

**DATE**

June 12, 2024

**SUBJECT**

Certificate of Appropriateness Request:

H-11-24

Applicant:

Kelley Cartrett-Phifer

Location of subject property:

40 Franklin Ave NW

PIN:

5620-79-3073

Staff Report prepared by:

Kim Wallis, AICP, Senior Planner

**BACKGROUND**

- The subject property, 40 Franklin Ave. NW, is designated as a “Pivotal” structure in the North Union Street Historic District (Exhibit A).
- “Highly significant, two-story, frame house in the "Domestic Gothic" style popularized by the American architect Andrew Jackson Downing during the mid-19th century, the only surviving example of the style in Concord. House enjoys perhaps the most picturesque setting in the district. House has L-shaped, gable-roofed main block and pair of rear, two-story gable-roofed wings. All gables are trimmed with wavy bargeboard, as are the sharply pitched, gable-roofed dormers that pierce the roofline of the main-block and one of the rear wings. In addition to these characteristically Gothic features, the house has Italianate details often seen in Downing-inspired designs, including a three-sided, slanted bay window on the west (left) facade bay, a handsome wrap-around porch with chamfered, molded and bracketed porch posts, and an entrance with a two-leaf, four-panel door and a molded architrave. House has asbestos siding. House deeply set in one of the district's largest lots, which is bordered by rubble stone walls and closely planted shrubs. Within the walls, informally arranged features include a greenhouse, reflecting pool, and gazebo. B. Franklin Rogers (1847-1908) was a schoolteacher and later a traveling salesman who invested in local businesses (Exhibit A)

**DISCUSSION**

On May 24, 2024, Kelley Cartrett-Phifer, submitted a Certificate of Appropriateness application for the demolition of a garage in the rear yard (Exhibit B).

**Demolition of the Existing Garage**

The garage is a one-story, 3 bay, green painted wooden structure with two non-existent windows. It is approximately 37’ wide x 22’ deep. The applicant states that the garage was heavily damaged recently from very heavy rain and severe weather. The severe weather caused the roof to open and split apart from the main structure. The garage is now caving in on itself. The building is no longer sound and is twisted to the left and leans towards the wooden fence at 146 Spring St NW. The applicant further states that the supports that the previous owners put into place to stabilize the garage have now failed due to the severe weather which has caused the building to become a danger/hazard to the applicant’s neighbors, family and the public (Exhibit D).

**ATTACHMENTS**

Exhibit A: National Register of Historic Places Inventory

Exhibit B: Application for Certificate of Appropriateness

Exhibit C: Subject Property Map

Exhibit D: Applicant Submitted Photographs

**HISTORIC HANDBOOK DESIGN RECOMMENDATIONS**

**Approval Requirement Needs Table:**

**Demolition:** The demolition of any building or part thereof requires Commission Hearing and Approval.

**Chapter 5- Section 13: Demolition**

- Historic Preservation Commission approval is required for any demolition.
- Demolition of any pivotal or contributing structure in any Historic District is undesirable.
- In accordance with The City of Concord Zoning Ordinance - Historic Preservation Overlay Districts, Delay in Demolition, - states that an application for a Certificate of Appropriateness authorizing the demolition of a building or structure within the District may not be denied. However, the effective date of such a certificate may be delayed for a period of up to 365 days from the date of approval. The maximum period of delay authorized by this section shall be reduced by the Historic Preservation Commission where it finds that the owner would suffer extreme hardship or be permanently deprived of all beneficial use of or return from such property by virtue of the delay. During such period, the Historic Preservation Commission may negotiate with the owner and other parties in an effort to find a means of preserving the building. If the Historic Preservation Commission finds that the building has no particular significance or value toward maintaining the character of the District, it shall waive all or part of such period and authorize earlier demolition or removal.

**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	45

One-story, frame Queen Anne style cottage with facade composed of two cross gables. Gable on east (right) side projects forward of main block and has cut-away corners. Both gables embellished with sawn ornaments with spindlework and cut-out ventilator. Wrap-around porch has Tuscan columns which replaced original porch supports at undetermined early 20th. century date.

- 75. B. Franklin Rogers House  
40 Franklin Avenue, N.W.  
ca. 1880  
P

High significant, two-story, frame house in the "domestic Gothic" style popularized by the American architect Andrew Jackson Downing during the mid-19th. century, the only surviving example of the style in Concord. House enjoys perhaps the most picturesque setting in the district. House has L-shaped, gable-roofed main block and pair of rear, two-story gable-roofed wings. All gables are trimmed with wavy bargeboard, as are the sharply pitched, gable-roofed dormers that pierce the roofline of the main block and one of the rear wings. In addition to these characteristically Gothic features, the house has Italianate details often seen in Downing-inspired designs, including a three-sided, slanted bay window on the west (left) facade bay, a handsome wrap-around porch with chamfered, molded and bracketed porch posts, and an entrance with a two-leaf, four-panel door and a molded architrave. House has asbestos siding. House deeply set in one of the district's largest lots, which is bordered by rubble stone walls and closely planted shrubs. Within the walls, informally arranged features include a greenhouse, reflecting pool, and gazebo.

B. Franklin Rogers (1847-1908) was a schoolteacher and later a traveling salesman who invested in local businesses.

- 76. House  
68 Franklin Avenue, N.W.  
c. 1905  
C

One-story, frame cottage with side gable roof and projecting west (left) facade bay. Two-bay porch with turned posts and balustrade; 2/2 sash windows. Vinyl siding. One of a pair of speculative cottages said to have been built by businessman J.L. Hartsell, whose Spring Street residence adjoins this property (see #126).



**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: Kelley Cartrett-Phifer

Address: 40 Franklin Avenue NW

City: Concord State: NC Zip Code: 28025 Telephone: 704-608-9275

Email Address: kelleycartrettphifer@gmail.com

**OWNER INFORMATION**

Name: Toby L. Phifer and Kelley Cartrett-Phifer

Address: 40 Franklin Avenue NW

City: Concord State: NC Zip Code: 28025 Telephone: 704-608-9275

**SUBJECT PROPERTY**

Street Address: 40 Franklin Avenue NW, Concord, NC 28025 P.I.N. #5620-79-3073

Area (acres or square feet): 2.6 acres Current Zoning: Land Use: Single Family Residential

**Staff Use**

**Only:**

Application Received by: Date: , 20 **Fee: \$20.00** Received by: Date: , 20 **After-the-Fact Fee:**

**\$100.00** Received by: Date: , 20

*The application fee is nonrefundable.*

**Planning & Neighborhood Development**

35 Cabarrus Ave W • Concord, NC 28025

Phone (704) 920-5152 • Fax (704) 920-6962 • [www.concordnc.gov](http://www.concordnc.gov)



## 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: Demolition of garage in rear of property due to recent storm damage.

2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):  
Garage in the rear of our property: One story, 3 bay, wooden structure, green paint, 2 non-existent windows. The garage in the rear of our property was heavily damaged recently from very heavy rain and severe weather. The severe weather caused the roof to open and split apart from the main structure. The garage is now caving in on itself. As you can see in the photos, the building is no longer sound and is twisted to the left and leaning on our neighbors, Ellen and Dave True's, wooden fence. The supports that the previous owners put into place to stabilize the garage have now failed due to the severe weather which has caused the building to become a danger/hazard to our neighbors, our family and the public. It needs to be demolished immediately and is getting worse by the day. I must be removed before someone is injured or it causes extensive damage to our neighbor's property.

### Required Attachments/Submittals

1. Scaled site plan, if additions or accessory structures are proposed, on letter, legal or ledger paper. Larger sized copies will be accepted. **Digital copies are preferred.**
2. Detailed written description of the project.
3. Photographs of site, project, or existing structures from a "before" perspective.
4. Drawings, sketches, renderings, elevations, or photographs necessary to present an illustration of the project from an "after" perspective if applicable.
5. Samples of windows, doors, brick, siding, etc. must be submitted with application.
6. Detailed list of materials that will be used to complete the project.

### Certification

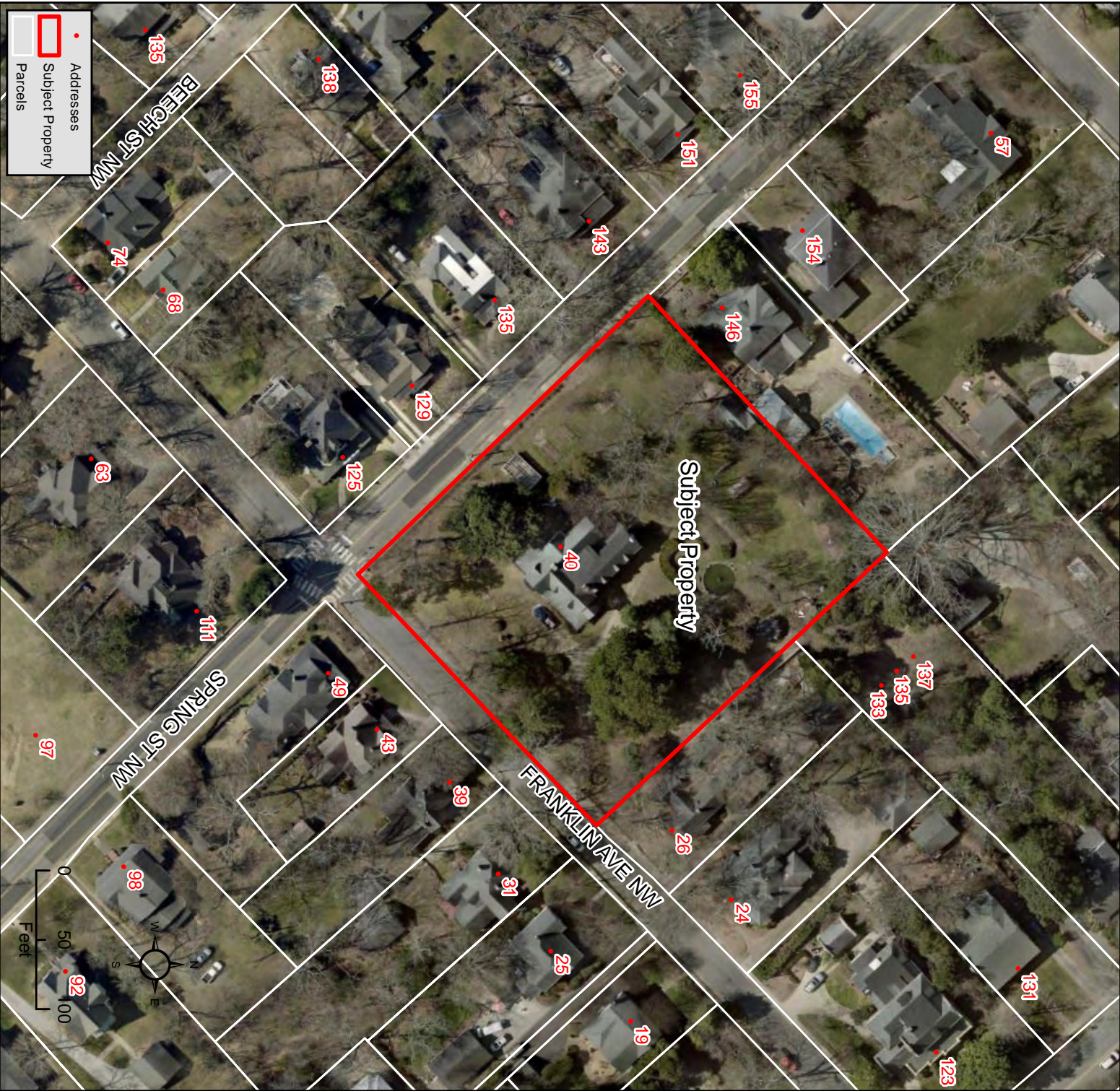
(1) I hereby acknowledge and say that the information contained herein and herewith is true and that this application shall not be scheduled for official consideration until all of the required contents are submitted in proper form to the City of Concord Development Services Department. (2) I understand that City staff and/or members of the Historic Preservation Commission may make routine visits to the site to ensure that work being done is the same as the work that was approved. (3) I understand that photographs of the completed project will be made to update the City's historic districts inventory database.

Date Signature of Owner/Agent: Kelley E. Cartrett-Phifer

## Planning & Neighborhood Development

35 Cabarrus Ave W • Concord, NC 28025

Phone (704) 920-5152 • Fax (704) 920-6962 • [www.concordnc.gov](http://www.concordnc.gov)

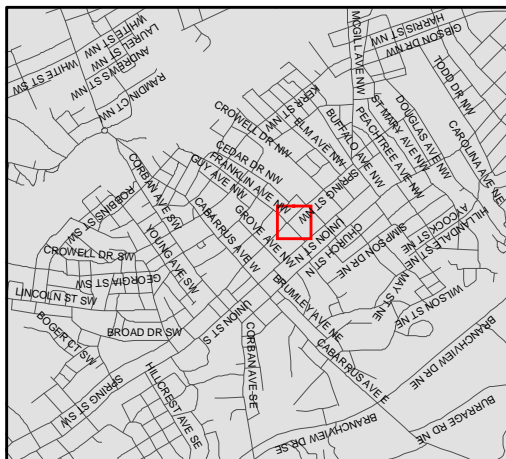


H-11-24

40 Franklin Ave NW

PIN: 5620-79-3073

EXHIBIT C



Source: City of Concord  
Planning Department

**Disclaimer**

These maps and products are designed for general reference only and data contained herein is subject to change. The City Of Concord, its employees or agents make no warranty of merchantability or fitness for any purpose, expressed or implied, and assume no legal responsibility for the information contained therein. Data used is from multiple sources with various scales and accuracy. Additional research such as field surveys may be necessary to determine actual conditions.



