

**DATE**

February 14, 2024

**SUBJECT**

Certificate of Appropriateness Request:

H-03-24

Applicant:

Josh Airheart – Reliable Woodworks  
(on behalf of property owner William Staton)

Location of subject property:

75 Grove Avenue NW

PIN:

5620-77-7981

Staff Report prepared by:

Kim Wallis, AICP, Senior Planner

**BACKGROUND**

- The subject property, 75 Grove Avenue NW, is designated as a “Contributing” structure in the North Union Street Historic District, ca 1925 (Exhibit A).
- “Two-story brick residence with some Colonial Revival features but a horizontal form characteristic of the bungalow style or Prairie School. The low height of the house in relation to its width, the gently pitched hip roof with broad eaves, a similar roof on the projecting entrance bay, and the rows of four 4/4 sash windows flanking the entrance combine to give the design its horizontal character. There is a one-story screened porch on the east side of the house and a sunroom at the rear. The entrance has leaded glass sidelights and a transom, and is framed by raised brickwork.” (Exhibit A).

**DISCUSSION**

On January 3, 2024, Josh Airheart with Reliable Woodworks, on behalf of William Staton, submitted a Certificate of Appropriateness application for the removal of the rear yard deck and pergola; the installation of a new rear porch addition; the removal of eight (8) crape myrtles; rear yard landscaping improvements including a garden, outdoor firepit, seating, a wall fountain, a putting green, a walkway, steps, a gate, and a wall; and the removal and replacement of retaining walls, steps, and wooden privacy fences. (Exhibit B).

The existing 15’ wide x 16’ deep rear yard deck and pergola located at the rear of the house are proposed to be removed to make way for the 40’4”x16’ new patio and porch addition (Exhibit D).

**Rear Patio and Porch Addition (Deck)**

The patio will include a bluestone paver floor and brick half-walls on either side of the patio with a 6’ w x 18’ h brick chimney installed on the left side of the patio. The brick for both will be similar to the existing brick of the house. Phantom Screens will be installed along the patio perimeter, with a patio entry door at the fireplace end of the patio (Exhibit D).

Five PVC composite 16”x16” built up box columns will surround the rear patio and deck. The floor of the deck will be covered with bluestone pavers. The deck will include PVC composite porch railings constructed of Chippendale panels and 6’x6’ newel posts, to match the color of the house trim (Sherwin Williams Alabaster, SW7008) (Exhibit D).

**Backyard Improvements**

Proposed landscaping improvements to the rear yard include bluestone paver steps and a 4’ wide x 44’ long walkway, a new 3’ w x 4’ t cedar gate to be stained to match fence, a new 160’ long decorative brick retaining wall to match the house, a “Charleston Garden” to include the relocated Japanese Maple tree, a wall fountain, a Solo stove with seating, and a putting green. The rear steps and lattice will be removed and replaced with new stained wooden stairs with room for storage beneath (Exhibit D).

### **Retaining Walls, Steps**

The existing 17-24" tall concrete retaining wall that abuts the sidewalk on the property line along Yorktown St is proposed to be removed and replaced with a new cast-in-place concrete retaining wall with finish to match the original. This new retaining wall will increase in height as needed to allow for more level grading of the backyard but will be less than 4' tall. Additionally, the existing 17-24" concrete retaining wall to the left of the driveway will be removed to accommodate the proposed higher grade within the backyard. The replacement retaining wall will be moved inward toward the rear of the home, similar to the location of the existing fence, and be less than 4' tall. The existing concrete steps along Yorktown St will be removed and replaced with concrete steps to match the original. (Exhibit D).

### **Fences**

The existing 6' lattice top wooden privacy fences along Yorktown St and to the left of the rear driveway will be removed. They will be replaced with 6' wooden privacy fences, stained, with a similar decorative design to the original, and relocated to just behind the retaining walls to allow for more usable backyard space. (Exhibit D).

### **Trees**

The applicant is requesting to remove eight (8) crape myrtle trees with a trunk diameter less than 6" located along Yorktown St. The applicant will replant 8 ornamental trees along the fence running between our property and 67 Grove Ave NW (Exhibit D).

### **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 Site Plan, Elevations, Detail and Specifications pages

### **HISTORIC HANDBOOK DESIGN RECOMMENDATIONS**

#### **Approval Requirement Needs Table:**

**Balconies and Decks:** Addition of balcony and deck where none previously existed requires Commission Hearing and Approval.

**Fencing and Gates; Masonry Walls:** All types of fencing and gates, and all walls in public view over 18 inches in height require Commission Hearing and Approval.

**Patios and Walks:** All new patios, walks, and driveways require Commission Hearing and Approval.

**Stairs and Steps:** Removal, addition or alteration of external stairs or steps require Commission Hearing and Approval.

**Miscellaneous:** Any type of alteration of exterior features of a building, site, or environment which is not specifically listed requires Commission Hearing and Approval.

**Trees:** Removal of healthy trees in any location on the property which have a trunk diameter of 6" or less require Planning Department Approval. (Replacement is required).

#### **Chapter 5-Section 6: Porches**

Decks are generally not appropriate for homes within the districts. However, when decks are constructed, they should be located in the rear yard only, and should not project into the interior side yard. Decks should be avoided on corner lots, since their view can not be completely obscured from both streets. Rails on decks should match those on the porches. Lattice and shrubbery around the foundations enhance the appearance of decks, and should be utilized when possible.

## Design Standards

- Decks may only be located in the rear of the property.
- Design decks to be compatible in material, color, and detail with the historic building.
- Construct decks so that they can be removed in the future without damaging the historic structure.
- Construct decks so that there is the least possible loss of historic fabric. Also, ensure that character-defining features of the historic building are not obscured, damaged, or destroyed.
- Inset decks from the corner of the primary structure where necessary in order to prevent visibility from the street.

## **Chapter 5 – Section 9: Fences and Walls**

### **Fences**

- Rear yard fences are defined as fences, which do not extend forward on the applicant's property beyond the side centerline of the house in plain view. Approval of the location may also be handled on a case-by-case basis to determine the best natural break in the rear and front yards for placement of fences. Rear yard fences may be higher than four feet. The portions of rear yard fences that face the street should be landscaped with shrubs and trees of a planting size that will fully hide the fence from the street within two years. Size, type, and growth habits of plant materials to screen rear yard fences that face the street should be submitted at time of application. If a front yard fence adjoins a rear yard fence, or an existing neighboring property fence, attention should be given to the transition between the two.
- Privacy Fences  
Privacy fences are defined as fences with no spacing between pickets or fences of the shadowbox design. Privacy fences may be allowed at the discretion of the Commission in the following circumstances:

1. Privacy fences are most appropriate in rear yards.
2. Privacy fences may be allowed where the applicant's rear yard is directly adjacent to property that is either not in a historic district, or is within a historic district but is non-contributing or intrusive in that district. The applicant shall show to the satisfaction of the Commission:
  - that the adjacent property is unsightly in comparison to other properties surrounding the applicant's property,
  - that the adjacent property or nearby property raises reasonable security concerns for the applicant, or
  - that the adjacent property could reasonably be determined to negatively impact the property value of the applicant's property.

Privacy fences shall be allowed only on the applicant's property line directly adjoining the aforesaid adjacent property unless the Commission feels that such a partial privacy fence would not be visually appropriate or would not accomplish the purpose(s) of the privacy fence set forth above.

3. Privacy fences encompassing an area of no more than 250 square feet may be allowed at the discretion of the Commission when adjacent to the applicant's house, garage, or other outbuilding in order to screen from view trash cans, mechanical equipment, cars or other unsightly items, provided such fence does not unreasonably impact any neighbor by blocking windows or the like.

Privacy fences allowed by the Commission should be landscaped where practical with appropriate shrubbery to soften the appearance of the fence.

### **Masonry 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.

The transparency or openings in the walls will be considered on an individual basis. Poured-in-place concrete walls are discouraged. Concrete-masonry walls constructed of plain concrete-masonry-units or CMUs (often referred to as “concrete blocks” or “cinder blocks”) and walls constructed from railroad ties are prohibited.

Concrete-masonry walls constructed of decorative concrete blocks (such as split-face blocks that are textured, colored, etc.) will be considered by the Commission on a case-by-case basis. Decorative concrete block shall not have a beveled face and shall not be stacked in a manner that allows the flat surface of the block to be visible on the wall’s front façade. Decorative concrete blocks shall have textured faces to mimic the shape irregularities of natural stone. Examples of inappropriate materials and materials that may be considered on a case-by-case basis are exhibited below (page 45). Front yard walls equal to and taller than 36 inches may not utilize decorative concrete blocks.

#### Design Standards

- Do not use high walls or fences to screen front yards.
- Use materials such as natural stone, brick, wood, powder coated aluminum and iron.
- Chain link or plastic materials are prohibited. Adding slats to existing chain link fences for screening purposes is prohibited.
- Materials and style should coordinate with building and neighboring buildings as well as other walls and fences in the area.

#### **Chapter 5 – Section 10: Driveways, Walkways, and Parking**

- New walkways should consist of appropriate natural material including gravel, concrete, stone, brick or pervious pavers. Walkways should avoid prefabricated and imprinted stepping stones within front yards.

#### **Chapter 5 – Section 8: Landscaping and Trees**

##### **Trees**

- City staff may approve a Certificate of Appropriateness for the removal of healthy trees under 6 inches in diameter.
- All trees that are removed should be replaced with a tree of similar species in an appropriate location unless no suitable location exists on the subject site. Trees removed within street view must also have the stumps removed below ground level.

#### **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	52

Two-story, frame, single-pile house with hip roof and decorative facade gable. One-story wing at rear of house's west side has slanted bay topped with conical roof. Full facade porch with Tuscan columns and balustrade shelters central entrance with leaded glass sidelights. Decorative gable has flush boards laid in a herringbone pattern.

97. House  
81 Grove Avenue, N.W.  
ca. 1900  
C

One-and-a-half-story, frame, double-pile house with high hip roof pierced by hip-roofed dormers on three sides and projecting, slanted bay with nearly conical roof on east side of house. The house wraps around a corner lot and is set very close to the street, and so its front and east elevations are visually prominent. A wrap-around porch with Tuscan columns and a balustrade carries across the full facade and the front bay of the east side. A mid-20th. century garage stands at the rear of the property facing White Street.

98. Dr. McFayden House  
75 Grove Avenue, N.W.  
ca. 1925  
C

Two-story brick residence with some Colonial Revival features but a horizontal form characteristic of the bungalow style or Prairie School. The low height of the house in relation to its width, the gently pitched hip roof with broad eaves, a similar roof on the projecting entrance bay, and the rows of four 4/4 sash windows flanking the entrance combine to give the design its horizontal character. There is a one-story screened porch on the east side of the house and a sunroom at the rear. The entrance has leaded glass sidelights and a transom, and is framed by raised brickwork.

99. Dr. James E. Smoot House  
67 Grove Avenue, N.C.  
1897 IOI)  
C

Two-story, frame, Queen Anne style house with fine porch. House side gable main block with two-story, gable front bay on east (left) side of facade; two one-story slanted bays project from the sides of the house. Wrap-around porch has turned and bracketed posts rising to a spindle frieze; the balustrade consists of square balusters and a row of spindles

**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: Josh Airheart - Reliable Woodworks  
Address: 2989 Old Salisbury Concord Rd  
City: Concord State: NC Zip Code: 28025 Telephone: 704-791-0346

**OWNER INFORMATION**

Name: William Staton  
Address: 75 Grove Ave NW  
City: Concord State: NC Zip Code: 28025 Telephone: \_\_\_\_\_

**SUBJECT PROPERTY**

Street Address: 75 Grove Ave NW P.I.N. # 5620777981000  
Area (acres or square feet): \_\_\_\_\_ Current Zoning: RM 2 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: remove wood deck pergola, new porch, remove partition wall, retaining wall, new retaining wall, remove/replace wooden fence, remove crape myrtle tree, landscape
2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.): improvements. see attached letter from Drye Engineering for specifics

**Required Attachments/Submittals**

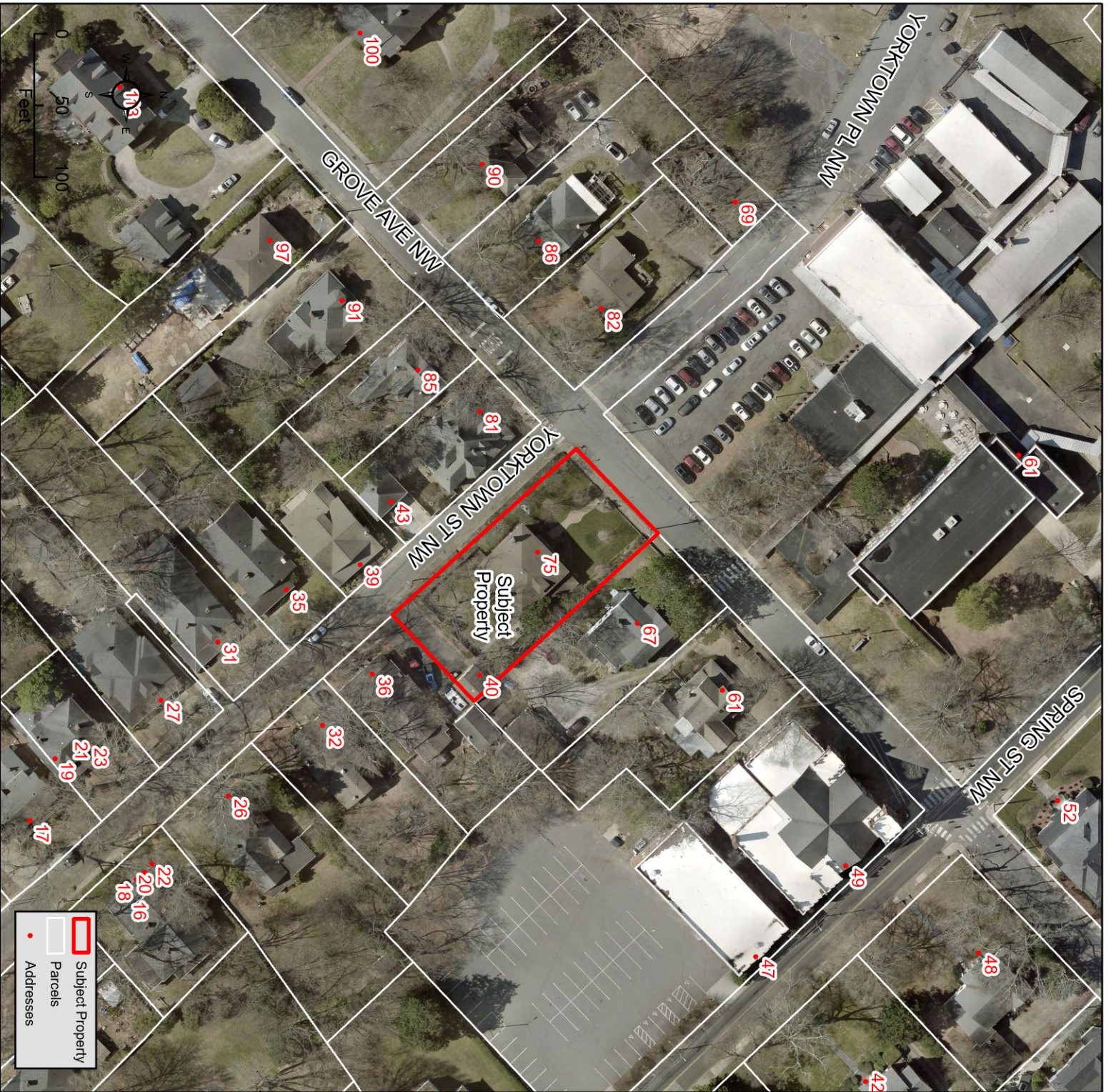
1. Typed metes and bounds description of subject property. A property deed is sufficient, provided the deed describes only the subject property.
2. Cabarrus County Land Records printout of names and addresses of all immediately adjacent property owners, including any directly across a street.
3. Scaled 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.
4. A photograph of the front of the house.
5. Photographs of site, project, or existing structures from a "before" perspective
6. Drawings, sketches, renderings, elevations, or photographs necessary to present an illustration of the project from an "after" perspective.
7. Samples of windows, doors, brick, siding, etc. must be submitted with application.
8. 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.

1/3/24  
 \_\_\_\_\_  
 Date

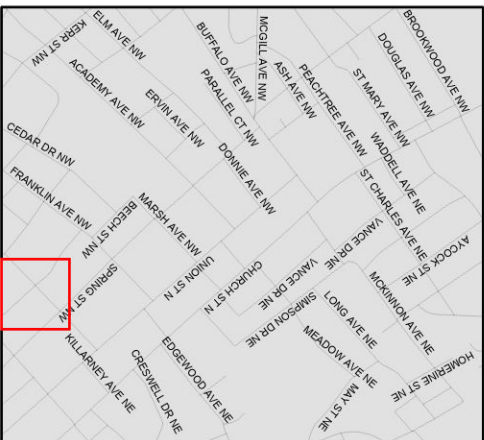
Josh Aibeart  
 \_\_\_\_\_  
 Signature of Owner/Agent



H-03-24

75 Grove Ave NW

PIN: 5620-77-7981



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.





November 20, 2023  
The City of Concord Planning Department  
PO Box 308  
Concord, NC 28026

**Re: William Fred and Charlotte Elease Smith Staton Residence Addition (75 Grove Avenue NW, Concord, NC)**

**Attached:**            *Site Plan (SP-1)*  
                              *Property Photos (Page(s) 2-8)*  
                              *Project Drawings (Page(s) 9-13)*  
                              *Owner's Design / Inspiration (Page(s) 14-16)*

To Whom it May Concern,

Drye-McGlamery Engineering, PLLC (DME) has been contracted to provide design services for William Fred and Charlotte Staton for their home located at 75 Grove Avenue NW, Concord, NC. DME has provided design services related to the proposed new, porch addition at the rear of the home. The existing wood deck and pergola are to be removed to allow for the construction of the new rear porch. DME has provided a comprehensive list of all items affected / included below.

1. Remove existing wood deck and pergola.
2. Construct new rear porch as shown on the attached drawings (by DME)
3. Remove and replace portion of existing concrete retaining wall along Yorktown Street. New retaining wall to increase in height as needed to allow for "more level" grading of backyard. Existing concrete steps along Yorktown Street will also need to be replaced. New wall to be Cast-in-place concrete similar to existing (formed concrete finish).
4. Remove and replace existing retaining wall along existing rear driveway to accommodate proposed (higher grade) within backyard. New retaining wall shall be moved inward toward the rear of the home similar to location of existing fence. New wall to be Cast-in-place concrete similar to existing (formed concrete finish).
5. Remove and replace existing wooden privacy fence along Yorktown Street and Rear Drive. Fence to be relocated on Yorktown side of lot to line up with retaining wall (Wall to be placed directly behind retaining wall) to allow for more usable backyard space.
6. Existing Crape Myrtle Trees along Yorktown Street and Rear Drive will require removal to allow for retaining wall demolition and reconstruction and fencing replacement (Existing retaining walls are failing / pushed outward due to insufficient original construction).
7. Landscaping improvements in backyard include Charleston Style Garden, Outdoor firepit & seating, wall fountain and putting green (see site plan for locations).

DME has provided photos of the existing home and area(s) impacted herein to provide a better description of the proposed work. DME appreciates the opportunity to provide our services to you. Should you have any additional questions, please do not hesitate to contact us.

Sincerely,

Heath Weston Drye, PE  
Principal  
Drye-McGlamery Engineering, PLLC  
919-616-3473  
[Heath.drye@dryeengineering.com](mailto:Heath.drye@dryeengineering.com)

325 McGill Avenue NW Suite 115, Concord, NC 28027

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EXHIBIT D



**Subject Property**



**Existing Deck and Pergola to be Removed**



**Existing Deck and Pergola to be Removed**



CRAPE MYRTLE  
TREES TO BE  
REMOVED

PROPOSED NEW  
FENCE LOCATION

**Retaining Wall to be Replaced and Fence to be Removed and Relocated / Replaced**

**Crape Myrtles to be Removed. Fence Construction Similar to Existing**

CRAPE MYRTLES TO BE REMOVED TO ALLOW FOR CONSTRUCTION OF NEW / REPLACEMENT RETAINING WALL



WALL TO BE REMOVED AND RELOCATED TO APPROXIMATE EXISTING FENCE LOCATION. FENCE TO BE REMOVED AND REPLACED. NEW FENCE TO BE SIMILAR IN CONSTRUCTION TO EXISTING FENCING

**Retaining Wall to be Replaced and Relocated to Approximate Existing Fence Location**

**Fence to be replaced with similar Construction (Same Location as Existing)**



JAPANESE MAPLE TO BE RELOCATED TO NEW "CHARLESTON GARDEN". REFER TO SITE PLAN FOR LOCATION.

**Japanese Maple to be Relocated / Incorporated within New Backyard Landscaping**



**Existing Stairs to be Removed and Replaced**

**Garden Tool Storage to be Incorporated with New Stair**



# STATON RESIDENCE PORCH ADDITION

WILL AND CHARLOTTE STATON  
75 GROVE AVENUE NW  
CONCORD, NC 28025

ISSUED FOR CONCORD  
PLANNING DEPARTMENT  
APPROVAL ONLY. NOT  
FOR CONSTRUCTION



No.	Description	Date
0	FOR CITY PLANNING APPROVAL	2023-11-20

WILL AND CHARLOTTE STATON  
PORCH ADDITION  
75 GROVE AVENUE NW, CONCORD, NC

DRYE-McGLAMERY  
ENGINEERING, PLLC  
325 McGILL AVE NW SUITE 528  
CONCORD, NC 28027

FOR PROGRESS

DME PROJECT #: 2023243

DRAWN BY CJH

CHECKED BY HWD

PROJECT OVERVIEW

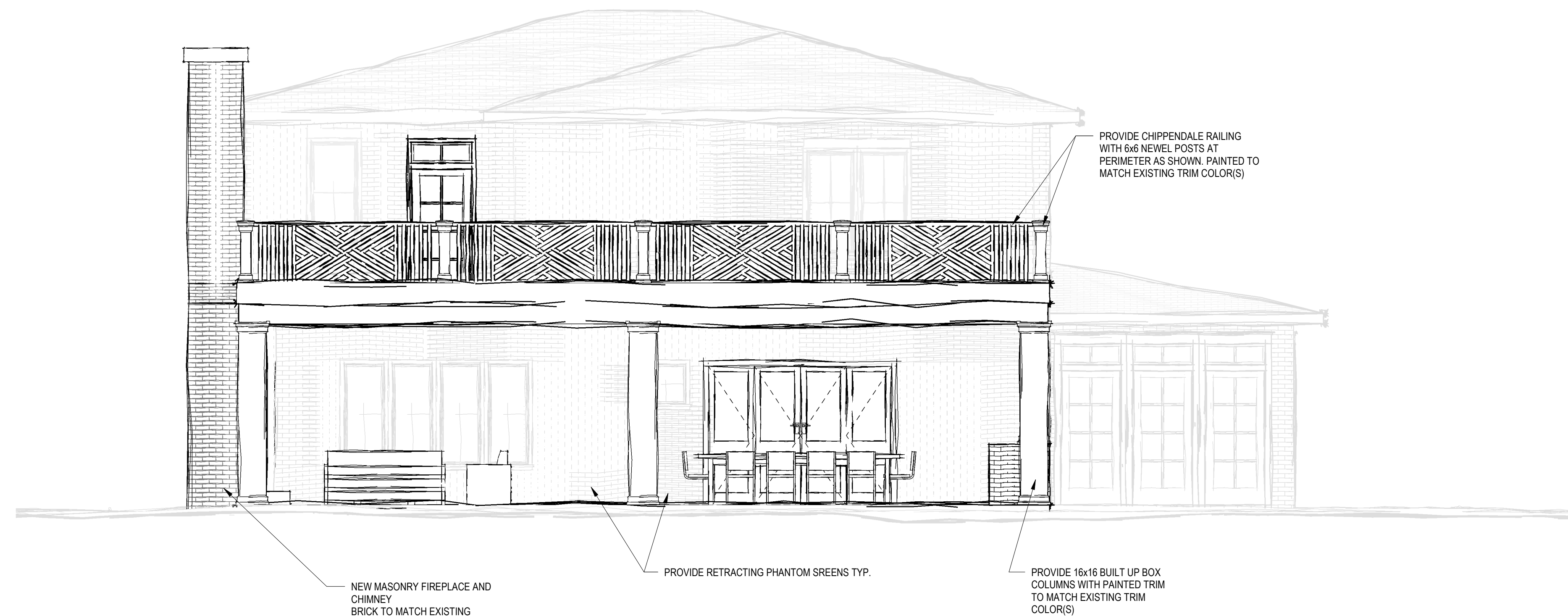
BUILDING DESIGN	
Sheet Number	Sheet Name
G-0	PROJECT OVERVIEW
G-1	FLOOR PLANS
G-2	ELEVATIONS
G-3	ELEVATIONS

**G-0**

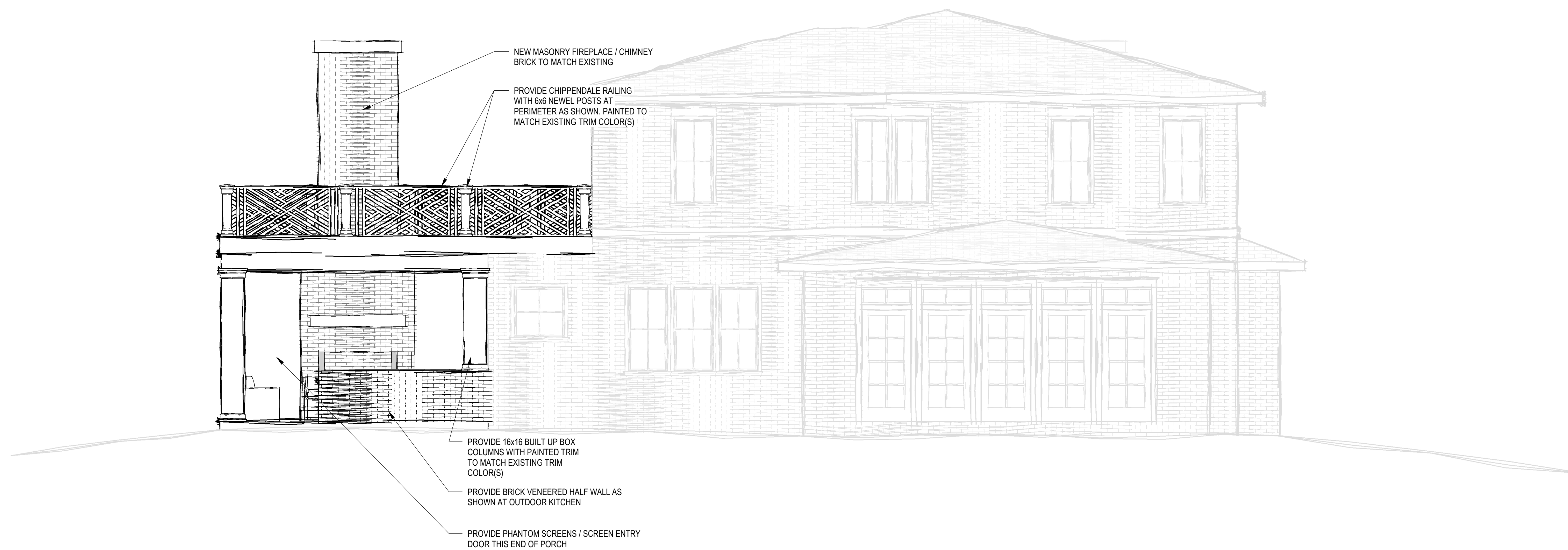




ISSUED FOR CONCORD  
PLANNING DEPARTMENT  
APPROVAL ONLY. NOT  
FOR CONSTRUCTION



- 2 - REAR ELEV  
1/4" = 1'-0"



- 1 - LEFT ELEV  
1/4" = 1'-0"

No.	Description	Date
0	FOR CITY PLANNING APPROVAL	2023-11-20

WILL AND CHARLOTTE STATION  
PORCH ADDITION  
75 GROVE AVENUE NW, CONCORD, NC

DRYE-McGLAMERY  
ENGINEERING, PLLC  
325 MCGILL AVE NW SUITE 628  
CONCORD, NC 28027

FOR PROGRESS

DME PROJECT #: 2023243

DRAWN BY HWD

CHECKED BY HWD

ELEVATIONS

G-2

ISSUED FOR CONCORD  
PLANNING DEPARTMENT  
APPROVAL ONLY. NOT  
FOR CONSTRUCTION



1 RIGHT ELEV  
1/4" = 1'-0"

No.	Description	Date
0	FOR CITY PLANNING APPROVAL	2023-11-20

WILL AND CHARLOTTE STATION  
PORCH ADDITION  
75 GROVE AVENUE NW, CONCORD, NC

DRYE-McGLAMERY  
ENGINEERING, PLLC  
325 MCGILL AVE NW SUITE 528  
CONCORD, NC 28027

FOR PROGRESS

DME PROJECT #: 2023243

DRAWN BY HWD

CHECKED BY HWD

ELEVATIONS

G-3



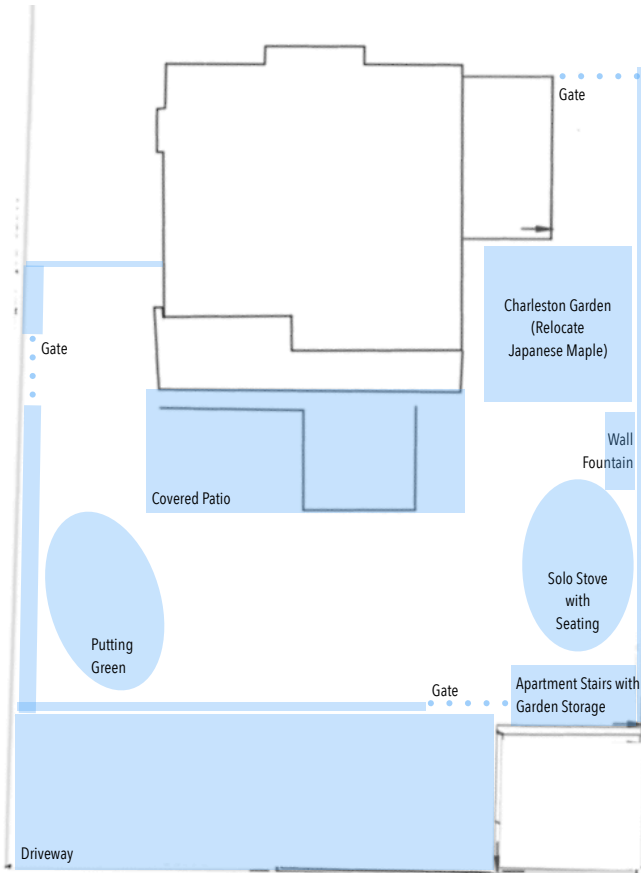
Inspiration Image



Inspiration Image



**The Grove**  
Backyard- Design Board



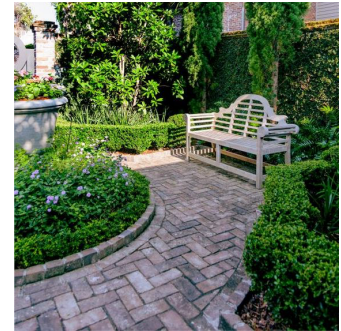
Hedge row fencing on Yorktown side (pending)



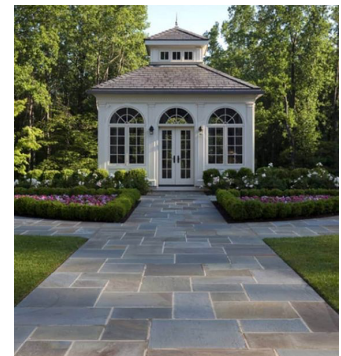
Gate with brick columns and lanterns



Upper porch railing style



Apartment staircase style



Bluestone pavers



Pull inspiration from interior staircase details



Porch Railing and Column Inspiration Images:



Inspiration for upper porch only



**The Grove**  
Backyard- Porch Railing and Columns

- Inspiration Images for overall design:
- chippendale railings
  - squared off columns
  - fireplace
  - outdoor sconces
  - ceiling heaters, fans, recessed lighting
  - bluestone pavers



**The Grove**  
Backyard- Inspiration