

<u>DATE</u>	August 9, 2023
<u>SUBJECT</u>	
<u>Certificate of Appropriateness Request:</u>	H-16-23
<u>Applicant:</u>	John & Amy Treat
<u>Location of subject property:</u>	36 Georgia St. NW
<u>PIN:</u>	5620-77-5532
<u>Staff Report prepared by:</u>	Autumn C. James, Planning & Development Manager

BACKGROUND

- The subject property, 36 Georgia St. NW, is designated as a “Contributing” structure in the North Union Street Historic District (Exhibit A).
- “Late Victorian, L-shape, one-story cottage has projecting gabled bay at sound end of the façade. Gable exhibits a boxed cornice with decorative buttons alternating with panels. Door surround also features buttons found in cornice. Main gable roof has a small gabled dormer with ventilator. Both gables have three rows of saw-tooth shingles alternating with square cut-shingles. Full façade porch with square vernacular columns is unoriginal.(Exhibit A).

DISCUSSION

On June 6, 2023, John & Amy Treat, applied for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 for installation of an in-ground swimming pool (Exhibit B). As proposed, the pool will have a rectangular shape with dimensions to measure 32.50’ (length) and 15.0’ (width) with concrete decking and would be located in the rear yard. The depth of the pool will be 3.50’ at the shallow point, and increase to 5.0’ at the deepest point.

Staff has discussed the Concord Development Ordinance regulations with the applicant and the applicant has confirmed that the accessory structures do not occupy more than thirty-percent (30%) of the required rear yard and that the swimming pool shall be set back from all lot lines a distance of not less than five (5) feet. It is also noted from the applicant that their entire rear yard is surrounding by a protective fence of not less than four (4) feet in height. The right-side fence facing the rear yard is 5’ tall, the back brick wall is 7’ tall and the left side has an existing 4’ chain link fence with approximately 15’ plus of natural tree barrier. They have also recently installed an approved a 5’ driveway gate/fence and side area aluminum fence.

ATTACHMENTS

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: City of Concord Development Ordinance (CDO)
Exhibit F: Applicant Submitted Photographs

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS

Approval Requirement Needs Table: Miscellaneous

Any type of alteration of exterior features of a building, site, or environment which is not specifically listed require Commission Hearing and Approval.

Concord Development Ordinance Regulations:

Section 8.4.2 Accessory Uses - Location

A. Accessory structures shall be required meet the setback standards for accessory structures as set forth in Section 7.6.3 Dimensional and Density Standards. Accessory structures may be located within a setback yard for principal structures and shall be regulated in accordance with the standards below. No accessory structure shall be located less than 36 inches from the exterior wall of the principal structure. Structures that are located closer than 36 inches shall be considered as additions to the principal structure and shall conform to all applicable setbacks.

B. For residential lots not exceeding two (2) acres, detached accessory structures shall not be located in the front yard. Detached accessory structures may be built in the required rear yard but such accessory structures shall not occupy more than thirty (30%) percent of the required rear yard and shall not be closer than five feet to any side or rear lot line or setback line.

C. For residential lots exceeding two (2) acres, detached accessory structures may be located in the front yard but not closer than seventy-five feet (75') from the front property line/street right-of-way. Detached accessory structures may be closer than the distance specified above if they are not visible from a public street.

D. The location of permitted non-residential accessory structures shall be governed by the same dimensional regulations as set forth for the principal use structure(s).

E. Accessory structures on double frontage lots shall not be closer to either street than the required front yard setback.

Section 8.4.4 Swimming Pools

A private swimming pool along with incidental installations, such as pumps and filters, is permitted in any residential zoning district provided:

A. The swimming pool and incidental installations are located in a location other than the front yard.

B. If any pool contains at least four hundred fifty (450) square feet of water surface area or has a depth of thirty-six (36) inches or greater at its shallowest point, the pool shall be enclosed from adjoining lots by the Principal Building, and Accessory Building, a solid wall, or a protective fence of not less than four (4) feet in height. In the alternative, a pool cover shall be provided and shall be installed whenever the pool is not in use.

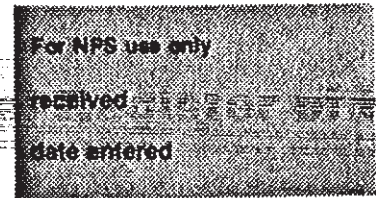
C. The swimming pool shall be set back from all lot lines a distance of not less than five (5) feet.

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



Continuation sheet

Item number

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Inventory List - North Union Street
Historic District, Concord

#7

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with decorative sawn work. Original Italianate front porch was replaced with Colonial Revival porch that extends two bays and is supported by Tuscan columns. Original foundation is of rock and house features a small rock cistern in back yard. Rear kitchen ell has side gable with boxed cornice. Fenestrations are two-over-two sash except for the transom window flanking the door. Northern porch was enclosed to form a sunroom with latticed sash bungalow windows. North side of house has projecting Queen Anne bay with stained glass. Chimneys have been replaced.

Pendleton Bernard Fetzer (1849-1912) was a native of Virginia and came to Cabarrus County after the Civil War. Fetzer became a leading cotton buyer by the 1870's and later formed a general merchandising firm with the Cannons.

- 184. House
59 Georgia Street, N.W.
1920
C

Two-story frame house with hipped dormer and ventilator. Second floor fenestrations are six-over-one. First floor features one pane window with transom. Front porch has molding and features open-paired posts.

- 185. House
68 Georgia Street, N.W.
ca. 1920
C

A typical frame, L-shape, one-story, cottage features a projecting northern bay with hip roof. latter has hipped dormer with ventilator. Side wing has gable roof with hipped dormer. Slanted entrance of the central bay has flat roof. Porch is covered with a flat roof and wraps-around slanted bay and has shingled balustrade with unusual tapered classical columns. Northern elevation also has dormer with hipped roof. Chimneys are unoriginal. Fenestrations are nice two-over-ones.

- 186. William Bingham
36 Georgia Street, N.W.
1912
C

United States Department of the Interior
National Park Service

National Register of Historic Places
Inventory—Nomination Form

For NPS use only
Received
Date entered

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Inventory List - North Union Street Historic District, Concord	#7	83

Late Victorian, L-shape, one-story cottage has projecting gabled bay at south end of the facade. Gable exhibits a boxed cornice with decorative buttons alternating with panels. Door surround also features buttons found in cornice. Main gable roof has a small gabled dormer with ventilator. Both gables have three rows of sawtooth-shingles alternating with square cut-shingles. Full facade porch with square vernacular columns is unoriginal.

William Bingham began his career as a shipping clerk at Gibson Drug Company and later became the store's pharmacist and Secretary-Treasurer of Gibson's Inc.

187. Mattie Query House
30 Georgia Street, N.W.
1912 (SM)
C

Two-story, frame, three-bay, folk-Victorian house has a high hip roof with two unoriginal interior chimneys. Fenestrations on both elevations are one-over-one sash. Plain window surrounds have thin, lintel moldings. Principal entrance has fluting alternating with raised panels with set buttons. Northern bay is projecting with windows on all three sides. Bay has gable roof with boxed cornice and ventilator. Full facade porch wraps around one bay on both north and south elevations. Porch features a plain balustrade with turned posts. Rear ell has one-story slanted bay with one window featuring diagonally latticed muntins.

188. House
24 Georgia Street, N.W.
ca. 1926
F

Heavily remodeled, one-story cottage has a side gable roof. Engaged porch features replaced square columns and paneled molding with dentils. Broken pediment directly above entrance. Principal door has heavy molded surrounds. Fenestrations include a flanking picture window and six-over-six sash.

189. A.W. Folkes House
21 Edgewood Avenue, N.E.
1922 (SM)
C

Lovely, one-and-a-half story, frame bungalow with gable front roof that has bracketed eaves. Three-bay facade features one-over-one sash windows



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: John & Amy Treat
Address: 36 Georgia Street NW
City: Concord State: NC Zip Code: 28025 Telephone: 949-394-1401

OWNER INFORMATION

Name: John & Amy Treat
Address: 36 Georgia Street NW
City: Concord State: NC Zip Code: 28025 Telephone: 949-394-1401

SUBJECT PROPERTY

Street Address: 36 Georgia Street NW P.I.N. # 5620-77-5532
Area (acres or square feet): 17,860 Current Zoning: RM-2 Land Use: Suburban Neighborhood
2,506 Living

**Staff Use
Only:**

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

The application fee is nonrefundable.

General Requirements

The Unified Development Ordinance imposes the following rules, regulations and requirements on requests for Certificates of Appropriateness. The applicant must, with reference to the attached plans, demonstrate how the proposed use satisfies these requirements:

1. Project or Type of Work to be Done: In ground swimming pool
2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
See attached pool proposal

Required Attachments/Submittals

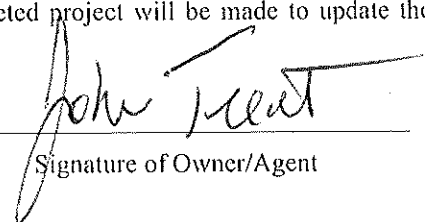
1. Scaled site plan, if additions or accessory structures are proposed, on letter, legal or ledger paper. Larger sized copies will be accepted. Digital copies are preferred.
2. Detailed written description of the project.
3. Photographs of site, project, or existing structures from a "before" perspective.
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.

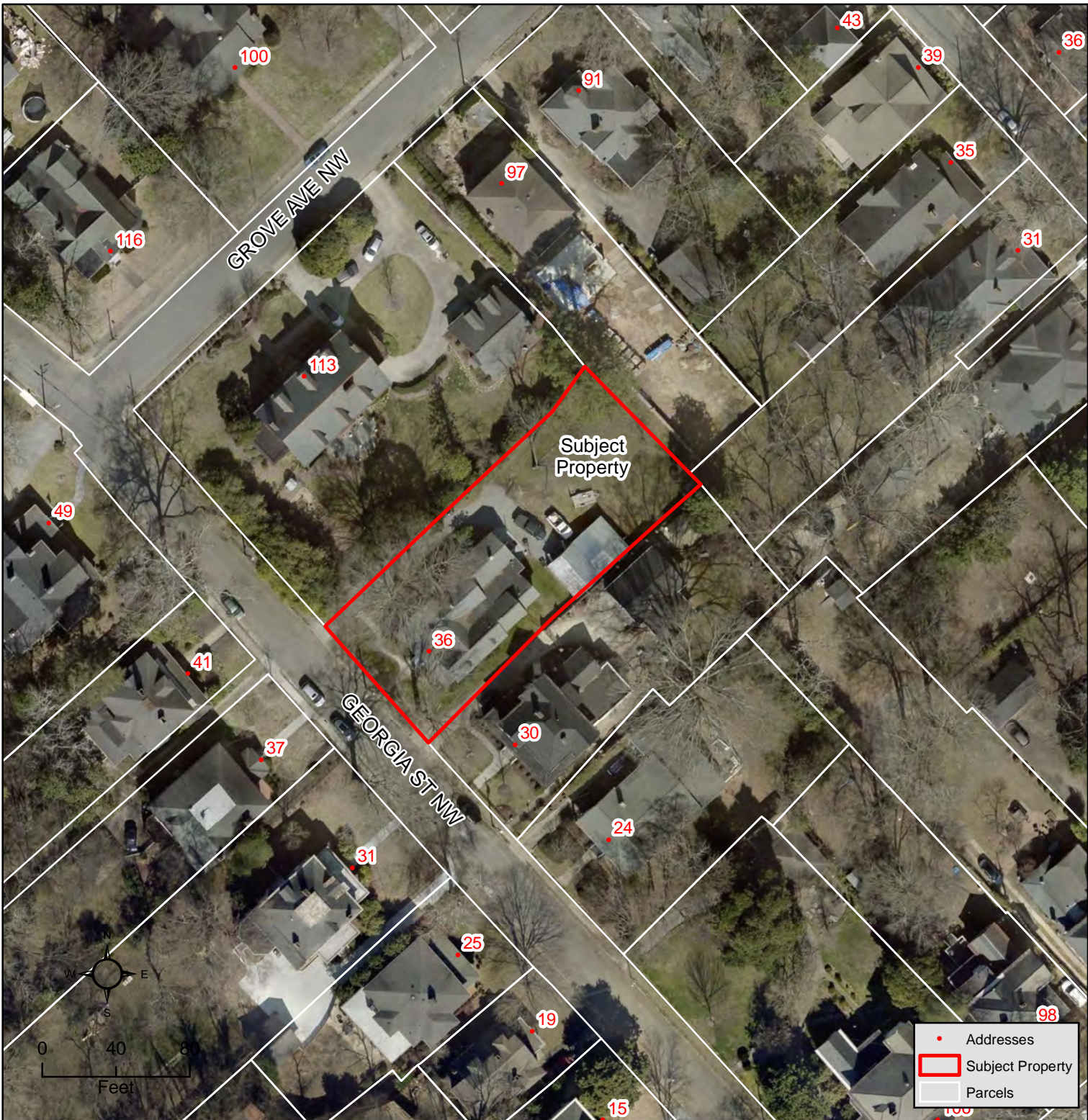
Certification

(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 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.

June 6, 2023

Date

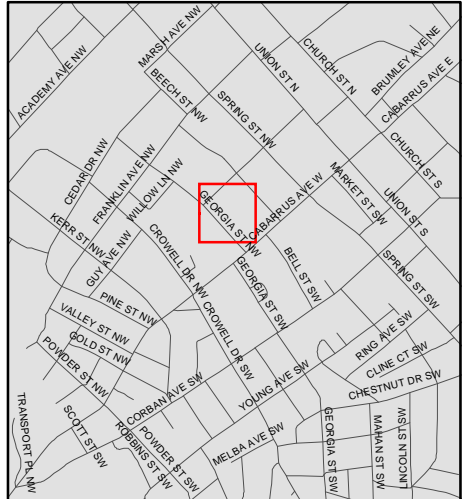

Signature of Owner/Agent



H-16-23

36 Georgia St NW

PIN: 5620-77-5532



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.

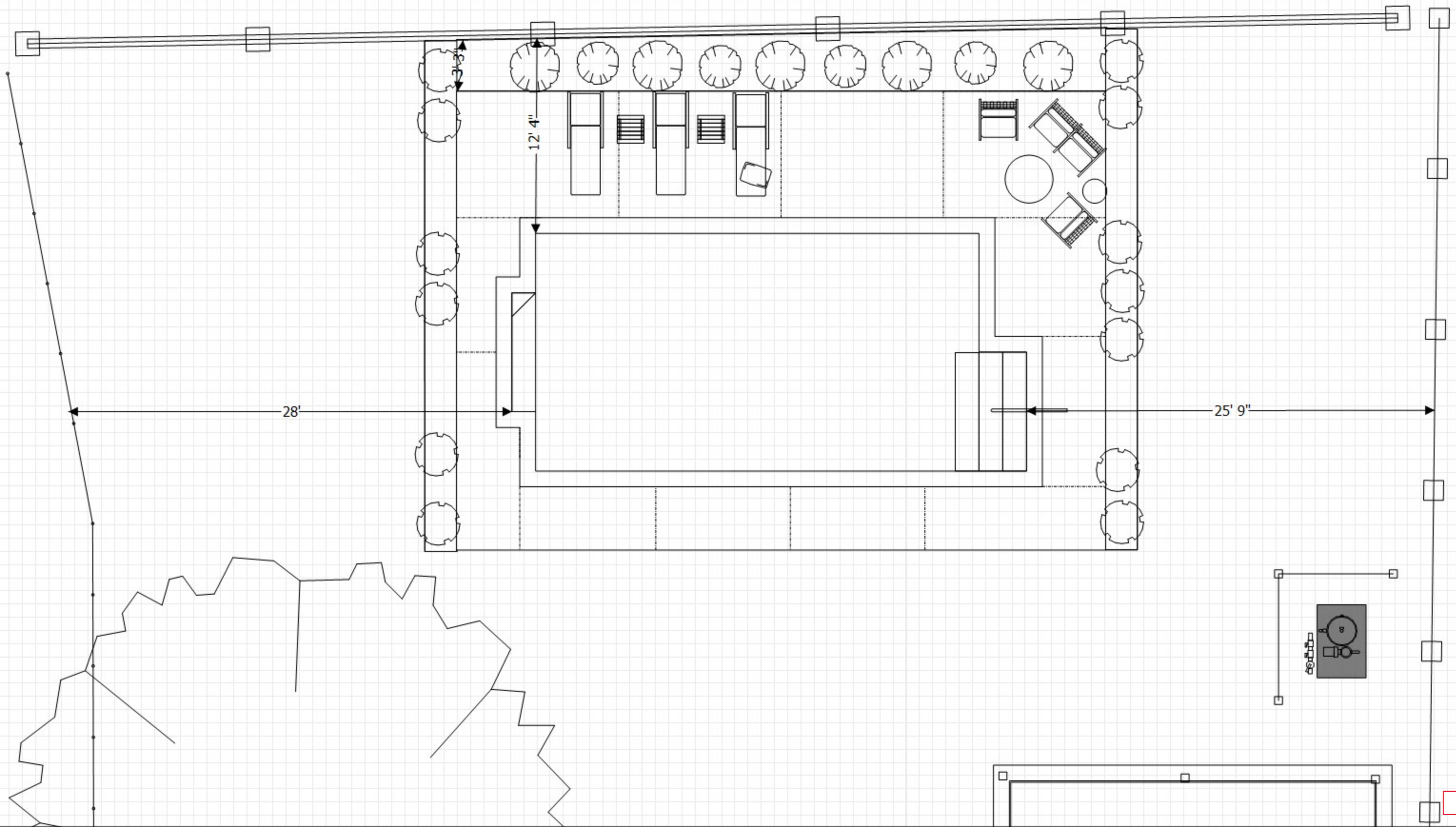


Exhibit D

- iii. As part of decommissioning, a removal plan that identifies all structures, components, and non-utility owned equipment that shall be removed;
- iv. As part of decommissioning, a plan for recycling or otherwise reusing all materials to the extent reasonably practicable;
- v. As part of decommissioning, a restoration plan to return the property to its condition prior to the installation of the SES or to some other condition reasonably appropriate for the designated land use after the SES is removed; and
- vi. A timeline to complete decommissioning.

8.4 Accessory Uses

8.4.1 PERMITTED ACCESSORY USES

A. The uses listed in Column A, below, shall be permitted by right (unless noted otherwise) in any of the zoning districts set forth in Column B, below:

(A) Accessory Use	(B) Zoning Districts
Accessory Dwellings (subject to § 8.3.3.C)	See Use Table (Section 8.1.8)
Adult Day Care Home (up to 6 residents)	All Residential Zoning Districts
Family Day Care Home (up to 12 children, including both customers and family members)	All Residential Zoning Districts
Garages or Carports (noncommercial)	All Zoning Districts
Greenhouses (noncommercial)	All Residential Zoning Districts
Home Occupations (subject to § 8.5)	All Residential Zoning Districts
Off-Street Parking and Driveways	All Zoning Districts
Wireless Telecommunications Antennas or Tower (subject to § 8.7)	All Zoning Districts
Other Telecommunication Antennas or Tower	See Use Table (Article 8)
Satellite Dishes	All Zoning Districts
Signs (see Article 12)	All Zoning Districts
Storage Buildings (Residential)	All Zoning Districts
Swimming Pools (subject to § 8.4.4)	All Residential Zoning Districts
Stables/Private (see § 8.3.2.A)	AG, RE, RL
Tennis Courts (subject to the provisions of this Section)	All Zoning Districts
Any other Building or Use customarily incidental to the permitted Primary Use or Building (subject to § 8.4.2)	All Zoning Districts

B. Establishment

Accessory buildings or uses shall not be constructed or established on a lot until construction of the principal building has commenced or the primary use is established, except as provided in section 8.8.3-D. Accessory buildings shall not be used for dwelling purposes, except as provided in section 8.3.3-C and 8.3.3.F.

8.4.2. LOCATION

A. Accessory structures shall be required meet the setback standards for

accessory structures as set forth in Section 7.6.3 Dimensional and Density Standards. Accessory structures may be located within a setback yard for principal structures and shall be regulated in accordance with the standards below. No accessory structure shall be located less than 36 inches from the exterior wall of the principal structure. Structures that are located closer than 36 inches shall be considered as additions to the principal structure and shall conform to all applicable setbacks.

- B. For residential lots not exceeding two (2) acres, detached accessory structures shall not be located in the front yard. Detached accessory structures may be built in the required rear yard but such accessory structures shall not occupy more than thirty (30%) percent of the required rear yard and shall not be closer than five feet to any side or rear lot line or setback line.
- C. For residential lots exceeding two (2) acres, detached accessory structures may be located in the front yard but not closer than seventy-five feet (75') from the front property line/street right-of-way. Detached accessory structures may be closer than the distance specified above if they are not visible from a public street.
- D. The location of permitted non-residential accessory structures shall be governed by the same dimensional regulations as set forth for the principal use structure(s).
- E. Accessory structures on double frontage lots shall not be closer to either street than the required front yard setback.

8.4.3. HEIGHT

- A. Accessory structures shall not exceed fifteen (15) feet in height, where the accessory structure complies with the minimum accessory structure setback as specified in Table 7.6.2.B. The accessory structure may be two stories in height if the accessory structure complies with the minimum principal structure setback as specified in Table 7.6.2.B.

8.4.4. SWIMMING POOLS

A private swimming pool along with incidental installations, such as pumps and filters, is permitted in any residential zoning district provided:

- A. The swimming pool and incidental installations are located in other than the front yard.
- B. If any pool contains at least four hundred fifty (450) square feet of water surface area or has a depth of thirty-six (36) inches or greater at its shallowest point, the pool shall be enclosed from adjoining lots by the Principal Building, an Accessory Building, a solid wall, or a protective fence of not less than four (4) feet in height. In the alternative, a pool cover shall be provided and shall be installed

whenever the pool is not in use.

- C. The swimming pool shall be set back from all lot lines a distance of not less than five (5) feet.

8.4.5. LIGHTING

Exterior lighting for accessory uses and/or structures shall be placed so as to not direct or reflect light upon adjoining land.

8.4.6. EXEMPTIONS TO ACCESSORY USE AND STRUCTURE REGULATIONS

- A. The following uses/structures shall be exempt from the provisions of this § 8.4:
 1. Fencing and walls;
 2. Mailboxes;
 3. Plant materials;
 4. Any structure or improvement, once installed, is at grade or less than 1 foot above grade.

8.1.7 ACCESSORY SOLAR FACILITIES

- A. **PURPOSES.** The purposes of this section are to:

- g. Meet the goals of the Comprehensive Plan and preserve the health, safety and welfare of the Community's citizens by promoting the safe, effective and efficient use of active solar energy systems.
- h. Encourage the use of local renewable energy resources, including appropriate applications for solar energy.
- i. Promote sustainable building design and management practices in residential, commercial, and industrial buildings to serve the needs of current and future generations.
- j. Assist local businesses to lower financial and regulatory risks and improve their economic, community, and environmental sustainability.
- k. Efficiently invest in and manage public infrastructure systems to support development and growth.
- l. Reduce dependence on nonrenewable energy resources and decrease the air and water pollution that results from the use of conventional energy sources.
- m. Enhance the reliability and power quality of the power grid and make more efficient use of Concord's electric distribution infrastructure.
- n. Diversify the community's energy supply portfolio and exposure to fiscal risks associated with fossil fuels.



Smart Choice Library

Exhibit F







Smart Deck Library