

**DATE:** June 14, 2023

**SUBJECT:**

Certificate of Appropriateness Request: H-08-23  
Applicants: Brian and Robin Dicka  
Location of Subject Property: 216 Union Street S  
PIN : 5630-05-4967  
Staff Report Prepared by: Jeff Ellis, Planner

**BACKGROUND**

- The subject property at 216 Union St S is designated as a “Pivotal” structure in the South Union Street Historic District (ca. 1901) (Exhibit A).
- Picturesque, asymmetrical, two-story, frame, Queen Anne style residence, the finest example of the style in the district and one of the best in Concord. House has wrap-around porch, supported by turned posts, with an unusual balustrade of horizontal and vertical members and an arched spindle frieze. A pair of projecting two-story bays flank the center of the three-bay facade and gives the front elevation its picturesque asymmetry. Both bays have ornate corner brackets and are sheathed in decorative sawn arid paneled boards; the north (right) bay projects at a 45-degree angle. from the rest of the facade. A broad arch engaged by the main roofline shelters a tiny balcony at the center of the second story. The house retains its massive original chimneys. The interior has lost its original mantels but retains a notable three-run stair.
- The house was built for James F. Dayvault, who purchased the property in 1901. Dayvault was a partner in Dayvault and Guffey, a meat packing firm established in 1892 as a successor to the Cook Packing Company.

**DISCUSSION**

- On March 9th, 2023, Brian and Robin Dicka applied for a Certificate of Appropriateness requesting approval to remove the current chain link fence at the back of their property, in order to construct a 6’ wooden privacy fence. The fence would then be stained in order to match their existing home located at 216 Union St S. (Exhibit B)

**ATTACHMENTS**

Exhibit A: National Register of Historic Places Inventory  
Exhibit B: Certificate of Appropriateness Application  
Exhibit C: Subject Property Map  
Exhibit D: Applicant Submitted Photographs

**HISTORIC HANDBOOK DESIGN RECOMMENDATIONS**

**Approval Requirement Needs Table: Type of Work Requiring Commission Hearing and Approval**

- *Fencing and Gates: All types require Commission Hearing and Approval.*

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

- *All wooden fences should be “stick-built” on site.*

- *Painting or staining is recommended, but not required, for rear yard fences unless they are visible from the street.*
- *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.*
- *All proposed fences and walls should not negatively affect existing trees and mature landscaping.*
- *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:*
    - (a) *that the adjacent property is unsightly in comparison to other properties surrounding the applicant's property,*
    - (b) *that the adjacent property or nearby property raises reasonable security concerns for the applicant, or*
    - (c) *that the adjacent property could reasonably be determined to negatively impact the property value of the applicant's property.*
  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.*
  4. *Privacy fences allowed by the Commission should be landscaped where practical with appropriate shrubbery to soften the appearance of the fence.*

Design Guidelines

1. *Use materials like stone, brick, wood and iron.*
2. *Chain link or plastic materials are prohibited. Adding slats to existing chain link fences for screening purposes is prohibited.*
3. *Materials and style should coordinate with building and neighboring buildings as well as other walls and fences in the area.*

**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 Guidelines 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 - South Union Street Historic District, Concord</u>	#7	18

many years and is a knowledgeable local historian and genealogist. He and his wife still live in the house they built in 1924.

33. House  
222 S. Union St.  
ca. 1950  
F

Simple, two-story, frame Colonial style house with side gable roof and shed-roofed porch along north elevation.

34. James Dayvault House  
216 S. Union St.  
1901  
P

Picturesque, asymmetrical, two-story, frame, Queen Anne style residence, the finest example of the style in the district and one of the best in Concord. House has wrap-around porch, supported by turned posts, with an unusual balustrade of horizontal and vertical members and an arched spindle frieze. A pair of projecting two-story bays flank the center of the three-bay facade and gives the front elevation its picturesque asymmetry. Both bays have ornate corner brackets and are sheathed in decorative sawn and paneled boards; the north (right) bay projects at a 45-degree angle from the rest of the facade. A broad arch engaged by the main roofline shelters a tiny balcony at the center of the second story. The house retains its massive original chimneys. The interior has lost its original mantels but retains a notable three-run stair.

The house was built for James F. Dayvault, who purchased the property in 1901. Dayvault was a partner in Dayvault and Guffey, a meat packing firm established in 1892 as a successor to the Cook Packing Company.

35. House  
210 S. Union St.  
by 1906 (SM)  
C

Two-story, frame house with clipped side gable roof and unusual flanking one-story wings, also with clipped gables. Unusual recessed center bay on both stories. Full facade porch with turned posts and balustrade on first floor, and balcony in recessed space above entrance on second floor; balcony is topped with decorative center gable.

Exhibit A

**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: Brian & Robin Dicka  
Address: 216 Union St. S.  
City: Concord State: NC Zip Code: 27025 Telephone: 919-454-8955

**OWNER INFORMATION**

Name: Same as above  
Address: \_\_\_\_\_  
City: \_\_\_\_\_ State: \_\_\_\_\_ Zip Code: \_\_\_\_\_ Telephone: \_\_\_\_\_

**SUBJECT PROPERTY**

Street Address: 216 Union St. S. 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: *6ft. privacy fence in back yard to replace chain link fence / paint entire fences.*
2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):  
*replace chain link fence w/ wood privacy 6ft. fence, backed up to rental houses on Springs & want more privacy. Also want to stain/paint fence including short fence to preserve wood. See pics included. This is in our back yard.*

**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.

3/9/23  
Date

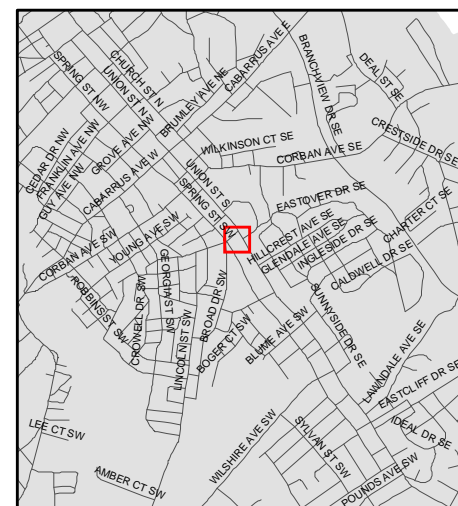
*[Signature]*  
Signature of Owner/Agent



H-08-23

216 Union St S

PIN: 5630-05-4967



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**

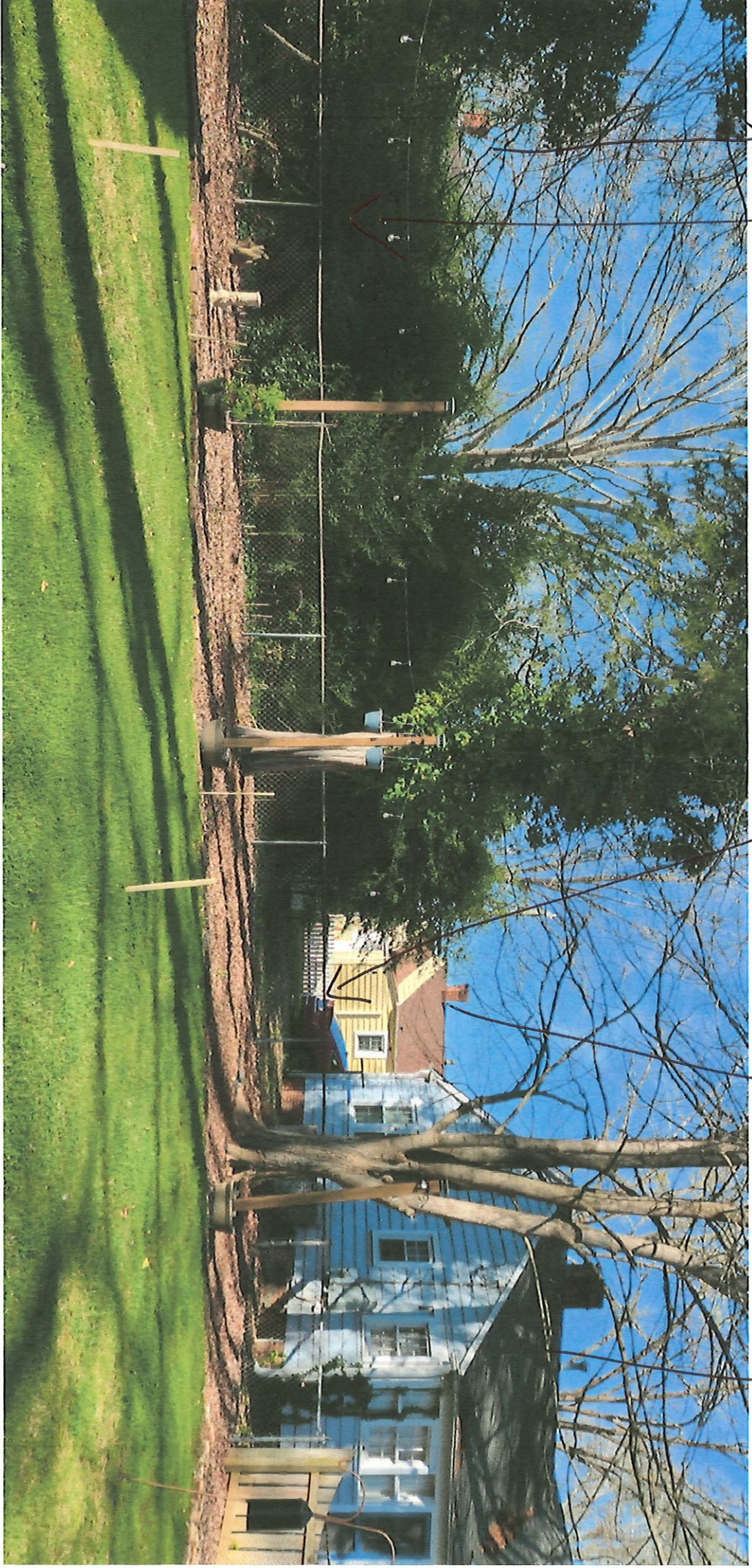


Existing chain link fence to remove

Perkha

Perkha

Perkha



**Exhibit D**



IVIVIS

wood privacy fence to replace  
~~with wood~~ chain link fence - 6ft. height





existing wood fence to stain/paint to preserve





Kaiser Siding and Roofing (ALL NEW J

ns Corning Duration Designer Black Sable



stain  
to  
match  
this  
on our  
house





BARN RED  
ST-112



BORDEAUX  
ST-106



*Semipermanent  
transparent  
color*

Wood's natural

