

DATE

June 14, 2023

SUBJECT

Certificate of Appropriateness Request:

H-10-23

Applicant:

Melody Sloan

Location of subject property:

40 Marsh Ave. NW

PIN:

5620-79-0542

Staff Report prepared by:

Autumn C. James, Planning & Development
Manager

BACKGROUND

- The subject property, 40 Marsh Ave NW, is designated as a “Contributing” structure in the North Union Street Historic District (Exhibit A).
- “One-and-a-half story, frame, double-pile house with high hip roof and engaged, full-façade porch. Roof is pierced by broad, hip-roofed dormers with three windows apiece of front and both sides of the house. Porch has Tuscan columns and balustrade. Broad, seven-bay façade with tall 1/1 sash windows (Exhibit A)

DISCUSSION

On April 15, 2023, Melody Sloan applied for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 for the continuance an existing wooden fence in the rear yard, including the addition of two (2) wooden gates, along with removal and replacement of two trees (Exhibit B).

The proposed wooden fence would enclose the rear yard and will measure approximately 185 ft. on two sides to tie into the existing fence line. The fence material and style will match the existing fence. One (1) wooden gate will be placed at the rear driveway and one (1) will be placed at the side yard.

The applicant has requested to remove two (2) pecan trees from the property. The removed trees, both located on the left side of the rear yard, will be replaced with Japanese Maple trees.

Tree #1 (Pecan / *Carya illinoensis*) was assessed by City Arborist, Bill Leake, on May 5, 2023, and was assigned a Risk Rating of 4. As noted, “This tree is in fair condition. It shows an overall lack of vitality, possibly due to fill soil added around the based of the trunk to create a planting bed.” The assessment also noted that if removed, a similar sized replacement tree species would be appropriate in the same general location, or an alternate location. DBH 33” Height 80’ Spread 40’.

Tree #2 (Pecan / *Carya illinoensis*) was assessed by City Arborist, Bill Leake, on May 5, 2023, and was assigned a Risk Rating of 4. As noted, “This tree is in good overall condition with only one area of decay in one scaffold branch that should be monitored.” The assessment also noted that if removed, a similar sized replacement tree species would be appropriate in the same general location, or an alternate location. DBH 38” Height 70’ Spread 40’.

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: Tree Assessments

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS

Approval Requirement Needs Table: Fencing and Gates

All types require Commission Hearing and Approval.

Chapter 5 – Section 9: Fences and Walls

- *Fences should be compatible with most structures in the districts.*
- *The style of fence or wall should respond to the historic nature of the property.*
- *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 are defined as fences, which do not extend forward on the applicant’s property beyond the side centerline of the house in plain view.*

Design Standards: Fences and Walls

- *Use materials such as natural stone, brick, wood, powder coated aluminum and iron.*
- *Materials and style should coordinate with building and neighboring buildings as well as other walls and fences in the area.*

Approval Requirement Needs Table: Trees

Removal of healthy trees or pruning of limbs over six inches in diameter in any location on the property requires Commission Hearing and Approval.

Chapter 5 – Section 8: Landscaping and Trees

- *One of the most visible features of the Districts is the landscaping and the associated tree canopy. Activities which negatively impact any aspect of the landscape should be avoided, such as the removal of healthy trees and mature shrubs.*
- *Tree health may be decided upon by the acquisition of a Tree Hazard Evaluation Report issued by the City Arborist or a report submitted by a certified arborist.*
- *Removal of healthy trees over the size of 6 inches in diameter (measured 4 feet above ground) or pruning of healthy tree limbs over 6 inches in diameter requires Historic Preservation Commission review and approval.*
- *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.*

Design Standards: Landscaping and Trees

- *Trees which are removed shall be replaced by a species which, upon maturity, is similar in scale to the removed specimen. For example, canopy trees shall be replaced with canopy trees, and understory trees with understory trees.*

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

42

64. John M. Oglesby House
28 Marsh Avenue, N.W.
1928 (AWB)
C

Handsome, two-story brick Colonial Revival style residence designed by Charlotte architect Louis H. Asbury. House has symmetrical, five-bay facade and side gable roof pierced by three gable-roofed dormers. One-story, three-bay porch has Tuscan columns with ornamental iron in sheaf-of-wheat pattern between columns and is topped with balustrade whose diagonal latticework creates lozenge-shaped patterns. Dormers have molded pilasters and keystone-type ornaments. Dormers and central second floor windows have intersecting tracery sash. Oglesby was a practicing attorney in Concord.

65. House
40 Marsh Avenue, N.W.
1921 (SM)
C

One-and-a-half-story, frame, double-pile house with high hip roof and engaged, full-facade porch. Roof is pierced by broad, hip-roofed dormers with three windows apiece on front and both sides of house. Porch has Tuscan columns and balustrade. Broad, seven-bay facade with tall 1/1 sash windows.

66. House
46 Marsh Avenue, N.W.
ca. 1925
C

Two-story, frame Colonial Revival residence with gambrel roof and full facade shed dormer. Symmetrical, five-bay facade; central entrance has projecting, gable-roofed portico with Tuscan columns. Shed-roofed porches on both sides of house; exterior end chimney on west (left) side. Shuttered windows have 9/1 sash.



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: Melody Sloan
Address: 40 Marsh Ave
City: Concord State: NC Zip Code: 28025 Telephone: _____

OWNER INFORMATION

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

SUBJECT PROPERTY

Street Address: 40 Marsh Ave P.I.N. # 5620-79-0542
Area (acres or square feet): .33 Current Zoning: RM-1 Land Use: SF-Res

Staff Use Only:

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

The application fee is nonrefundable.

Jeff Ellis

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: rear yard fence, remove + replace 2 trees pecan → Japanese maple

2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):

Continuation of existing wooden fence to enclose rear yard. Addition of approx 185 ft. on 2 sides to tie in to existing fence line. Fence material + style 100% match of existing. Will include 1 wooden gate at rear driveway + one wooden gate at side yard. Photo of existing fence attached. Photo of trees attached.

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.

4/15/23

Date

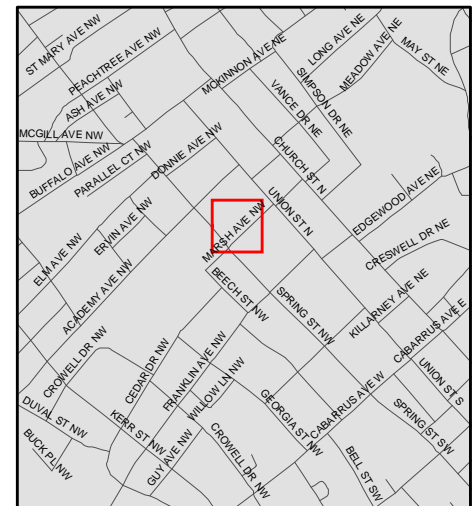
Melody Sloan

Signature of Owner/Agent

H-10-23

40 Marsh Ave NW

PIN: 5620-79-0542



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.

CORD NC 28025

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40 MARSH AVE

CONCORD

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———— existing
 XXXXXX proposed





TREE RISK ASSESSMENT FORM

Site/Address: 40 Marsh Ave NW

Map/Location: Left side of rear yard

Owner: public: _____ private: unknown: _____ other: _____

Date: 05/05/23 Inspector: Bill Leake

Date of last inspection:

RISK RATING:

1 **1** **2** **4**
Failure + Size + Target = Risk
Potential of part Rating Rating

If approved for removal, the replacement tree species and location shall be listed on the certificate of appropriateness.

TREE CHARACTERISTICS

Tree #1 Pecan (Carya illinoensis)

DBH: 33" # of trunks: 1 Height: 80' Spread: 40'

Form: generally symmetric minor asymmetry major asymmetry stump sprout stag-headed

Crown class: dominant co-dominant intermediate suppressed

Live crown ratio: 95% **Age class:** young semi-mature mature over-mature/senescent

Pruning history: crown cleaned excessively thinned topped crown raised pollarded crown reduced flush cuts
 cabled/braced none multiple pruning events Approx. dates:

Special Value: specimen heritage/historic wildlife unusual street tree screen shade indigenous protected by gov. agency

TREE HEALTH

Foliage color. normal chlorotic necrotic **Epicormics;**

Foliage density: normal sparse **Leaf size:** normal small

Annual shoot growth: excellent average poor none **Twig Dieback:** curb/pavement guards

Woundwood : excellent average fair poor

Vigor class: excellent average fair poor

Major pests/diseases:

Growth obstructions:

stakes wire/ties signs cables

SITE CONDITIONS

Site Character: residence commercial industrial park open space natural woodland/forest

Landscape type: parkway raised bed container mound lawn shrub border wind break

Irrigation: none adequate inadequate excessive trunk wetted

Recent site disturbance? NO construction soil disturbance grade change herbicide treatment

% dripline paved: 10% Pavement lifted: NO

% dripline w/ fill soil: 2%

% dripline grade lowered: 0%

Soil problems: drainage shallow compacted droughty saline alkaline acidic small volume disease center history of fail
 clay expansive slope _____ ° aspect: _____

Conflicts: lights signage line-of-sight view overhead lines underground utilities traffic adjacent veg. _____

Exposure to wind: single tree below canopy above canopy recently exposed windward, canopy edge area prone to windthrow

Prevailing wind direction: SW Occurrence of snow/ice storms never seldom regularly

TARGET

Use Under Tree: building parking traffic pedestrian recreation landscape hardscape small features utility lines

Can target be moved? NO **Can use be restricted?** NO

Occupancy: occasional use intermittent use frequent use constant use

Exhibit E

TREE DEFECTS

ROOT DEFECTS:

Suspect root rot: NO Mushroom/conk/bracket present: NO ID:

Exposed roots: severe moderate low Undermined: severe moderate low

Root pruned: distance from trunk Root area affected: ____ Buttress wounded: When: _____

Restricted root area: severe moderate low Potential for root failure: severe moderate low

LEAN: 2 deg. from vertical natural unnatural self-corrected Soil heaving:

Decay in plane of lean: Roots broken: Soil cracking:

Compounding factors: Lean severity: severe moderate low

Concern Areas: Indicate presence of individual structural issues and rate their severity (S = severe, M = moderate, L = low)

DEFECT	ROOT CROWN	TRUNK	SCAFFOLDS	BRANCHES
Poor taper				
Bow, sweep				
Codominants/forks				
Multiple attachments				
Included bark				
Excessive end weight				
Cracks/splits				
Hangers				
Girdling				
Wounds/seam				
Decay		L		
Cavity		L		
Conks/mushrooms/bracket				
Bleeding/sap flow				
Loose/cracked bark				
Nesting hole/bee hive				
Deadwood/stubs			L	L
Borers/termites/ants				
Cankers/galls/burls				
Previous failure				

RISK RATING

Tree part most likely to fail in the next six months: Dead Branches

Failure potential: **1** - low; **2** - medium; **3** - high; **4** - severe

Size of part: **0**-0"-3" **1**-3"-6" **2**-6"-18" **3**-18"-30" **4**->30"

Target rating: **0**-no target **1**-occasional use **2**-intermittent use **3**-frequent use **4**-constant use

Maintenance Recommendations

none remove defective part reduce end weight crown clean

thin raise canopy crown reduce restructure cable/brace

Inspect further root crown decay aerial monitor

Remove tree If removed, a similar sized replacement tree species would be appropriate in same general location

If removed, alternate tree replacement locations are available

Effect on adjacent trees: none evaluate

Notification: owner manager governing agency

Date: 5//5/23

COMMENTS

This tree is in fair condition. It shows an overall lack of vitality, possibly due to fill soil added around the base of the trunk to create a planting bed.

Bill Leake



TREE RISK ASSESSMENT FORM

Site/Address: 40 Marsh Ave NW

Map/Location: Left side of rear yard

Owner: public: _____ private: unknown: _____ other: _____

Date: 05/05/23 Inspector: Bill Leake

Date of last inspection:

RISK RATING:

1 **1** **2** **4**
Failure + Size + Target = Risk
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