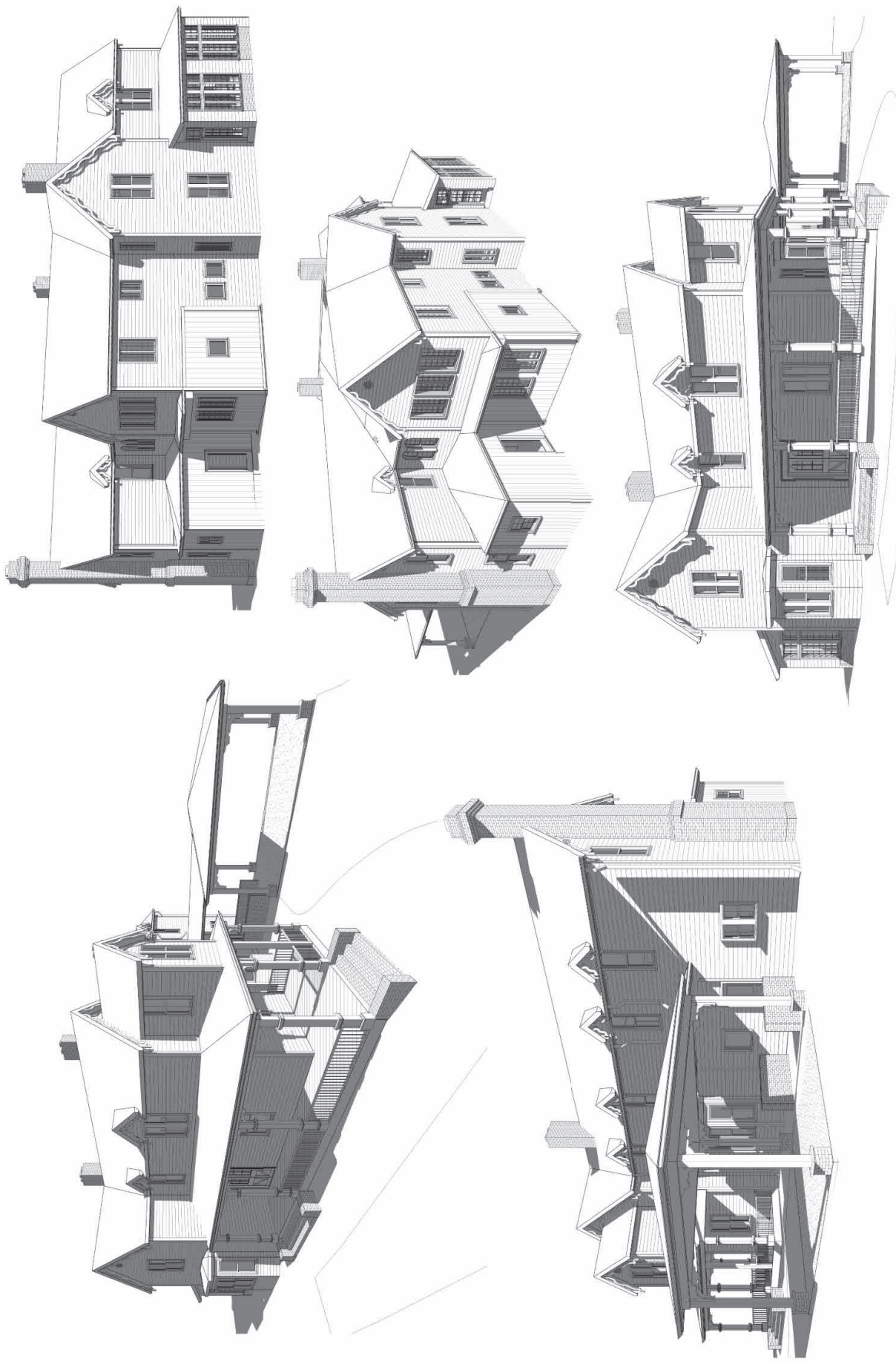
GENERAL NOTES:

1. ALL PROPERTY LINES TO BE VERIFIED BY SURVEYOR. BUILDING LOCATIONS TO BE VERIFIED BY SURVEYOR.
2. CONTRACTOR TO VERIFY EXISTING CONDITIONS ON SITE.
3. CONTRACTOR AND OWNER BASED ON EXISTING SITE.
4. ALL FINISH FLOOR HEIGHTS TO BE VERIFIED AT SITE & PRIOR TO CONSTRUCTION.
5. ALL FINISH FLOOR HEIGHTS TO BE VERIFIED AT EDGE OF CONCRETE WALLS & SLABS.
6. ALL FINISH FLOOR HEIGHTS TO BE VERIFIED AT CORNER TO CORNER.
7. ALL DIMENSIONS ARE TO FACE OF STUD & BRICK.
8. STAIR RISE & TREAD DEPTH TO BE VERIFIED ON CONFORM TO R117.3.3 PROFILE. CURVATURE OF THE INTRICATE & EXTENSIVE STAIR RISING SHALL BE VERIFIED AT SITE & PRIOR TO CONSTRUCTION.
9. ALL RISERS TO BE SOLID.
10. ALL EXTERIOR COLUMNS TO BE SQUARE.
11. CONTRACTOR TO COORDINATE.
12. ALL EXTERIOR COLUMNS TO BE SQUARE.
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- REVISION NOTES:**
1. "W" - WINDOW HEIGHT AS SHOWN
 2. "W" - INDICATES ADDED WINDOW

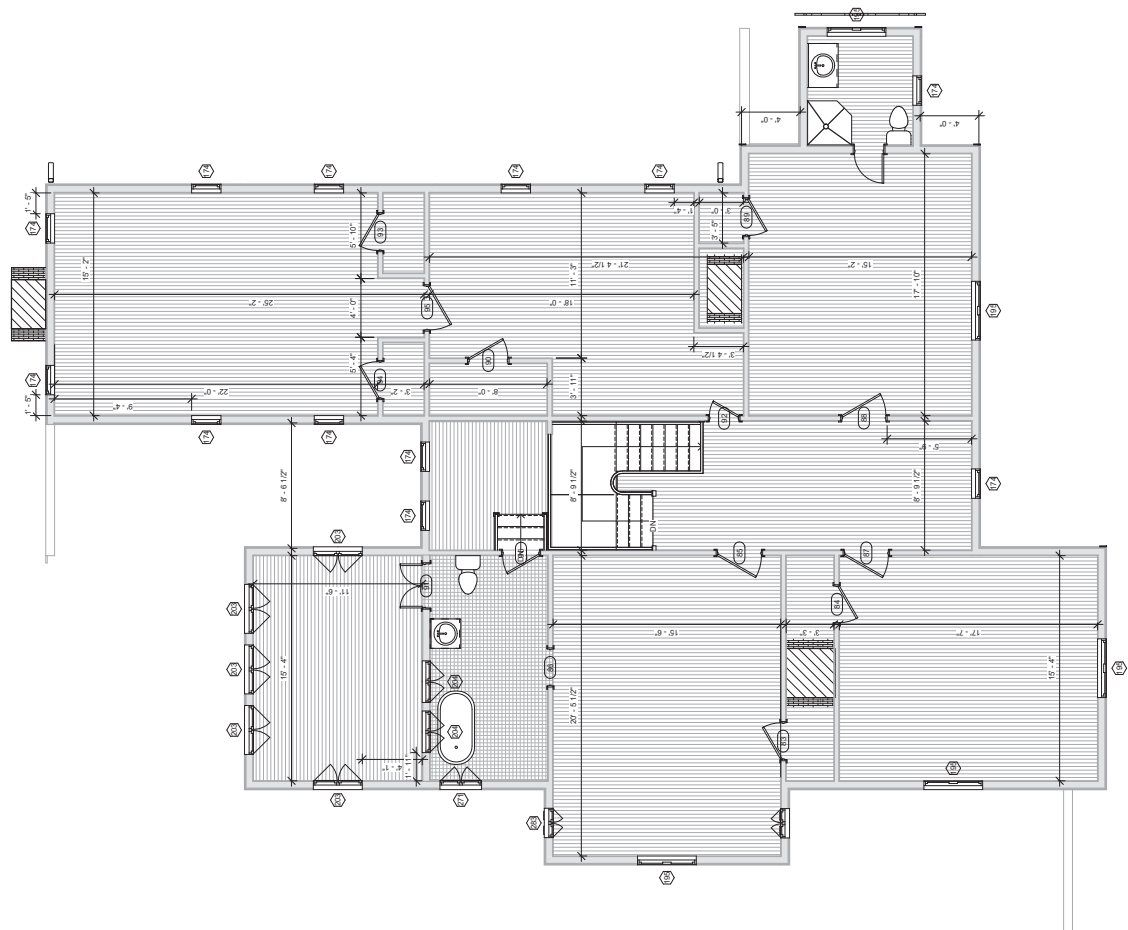
North
1/4" = 1'-0"



CARTRETT - PHIFER RENOVATION

GENERAL NOTES:

1. SURVEYOR - ALL PROPERTY LINES TO BE VERIFIED BY SURVEYOR. BUILDING LOCATIONS TO BE VERIFIED BY SURVEYOR.
2. CONTRACTOR TO VERIFY ALL DIMENSIONS AND CONDITIONS ON SITE. CONTRACTOR AND OWNER BASED ON EXISTING SITE CONDITIONS.
3. ALL FINISH FLOOR HEIGHTS TO BE VERIFIED AT SITE & PRIOR TO CONSTRUCTION.
4. ALL FINISH FLOOR HEIGHTS TO BE VERIFIED AT EACH OF COURSE LEVEL WALLS & SLABS.
5. ALL DIMENSIONS ARE TO FACE OF STUD & BRICK.
6. IF FINISH FLOOR HEIGHTS ARE TO FACE OF STUD & BRICK, CONTRACTOR TO VERIFY THAT THE FINISH FLOOR IS CONFORM TO R17.1.3 PROFILE - CURVATURE OF THE FINISH FLOOR SHALL BE AS SHOWN ON THE PLAN.
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18. CONTRACTOR TO COORDINATE GUTTER & DOWNSPUTS WITH ROOFING CONTRACTOR.
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20. WATERPROOF MEMBRANE TO BE INSTALLED UNDER ALL ROOFING.
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1. 2nd Floor Plan
1/4" = 1'-0"





EAST SIDE FACADE, FRONT PORCH



EAST SIDE FACADE



NORTH FACADE



NORTH-WEST FACADE



PARTIALLY OPEN PORCH
- WEST FACADE, REAR



PARTIALLY OPEN PORCH (UNDER THE
SLEEPING PORCH) - WEST FACADE, REAR



SOUTH-WEST FACADE



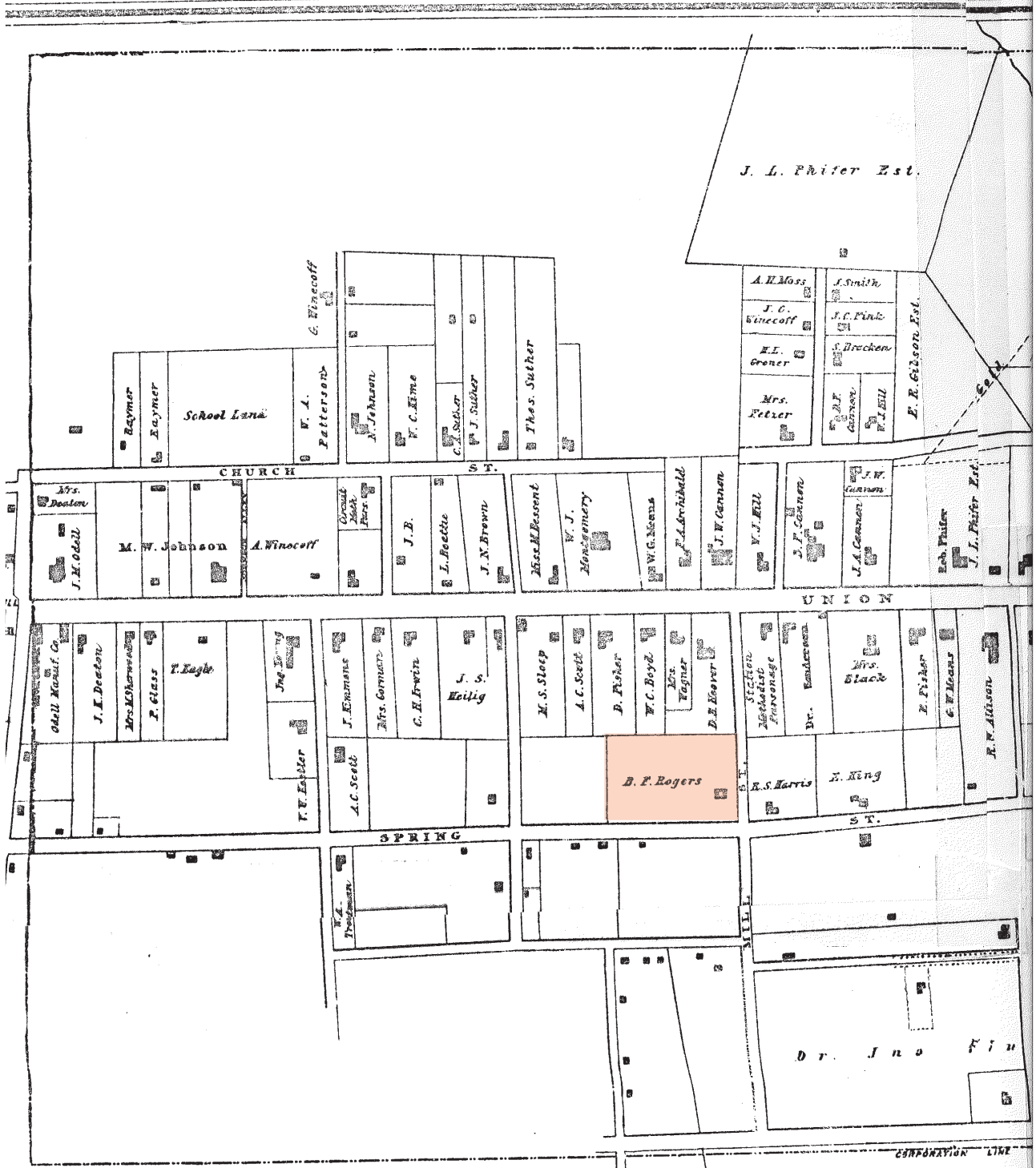
LAYERS OF SIDING -
VINYL, ASPHALT, WOOD

2006 INVENTORY PHOTOS





EXHIBIT N



GRAY'S NEW MAP
 OF
CONCORD
 CABARRUS COUNTY.
 NORTH CAROLINA.
 1882

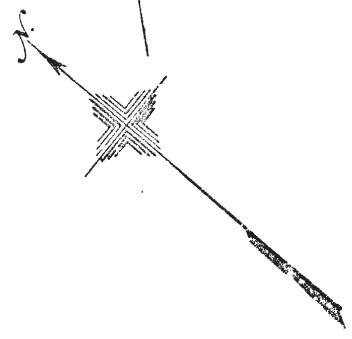
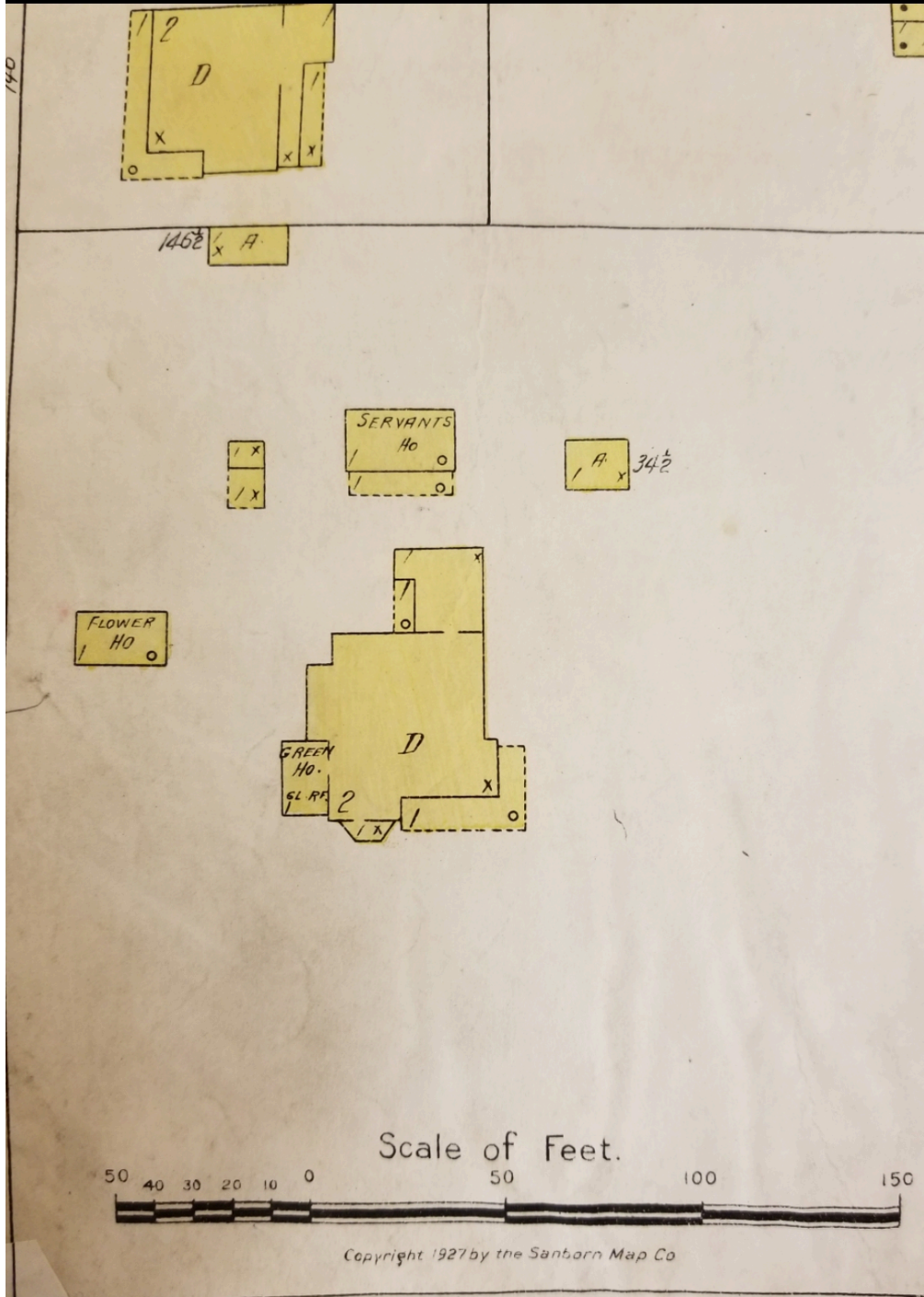


EXHIBIT O



34

D.H.

FILED
 CABARRUS COUNTY NC
 WAYNE NIXON
 REGISTER OF DEEDS

FILED May 05, 2022
 AT 04:16 pm
 BOOK 16009
 START PAGE 0259
 END PAGE 0266
 INSTRUMENT # 15165
 EXCISE TAX \$0.00
 TMF

SCANNED AND RETURNED

Mail to: City of Concord, Planning Dept., PO Box 308, Concord, NC 28026 PIN# 5620-79-3073

NORTH CAROLINA ORDER OF THE CITY OF CONCORD
CABARRUS COUNTY HISTORIC PRESERVATION COMMISSION CASE # H-05-22

This matter came before the Historic Preservation Commission (hereinafter the "Commission") on April 13th, 2022. The Commission, heard sworn testimony from the following witnesses: Kristen Boyd-Sullivan, Allen Brooks, Toby L. Phifer and Kelley Cartrett-Phifer and considered the following exhibits: Exhibit A: National Register of Historic Places Inventory, Exhibit B: Application for Certificate of Appropriateness, Exhibit C: Subject Property Map, Exhibit D: Project Description, Exhibit E: Existing Conditions Site Plan, Exhibit F: Proposed Site Plan, Exhibit G: Existing Elevations Exhibit H: Existing 3D Elevations, Exhibit I: Proposed Elevations, Exhibit J: Proposed 3D Elevations, Exhibit K: Existing Floor Plans, Exhibit L: Proposed Floor Plans, Exhibit M: Existing Conditions Photos, Exhibit N: 2006 Inventory Photographs, Exhibit O: Gray's New Map, Exhibit P: Sanborn Map Based upon competent, material, and substantial evidence, the Commission makes these:

FINDINGS OF FACT:

1. The subject property is located at 40 Franklin St. NW, Concord, NC. The owners are Toby L. Phifer and Kelley E. Cartrett Phifer who acquired the property by deed recorded in Cabarrus County Register of Deeds Book 15333, Page 263, as recorded on July 14th, 2021.
2. 40 Franklin Ave. NW is located in the RC (Residential Compact) zoning district and is in the North Union Street Historic District and is designated as a "Pivotal" structure in the Concord Historic Districts Handbook (June 2001 ed.), (the "Handbook") Chapter 3 (Exhibit A).
3. The Handbook is an ordinance of the City of Concord duly adopted by the City Council and incorporated into the Code of Ordinances by reference.

8/26

Exhibit G

4. On February 11th, 2022, Allen Brooks submitted an application (Exhibit B) for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 to make modifications to the property including 1) Extension of the existing driveway into the rear yard, and adding pea gravel surfacing over the existing driveway and proposed extension (Exhibits B, D, E, and F), addition of a carport, breezeway, and bay window on the east façade of the house, enclosure of existing partially open porches on the north and west façade, addition on the back or north side of the house on the second floor for pass-through with roof modifications and two (2) new arched stained-glass windows, new windows (some repurposed/relocated) on the east, north, and west facades, new doors on the west and east facades, removal of exterior toilet room, removal of one (1) window and addition of new window on the north façade, removal of non-original siding and replacement with wood lap siding where renovations are being completed (Exhibits B, D-L).
5. On February 23rd, 2022, the applicant submitted site plans, floor plans, and additional elevations (Exhibits E, F, G, H, K, and L).
6. The applicant is proposing to make modifications to the primary structure which include:
 - A) Addition of a 20' x 20' car port and breezeway connecting to the house on the east elevation. All newly added materials will be wood, painted white, to match the existing materials of the house, roof material is proposed to match the existing dark asphalt shingles on the house. Brick on the columns and proposed wall for the breezeway is specified to match the existing un-painted brick on the house.
 - B) Removal of a large fixed single pane glass window, replacing with a 3-sided bay window and associated roof on the east elevation.
 - C) An existing wood casement window will be relocated on the east elevation under the proposed car port, as well as a new (repurposed) wood door. A new set of double hung wood windows are proposed to the right of the car port on the east elevation.
 - D) On the north or rear elevation, removal of the servant exterior toilet room to the right of the existing chimney. Addition of a single wood, double hung window in its' place. Removal of window on the left side of the chimney.
 - E) Non-original siding on the north (rear) on the first-floor enclosed porch to be removed and replaced with Board and Batten siding, wood, painted white.
 - F) On the north (rear) and west (left) elevations, enclosure of the partially open porch under the existing second-floor sleeping porch. Salvaged, multi-pane casement windows are proposed on the north side of the proposed enclosed porch, and Board and Batten wood siding, painted white to match the existing home is proposed for the exterior finish.
 - G) The second story of the north (rear) façade includes an addition between the two gable roofs to accommodate a pass-through for the second-floor rooms. Two (2) arched stained-glass windows are proposed on the north facing façade. All new roofs, similar in shape and pitch of the first-floor porch roofs will include dark asphalt shingles to match the existing.

- H) On the west (left) elevation, the opening on the first-floor enclosed porch will be modified to allow for a new wood, repurposed door.
- I) Addition of two (2) single pane square casement windows to match existing square window on the same west façade.
- J) All areas where modifications are proposed will include the removal of the non-original (vinyl) siding and replaced with appropriate wood lap siding, painted to match the existing siding, with the exception of the areas noted with Board and Batten wood siding (Exhibits D, F, G, I and J).
7. The applicant is proposing to make site modifications by extending the existing driveway further to the back of the house along the right side to provide access to the proposed carport. The existing unpaved driveway areas, as well as the proposed extension, are proposed to be surfaced with pea gravel (Exhibits D, E & F).

Based upon these Findings of Fact, the Commission makes these:

CONCLUSIONS OF LAW

1. This matter is properly before the Commission pursuant to N.C. Gen. Stat. § 160A-400.7, et seq. and the Concord Development Ordinance.

2. Pursuant to the Handbook, Approval Requirement Needs Table:

- *Demolition: Commission Hearing and Approval for Demolition of any building or part thereof.*
- *Doors: Commission Hearing and Approval for replacement of original doors, changes in door openings.*
- *Windows: Commission Hearing and Approval for Replacement/changes in window design. Removal of original window, window components and changes in the window openings. Addition of shutters not original to building and stained-glass windows.*
- *Masonry Walls: Commission Hearing and Approval for all walls in public view or over 18 inches in height.*
- *Miscellaneous: Commission Hearing and Approval for any type of alteration of exterior features of a building, site, or environment which is not specifically listed.*
- *New construction or additions: Commission Hearing and Approval for all new construction and additions.*
- *Patios, Walks, and Driveways: Commission Hearing and Approval Required for all new patios, walks, and driveways.*
- *Roof Shape: Repairs or changes which alter roof shape.*

3. Pursuant to the Handbook, Chapter 4- Local Standards and General Policies:

Alterations: Alterations having no historical basis shall be avoided whenever possible. Any type of alteration of exterior features of a building, site, or environment within the Historic Districts which is not specifically listed within these regulations shall be referred to the Historic Preservation Commission for action on the issuance of a Certificate of Appropriateness.

- *All buildings, structures and sites shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create an earlier appearance shall be discouraged.*
- *Changes which may have taken place in the course of time are evidence of the history and development of a building, structure or site and its environment. These changes may have acquired significance in their own right and this significance shall be recognized and respected.*
- *Contemporary design for alterations and additions to existing properties shall be encouraged when such alterations and additions do not destroy significant historical, architectural or cultural material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.*
- *New additions or alterations shall be construed in such a manner as to preserve the essential form and integrity of the structure, should the addition or alteration be removed.*

4. Pursuant to the Handbook, Chapter 5- Section 2: New Addition Construction:

- *Site new additions as inconspicuously as possible, preferably on rear elevations and where historic character defining features are not damaged, destroyed, or obscured.*
- *Additions on the front elevation will not be allowed.*
- *Inset additions from rear building corners to differentiate them from the existing building and to reduce public visibility.*
- *Design additions so they are compatible with the existing building in height, massing, roof form and pitch.*
- *Reduce the visual impact of an addition on a historic building by limiting its scale and size.*
- *New additions should be compatible in character but use a contemporary design in order to differentiate additions from the historic structure.*
- *Windows in additions should be similar to those in the original buildings in their proportions, spacing, and materials.*
- *Select exterior surface siding and details that are compatible with the existing building in material, texture, color, and character.*
- *Protect significant site and landscape features from damage during or as a result of construction by minimizing ground disturbance.*

5. Pursuant to the Handbook, Chapter 5- Section 3: New Accessory Structure Construction:

- *If an original carriage house, garage or outbuilding is completely missing, replace it with either a reconstruction based on accurate documentation or a new design compatible with the historic character of the main building or historic accessory structures in the district.*
- *Keep the proportion of new garages and accessory structures compatible with the proportion of the new house. Typically, these buildings were smaller in scale than the main house.*
- *New garages and accessory structures must use traditional roof forms, materials, and details compatible with the main building or historic accessory structures in the district.*
- *Locate new garages and accessory structures in rear yards and in traditional relationship to the main buildings.*
- *Accessory buildings for Pivotal and Contributing structures should complement the siding and roof material of the primary structure.*

6. Pursuant to the Handbook, Chapter 5- Section 4: Siding and Exterior Materials:

- There are a variety of materials available for use on the exterior of both existing structures and for new construction. Wood siding is the predominate exterior material within the Historic Districts, although some structures have masonry.
- Because artificial siding is not considered an authentic, historical material, it is prohibited from being used on structures defined by the Commission as Pivotal and Contributing to the Historic Districts, or for large accessory structures.

7. Pursuant to the Handbook, Chapter 5- Section 5: Fenestrations:

- New doors should be compatible with the period and style of the structure.
- Alteration in door and window openings, especially on the principle façade, should be avoided whenever possible, except as a restorative measure to return an opening to its original size. New openings should be located in areas where they are not visible from the street or in areas where they are compatible with the original design.
- Windows on most of the historical homes are of the double hung variety. Emphasis is on vertical rather than horizontal orientation of windows. The number of lights (panes) in the sash varies with the style and period of the house.
- New windows should be consistent or compatible with existing units. The emphasis of the new windows should be vertical rather than horizontal. Wood is the most appropriate material, and vinyl and aluminum clad windows are inappropriate in most instances.
- Hybrid windows that include synthetic components or mixed composition of wood and synthetic products. This type of window should not be used for replacement of traditional wooden windows or within structures designated as Pivotal or Contributing.
- Choose windows that are appropriate for the style of building, maintain vertical emphasis, and avoid large single paned units.

8. Pursuant to the Handbook, Chapter 5- Section 6: Porches:

- Enclosing original side and rear porches with solid walls should also be avoided. However, their conversion to "sun parlors" may be appropriate in some instances. Windows in these enclosures should be smaller, multipaned, and compatible with existing windows. Larger expanses of glass are not appropriate.
- Enclosure of side or rear porches and balconies is discouraged. If enclosure of a side or rear porch is required for a new use, design the enclosure so that the historic character and features of the porch are preserved.
- Original steps should be retained and handrails should match the railing on the porch. The replacement of wooden steps with precast concrete should be avoided.

9. Pursuant to the Handbook, Chapter 5- Section 7: Roofing:

- Use materials in new construction that are consistent with the style of the building; materials should be unobtrusive in texture as well as color.
- New construction should avoid the roof being more than one-half the building's height.
- Roof shapes, texture and material should be compatible with new construction as well as with immediate buildings

10. Pursuant to the Handbook, Chapter 5- Section 9: Fences and Walls:

- *Where walls are concerned, natural stone or brick-masonry walls are encouraged and should not be coated or painted. The type and color of stone and masonry should respond to the historic nature of the property.*

11. Pursuant to the Handbook, Chapter 5- Section 10: Driveways, Walkways and Parking:

- *When new driveways are constructed, they should be separated from existing driveways by a grass strip, and should be narrow, since double width driveways are out of scale with the relatively small lots in the districts.*
- *Gravel and pavement are acceptable materials for driveways, as are some alternative materials such as cobblestone, brick, and pervious pavers.*
- *Parking areas should not be the focal point of the property, and should be located in such a manner as to minimize their visibility from the street.*
- *Use vegetation screen or berms to reduce reflection and visual confusion. Within residential areas, integrate parking areas into landscaping and surface with the appropriate materials such as concrete, brick, crushed stone or gravel. In general, asphalt should only be used for areas not visible from the street; its use will be considered on a case by case basis by the Historic Preservation Commission.*

12. The following criteria shall be considered, when relevant, by the Commission in reviewing applications for a Certificate of Appropriateness. All applications for Certificates of Appropriateness shall be subject to review based upon the Design Guidelines then in effect. These guidelines are set forth in a manual prepared and adopted by the Commission:

- lot coverage, defined as the percentage of lot area covered by primary structures;
- setback, defined as the distance from the lot lines to the building(s);
- building height;
- exterior building materials;
- proportion, shape, positioning, location, pattern and sizes of any elements of fenestration;
- surface textures;
- structural condition and soundness;
- walls--physical ingredients, such as brick, stone or wood walls, wrought iron fences, evergreen landscape masses, building facades, or combination of these;
- color (new construction only and not for existing residences); and
- effect of trees and other landscape elements.

13. The application is congruous with the historic aspects of the District.

14. Based on the standards of the Handbook, and the City of Concord Code of Ordinances, including the standards listed above, the Commission concludes that:

- A. The addition of the 20' x 20' carport and breezeway connecting to the house on the east elevation is appropriate as the addition is compatible with the existing building in height,

massing, roof form and pitch, does reduce the visual impact by limiting the scale and size, does include details that are compatible with the existing building in material, texture, and color, and is in compliance with the Historic Handbook.

- B. The replacement of the large fixed single pane window with a 3-sided bay window using original windows from the house is appropriate as the windows are consistent and compatible with existing units, are appropriate for the style of the building, do maintain vertical emphasis, does avoid large single paned units, and is in compliance with the Historic Handbook.
- C. The relocation of an original single pane casement window, the addition of a repurposed wood door and addition of two (2) double hung windows on the east elevation is appropriate as original windows are being preserved/relocated, new windows and repurposed are compatible with existing units, and is in compliance with the Historic Handbook.
- D. The removal of the exterior toilet room, and relocation of the double hung window on the left side of the chimney to the right side of the chimney on the north (rear) elevation of the house is appropriate as the alteration of the openings are not visible from the street, and are compatible with the original design, and is in compliance with the Historic Handbook.
- E. The replacement of the non-original siding with Board and Batten siding on the north (rear) elevation is appropriate as it does remove non-original siding and restore original siding and is in compliance with the Historic Handbook.
- F. The enclosure of the partially open porch located on the first floor under the second story sleeping porch and the addition of two (2) relocated/repurposed multi-pane casement windows and replacement of the non-original vinyl siding with Board and Batten siding is appropriate, as the modification does preserve the historic character and features, and is compatible with the Historic Handbook.
- G. The second story addition on the north (rear) façade and addition of two arched stained-glass windows is appropriate as the addition is sited inconspicuously, on the rear elevation, and does not damage, destroy or obscure the character defining features of the home and is in compliance with the Historic Handbook.
- H. The modification to the opening on the first-floor enclosed porch on the west (left) elevation with a repurposed door is appropriate as the proposed alteration to the opening will be restorative in nature, appropriate for the style of the building and is in compliance with the Historic Handbook.
- I. The addition of the two (2) square, single pane casement windows is appropriate as they are not visible from the street, are compatible with the original design and is in compliance with the Historic Handbook.
- J. The removal of the non-original (vinyl) siding in all areas where modifications are proposed (with the exception of areas noted with Board and Batten siding), replacing with wood lap siding, painted to match the existing color of the house, is appropriate as the

removal non-original siding and restoring with original siding is in compliance with the Historic Handbook (Exhibits D, F, G, I and J).

- K. The extension of the existing driveway on the east side of the house, further north towards the rear of the house, as well as under the proposed car port, surfaced with pea gravel, as well as surfacing the existing dirt driveway with pea gravel, is appropriate as the proposed material is consider acceptable and does avoid excessive paving, and is in compliance with the Historic Handbook (Exhibits D, E and F).

Based upon these Findings of Fact, Conclusions of Law, standards of the Handbook, and the City of Concord Code of Ordinances, including the standards listed above, and limited to the extent consistent with the application, exhibits, and testimony provided to the Commission, the Commission issues this

ORDER:

THE COMMISSION APPROVES A CERTIFICATE OF APPROPRIATENESS AS APPROVED AND SET OUT IN SECTION 14 OF THE CONCLUSIONS OF LAW ABOVE.

SO ORDERED this the 13th day of April, 2022 by the Historic Preservation Commission.

CITY OF CONCORD
HISTORIC PRESERVATION COMMISSION

BY: William Isenhour
(Chairman - William Isenhour)

ATTEST:
Angela Baldwin
Secretary

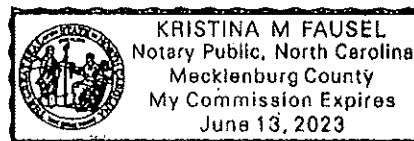
NORTH CAROLINA
CABARRUS COUNTY

I, Kristina M Fausel, a notary public for ^{Mecklenburg} ~~said~~ county and state, do hereby certify that Angela Baldwin personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal, this 14th day of April, 2022

Kristina M Fausel
Notary Public

My commission expires: June 13th 2023



Mail to: City of Concord, Planning Dept., PO Box 308, Concord, NC 28026 PIN 5620-79-3073

NORTH CAROLINA **ORDER OF THE CITY OF CONCORD**
CABARRUS COUNTY HISTORIC PRESERVATION COMMISSION CASE # H-27-22

This matter came before the Historic Preservation Commission (hereinafter the “Commission”) on January 11, 2023. The Commission heard sworn testimony from the following witnesses: Autumn C. James and Allen Brooks, and considered the following exhibits: Exhibit A: National Register of Historic Places Inventory, Exhibit B: Certificate of Appropriateness Application, Exhibit C: Subject Property Map, Exhibit D: Applicant Submitted Photos, Exhibit E: Proposed Porch Addition, Exhibit F: Full Staff Report (H-05-22), Exhibit G: Recorded Order Dated April 13, 2022.

FINDINGS OF FACT:

1. The subject property is located at 40 Franklin Ave NW, Concord, North Carolina. The owners are Toby L. Phifer and Kelley E. Cartrett-Phifer. The property was acquired by deed recorded in Cabarrus County Register of Deeds Book 15333, page 263, on July 14, 2021.
2. The subject property is located in the RC (Residential Compact) zoning district and is in the North Union Historic District.
3. The subject property is designated as a “Pivotal” structure in the Concord Historic Districts Handbook (June 2001 ed.), (the “Handbook”) Chapter 3 (Exhibit A).
4. The Handbook is an ordinance of the City of Concord duly adopted by the City Council and incorporated into the Code of Ordinances by reference.
5. On January 8, 2023, Allen Brooks applied for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 for the addition of a porch on the right side (east elevation) of the structure and replacement of a single window pane with four (4) salvaged original windows on the right side (east elevation) of the structure (Exhibit B).
6. This application follows a previous Certificate of Appropriateness (Exhibit F) where a carport and breezeway addition had been approved, along with the addition of a bay window

on the right side (east elevation). Once work commenced, it was found that there was damage due to previous alterations of roof and grade throughout the years, as well as ground saturation contributing to water in the basement. The carport and breezeway are no longer viable due to these issues. The addition of the porch would allow for water to be shed away from the house and be a functional addition to the structure. Additionally, the bay window will no longer be an addition to this structure, rather four (4) salvaged original windows will be used to replace the single plate glass window.

Based upon these Findings of Fact, the Commission makes these:

CONCLUSIONS OF LAW

1. This matter is properly before the Commission pursuant to N.C. Gen. Stat. § 160A-400.7, et seq. and the Concord Development Ordinance.
2. Pursuant to the Handbook, **Approval Requirement Needs Table: New Construction or Additions**
 - *All new construction and additions require Commission Hearing and Approval.*Pursuant to the Handbook, **Approval Requirement Needs Table: Porches**
 - *Removal of porches, adding a new porch, altering the porch, or enclosing a porch requires Commission Hearing and Approval.*Pursuant to the Handbook, **Approval Requirement Needs Table: Windows**
 - *Replacement/changes in window design; removal of original windows, window components, and changes in the window openings; addition of shutters not original to building and stained-glass windows requires Commission Hearing and Approvals.*
3. Pursuant to the Handbook, **Chapter 5 - Section 2: New Construction or Additions**
 - *Site new additions as inconspicuously as possible, preferably on rear elevations and where historic character defining features are not damaged, destroyed, or obscured.*
 - *Inset additions from rear building corners to differentiate them from the existing building and to reduce public visibility.*
 - *Design additions so they are compatible with the existing building in height, massing, roof form and pitch.*
 - *Reduce the visual impact of an addition on a historic building by limiting its scale and size.*
 - *New additions should be compatible in character but use a contemporary design in order to differentiate additions from the historic structure.*
 - *Windows in additions should be similar to those in the original buildings in proportions, spacing, and materials.*
 - *Select exterior surface siding and details that are compatible with the existing building in material, texture, color, and character.*
 - *Protect significant site and landscape features from damage during or as a result of construction by minimizing ground disturbance.*

Pursuant to the Handbook, **Chapter 5 - Section 5: Fenestrations**

- *Alteration in door and window openings, especially on the principle façade, should be avoided whenever possible, except as a restorative measure to return an opening to its original size. New openings should be located in areas where they are not visible from the street or in areas where they are compatible with the original design.*
- *Windows on most of the historical homes are of the double hung variety. Emphasis is on vertical rather than horizontal orientation of windows. The number of lights (panes) in the sash varies with the style and period of the house.*
- *New windows should be consistent or compatible with existing units. The emphasis of the new windows should be vertical rather than horizontal. Wood is the most appropriate material, and vinyl and aluminum clad windows are inappropriate in most instances.*
- *Hybrid windows that include synthetic components or mixed composition of wood and synthetic products. This type of window should not be used for replacement of traditional wooden windows or within structures designated as Pivotal or Contributing.*
- *Choose windows that are appropriate for the style of building, maintain vertical emphasis, and avoid large single paned units.*

Pursuant to the Handbook, **Chapter 5 - Section 6: Porches**

- *Enclosing original side and rear porches with solid walls should also be avoided. However, their conversion to “sun parlors” may be appropriate in some instances. Windows in these enclosures should be smaller, multipaned, and compatible with existing windows. Larger expanses of glass are not appropriate.*
- *Enclosure of side or rear porches and balconies is discouraged. If enclosure of a side or rear porch is required for a new use, design the enclosure so that the historic character and features of the porch are preserved.*
- *Original steps should be retained and handrails should match the railing on the porch. The replacement of wooden steps with precast concrete should be avoided.*

Pursuant to the Handbook, **Chapter 5 - Section 7: Roofing**

- *Use materials in new construction that are consistent with the style of the building; materials should be unobtrusive in texture as well as color.*
- *Roof shapes, texture and material should be compatible with new construction as well as with immediate buildings.*

4. The following criteria shall be considered, when relevant, by the Commission in reviewing applications for a Certificate of Appropriateness. All applications for Certificates of Appropriateness shall be subject to review based upon the Design Guidelines then in effect. These guidelines are set forth in a manual prepared and adopted by the Commission:

- lot coverage, defined as the percentage of lot area covered by primary structures;
- setback, defined as the distance from the lot lines to the building(s);
- building height;
- exterior building materials;
- proportion, shape, positioning, location, pattern and sizes of any elements of fenestration;
- surface textures;

- structural condition and soundness;
- walls--physical ingredients, such as brick, stone or wood walls, wrought iron fences, evergreen landscape masses, building facades, or combination of these;
- color (new construction only and not for existing residences); and
- effect of trees and other landscape elements.

5. The application is congruous with the historic aspects of the District.
6. Based on the standards of the Handbook, and the City of Concord Code of Ordinances, including the standards listed above, the Commission concludes that:
 - A. Installing a porch on the right side (east elevation) of the structure is appropriate as the porch will be constructed out of materials to match the existing structure, and is in compliance with the Historic Handbook.
 - B. Replacement of single window pane with four (4) salvaged original windows on the right side (east elevation) of the structure is not appropriate as the windows will be compatible with the existing structure, and will consist of materials that are appropriate, and is in compliance with the Historic Handbook.

Based upon these Findings of Fact, Conclusions of Law, standards of the Handbook, and the City of Concord Code of Ordinances, including the standards listed above, and limited to the extent consistent with the application, exhibits, and testimony provided to the Commission, the Commission issues this

ORDER:

THE COMMISSION APPROVES A CERTIFICATE OF APPROPRIATENESS TO INSTALL A NEW PORCH ON THE RIGHT SIDE (EAST ELEVATION) OF THE STRUCTURE AND REPLACEMENT OF A SINGLE WINDOW PANE WITH FOUR (4) SALVAGED ORIGINAL WINDOWS ON THE RIGHT SIDE (EAST ELEVATION) OF THE STRUCTURE.

SO ORDERED this the 11th day of January, 2023 by the Historic Preservation Commission.

CITY OF CONCORD
HISTORIC PRESERVATION COMMISSION

BY: _____
(Chairman – William Isenhour)

ATTEST:

Secretary

NORTH CAROLINA
CABARRUS COUNTY

I, _____, a notary public for said county and state, do hereby certify that _____ personally appeared before me this day and acknowledged the due execution of the foregoing instrument.

WITNESS my hand and official seal, this ____ day of _____, 20__.

Notary Public

My commission expires: _____