

DATE: June 13, 2018

SUBJECT:

<u>Certificate of Appropriateness Request:</u>	H-12-18
<u>Applicant:</u>	Lantana Hill, LLC and Grandin and Litaker, LLC
<u>Location of subject property:</u>	161 Union St S
<u>Staff Report prepared by:</u>	Scott Sherrill, Sr. Planner

BACKGROUND:

- The subject property is site of a "Fill" structure and is located in the South Union Street Historic District. (Exhibit A)
- Date of construction: ca. 1945
- Two-story, brick apartment house containing four units. Building set far behind other buildings on street at bottom of steep slope.
- Applicant is seeking ex post facto approval for removal of laundry room, replacement and expansion of parking area, and addition of privacy fences.

DISCUSSION:

New owners acquired the property in June 2017 and made some alterations to the property. This case was initiated through code enforcement after a pair of violations were noted: installation of vinyl fence and the resurfacing of a portion of the driveway. Applicant volunteered that the laundry room had been removed also.

The applicant provides the following notes regarding rationales:

1. Removal of laundry room: This was a non-original, brick lean-to-type structure which was constructed on the south side of -and actually sharing a wall with- the property. The pulling away of this structure over the years exposed the ceiling to the sky and the elements. The exposure of the electrical outlets to rainwater was determined to be an imminent life and safety hazard. Upon closing we immediately put the room off limits to tenants, and promptly removed it.
2. Replacement and expansion of parking area: When we purchased the property it had a severely cracked, broken and unsightly concrete parking area. In inclement weather tenants were forced to step out of their cars into mud. We dug it up, removed it and replaced and expanded it with asphalt. It is attractive and sufficient for all tenants now. As the entire site is situated down-gradient from the street, little if any of this parking area is visible from the street (see pic);
3. Addition of privacy fences: We relocated the trash area to the side of the building and installed a white privacy fence to conceal it. We added another one on the opposite side of the building to aesthetically balance out the

building. Here again the site's down-gradient location, makes the [sic] for a very limited view of these fences from the street (see pic).

ATTACHMENTS

Exhibit A: National Register of Historic Places Inventory—Nomination Form

Exhibit B: Application for Certificate of Appropriateness

Exhibit C: Photographs

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS:

Chapter 5 – Section 9: Fences and Walls

Chain link, basket weave, plastic/vinyl, and split-rail fences are prohibited within the historic districts....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...

Where fences are desired in front yards and side yards at corner lots, the design should be primarily decorative in nature. Front yard fences should not exceed four feet in height. Wooden fences should be painted or stained white or a color matching the body or trim of the structure, including shutters, foundation color, etc.

Chapter 5 – Section 10: Driveways, Walkways and Parking

When new driveways are constructed, they should be separated from existing driveways by a grass strip, and should be narrow, since double width driveways are out of scale with the relatively small lots in the districts. Gravel and pavement are acceptable materials for driveways, as are some alternative materials such as cobblestone, brick, and pervious pavers.

Gravel may be appropriate in some instances for established commercial driveways and parking areas. The Zoning Ordinance dictates that some parking areas be paved; however, if the Historic Preservation Commission finds that gravel parking is more appropriate to the historic nature of the property, it can recommend to the Planning and Zoning commission that a waiver of the paving requirement be granted.

Design Guidelines and Recommendations:

- 1. Parking areas should not be the focal point of the property, and should be located in such a manner as to minimize their visibility from the street.*
- 3. Excessive expanses of paving should be avoided.*
- 4. Use vegetation screen or berms to reduce reflection and visual confusion. Within residential areas, integrate parking areas into landscaping and surface with the appropriate materials such as concrete, brick, crushed stone or gravel. In general, asphalt should only be used for areas not visible from the street; its use will be considered on a case by case basis by the Historic Preservation Commission.*

Chapter 5 – Section 13: Demolition

Demolition of any pivotal or contributing structure in any Historic District is undesirable. Historic Preservation Commission approval is required for any demolition.

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 Guidelines and act accordingly.
2. If approved, applicant(s) should be informed of the following:
 - City staff and Commission will make periodic on-site visits to ensure the project is completed as approved.
 - Completed project will be photographed to update the historic properties survey.

United States Department of the Interior
National Park Service

National Register of Historic Places
Inventory—Nomination Form

For NPS use only
received
date entered

Continuation sheet	Item number	Page
<u>Inventory List - South Union Street</u> <u>Historic District, Concord</u>	#7	27

Ralph E. Cline, the older brother of A. Campbell Cline (see inv. #32) was an official of Cannon Manufacturing Company.

56. House
163 S. Union St.
by 1906 (SM)
C

Somewhat unusual, two-story, frame, hip-roofed house with first and second story porches engaged under the house's main roofline. First story of house covered with lapped siding; second story with square-cut shingles. Under first story porch is slanted bay with latticed window sash. Centrally placed facade dormer over second story. House has full basement at rear due to steeply sloping site.

57. Apartments
165 S. Union St.
ca. 1945
F

Two-story, brick apartment house containing four units. Building set far behind other buildings on street at bottom of steep slope.

58. Southern Life Insurance
167 S. Union St.
ca. 1960
I

One-story brick office building with aluminum windows, corner parking lot.

59. House
179 S. Union St.
ca. 1925
F

Simple one-and-a-half-story frame bungalow with rebuilt porch.

60. House
183 S. Union St.
ca. 1910
F

Somewhat deteriorated, one-story frame cottage with high hip roof and

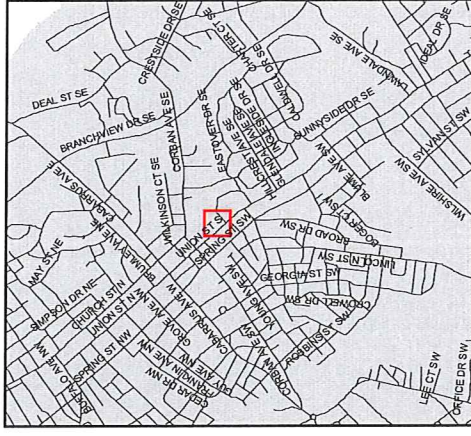
Exhibit A

H-12-18

Lantana Hill, LLC &
Grandin & Litaker, LLC

161 Union St S

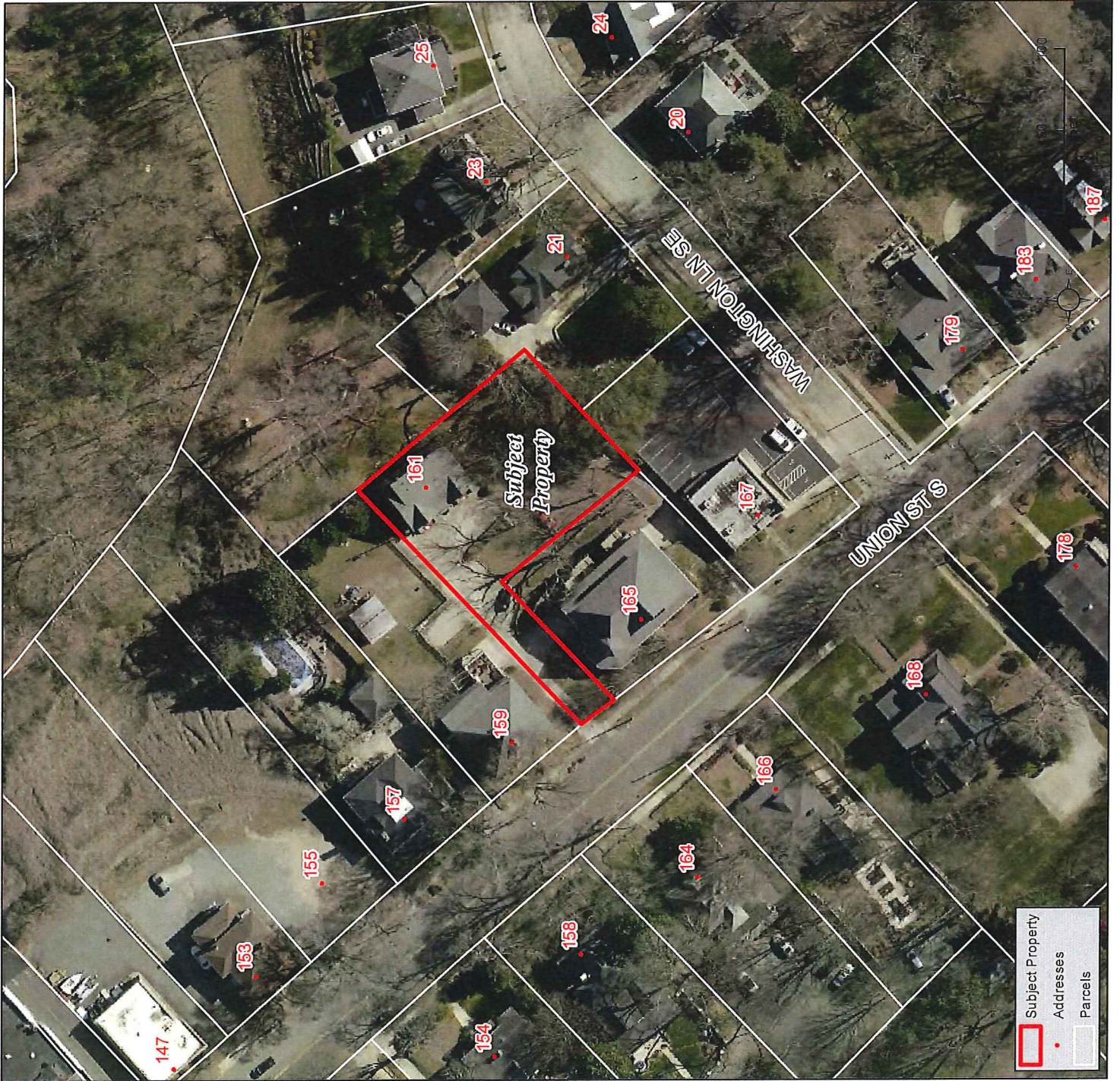
PIN: 5630-06-1869



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.



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: Lantana Hill LLC + Grenadin + Litaker LLC
Address: 424 Grenadin Rd
City: Charlotte State: NC Zip Code: 28208 Telephone: 415-602-4214

OWNER INFORMATION

Name: DWIGHT HORN + MICHAEL MASSETTE
Address: 424 Grenadin Rd
City: Charlotte State: NC Zip Code: 28208 Telephone: 415 602 4214

SUBJECT PROPERTY

Street Address: 161 Union St S, Concord, NC P.I.N. # 5630061869000
Area (acres or square feet): 16,117 Current Zoning: _____ Land Use: _____

**Staff Use
Only:**

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

The application fee is nonrefundable.

Exhibit B

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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: CERAMIC EXTERIOR IMPROVEMENTS
2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
A) Removal of laundry room,
b) Replacement + Expansion of parking area; +
c) Addition of Privacy Fences.

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.

4.24.2018
Date

[Signature]
Signature of Owner/Agent

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Scott Sherrill

From: Dwight Horn <dwighthorn@gmail.com>
Sent: Tuesday, April 24, 2018 11:46 AM
To: Scott Sherrill
Cc: michael massette; Mark Walters
Subject: COA App: 161 Union St S, Concord, NC
Attachments: COA App 2018-04-24.pdf

Good afternoon Scott.

You may recall having some discussions with me (re. environmental clearance letters) when we were in contract to purchase the above-captioned property. You were most helpful to us and we appreciated your assistance very much. Sadly our lack of awareness of the property's situation within and -governance by- a set of Historic District regulations has brought us back together.

After our purchase of the property we made some improvements to the exterior of the property without seeking a certificate of appropriateness from your department. We sincerely apologize for this oversight. It is always our intent to be good citizens, landlords and neighbors.

The exterior improvements we made to 161 Union St S, Concord are as follows...

1. Removal of laundry room: This was a non-original, brick lean-to-type structure which was constructed on the south side of -and actually sharing a wall with- the property. The pulling away of this structure over the years exposed the ceiling to the sky and the elements. The exposure of the electrical outlets to rainwater was determined to be an imminent life and safety hazard. Upon closing we immediately put the room off limits to tenants, and promptly removed it;
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Attached please find:

- Our duly executed Application for Certificate of Appropriateness;

- Photo of the subject property taken from the middle of Union Street. *Note the site's location down gradient from the street, which limits visibility of the property;* and
- Other various photos of the subject property.

Again we sincerely apologize for our oversight in not following the normal process. We appreciate your time and consideration -as well as any accommodation you may be able to extend to us- in seeing this matter through to a satisfactory conclusion.

Thank you!

-Dwight Horn

Lantana Hill LLC

m: 415-602-4214
dwight.horn@gmail.com





Sent from my iPhone

On Mon, Apr 9, 2018 at 3:57 PM, Scott Sherrill <sherrills@concordnc.gov> wrote:

Good afternoon, Dwight,

Thank you for reaching out this afternoon.

The application is available here:

<http://www.concordnc.gov/Portals/0/Documents/Planning/Applications/Application-Certificate%20of%20Appropriateness.pdf?ver=2018-01-23-141732-550>

The handbook is available here:

http://www.concordnc.gov/Portals/0/Documents/Planning/HistoricHandbook/Historic_Handbook_New.pdf

Please let me know as you have any additional questions—it would be good to include the other structural change you mentioned also, in addition to the fence and driveway.

Scott Sherrill

Senior Planner (Historic Preservation)

City of Concord

PO Box 308

[35 Cabarrus Avenue, W.](#)

[Concord, NC 28026](#)

[704-920-5136](#)

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 as such are subject to request and review by anyone at any time.



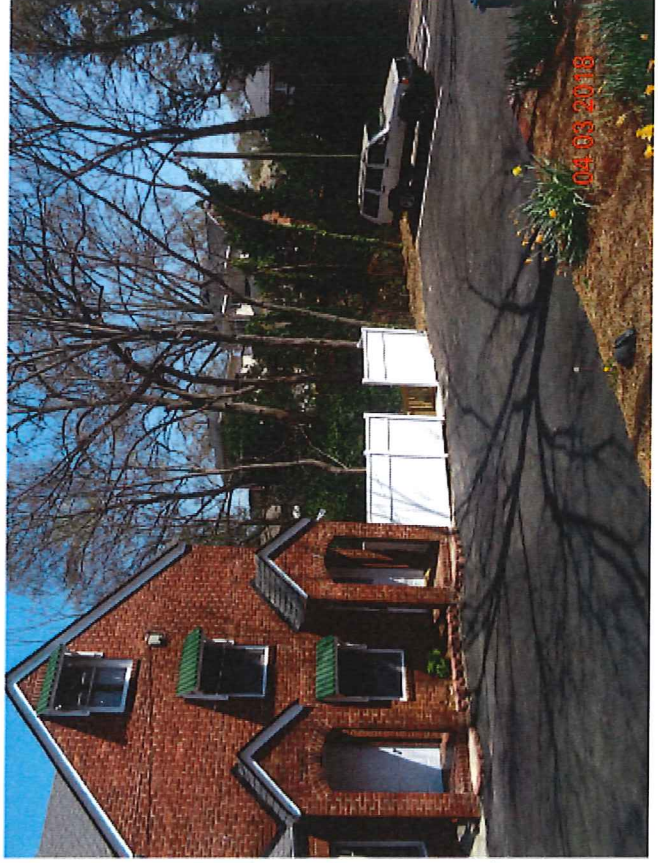
Applicant Photographs

12

Exhibit C

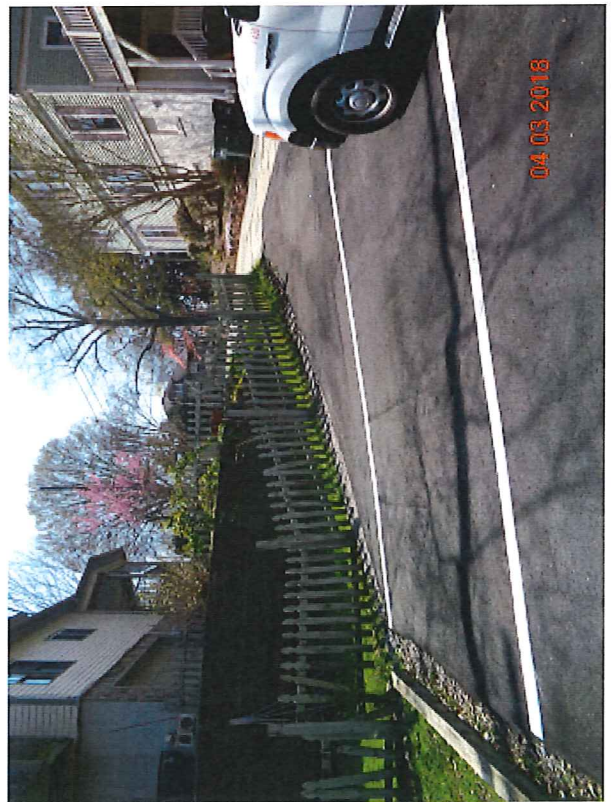


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Code Enforcement Photographs





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Inventory Photographs