

<u>DATE</u>	February 14, 2024
<u>SUBJECT</u>	
<u>Certificate of Appropriateness Request:</u>	H-02-24
<u>Applicant:</u>	Julio De La Mora
<u>Location of subject property:</u>	23 Spring St NW
<u>PIN:</u>	5620-87-1837
<u>Staff Report prepared by:</u>	Kim Wallis, AICP, Senior Planner

BACKGROUND

- The subject property, 23 Spring St NW, is designated as a “Contributing” structure in the North Union Street Historic District, ca 1860-1865 (Exhibit A).
- “Two-story, frame, vernacular house that exhibits some of its original Greek Revival and Italianate designs. Most distinctive remaining Italianate features are the post and lintel mantels and the sawn work trim. House originally built for Charles A Caldwell. John A Blackwelder purchased home in 1917 and operated a wholesale dealership from his home. House underwent renovations that seriously altered the exterior and the interior of the house. Site was moved back one yard. Original one-bay façade was modified to a three-bay façade with decorative gables over the porch and main house. A bungalow wrap-around porch with tapered columns on brick piers replaced the pedimented one-bay portico in 1917. In addition, side panels were added to the center window on upper elevation of facade. The sidelights, however, on either side of principal door are original and contain lead glass. Other exterior additions during this time include a two-room ell with projecting bay topped with a slanted witches-cap-roof, a shed room on the southwest corner of the first floor, and the replacement of the center hall partition with a column portal. Glass and brick flower house was removed by 1917. Ray King, a prominent newspaperman and the former editor of the Concord Tribune, purchased home in 1929 and continues to reside there. He added a garage to the property in 1965.” (Exhibit A).

DISCUSSION

On December 22, 2023, Julio De La Mora, applied for an “ex post facto” Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 for after-the-fact removal of vinyl siding and the installation of Hardie® Plank Lap Siding, the removal and replacement of roofing material, the removal of the chimney, the installation of a new HVAC, and the removal and closing in the openings of two large garage windows (Exhibit B).

Siding

The HPC approved the previous installation of vinyl siding on June 6, 1997, Case Number H-13-97, COA 1176. The applicant has stated that the vinyl siding was aged and heavily damaged at the time of his purchase. The applicant has stated that wood siding existed below the vinyl siding. The newly installed gray Hardie® Plank Lap Siding has been installed over the wood siding, however there is a 50-100 linear feet section at the rear of the house where the applicant requests to remove the rotten wood siding before installing the Hardie® Plank Lap Siding (Exhibits D and E).

Roof

The previous roof covering was light brown asphalt shingles. The applicant states that the roof was in poor condition, and it was replaced with the same type of asphalt shingle but in a different and darker color tone to match the new siding and the original dark gray color of the foundation (Exhibit D).

Chimney

The applicant states that inspections showed that the boiler heating system could not be used due to significant issues with the stability of the chimney, as the chimney was the ventilation for the boiler system. The original photos of the home show that the chimney is leaning away from the home. While the roof was being replaced, the chimney turned loose and fell to the ground unexpectedly. The chimney was not needed and therefore not rebuilt (Exhibit D).

HVAC

A new HVAC system has been installed to the left of the rear house.

Rear Windows of the Garage

The applicant states that it was determined that the placement of some of the existing rear facing windows of the garage caused increased hazard. Throughout time, prior to his ownership, interior structural changes had been made to this home with little thought to safety. A bonus room was added in the upper area of the garage. This floor ran directly in front of unstable large windows, allowing a portion of the window to be below the floor level and a portion above. The gap between the floor and the window and the inability to create a stable frame as to not be a fall hazard from the second floor prompted the windows to instead be encased, fully intact, between a new interior wall covering and the new exterior siding in the rear of the home.

A second area had windows running alongside stair rails of a tight area that made the applicant uneasy going up/down as the proximity of the windows did not allow for proper railing and if balance was lost would be increased danger. With the potential of small children being able to fall through the unsupported window, or get stuck between the window and the floor, the applicant felt it was a necessary repair to cover it (Exhibit D).

The applicant states that when he made these exterior repairs, he did not realize he needed permission first from the HPC.

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: COA 1176

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS

Approval Requirement Needs Table:

- **Siding:** Alteration of siding from one material to another (shingles to clapboard etc) and applications of any simulated materials, aluminum siding, plastic siding, etc requires Commission Hearing and Approval.
- **Roofing Material (and Chimney):** repairs which obscure or change original architectural features require Commission Hearing and Approval.
- **Mechanical Equipment:** Installation of residential mechanical equipment such as heating and air conditioning units which are not in public view Requires No Approval.
- **Windows:** Removal of original windows, window components and changes in the window openings require Commission Hearing and Approval.

Chapter 4: Local Standards and General Policies

Distinctive stylistic features shall be repaired rather than replaced, whenever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities.

Artificial siding: The Commission views each of Concord’s Historic Districts as a whole and thus more than the sum of its individual parts. For this reason, all buildings within the Districts are deemed to be of architectural significance, unless otherwise expressed by the Commission.

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.

Artificial siding would be considered on structures defined by the Commission as Non-Contributing, Intrusive or Fill properties if the following conditions are met:

- The facility is considered not to have existing wood damage or other forms of structural damage that would be concealed by vinyl siding.
- That the structure must have been built during a time and consistent in style with a time during which vinyl siding was commonly used in new construction.
- The application of the vinyl siding nor the vinyl siding itself shall not alter even in the smallest detail historical features that may exist and are considered by the Concord Historic Preservation Commission as important in defining the historic character of the structure.
- **Hardiplank and similar synthetic materials that replicate historic materials such as brick, wood, and clay:** Modern synthetic products are created to give the appearance of historic materials. The materials are historically inaccurate and should not be used on Contributing or Pivotal structures or as part of additions to those buildings. Accessory buildings for Pivotal and Contributing structures should utilize the same siding and roof material as the primary structure. If the primary structure is not Contributing or Pivotal, new accessory structures, such as detached garages or outbuildings, may utilize these materials. In any case, prefabricated storage buildings that are not visible from the street, may utilize synthetic materials (excluding vinyl, metal, or plastic) if they are equal to or under 144 square feet.

Chapter 5 – Section 4: Siding and Exterior Materials

Design Standards

- To the greatest extent possible, wood siding should be preserved and maintained.
- In the replacement of wood siding, materials should match the original as closely as possible. “Rough-sawn” siding should be avoided.
- The use of artificial siding to cover original siding is prohibited.
- The removal of artificial siding and restoration of original siding materials is encouraged.
- Artificial and synthetic siding is permitted for new construction on a limited basis in coordination with this section and Chapter 4: “Local Standards and General Policies” of this Handbook.

Chapter 5 -Section 7: Roofing

Original features on chimneys such as corbeling should be preserved. Enlarging, altering, removing, or shortening chimneys should be avoided.

Design Standards

- Original roof material should be maintained and/or replaced with like roofing if possible.

- When replacing asphalt shingles, darker color shingles should be used since they are more historically appropriate.

Chapter 5 -Section 5: Fenestrations

- Whenever possible, the original windows and doors and their features (sashes, glass, lentils, sills, architraves, shutters, door frames, pediments, hoods, steps, and hardware) should be preserved.
- Alteration in door and window openings, especially on the principal facade, should be avoided whenever possible, except as a restorative measure to return an opening to its original size.

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**

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Continuation sheet	Item number	Page
<u>Inventory List - North Union Street Historic District, Concord</u>	#7	59

stories. First floor fenestrations include two eight-over-eights. Fenestrations on second floor are two six-over-sixes and a small center window with four-over-four. A molded wooden arch with keystone rests directly above the transom over the principal glass panel door. Second floor is sheathed in shingles. House has an ell on the north side an interior end chimney on the south side.

- 118. Vacant Lot
Between 18 and 17 Spring Street, N.W.
VL

Unkept rear yard of L'il General Store.

- 119. Matthew Goodson House
17 Spring Street, N.W.
ca. 1898
C

Frame Queen Anne cottage with shingled gable roof. Sidelights mark entrance. One-bay porch has turned balustrade and posts. Double-piled house also has gable pediment with cornice and returns. Fenestrations of this one-story, three-bay house are paired six-over-sixes. Shingles in roof are alternating chisel and staggered. House also has two interior end chimneys.

- 120. Caldwell-Balckwelder-King House
23 Spring Street, N.W.
ca. 1860-1865
C

Two-story, frame, vernacular house that exhibits some of its original Greek Revival and Italianate designs. Most distinctive remaining Italianate features are the post and lintel mantels and the sawnwork trim. House originally built for Charles A. Caldwell.

John A. Blackwelder purchased home in 1917 and operated a wholesale dealership from his home. House underwent renovations that seriously altered the exterior and the interior of house. Site was moved back one yard. Original one-bay facade was modified to a three-bay facade with decorative gables over the porch and main house. A bungalow wrap-around porch with tapered columns on brick piers replaced the pedimented, one-bay portico in 1917. In addition, side panes were added to center window on upper elevation of facade. The sidelights, however, on either side

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of principal door are original and contain lead glass. Other exterior additions during this time include a two room ell with projecting bay topped with a slanted witches-cap-roof, a shed room on the southwest corner of the first floor, and the replacement of the center hall partition with a column portal. Glass and brick flower house was removed by 1917.

Ray King, a prominent newspaperman and the former editor of the Concord Tribune, purchased home in 1929 and continues to reside there. He added a garage to the property in 1965.

- 121. Parking Lot
Between 23 and 49 Spring Street, N.W.
PL

Used for parking lot for First Baptist Church

- 122. First Baptist Church
49 Spring street, N.W.
1922-1924
P

Impressive brick church that exhibits extensive amount of Gothic detailing. Facades features lancet-arched openings with simple intersecting tracery and stained glass windows, two-stage buttresses, and crenelated parapets on the tower and wings of Education building. Church has unique architectural plan. Main block of church is cruciform, with towers at three corners. Square-shaped auditorium occupies most of the main block. A cross gable structure with a square tower rest at each of the corners of the church. The northeast gable is completely exposed to street. All windows have stone trim. The principal tower at the corner of Spring Street and Grove Avenue is in three stages which are set with buttresses at each corner. The vertical axis created by these buttresses is continued by spikes at the corners of the crenelated parapet. The third stage of the tower has two arched-tracery, louvered windows on each side. Above the double doors on the east and the north side are paired tracery-arched stained glass windows. Identical towers with entrances to the church rest at the northwest and southeast corners. All buttresses and parapets have stone trim. Education building, built after 1953, is a brick box with simple framing buttresses and no stone trim. The Sunday School building on Grove Avenue has a crenelated parapet and stone trimmed corbeled cornice.



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: _____
Address: _____
City: _____ State: _____ Zip Code: _____ Telephone: _____

OWNER INFORMATION

Name: _____
Address: _____
City: _____ State: _____ Zip Code: _____ Telephone: _____

SUBJECT PROPERTY

Street Address: _____ P.I.N. # _____
Area (acres or square feet): _____ Current Zoning: _____ Land Use: _____

**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: _____

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. **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.

Date

Julio De La Mora

Signature of Owner/Agent

From: [Dunnavant, Jamie F](#)
To: [Kim Wallis](#)
Subject: Re: chimney and siding removal at 23 Spring St
Date: Tuesday, January 16, 2024 5:07:17 PM
Attachments: [image001.png](#)
[image002.png](#)
[Outlook-15kvbkzf.png](#)
[Screenshot 2024-01-12 at 1.27.43 PM.png](#)
[Screenshot 2024-01-12 at 1.28.07 PM.png](#)
[Screenshot 2024-01-12 at 1.28.33 PM.png](#)
[Screenshot 2024-01-12 at 1.25.31 PM.png](#)
[Screenshot 2024-01-12 at 1.27.43 PM.png](#)
[Screenshot 2024-01-12 at 1.28.33 PM.png](#)
[Screenshot 2024-01-16 at 5.04.14 PM.png](#)

CAUTION: This email originated from outside the City of Concord. Do not click links or open attachments unless you recognize the sender and know the content is safe!

Hello Kim,

Attached you will see the home when Mr. De La Mora purchased it. The property disclosures were all checked as "no representation" at the time of purchase, and Mr. De La Mora purchased the home in as-is condition. Inspections showed that the heating system (boiler) could not be used due to significant issues with the stability of the chimney, as the chimney was the ventilation for the boiler system. You can see from the original photos that the chimney is actually leaning away from the home. The person living in the home at the time of sale was reportedly living out of one room and with a space heater.

Information regarding repairs since purchase per my conversation with Mr. De La Mora are as follows. I have personally not been on the property since purchase and make no representation as to the validity of any statements. I am simply submitting this information at his request as verbalized to me:

Mr. De La Mora reports he had a modern HVAC system installed after purchase. The roof was also in very poor condition. He had the roof replaced with the same type of shingle on the home when purchased but a different color tone to match the new siding and the original color of the foundation. While the roof was being replaced, the chimney literally turned loose and fell to the ground unexpectedly without assistance. Fortunately, no one was injured. With the chimney no longer needed for the heating, the area was repaired professionally as to maintain the roofline, but the chimney was not rebuilt.

Mr. De La Mora also replaced the aged and damaged vinyl siding with hardy board siding in a gray tone to match the color of the foundation of the home at time of purchase.

Along with these repairs, it was determined that the placement of some rear facing windows also caused increased hazard. Throughout time, prior to his ownership, interior structural changes had been made to this home with little thought to safety.

One such issue was when a bonus room was added in the upper area of the garage. This floor ran directly in front of unstable large windows, allowing a portion of the window to be below the floor level and a portion above. The gap between the floor and window and the inability to create a stable frame as to not be a fall hazard from the second floor, prompted the windows to instead be

encased, fully intact, between a new interior wall covering and the new exterior siding in the rear of the home.

A second area had windows running along side stair rails of a tight area that made Mr. De La Mora himself uneasy going up/down as the proximity of the windows did not allow for proper railing and if balance were lost would be increased danger.

With the potential of small children being able to fall through the unsupported window, or get stuck between the window and the floor, he felt it was a necessary repair to cover it. With this being the back of the home, he did not realize it required permission before repairing it. Please see attached photos.

When he did these exterior repairs, he apologetically was unaware of causing issue with the historic rules. With the siding removed being a modern vinyl siding, not a historic wood siding, and replacing with a superior and more natural grained product, he did not realize he required permission. He was simply trying to make the home functional, safe for residents and visitors, and free from pests who could enter through the damaged areas.

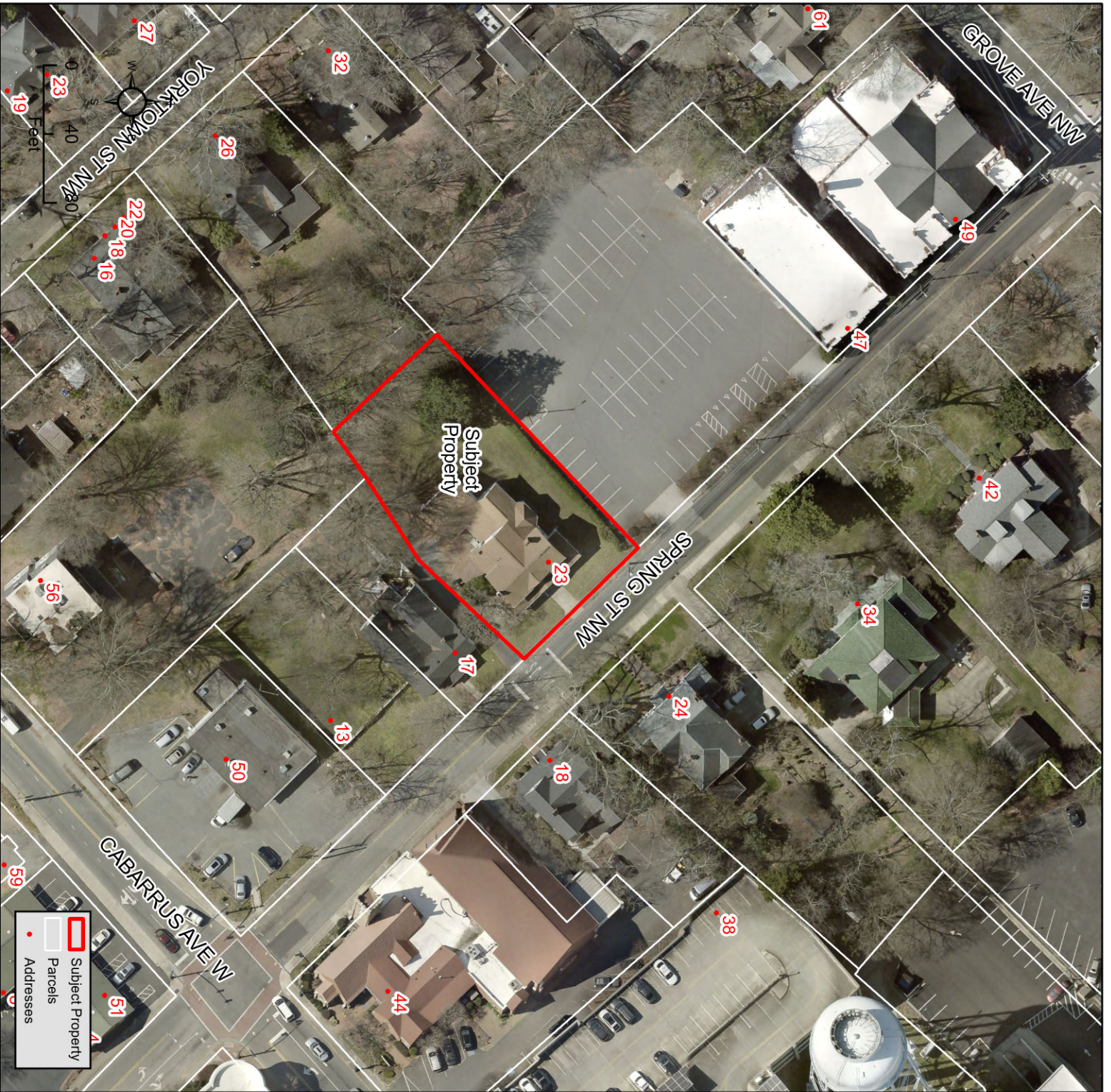
Mr. De La Mora is requesting also that he be allowed to improve the driveway and add concrete as a portion is paved, a portion is gravel and has concrete adjoining sidewalks. He would like permission to remove the cracked and diminished pavement and replace the entire driveway with a uniform cement, in the current driveway area, and continuing the concrete to the garage, in the place of the gravel.

Mr. De La Mora would also like to paint the front porch and railings. He is asking permission for appropriate colors he would be allowed to use on the front porch area.

He is also requesting that a sign that has been placed near his driveway by the city of Concord be moved further away from the driveway as the sign impedes the ability for trucks to enter/exit.

He wants to extend a sincere apology for causing any issues and is hoping that he can complete the renovations on the home to have it safe and enjoyable for decades to come.

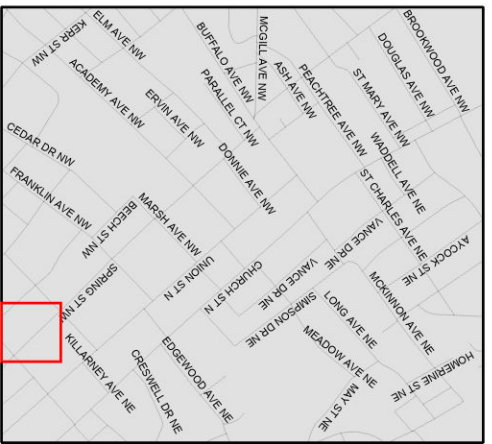
Kind Regards,
Jamie



H-02-24

23 Spring St NW

PIN: 5620-87-1837



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.



Pictures showing previous siding and color



Picture showing previous windows and openings on rear garage

Current photo of house siding and color



Current photo of garage with rear windows closed in



Inside shot of garage showing how the windows looked in bonus room before being covered up

