DATE: August 11, 2021

SUBJECT:

Certificate of Appropriateness Request:	H-11-21
Applicant:	Madison Marburger
Location of subject property:	27 Marsh Ave NW
Staff Report prepared by:	Katherine Godwin, Sr. Planner

BACKGROUND:

- The subject property, 27 Marsh Ave. NW, is designated as a "Fill" structure in the North Union Street Historic District. (Exhibit A).
- Constructed: 1910
- One-story, frame, L-shaped cottage unfortunately altered by application of aluminum siding and replacement of original windows. House has unusual square section with pyramidal roof at center of façade. Wrap-around porch with square, molded posts replaced original at undetermined date; house retains early 20th century patterned tin roof shingles. (Exhibit A).
- Applicant is requesting to install exterior/landscape lighting (post facto):
    - 9 lantern lights;
    - 40 undermount lights;
    - 3 mushroom top lights; and,
    - 5 up-lights.

DISCUSSION:

The applicant was approved on October 14, 2020 to: replace the front retaining wall of stone with a brick wall, cover the concrete stairs, side retaining walls of the driveway, and walkway with brick, remove the handrails and add brick step walls to the stairs, and add a second walkway from the driveway to the front porch on the side of the property (Exhibits G, H, and I). The installation of exterior/landscape lights along the walkways, stairs, front columns, porch roof, and permanently attached to the new retaining walls was not part of this application or approval (Exhibits D, E, G, H, and I). On July 25, the applicant submitted an Application for a Certificate of Appropriateness to request post facto approval for the installation of: 9 lantern lights, 40 undermount lights, 3 mushroom top lights, and 5 up-lights (Exhibit B, D, E, and F)

According to the material specifications provided by the applicant and staff measurements:

- the lantern lights are 120V, 60W, powder coated, 30" tall and 15" wide (at the widest point), with three light bulb receptacles (material specifications were not provided for the lantern lights);
- the undermount lights are 10V, 1 LED, powder coated brass, FXLuminaire LF, dimmable lights;
- the mushroom top lights are 12V, 20W, powder coated copper/brass, BXLuminaire CA, dimmable lights; and
- the up-lights are 10-15 V, 1 LED, powder coated aluminum, FXLuminaire NP, dimmable lights (Exhibit F and J).

ATTACHMENTS

Exhibit A: Historic Inventory Information
Exhibit B: Application for Certificate of Appropriateness
Exhibit C: Subject Property Map
Exhibit D: Images Taken by Staff
Exhibit E: Images Submitted by Applicant
Exhibit F: Materials
Exhibit G: Staff Report for H-25-20
Exhibit H: Final Order for H-25-20
Exhibit I: COA 2323
Exhibit J: Email Correspondence
Exhibit K: Email from Clara Jean Wheeler

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS:

Approval Requirement Needs Table

- *Lighting (Exterior): Additions of permanent, general illumination fixtures within public view require Commission Hearing and Approval.*

Chapter 5 – Section 11: Lighting and Transformers

- *Adding security lights and transformers on either new or existing poles requires approval of the Commission. Security needs can usually be met with low profile lights which are compatible with the neighborhood.*
- *Residential lighting is historically minimal. Therefore, minor usage of low level landscape lighting added at ground level, with fixtures not visible from the street, that do not shine upon the building façade are appropriate. New exterior lighting units that produce higher levels of lighting or a fixture that is visible from the street are discouraged and require review and approval from the Historic Preservation Commission.*
- *Maintain subtle effects with selective spots of light rather than indiscriminate area lighting.*
- *Do not concentrate light on facades and avoid casting light on surrounding properties.*
- *Use lights to define spaces and accent vegetation.*
- *Hide non-decorative light fixtures.*
- *Do not use fixtures which are incompatible with existing details, styles, etc.*

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.

71. House
27 Marsh Avenue, N.W.
ca. 1910
F

One-story, frame, L-shaped cottage unfortunately altered by application of aluminum siding and replacement of original windows. House has unusual square section with pyramidal roof at center of facade. Wrap-around porch with square, molded posts replaced original at undetermined date; house retains early 20th century patterned tin roof shingles.

72. House
21 Marsh Avenue, N.W.
ca. 1910
F

One-story, frame L-shaped cottage nearly identical to #71, and like it considerably altered. House retains wood siding, but porch has been considerably changed and now has ornamental iron posts. Windows on sides of house have also been changed from 1/1 to 6/6.

73. Julius Fisher House
24 Franklin Avenue, N.W.
ca. 1920
C

Two-story frame house with bungalow style details. Two-story hip-roofed wing projects forward of main, hip-roofed block; centrally placed, hip-roofed facade dormer. Bungalow style features include broad eaves with exposed rafters; shingle-clad second story; slightly tapered wood porch posts on brick bases and brick retaining wall; and enclosure of east side of porch with latticed sash windows for sunroom. An unusual spindle balustrade runs across the top of the porch retaining wall.

Manager J. Fisher Co., Vice-president of Concord Merchants Associations.

74. House
26 Franklin Avenue, N.W.
ca. 1900
C

Exhibit A

Concord
NORTH CAROLINA
High Performance Living

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:Madison Marburger

Address: 27 Marsh Ave NW

City:Concord State:NC Zip Code:28025 Telephone: 704-792-5411

OWNER INFORMATION

Name:Madison Marburger

Address: 27 Marsh Ave NW

City: Concord State: NC Zip Code:28025 Telephone: 704-792-5411

SUBJECT PROPERTY

Street Address:27 Marsh Ave NW P.I.N. # 5620-79-2420

Area (acres or square feet):0.33 Current Zoning:RM1 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

Concord
NORTH CAROLINA
High Performance Living

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: landscape lighting

2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.): concealed under-mount low-level lighting added on pathway

lanterns on brick posts connected to the brick wall

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.****

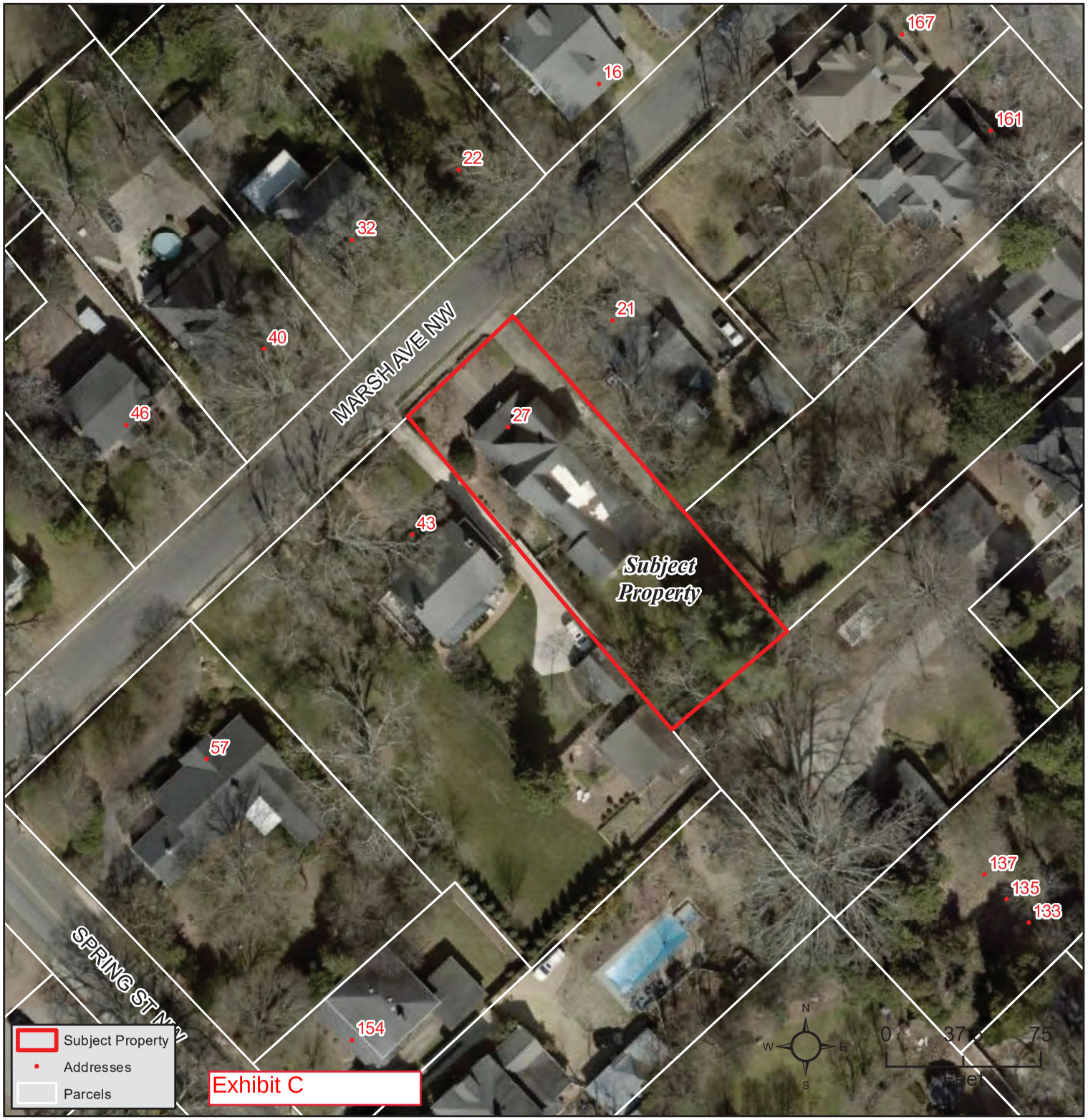
Certification

(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.

7/25/21	Madison Marburger
Date	Signature of Owner/Agent

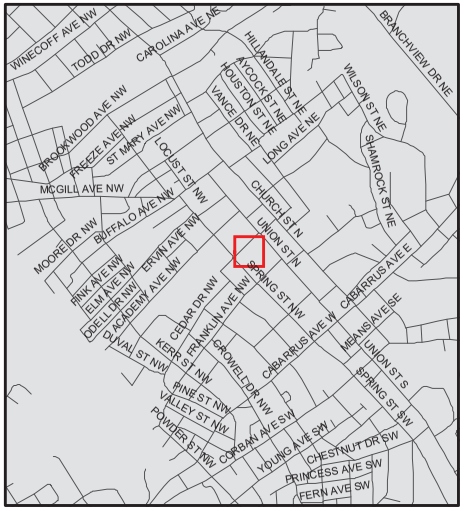
Planning & Neighborhood Development
35 Cabarrus Ave W ● P. O. Box 308 ● Concord, NC 28025
Phone (704) 920-5152 ● Fax (704) 920-6962 ●

Exhibit B



27 Marsh Ave NW

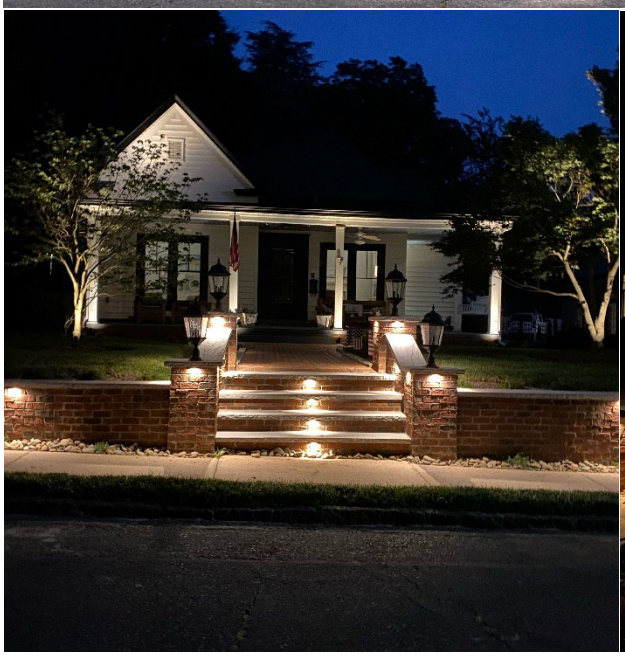
PIN: 5620-79-2420



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.



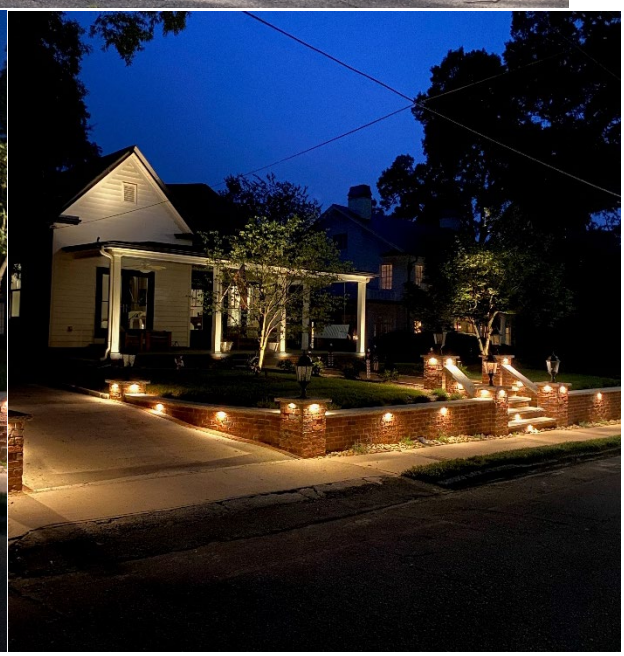


Exhibit D

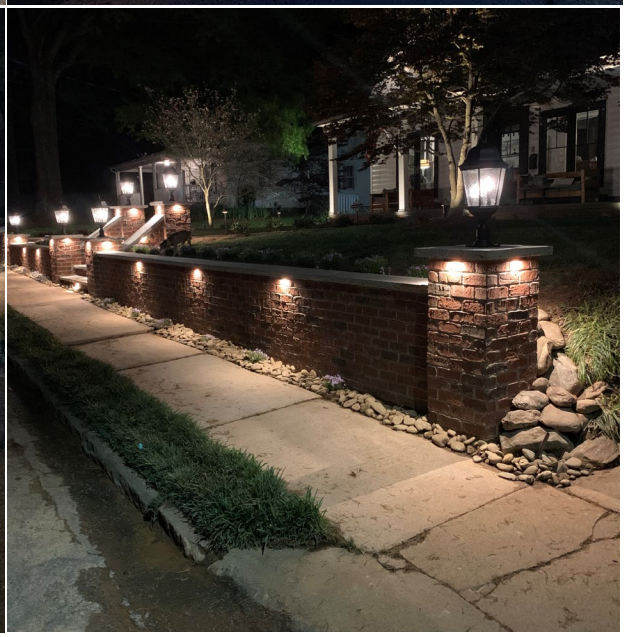


Exhibit E

PROJECT

CATALOG #

TYPE

NOTES

Exhibit F

CA Path Light DESIGNER PREMIUM

Sleek hat area light in 1 or 3 LED. Copper and brass construction. RGBW capable with **Luxor®** system.

Quick Facts

- Copper/brass construction
- Natural, powder coated, or antiqued copper/brass
- Cree® integrated LEDs
- Tamper-resistant features
- Color temperature filters
- Compatible with Luxor technology
- Phase and PWM dimmable
- Input voltage: 10-15V

Exhibit F

CA Path Light SPECIFICATIONS

Output	1LED	3LED	3LEDT	ZDC
Total Lumens†	44	94	74	83
Input Voltage	10 to 15V	10 to 15V	10 to 15V	11 to 15V
Input Power (W)	2.0	4.2	4.2	6.0
VA	2.4	4.5	4.5	7.2
Efficacy (Lumens/Watt)	23	64	21	36
Color Rendering Index (CRI)	80+	80+	--	80+
Max Candela	15	30	29	40
Dimming	PWM, Phase**	PWM, Phase**	PWM, Phase**	--
RGBW Available	No	No	No	Yes
Luxor Compatibility				
Default	Zoning	Zoning	--	--
ZD Option	Zoning/Dimming	Zoning/Dimming	Zoning/Dimming	--
ZDC Option	--	--	--	Zoning/Dimming/Color
Minimum Rated Life (L70)	50,000 Hrs	50,000 Hrs	50,000 Hrs	50,000Hrs

*** For optimal performance, use a trailing-edge, phase-cut dimmer.*

† Measured using the 3,900K CCT lens. Multipliers for other CCTs i.nclude 0.80 (2,700K), 0.65 (4,500K), and 0.65 (5,200K).

FX Luminaire
FX Luminaire is an industry-leading manufacturer of landscape and architectural lighting products with a focus on the advancement of LED technology and digital lighting control with zoning, dimming, and color adjustment capabilities. We offer a full spectrum of specification-driven lighting fixtures that can be utilized to create elegant, cutting-edge landscape lighting systems for commercial or residential applications. Our products are available exclusively via our extensive professional distributor network.

Materials
Machined C360 brass cap and reducer with stainless hardware. Spun C110 copper top/shade and extruded C110 copper riser.

Power
Input 10-15 VAC/VDC, 50/60Hz. Remote transformer required (specify separately).

Weight
4.0 lbs. (1.8 kg)

Lamp
Integrated module with Cree LEDs. Gold-plated connectors and conformal coated for maximum reliability and corrosion resistance. Proprietary on-board intelligent driver uses firmware-controlled temperature regulation, maximizing LED life. Field upgradeable and replaceable, the LEDs are rated to 50,000 hrs. Maximum drive current: 1 A.

Optics
Polycarbonate color temperature adjustment lenses included with fixture: 2,700K (preinstalled), 3,900K (no lens), 4,500K, and 5,200K. Conical reflector maximizes distribution according to riser height. Color temperature lenses field serviceable.

Threads
Machined brass fitting with ½"-14 (13 mm) NPSM threads.

Wiring
18 AWG (1 mm); SPT-1W; 220°F (105°C); 300V; 3' (1 m) length with 12" (305 mm) riser.

Housing
Machined brass housing with capacity for 1LED integrated LEDs.

Riser
¾" (19 mm) copper riser with press-fit brass fittings inserted at 2,000+ lbs (900+ kg) of pressure, eliminating the need for adhesives or fasteners.

Lens
Frosted polycarbonate lens with high tolerance for thermal expansion, stress, and abuse.

Finish
Options of natural copper/brass finish, or antiqued finish with brushed (Antique Bronze) or tumbled (Antique Tumbled) effect. Antique finishes sealed with a clear TGIC powder coat layer. Brass accent pieces (cap and reducer) remain natural (not powder coated) for powder coated finishes.

Hardware
Includes 12" (305 mm) ABS slotted installation spike.

Ambient Operating Temperature
0°F to 140°F (-18°C to 60°C)

Control
ZD or **ZDC** options utilize Luxor technology to zone light fixtures in up to 250 groups, dim each group in 1% increments between 0 and 100%, or change to one of 30,000 colors with RGBW LEDs. Select the ZD option for zoning/dimming or ZDC for zoning/dimming/color. Standard fixture is zoneable with **Luxor**.

Installation Requirements
Designed for installation in the downward lighting direction only.

Warranty
10-year limited warranty.

Sustainability
Innovation meets conservation in the design and manufacturing of our products. Where we can, we use recycled materials while maintaining superior functionality. Our LED products provide high-quality light at optimal energy efficiency, lifespan, and durability.

Manufacturing
9001:2015 certified facility

International Compliance
Compliant per IEC 60598-1 and IEC 60598-2-7 when used with ground mount ("GM-XX") accessory, or alternate mount greater than or equal to IP65.

Wildlife-Friendly Lighting
When used with the 3LEDT Output option, this fixture is Wildlife Lighting Certified by the Florida Fish and Wildlife Conservation Commission.

Listings

c UL us LISTED 3YJ8 · RoHS COMPLIANT · WILDLIFE LIGHTING · CE · IP 65

Exhibit F

CA Path Light ORDERING INFORMATION

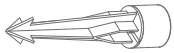
Top Assembly	Top Finish	Riser Type	Luxor Option	Lamp	Riser	Finish
CA	■ CU	■ G* *(Grande)*	■ [default] *Zone*	■ 1LED *35 Lumens*	■ 08RA *8" (203 mm) Riser*	■ CU *Natural Copper*
	■ BZ		■ ZD *Zone/Dim*	■ 3LED *93 Lumens*	■ 12RA *12" (305 mm) Riser*	■ BZ *Bronze Metallic*
	■ DG			■ 3LEDT** *Wildlife-Friendly Amber (585-595 nm)*	■ 18RA *18" (457 mm) Riser*	■ DG *Desert Granite*
	■ WI		■ ZDC *Zone/Dim/Color*	■ [default] *73 Lumens*	■ 24RA *24" (610 mm) Riser*	■ WI *Weathered Iron*
	■ SB				■ 36RA *36" (914 mm) Riser*	■ SB *Sedona Brown*
	■ FB					■ FB *Black*
	■ WG					■ WG *White Gloss*
	■ FW					■ FW *Flat White*
	■ AL					■ AL *Almond*
	■ AB					■ AB *Antique Bronze*
	■ AT					■ AT *Antique Tumbled*
	■ NP					■ NP *Nickel Plate*

EXAMPLE FIXTURE CONFIGURATION: CA-CU+G-ZD-1LED-8RA-FB

CA	-		+		-		-		-		-	

** Ships with Long Slot Spike (250015840000)* *** Available with ZD Luxor option and CU, AB, or AT finishes only*

MOUNTING OPTIONS: Specify Separately

Mounts	Code	
■ **SUPER J-BOX** *2.5" (64 mm) x 12" (305 mm)*	SJ-XX*	
■ **POST MOUNT** *2.5" (64 mm) x 13" (330 mm)*	PM-XX*	
■ **GROUND MOUNT** *2.7" (67 mm) Diameter*	GM-XX*	
■ **VERSABOX®** *2.2" (57 mm) x 1.5" (39 mm)*	VB-050-XX*	

RISER OPTIONS: Specify Separately

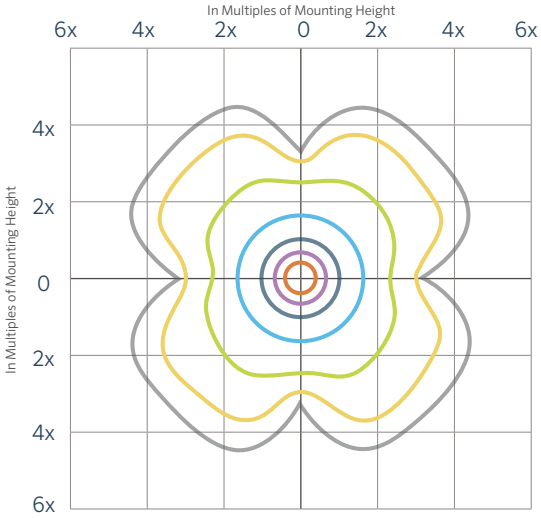
Riser	Code	
■ **COPPER RISER** *1.0" (25 mm) Diameter*	YY-R-GT-XX*	

**YY = riser height in inches (6" increments between 6" and 36"; 150 mm increments between 150 mm and 900 mm), XX = finish code*

Exhibit F

CA Path Light PHOTOMETRICS

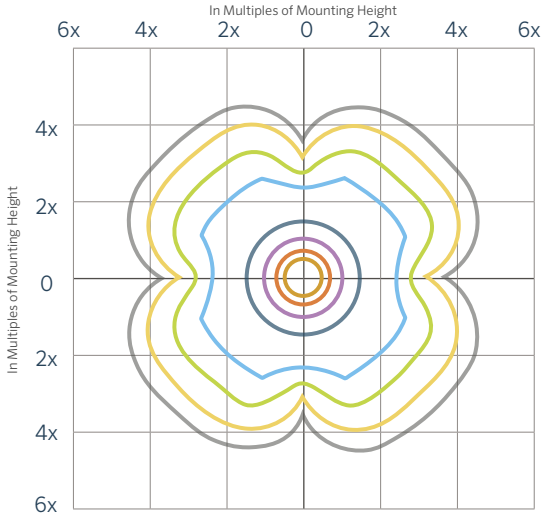
CA 1LED Isofootcandle Plot



20 fc (215 lx)	2.5 fc (27 lx)	0.2 fc (2 lx)
10 fc (108 lx)	1 fc (11 lx)	0.1 fc (1 lx)
5 fc (54 lx)	0.5 fc (5 lx)	50% Max Cd

Mounting Height: 1' (305 mm) Total LLF: 1

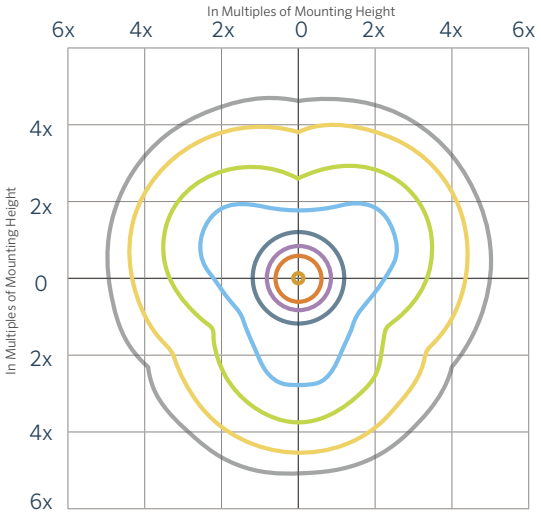
CA 3LED Isofootcandle Plot



20 fc (215 lx)	2.5 fc (27 lx)	0.2 fc (2 lx)
10 fc (108 lx)	1 fc (11 lx)	0.1 fc (1 lx)
5 fc (54 lx)	0.5 fc (5 lx)	50% Max Cd

Mounting Height: 1' (305 mm) Total LLF: 1

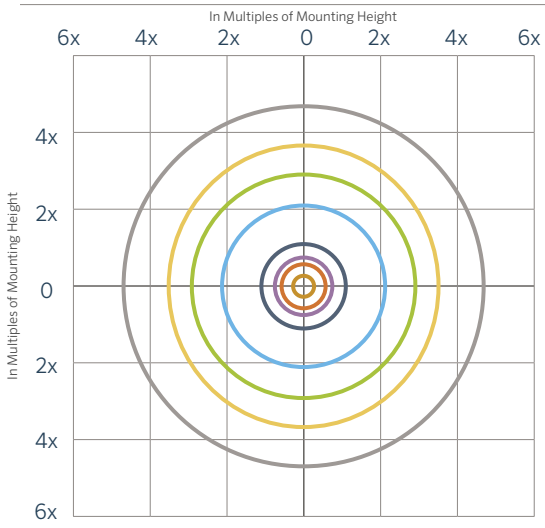
CA 3LEDT Isofootcandle Plot



20 fc (215 lx)	2.5 fc (27 lx)	0.2 fc (2 lx)
10 fc (108 lx)	1 fc (11 lx)	0.1 fc (1 lx)
5 fc (54 lx)	0.5 fc (5 lx)	50% Max Cd

Mounting Height: 1' (305 mm) Total LLF: 1

CA ZDC Isofootcandle Plot



20 fc (215 lx)	2.5 fc (27 lx)	0.2 fc (2 lx)
10 fc (108 lx)	1 fc (11 lx)	0.1 fc (1 lx)
5 fc (54 lx)	0.5 fc (5 lx)	50% Max Cd

Mounting Height: 1' (305 mm) Total LLF: 1

Exhibit F

FXLuminaire

PROJECT

CATALOG #

TYPE

NOTES

LF DESIGNER PREMIUM

Under-the-cap hardscape wall light with modular bracket design for easy installation. 1 LED. Available in brass, copper, stainless steel, and aluminum.

Quick Facts

- Die-cast brass or aluminum construction
- Stainless steel, brass, or copper faceplate as natural metal, powder coated, or antiqued
- Cree® integrated LEDs
- Tamper-resistant features
- Color temperature filters
- Compatible with Luxor® technology
- Phase and PWM dimmable
- Input voltage: 10–15V

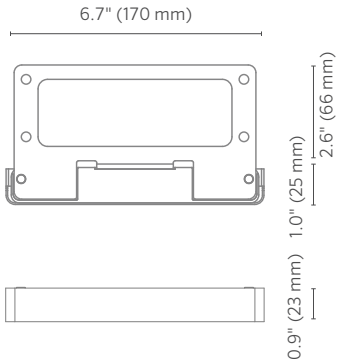


Exhibit F

LF Ledge Light SPECIFICATIONS

Output	1LED	ZDC
Total Lumens†	78	34
Input Voltage	10 to 15V	11 to 15V
Input Power (W)	2.0	3.6
VA	2.4	4.3
Efficacy (Lumens/Watt)	37	21
Color Rendering Index (CRI)	80+	80+
Max Candela	51	17.1
Dimming	PWM, Phase**	PWM, Phase**
Luxor Compatibility		
Default	Zoning	Zoning
ZD Option	Zoning/Dimming	--
ZDC Options	--	Zoning/Dimming/Color
Minimum Rated Life (L90 B10)	55,000 Hrs	55,000 Hrs
BUG Rating	B0-U0-G0	B0-U0-G0

† *Measured using the 3,900K CCT lens. Multipliers for other CCTs include 0.80 (2,700K).*
** *For optimal performance, use a trailing-edge, phase-cut dimmer.*

FX Luminaire
FX Luminaire is an industry-leading manufacturer of landscape and architectural lighting products with a focus on the advancement of LED technology and digital lighting control with zoning, dimming, and color adjustment capabilities. We offer a full spectrum of specification-driven lighting fixtures that can be utilized to create elegant, cutting-edge landscape lighting systems for commercial or residential applications. Our products are available exclusively via our extensive professional distributor network.

Materials
Die-cast C360 brass or A380 aluminum housing with stainless steel, brass, or copper faceplate (when applicable) and hardware.

Socket
Socket contains MoistureBlock™ technology, preventing moisture from wicking up into sealed areas of the fixture.

Lamp
Integrated module with Cree LEDs. Gold-plated connectors and conformal coated for maximum reliability and corrosion resistance. Proprietary on-board intelligent driver uses firmware-controlled temperature regulation, maximizing LED life. Field upgradeable and replaceable, the LEDs are rated to 50,000 hrs. Maximum drive current: 1 A.

Optics
Polycarbonate color temperature adjustment lenses included with fixture: 2,700K (preinstalled), 3,900K (no lens). Color temperature lenses are field serviceable.

Wiring
18 AWG (1 mm); SPT-1W; 220°F (105°C); 300V; 10' (3 m) length.

Power
Input 10–15 VAC/VDC, 50/60 Hz. Remote transformer required (specify separately).

Housing
Die-cast brass or aluminum housing with capacity for rectangular 1LED integrated LED.

Faceplate
Stamped stainless steel, brass, or copper faceplate.

Lens
Frosted polycarbonate lens with high tolerance for thermal expansion, stress, and abuse.

Finish
Options of natural copper/brass, stainless steel finish, powder coated, or antiqued finish with brushed (Antique Bronze) or tumbled (Antique Tumbled) effect. Antique finishes sealed with a clear TGIC powder coat layer.

Hardware
Stainless steel acorn nuts for tamper-resistance and proper adjustment.

Ambient Operating Temperature
0°F to 140°F (-18°C to 60°C)

Weight
1.0 lb. (0.5 kg)

Sustainability
Innovation meets conservation in the design and manufacturing of our products. Where we can, we use recycled materials while maintaining superior functionality. Our LED products provide high-quality light at optimal energy efficiency, lifespan, and durability.

Control
ZD and ZDC options utilize Luxor technology to zone light fixtures in up to 250 groups, dim each group in 1% increments between 0 and 100%, or change to one of 30,000 colors with RGBW LEDs. Select the ZD option for zoning/dimming or ZDC for zoning/dimming/color. Standard fixture is zoneable with Luxor.

Installation Requirements
Designed for installation in the downward lighting direction only.

IES Classification
Type V

Manufacturing
9001:2015 ISO certified facility

Warranty
10-year limited warranty

Listings

c UL us LISTED 3YJ8 RoHS COMPLIANT CE UL MX -NOM

Exhibit F

LF Ledge Light ORDERING INFORMATION

Fixture	Luxor Option	Output	Color Temp	Compliance	Finish	
LF	■ **[default]** *Zone*	**1LED** *78 Lumens*	■ **W (Warm)** *2,700K*	■ **[default]** *UL Listed*	■ **BZ** *Bronze Metallic*	■ **BS** *Natural Brass*
	■ **ZD** *Zone/Dim*		■ **C (Cool)** *3,900K*	■ **e** *CE Certified*	■ **DG** *Desert Granite*	■ **CU** *Natural Copper*
	■ **ZDC** *Zone/Dim/Color*	■ **[default]** *34 Lumens*			■ **WI** *Weathered Iron*	■ **SS** *Stainless Steel*
					■ **SB** *Sedona Brown*	■ **BS-AB** *Antique Bronze on Brass*
					■ **FB** *Black*	■ **BS-AT** *Antique Tumbled on Brass*
					■ **WG** *White Gloss*	■ **CU-AB** *Bronze Metallic on Copper*
					■ **FW** *Flat White*	■ **CU-AT** *Antique Tumbled on Copper*
					■ **AL** *Almond*	
					■ **SV** *Silver*	

EXAMPLE FIXTURE CONFIGURATION:
LF-ZD-1LED-W-BZ
**Includes Mounting Plate (755300)*

LF	-		-		-		-		-	

Exhibit F

LF Ledge Light PHOTOMETRICS

LF 1LED Illuminance at a Distance

Feet (Meters)	Center Beam	Beam Width	
	Foot-Candle (Lux)	Vertical 103°	Horizontal 53°
2.0' (0.6 m)	12.8 fc (138 lx)	5.0' (1.5 m)	2.0' (0.6 m)
4.0' (1.2 m)	3.2 fc (35 lx)	10.1' (3.1 m)	4.0' (1.2 m)
6.0' (1.8 m)	1.4 fc (15 lx)	15.1' (4.6 m)	6.0' (1.8 m)
8.0' (2.4 m)	0.8 fc (9 lx)	20.1' (6.1 m)	8.0' (2.4 m)
10.0' (3.1 m)	0.5 fc (5 lx)	25.1' (7.7 m)	9.9' (3.0 m)

LF ZDC Illuminance at a Distance

Feet (Meters)	Center Beam	Beam Width	
	Foot-Candle (Lux)	Vertical 84.7°	Horizontal 91.5°
2.0' (0.6 m)	4.3 fc (46 lx)	3.6' (1.1 m)	4.1' (1.3 m)
4.0' (1.2 m)	1.1 fc (12 lx)	7.3' (2.2 m)	8.2' (2.5 m)
6.0' (1.8 m)	0.5 fc (5 lx)	10.9' (3.3 m)	12.3' (3.8 m)
8.0' (2.4 m)	0.3 fc (3 lx)	14.6' (4.5 m)	16.4' (5.0 m)
10.0' (3.1 m)	0.2 fc (2 lx)	18.2' (5.6 m)	20.5' (6.3 m)

Cree is a registered trademark of Cree Inc. MoistureBlock is a trademark of DSM&T Co. Inc.

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Exhibit F

PROJECT

CATALOG #

TYPE

NOTES

NP Up Light DESIGNER PLUS

Expertly engineered with 45° or 60° shroud options to illuminate a variety of spaces in 3, 6, or 9 LED. An RGBW version is also available for use with **Luxor® ZDC** systems.

Quick Facts

- Die-cast aluminum
- Two-layer marine-grade anodization and powder coat finish
- Cree® integrated LEDs
- ProAim™ adjustability
- Tamper-resistant features
- Color temperature filters
- Compatible with Luxor technology
- Phase and PWM dimmable
- Input voltage: 10-15V

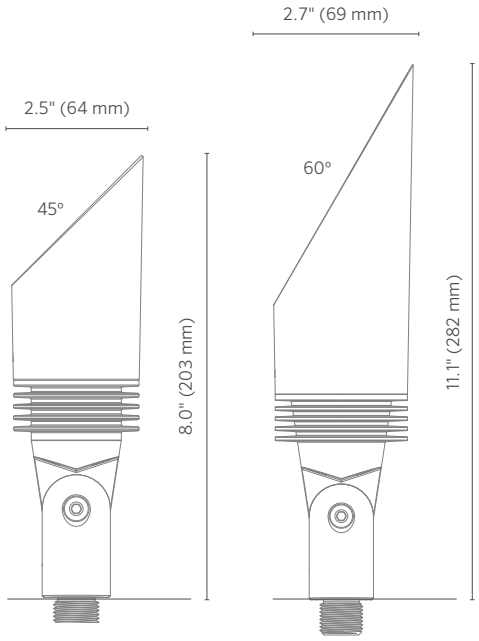

Exhibit F

NP Up Light SPECIFICATIONS

Output	3LED	6LED	9LED	ZDC
Total Lumens†	135	280	360	110
Input Voltage	10 to 15V	10 to 15V	10 to 15V	11 to 15V
Input Power (W):	4.2	10.1	11.2	9.1
VA	4.5	13.5	13.5	11.0
Efficacy (Lumens/Watt)	32	28	32	21
Color Rendering Index (CRI)	80+	80+	80+	80+
Center Beam Candlepower*				
Spot (17-20)	464	1,069	897	172
Dimming	PWM, Phase**	PWM, Phase**	PWM, Phase**	--
RGBW Available	No	No	No	Yes
Luxor Compatibility				
Default	Zoning	Zoning	Zoning	--
ZD Option	Zoning/Dimming	Zoning/Dimming	Zoning/Dimming	--
ZDC Option	--	--	--	Zoning/Dimming/ Color
Minimum Rated Life (L70)	50,000 Hrs	50,000 Hrs	50,000 Hrs	50,000 Hrs

** Information not available for Flood or Wide Flood.*
*** For optimal performance, use a trailing-edge, phase-cut dimmer.*
† Measured using the 3,900K CCT lens. Multipliers for other CCTs include 0.80 (2,700K), 0.65 (4,500K), and 0.65 (5,200K).

FX Luminaire
FX Luminaire is an industry-leading manufacturer of landscape and architectural lighting products with a focus on the advancement of LED technology and digital lighting control with zoning, dimming, and color adjustment capabilities. We offer a full spectrum of specification-driven lighting fixtures that can be utilized to create elegant, cutting-edge landscape lighting systems for commercial or residential applications. Our products are available exclusively via our extensive professional distributor network.

Materials
Die-cast aluminum A380 housing and shroud with stainless steel hardware. Die-cast zinc/aluminum alloy knuckle.

Socket
Socket contains MoistureBlock™ technology, preventing moisture from wicking up into sealed areas of the fixture.

Lamp
Integrated module with Cree LEDs. Gold-plated connectors and conformal coated for maximum reliability and corrosion resistance. Proprietary on-board intelligent driver uses firmware-controlled temperature regulation, maximizing LED life. Field upgradeable and replaceable, the LEDs are rated to 50,000 hrs. Maximum drive current: 1 A.

Optics
Polycarbonate color temperature adjustment lenses included with fixture: 2,700K (preinstalled), 3,900K (no lens), 4,500K, and 5,200K. Interchangeable optics for 10°, 20°, 30°-32°, or 55-58° distributions ordered pre-assembled to fixture. Color temperature and beam angle lenses field serviceable. For additional color filters, spread lenses, hex baffles, etc., use MR-16 sized accessories (MR-16: 1.95" (495 mm) dia. x 1.1 mm thickness). Beam angle is calculated using LM-79 method for SSL luminaires.

Wiring
18 AWG (1 mm); SPT-1W; 220°F (105°C); 300V; 10' (3 m) length, pre-stripped.

Power
Input 10-15VAC/VDC 50/60Hz. Remote transformer required (specify separately).

Housing
Die-cast aluminum housing with capacity for 1LED, 3LED, 6LED, 9LED, or ZDC integrated LEDs.

Shroud
Die-cast aluminum shroud with 45° cutoff (standard) or 60° long shroud option.

Knuckle
Die-cast zinc/aluminum alloy knuckle with ½"-14 (13 mm) NPSM threads. Compress and lock features prevent slip after installation. 9° increments adjustability over 220° of vertical adjustment.

Lens
Tempered glass lens with shock resistance and high tolerance for thermal expansion and stress.

Weight
1.9 lbs. (0.9 kg)

Finish
Two-layer protection of sulfuric acid anodization and polyester TGIC powder coat, providing superior outdoor weathering in all conditions. Tested to ASTM standards.

Hardware
Stainless steel angle lock screw. Includes 10" (254 mm) ABS slotted installation spike.

International Compliance
Compliant per IEC 60598-1 and IEC 60598-2-7 when used with International Spike Kit ("EKITSPIKE") or alternate mount greater than or equal to IP65, or by selecting the "e" version.

Ambient Operating Temperature
0°F to 140°F (-18°C to 60°C)

Sustainability
Innovation meets conservation in the design and manufacturing of our products. Where we can, we use recycled materials while maintaining superior functionality. Our LED products provide high-quality light at optimal energy efficiency, lifespan, and durability.

Installation Requirements
Designed for installation in the upward direction only.

Control
ZD or **ZDC** options utilize Luxor technology to zone light fixtures in up to 250 groups, dim each group in 1% increments between 0 and 100%, or change to one of 30,000 colors with RGBW LEDs. Select the ZD option for zoning/dimming or ZDC for zoning/dimming/color. Standard fixture is zoneable with **Luxor**.

Manufacturing
ISO 9001:2015 certified facility

Warranty
10-year limited warranty.

Listings
c UL us LISTED 3YJ8
RoHS COMPLIANT
CE
IP 65

Exhibit F

NP Up Light ORDERING INFORMATION

Fixture	Luxor Option	Output	Compliance	Shroud	Finish
NP*	■ **[default]** *Zone*	■ **3LED** *135 Lumens*	■ **[default]** *½" (13 mm) thread UL-Listed*	■ **[default]** *Standard Shroud (45°)*	■ **BZ** *Bronze Metallic*
	■ **ZD** *Zone/Dim*	■ **6LED** *280 Lumens*	■ **e** *Bracket Mount CE Approved*	■ **LS** *Long Shroud (60°)*	■ **DG** *Desert Granite*
		■ **9LED** *360 Lumens*			■ **WI** *Weathered Iron*
	■ **ZDC** *Zone/Dim/Color*	■ **[default]** *110 Lumens*			■ **SB** *Sedona Brown*
					■ **FB** *Black*
					■ **FW** *Flat White*
					■ **WG** *White Gloss*
					■ **AL** *Almond*
					■ **SV** *Silver*

EXAMPLE FIXTURE CONFIGURATION: NP-ZD-6LED-BZ
** Ships with Super Slot Spike (753900)*

NP	-		-		-		-		-	

Exhibit F

NP Up Light ORDERING INFORMATION

MOUNTING OPTIONS: Specify Separately

Mounts	Catalog No.
SUPER SLOT SPIKE *2.5" (64 mm) x 10" (254 mm)*	753900
LONG SLOT SPIKE *2.5" (64 mm) x 12" (305 mm)*	250015840000
SUPER J-BOX *2.5" (64 mm) x 12" (305 mm)*	SJ-XX*
POST MOUNT *2.5" (64 mm) x 13" (330 mm)*	PM-XX*
JUNCTION BOX SPIKE KIT *3.35" (85 mm) x 12" (305 mm)*	EKITSPIKE
GROUND MOUNT *2.7" (67 mm) Diameter*	GM-XX*
VERSABOX® *2.2" (57 mm) x 1.5" (39 mm)*	VB-050-XX*
MINI J-BOX *3.5" (89 mm) x 1.3" (34 mm)*	MJ-050-XX*
TREEBOX *5.4" (138 mm) x 1.9" (49 mm)*	TB-XX*
GUTTER MOUNT *4.0" (102 mm) x 4.0" (102 mm)*	GM-SS
WALL PLATES *3.4" (85 mm) x 5.1" (129 mm)*	WP-1G-050-XX*
WALL PLATES *5.0" (127 mm) Diameter*	WP-RD-050-XX*

RISER OPTIONS: Specify Separately

Riser	Code
RISER *0.8" (21 mm) Diameter*	YY-R-XX*
SIGN LIGHT RISER *0.8" (21 mm) Diameter w/ 45° Inward Curve*	YY-R-SL-XX*

**YY = riser height in inches (6" increments between 6" and 36"; 150 mm increments between 150 mm and 900 mm), XX = finish code*

COUPLING OPTIONS: Specify Separately

Couplings	Code
STRAIGHT *1.3" (32 mm) x 2.0" (51 mm)*	COUP-XX*
90° ELBOW *1.3" (32 mm) x 2.0" (51 mm)*	ELBW-050-XX*
T-MOUNT *3.0" (76 mm) x 2.2" (57 mm)*	TMNT-050-XX*

LENS ACCESSORIES: Specify Separately

Item	Code
HEX BAFFLE *MR-16 Size*	250015260000
LINEAR SPREAD LENS *MR-16 Size*	250013550000
SOLITE SPREAD LENS *MR-16 Size*	250015240000

BEAM ANGLE LENSES: Specify Separately

Lens Options	1LED	3LED	6/9LED
DIFFUSER *18° (preassembled)*	770600	771300	771600
FLOOD LENS *35° (1 notch)*	1LEDFLLENS	3LEDFLLENS	9LEDFLLENS
WIDE FLOOD LENS *60° (2 notches)*	1LEDWFLLENS	3LEDWFLLENS	9LEDWFLLENS

Exhibit F

NP Up Light PHOTOMETRICS

NP 1LED Illuminance at a Distance

Feet (Meters)	Center Beam	Beam Width	
	Foot-Candle (Lux)	Vertical 19.3°	Horizontal 19.9°
4.2' (1.3 m)	13.5 fc (144 lx)	1.7' (0.5 m)	1.7' (0.5 m)
8.3' (2.5 m)	3.3 fc (36 lx)	3.4' (1.0 m)	3.4' (1.0 m)
12.5' (2.8 m)	1.5 fc (16 lx)	5.2' (1.6 m)	5.1' (1.6 m)
16.7' (5.1 m)	0.8 fc (9 lx)	6.9' (2.1 m)	6.8' (2.1 m)
20.8' (6.3 m)	0.5 fc (6 lx)	8.6' (2.6 m)	8.4' (2.6 m)
25.0' (7.6 m)	0.4 fc (4 lx)	10.3' (3.1 m)	10.1' (3.1 m)

NP 3LED Illuminance at a Distance

Feet (Meters)	Center Beam	Beam Width	
	Foot-Candle (Lux)	Vertical 19.3°	Horizontal 19.9°
4.2' (1.3 m)	26.7 fc (288 lx)	1.8' (0.6 m)	1.8' (0.6 m)
8.3' (2.5 m)	6.7 fc (72 lx)	3.6' (1.1 m)	3.6' (1.1 m)
12.5' (2.8 m)	3 fc (32 lx)	5.5' (1.7 m)	5.4' (1.7 m)
16.7' (5.1 m)	1.7 fc (18 lx)	7.3' (2.2 m)	7.2' (2.2 m)
20.8' (6.3 m)	1.1 fc (16 lx)	9.1' (2.8 m)	9.04' (2.8 m)
25.0' (7.6 m)	0.74 fc (8 lx)	10.9' (3.3 m)	10.8' (3.3 m)

NP 6LED Illuminance at a Distance

Feet (Meters)	Center Beam	Beam Width	
	Foot-Candle (Lux)	Vertical 19.3°	Horizontal 19.9°
4.2' (1.3 m)	61.6 fc (663 lx)	1.8' (0.6 m)	1.8' (0.6 m)
8.3' (2.5 m)	15.4 fc (166 lx)	3.6' (1.1 m)	3.6' (1.1 m)
12.5' (2.8 m)	6.8 fc (74 lx)	5.4' (1.7 m)	5.4' (1.7 m)
16.7' (5.1 m)	3.9 fc (41 lx)	7.2' (2.2 m)	7.2' (2.2 m)
20.8' (6.3 m)	2.5 fc (27 lx)	9.0' (2.7 m)	9.04' (2.8 m)
25.0' (7.6 m)	1.7 fc (15 lx)	10.8' (3.3 m)	10.8' (3.3 m)

NP 9LED Illuminance at a Distance

Feet (Meters)	Center Beam	Beam Width	
	Foot-Candle (Lux)	Vertical 19.3°	Horizontal 19.9°
4.2' (1.3 m)	72.4 fc (779 lx)	1.8' (0.6 m)	1.8' (0.6 m)
8.3' (2.5 m)	28.4 fc (306 lx)	3.6' (1.1 m)	3.5' (1.1 m)
12.5' (2.8 m)	8.0 fc (87 lx)	5.4' (1.7 m)	5.3' (1.6 m)
16.7' (5.1 m)	4.5 fc (49 lx)	7.1' (2.2 m)	7.1' (2.2 m)
20.8' (6.3 m)	2.9 fc (31 lx)	8.9' (2.7 m)	8.9' (2.7 m)
25.0' (7.6 m)	2.0 fc (22 lx)	10.7' (3.3 m)	10.6'(3.2 m)

NP ZDC Illuminance at a Distance

Feet (Meters)	Center Beam	Beam Width	
	Foot-Candle (Lux)	Vertical 38.3°	Horizontal 40.4°
4.2' (1.3 m)	11.6 fc (125 lx)	2.8' (0.9 m)	2.9' (0.9 m)
8.3' (2.5 m)	2.9 fc (31 lx)	5.6' (1.7 m)	5.9' (1.8 m)
12.5' (2.8 m)	1.3 fc (14 lx)	8.3' (2.5 m)	8.8' (2.7 m)
16.7' (5.1 m)	0.7 fc (8 lx)	11.1' (3.4 m)	11.8' (3.6 m)
20.8' (6.3 m)	0.5 fc (5 lx)	13.9' (4.2 m)	14.7' (4.5 m)
25.0' (7.6 m)	0.3 fc (3.5 lx)	16.7 (5.1 m)	17.7' (5.4 m)

DATE: October 14, 2020
SUBJECT:

Certificate of Appropriateness Request:	H-25-20
Applicant:	Madison K. Marburger
Location of subject property:	27 Marsh Ave. NW
Staff Report prepared by:	Katherine Godwin, Sr. Planner

BACKGROUND:

- The subject property, 27 Marsh Ave. NW, is designated as a "Fill" structure in the North Union Street Historic District. (Exhibit A).
- Constructed: 1910
- One-story, frame, L-shaped cottage unfortunately altered by application of aluminum siding and replacement of original windows. House has unusual square section with pyramidal roof at center of façade. Wrap-around porch with square, molded posts replaced original at undetermined date; house retains early 20th century patterned tin roof shingles. (Exhibit A).
- Applicant is requesting to:
    - Replace existing front retaining wall of stone with a brick wall;
    - Replace existing cement retaining walls along the driveway with brick;
    - Cover existing concrete walkway and replace stairs on Marsh Ave. with brick pavers;
    - Remove handrails and add brick step walls to stairs; and,
    - Add a second brick walkway from the driveway to the porch on the side of the property (Exhibits B, D, and E).

DISCUSSION:

The applicant is proposing to replace a stone retaining wall on the front of the property (facing Marsh Ave. NW) and measuring approximately 17 feet and 29 feet in length (Exhibits B, D, and F). According to the applicant, the height of the wall (currently approximately 2.5') would be increased by a foot to a height of 3.5' (Exhibit B). The new wall would be constructed using 8" concrete block, tied to cement footings by rebar and veneered by brick pavers and grey mortar (Exhibits B and E).

The existing concrete stairs on Marsh Ave. NW (measuring 5' wide) would be replaced and slightly widened to 5.5' at the foot of the stairs with brick pavers and new step walls consisting of brick pavers (measuring 4.5' long) would be built on either side (Exhibits B, D, and E). The two cement retaining walls bordering the driveway (measuring approximately 15' long and descending in height from 2') would be replaced with the same brick pavers and cement block/rebar as the front retaining wall (Exhibits B, D, and E).

The cement walkway from the top of the stairs to the front porch (measuring 5' to 6' wide by 25' long) will be covered with brick pavers in a herringbone pattern (Exhibits B, D, and E). An additional, brick walkway (measuring 5' wide by 8' long and in a herringbone pattern) has been proposed by the applicant to connect the driveway to the western side of the front porch (Exhibits B, D, and E).

Exhibit G

ATTACHMENTS

Exhibit A: Historic Inventory Information
Exhibit B: Application for Certificate of Appropriateness
Exhibit C: Subject Property Map
Exhibit D: Site Plan
Exhibit E: Images and Materials

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS:

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.*
- *Do not use high walls or fences to screen front yards.*
- *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.*

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.*

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.

Exhibit G

Concord
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: Madison Kate Marburger

Address: 27 Marsh Ave NW

City: Concord State: NC Zip Code:28025 Telephone: 704-792-5411

OWNER INFORMATION

Name: same as above

Address: _____

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

SUBJECT PROPERTY

Street Address: 27 Marsh Ave NW P.I.N. # 5620-79-2420

Area (acres or square feet):0.33 Current Zoning: RM1 Land Use: residential

Staff Use Only:

Application Received by:_____ Date:_____, 20 _____

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

The application fee is nonrefundable.

Exhibit G

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: landscape the front yard and add a brick face to the concrete retaining walls, stairs and walkway. Replace the stone retaining wall with a brick retaining wall.

2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
   - The front walkway will be approx. 25 ft long and 5 to 6 ft wide and covered with a red brick paver.
   - The stairs will be redone to fit ADA guidelines in matching brick and include two step walls made of brick measuring approx. 4.5 ft on either side.
   - The side walkway will be just off the left side of the porch to the driveway approx. 8 ft by 5ft in matching brick paver.
   - The stone wall will be replaced with a new brick retaining wall measuring 17 ft long and 3.5 ft high and 29 ft long and 3.5 ft high.
   - The two retaining walls along the driveway will be fixed with the same brick approx. 15 ft long and descending fashion from 2' in height, as it is now.

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 ensure that work being done is the same as the work

Exhibit G

that was approved. (3) I understand that photographs of the completed project will be made to update the City's historic districts inventory database.

5-2-2020	Madison Kate Marburger
Date	Signature of Owner/Agent

Exhibit G

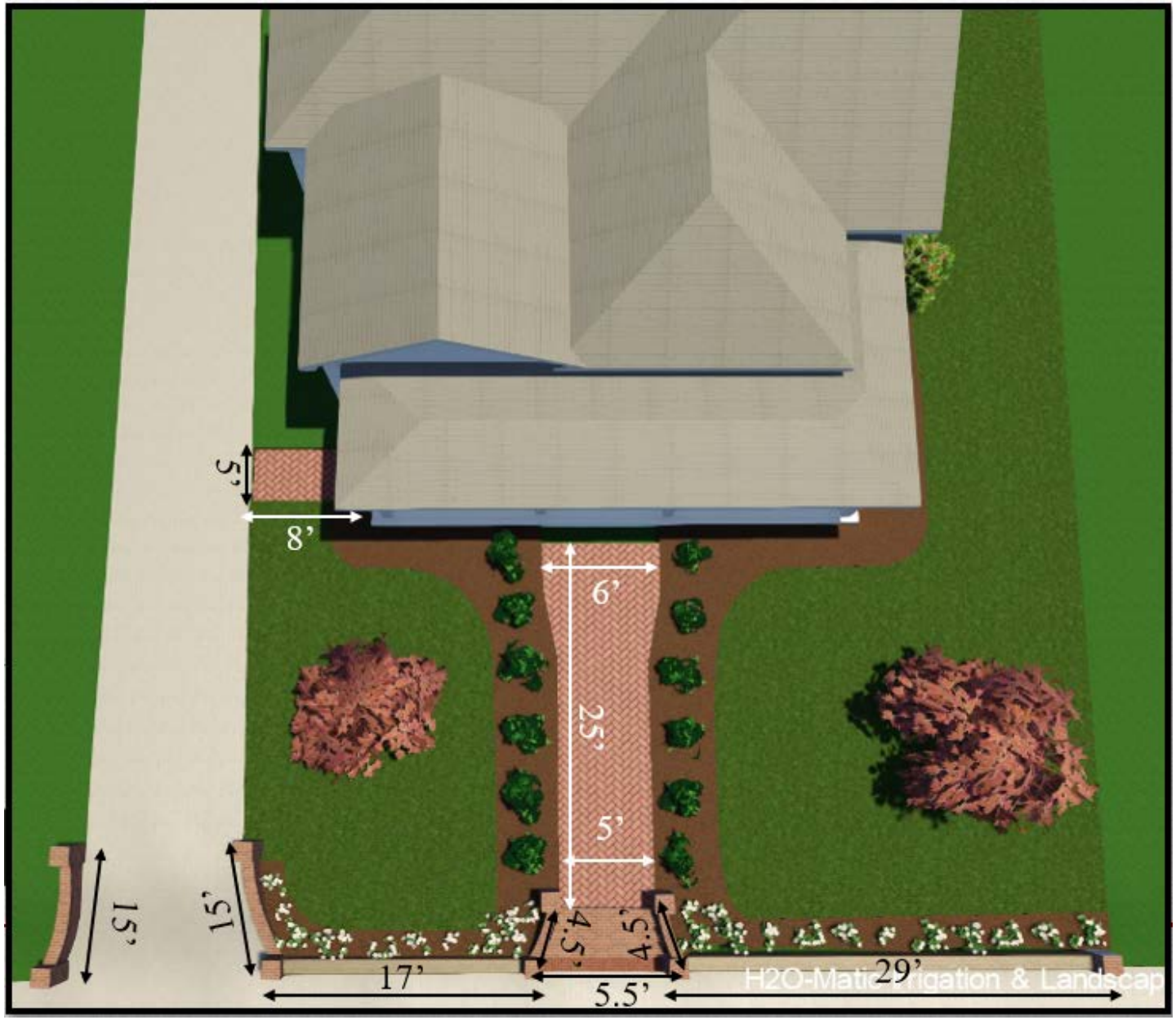

Exhibit G

Exhibit G

Exhibit G

Exhibit G

21
Exhibit G

Exhibit G

Exhibit G

artistic conception
VizTerra
H2O -matic
HARDSCAPING - IRRIGATION - LANDSCAPING
Exhibit G
H2O-Matic Irrigation & Landscaping | Rick Battaglia

artistic conception
VizTerra
H2O -matic
HARDSCAPING - IRRIGATION - LANDSCAPING
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artistic conception
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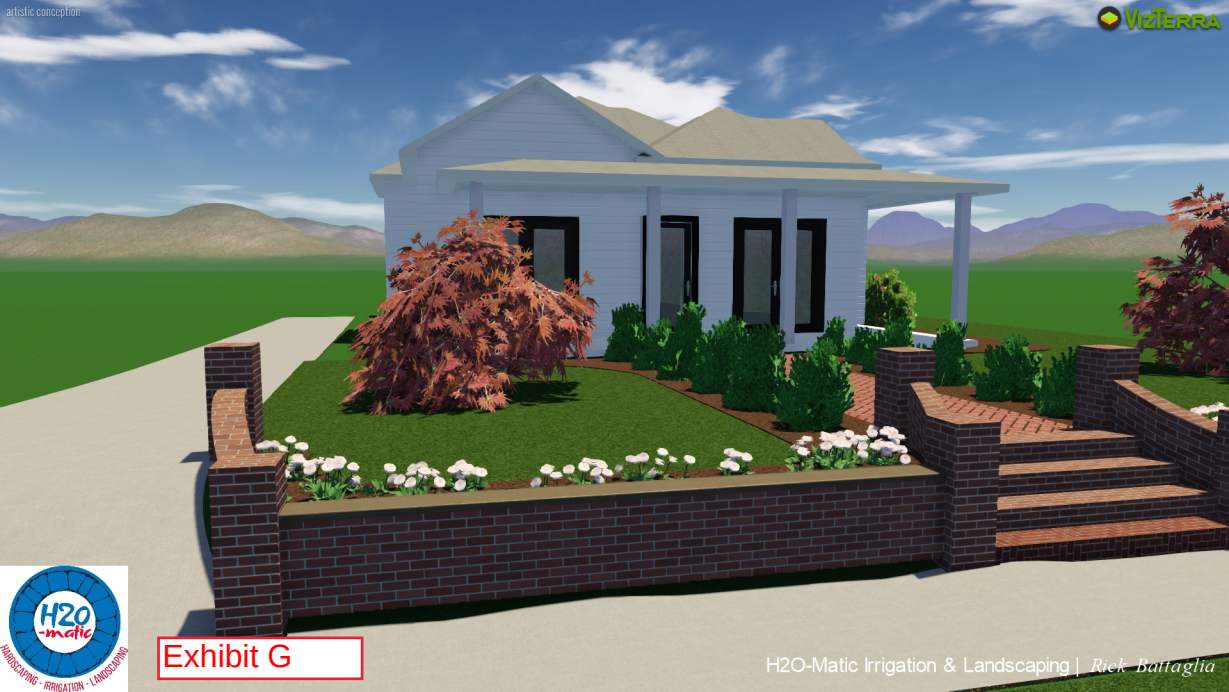
VizTerra
Exhibit G
H2O-Matic Irrigation & Landscaping | Rick Battaglia
H2O -matic
HARDSCAPING - IRRIGATION - LANDSCAPING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VizTerra
H2O -matic
HARDSCAPING - IRRIGATION - LANDSCAPING
Exhibit G
H2O-Matic Irrigation & Landscaping | Rick Battaglia

artistic conception
VizTerra
H2O -matic
HARDSCAPING - IRRIGATION - LANDSCAPING
Exhibit G
H2O-Matic Irrigation & Landscaping | Rick Battaglia

artistic conception
VizTerra
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HARDSCAPING - IRRIGATION - LANDSCAPING
Exhibit G
H2O-Matic Irrigation & Landscaping | Rick Battaglia

artistic conception
VizTerra
Exhibit G
H2O-Matic Irrigation & Landscaping | Rick Battaglia
H2O -matic
HARDSCAPING - IRRIGATION - LANDSCAPING

artistic conception
VizTerra
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H2O-Matic Irrigation & Landscaping | Rick Battaglia
H2O -matic
HARDSCAPING - IRRIGATION - LANDSCAPING

artistic conception

VizTerra

H2O-matic
HARDSCAPING - IRRIGATION - LANDSCAPING

Exhibit G

H2O-Matic Irrigation & Landscaping | *Rick Battaglia*

Exhibit G

Georgia Plant

Rumbled Colonial Full Range 4×8 clay pavers are tumbled after firing to mimic the look and appeal of antique reclaimed pavers. A traditional blend of red and dark colors. The dimensions are 4″ by 8″ by 2.25″ thick. Also available in 2.75″ thickness for Heavy Vehicular Traffic in compliance with ASTM C1272 as a special order.

The paver complies with ASTM C902, Class SX, Type I, Application PA and ASTM C67 for Freeze-Thaw.

Now available in 1/2″ thick PaverTiles. Perfect for interior use!

Test Report – Georgia Rumbled 2.25

Paver Product Specs

Paver FAQ

FILED
CABARRUS COUNTY NC
WAYNE NIXON
REGISTER OF DEEDS

FILED	Nov 05, 2020
AT	12:57 pm
BOOK	14644
START PAGE	0313
END PAGE	0316
INSTRUMENT #	39069
EXCISE TAX	$0.00

MKL

SCANNED AND RETURNED

Mail to: City of Concord, Planning Dept., PO Box 308, Concord, NC 28026 PIN#5620-79-2420

NORTH CAROLINA **ORDER OF THE CITY OF CONCORD**
CABARRUS COUNTY **HISTORIC PRESERVATION COMMISSION CASE # H-25-20**

This matter came before the Historic Preservation Commission (hereinafter the "Commission") on October 14, 2020. The Commission, heard sworn testimony from the following witnesses: Katherine Godwin and Madison Marburger 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: Site Plan, Exhibit E: Images and Materials. Based upon competent, material, and substantial evidence, the Commission makes these:

FINDINGS OF FACT:

1. The subject property is located at 27 Marsh Ave. NW, Concord, NC. The owner is Madison Kate Marburger who acquired the property by deed recorded in Cabarrus County Register of Deeds Book 13163, Page 45, as recorded on August 30, 2018.
2. The subject property is located in the RM-1 (Residential Medium Density) zoning district and is in the North Union Street Historic District.
3. The subject property is designated as a "Fill" 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 May 2, 2020, Madison Marburger submitted an application (Exhibit B) for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 to make modifications to the property including: replacing a stone retaining wall with a brick retaining wall along Marsh Ave. NW, replacing existing concrete steps accessing Marsh Ave. NW with brick and installing two brick step walls, covering an existing walkway with brick pavers, adding a second brick walkway from the driveway to the porch, and replacing existing cement retaining walls on either side of the driveway with brick (Exhibit B).

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Exhibit H

6. The applicant proposes to remove and replace an existing stone retaining wall along Marsh Ave. NW measuring approximately 46' in length (two segments measuring 17' and 29') and 2.5' in height. (Exhibit E)
7. The replacement wall would consist of concrete block reinforced with rebar and fully encased by brick.
8. The concrete block is for stability purposes due to yard elevation and no part of the concrete block would be visible after brick installation. (Exhibit B, D, and E).
9. The new brick and mortar wall would be located in the same footprint of the existing wall, and have sections measuring the same length. (Exhibit B, D, and E).
10. The replacement wall would be 3.5' in height. (Exhibit B, D, and E).
11. The applicant proposes to replace two cement retaining walls on either side of the driveway and measuring 15' long with brick and no higher than 2' (Exhibits B, D, and E).
12. The applicant is also proposing to replace and slightly widen a set of concrete stairs (measuring 5' wide to 5.5' wide and consisting of 4 treads) on Marsh Ave. NW with brick (Exhibits B, D, and E).
13. The applicant proposes to replace the existing metal handrails on the Marsh Ave. NW sidewalk steps with two brick step walls measuring 4.5' long.
14. The applicant proposes to cover the cement walkway from the top of the stairs on Marsh Ave. NW to the front porch (measuring 5' to 6' wide by 25' long) with brick pavers in a herringbone pattern. (Exhibits E)
15. The applicant proposes to add a second brick walkway measuring 5' wide by 8' long with brick pavers in a herringbone pattern and connecting the driveway to the front porch (Exhibit B, D, and E).
16. The applicant has submitted a site plan, images of the house, wall, existing steps, and proposed design and materials (Exhibits D and E).

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,* **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.*
   - *Do not use high walls or fences to screen front yards.*
   - *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.*

Exhibit H

3. Pursuant to the *Handbook,* **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.*

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. The replacement of the stone retaining wall on Marsh Ave. NW with a brick and mortar wall, supported internally with rebar reinforced concrete block, measuring 46' in length and 3.5' high is appropriate.
   B. The replacement of the 5' to 5.5' wide concrete steps on Marsh Ave. NW with brick and the replacement of metal handrails with two brick step walls measuring 4.5' long is appropriate.
   C. The covering of the cement walkway from the top of the stairs on Marsh Ave. NW to the front porch (measuring 5' to 6' wide by 25' long) with brick pavers in a herringbone pattern is appropriate.
   D. The addition of 5' wide by 8' long brick walkway with brick pavers in a herringbone pattern connecting the driveway to the porch is appropriate.
   E. The replacement of two cement retaining walls that border the driveway, measure 15' long and descend in height from 2' with a brick and mortar wall, supported internally with rebar reinforced concrete block is appropriate.

Exhibit H

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: REPLACE THE STONE WALL ON MARSH AVE. NW WITH A BRICK AND MORTAR WALL MEASURING 46' IN LENGTH AND 3.5' HIGH, REPLACE AND WIDEN THE 5' TO 5.5' WIDE CONCRETE STEPS ON MARSH AVE. NW WITH BRICK STEPS AND ADD STEP WALLS, REPLACE THE TWO RETAINING WALLS MEASURING 15' LONG AND BORDERING THE DRIVEWAY WITH BRICK AND MORTAR WALLS, AND ADD A NEW BRICK WALKWAY MEASRUING 5' WIDE BY 8'LONG TO THE SIDE OF THE PORCH.

SO ORDERED this the 14th day of October, 2020 by the Historic Preservation Commission.

CITY OF CONCORD
HISTORIC PRESERVATION COMMISSION

BY: Lee Gray
(Chairman – Dr. Lee Gray)

ATTEST: Angela Baldwin
Secretary

NORTH CAROLINA
CABARRUS COUNTY

I, Kristina M Fausel, a notary public for ~~said~~ Mecklenburg 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 15th day of October, 2020.

Kristina M Fausel
Notary Public

My commission expires: June 13th, 2023

KRISTINA M FAUSEL
Notary Public, North Carolina
Mecklenburg County
My Commission Expires
June 13, 2023

Exhibit H

CERTIFICATE OF APPROPRIATENESS

Has Been Issued by the Historic Preservation Commission of the City of Concord to:

Applicant: Madison Marburger

Location: 27 Marsh Ave. NW

Project: REPLACE THE STONE WALL ON MARSH AVE. NW WITH A BRICK AND MORTAR WALL MEASURING 46' IN LENGTH AND 3.5' HIGH, REPLACE AND WIDEN THE 5' TO 5.5' WIDE CONCRETE STEPS ON MARSH AVE. NW WITH BRICK STEPS AND ADD STEP WALLS, REPLACE THE TWO RETAINING WALLS MEASURING 15' LONG AND BORDERING THE DRIVEWAY WITH BRICK AND MORTAR WALLS, AND ADD A NEW BRICK WALKWAY MEASRUING 5' WIDE BY 8'LONG TO THE SIDE OF THE PORCH.

City Staff Member: _____

Date: 10/15/20 No.: 2323

NOTICE:

- ALTHOUGH THE HISTORIC PRESERVATION COMMISSION HAS APPROVED THIS CERTIFICATE OF APPROPRIATENESS FOR EXTERIOR MODIFICATIONS TO YOUR HISTORICALLY DESIGNATED PROPERTY, A REQUIRED **30-DAY APPEAL PERIOD** IS LEVIED BY THE NORTH CAROLINA GENERAL STATUTES. DURING THIS APPEAL PERIOD, AN AGGRIEVED PARTY MAY REQUEST A HEARING BEFORE THE BOARD OF ADJUSTMENT AND IT IS POSSIBLE THAT YOUR APPROVAL COULD BE OVERTURNED. ANY WORK CONDUCTED PRIOR TO THE EXPIRATION OF THE 30-DAY APPEAL PERIOD IS AT THE RISK OF THE CONDUCTING PARTY AS OVERTURNED APPROVALS MAY RESULT IN AN ORDER OF WORK REVERSAL AND THE INCURRENCE OF ADDITIONAL EXPENSES.
- THIS **MUST BE POSTED** AT THE BUILDING SITE.
- COA **EXPIRES** AFTER SIX (6) MONTHS IF WORK HAS NOT COMMENCED.

Exhibit I

From: Madison marburger
To: Katherine Godwin; Brian Marburger
Subject: Re: Exterior Lights at 27 Marsh Ave.
Date: Wednesday, August 4, 2021 9:32:38 PM
Attachments: image001.png

[**NOTICE: EXTERNAL EMAIL**

Katherine,

Here are the hyperlinks, I could not find an exact sheet.

The column lights are here and are the 3LED https://www.fxl.com/product/up-lights/designer/np

The undermount lights are here and are the 1LED https://www.fxl.com/product/wall-and-step-lights-hardscapes/designer/lf

The pathway lights are here and are the 1LED https://www.fxl.com/product/path-and-area-lights/designer/ca

As of right now I do not have a sheet for the lanterns since they came from a different supplier. I hope this is acceptable? We will be at the meeting on Wednesday.

Thanks,
Madi Marburger

On Mon, Aug 2, 2021 at 9:34 AM Katherine Godwin <godwink@concordnc.gov> wrote:

> Hi Madi,
>
> I hope you are doing well. Couple of things. Do you have the material specification sheets for each of the lights you gave me the voltage/ wattage for below? Typically the person installing the lights will provide this information to the property owner and they give us a lot of information in addition to the voltage/wattage and would be helpful to include in the staff report. Also while looking at the pictures I noticed you had some up-lighting on the columns and eaves/ front facade of the house. This also requires a Certificate of Appropriateness/Historic Preservation Commission approval. I have attached the handbook language regarding lights so you will know what information the Commission will be looking at and applying to your case. Please let me know if you have any questions.
>
> Sincerely,
>
> Katherine

Exhibit J

Katherine Godwin, AICP

Senior Planner

Planning & Neighborhood Development

City of Concord | (704) 920-5155

35 Cabarrus Ave W, Concord, NC 28025

From: Madison marburger <madikate13@gmail.com>
Sent: Friday, July 30, 2021 3:05 PM
To: Katherine Godwin <godwink@ConcordNC.gov>
Subject: Re: Exterior Lights at 27 Marsh Ave.

[**NOTICE: EXTERNAL EMAIL**

Hey Katherine,

The undermount lights are from FXLuminaire, they are 10V 1LED and there are 40 of those spaced everywhere. The lights up the walkway are 12V 20W mushroom top and there are 3 of those. Lastly are the lanterns which are 120V 60W and there are 9 of those.

I have also. included some pictures without the lanterns on so there will be a better idea of brightness.

Thanks,

Madi Marburger

Exhibit J

On Mon, Jul 26, 2021 at 3:11 PM Katherine Godwin <godwink@concordnc.gov> wrote:

Hi Madi,

When you get a chance this week could you please send me the specifications for each of the 3 types of lights you have on the wall and leading up the walkway (the contractor who installed them should be able to get these to you) and the number of each type of light. Thanks!

Katherine Godwin, AICP

Senior Planner

Planning & Neighborhood Development

City of Concord | (704) 920-5155

35 Cabarrus Ave W, Concord, NC 28025

From: Madison marburger <madikate13@gmail.com>
Sent: Monday, July 26, 2021 1:08 PM
To: Katherine Godwin <godwink@ConcordNC.gov>
Subject: Re: Exterior Lights at 27 Marsh Ave.

[**NOTICE: EXTERNAL EMAIL**

If this PDF doesn't work, let me know.

Madi

On Mon, Jul 26, 2021 at 11:59 AM Katherine Godwin <godwink@concordnc.gov>

Exhibit J

wrote:

> Hi Madi,
>
> Thanks for sending these on. I am unable to open your application. Could you please try sending both pages as a pdf? Or take a screen shot and send it to me as a jpeg? I really need the second page of the application that goes into the description of the lights (question #2 on the application) by today so I can get your case advertised and on the agenda. I will put it on the end of the agenda in hopes you can make it but if your dad is available as a backup I would recommend he attend as well. Thanks!
>
> *Katherine Godwin, AICP*
>
> Senior Planner
>
> Planning & Neighborhood Development
>
> City of Concord | (704) 920-5155
>
> 35 Cabarrus Ave W, Concord, NC 28025
>
> ---
>
> **From:** Madison marburger <madikate13@gmail.com>
> **Sent:** Sunday, July 25, 2021 10:09 PM
> **To:** Katherine Godwin <godwink@ConcordNC.gov>
> **Subject:** Re: Exterior Lights at 27 Marsh Ave.
>
> [**NOTICE: EXTERNAL EMAIL**
>
> Hey Katherine,
>
> Here is my application along with attached pictures of the lighting. The lighting in the lanterns is going to be considerably dimmer because the wrong bulbs were placed in the lanterns when this picture was taken. Currently there are no lights in the lanterns due to

Exhibit J

our previous conversation so I cannot provide an updated picture at this time.

I was also wondering if you could accommodate me by having my case go last of the night? I am working that day down in Charlotte and it is going to be tight for me to make it there on time for the meeting.

Please let me know if you need anything else.

Madi Marburger

On Thu, Jul 8, 2021 at 1:29 PM Katherine Godwin <godwink@concordnc.gov> wrote:

> Hi Madison,
>
> We have received another call from a concerned citizen regarding your lights. We really need to bring your case before the Historic Preservation Commission as a post-facto case or we will have to get code enforcement (potentially fines) involved because you do not have approval for the lights to be installed. If you would please fill out the attached application by next Wednesday and I will get you on the August 11th HPC agenda. Please let me know if you have any questions.
>
> *Katherine Godwin, AICP*
>
> Senior Planner
>
> Planning & Neighborhood Development
>
> City of Concord | (704) 920-5155
>
> 35 Cabarrus Ave W, Concord, NC 28025

Exhibit J

From: Madison marburger <madikate13@gmail.com>
Sent: Tuesday, April 27, 2021 7:20 PM
To: Katherine Godwin <godwink@ConcordNC.gov>
Subject: Re: Exterior Lights at 27 Marsh Ave.

[**NOTICE: EXTERNAL EMAIL**

Hey Katherine,

I hope this finds you well. So sorry for the late reply but I had finals this week and was not focused on much else. I am bummed to hear about the lights but understand. I will take out the bulbs on Friday since it is my first day off available. I will hold off on filling out the application until a later date at this time.

Thanks,

Madi Marburger

On Tue, Apr 20, 2021 at 4:18 PM Katherine Godwin <godwink@concordnc.gov> wrote:

> Hi Madi,
>
> I hope you are doing well and enjoying the new wall, walkway and stairs. It has been brought to my attention that you have had installed a number of exterior lights along the new wall and driveway without approval from the Historic Preservation Commission in the form of a Certificate of Appropriateness. In cases of exterior lighting fixtures that are permanent additions within public view, approval from the Historic Commission is required and the handbook provides the following guidance:
>
> "Residential lighting is historically minimal. Therefore, minor usage of low level landscape lighting added at ground level, with fixtures not visible from the street, that do not shine upon the building façade are appropriate. New exterior lighting units that produce higher levels of lighting or a fixture that is visible from the street are discouraged and require review and approval from the Historic Preservation Commission.

Exhibit J

Design Guidelines and Recommendations

1. Maintain subtle effects with selective spots of light rather than indiscriminate area lighting.
2. Do not concentrate light on facades and avoid casting light on surrounding properties.
3. Use lights to define spaces and accent vegetation.
4. Hide non-decorative light fixtures.
5. Do not use fixtures which are incompatible with existing details, styles, etc."

If you want to keep the lighting or potentially scale back on the lighting please fill out the attached application and return it to me and we will try to get you on the next available Historic Preservation Commission meeting as a post de facto case. Otherwise you will need to remove the permanent light fixtures. Please contact me if you have any questions.

Sincerely,

Katherine

Katherine Godwin, AICP

Senior Planner

Planning & Neighborhood Development

City of Concord | (704) 920-5155

35 Cabarrus Ave W, Concord, NC 28025

Pursuant to North Carolina General Statutes Chapter 132, Public Records, this electronic mail message and any attachments hereto, as well as any electronic mail message(s) that may be sent in response to it may be considered public record and

Exhibit J

From: Lois Morris
To: Katherine Godwin
Subject: Meeting Aug 11- 27 Marsh Ave Property
Date: Tuesday, August 10, 2021 10:27:17 AM

[**NOTICE: EXTERNAL EMAIL**

Good morning Katherine -
I am contacting you as I am the homeowner of 32 Marsh Ave. This has been my home for almost 45 years. We have appreciated the efforts of the Historic Society to preserve the special character of this Historic Neighborhood of Concord. My home is across the street from the 27 Marsh Ave property. We have front bedrooms facing the street and directly receiving the illumination from the recently installed lighting at 27 Marsh Ave. The lights are quite bright in our rooms even with the blinds closed. The lights are disturbing and make it difficult to sleep. They are on from 8pm- 2am it seems. Additionally, the increased number of cars parked on the street associated with the 27 Marsh Ave property are frequently parked in front of my home overnight or all weekend. This makes it difficult to enter and leave my driveway, or put out the trash for pickup.
I am elderly, and unable to attend the meeting on August 11 when the lighting is to be reviewed, but I appreciate the opportunity to express my concerns.

Respectfully,
Clara Jean Wheeler

Exhibit K