

DATE: September 13, 2023

SUBJECT:

Certificate of Appropriateness Request: H-20-23
Applicants: Blanca Lynch & Kevin Murphy, Jr.
Location of Subject Property: 43 Franklin Avenue NW
PIN: 5620-78-5810
Staff Report Prepared by: Kim Wallis, Senior Planner

BACKGROUND

- The subject property at 43 Franklin Avenue NW is designated as a “Contributing” structure in the North Union Street Historic District (ca. 1895) (Exhibit A).
- “One-story, frame house with high hip roof and façade composed of two projecting gables. Gables also project from both sides of house. All four gables have cut-out ventilators. House has full façade porch with turned posts and balustrade. Two tall interior chimneys provide four fireplaces for this center hall, double-pile house.” (Exhibit A).
- Applicants’ requested modification: “ex post facto” (after-the-fact) approval of the installation of a small section of fence and a driveway gate (Exhibit B).

DISCUSSION

On August 11, 2023 Blanca Lynch and Kevin Murphy applied for an “ex post facto” Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 requesting after-the-fact approval of the installation of wood fencing and a driveway gate (Exhibit B). The applicant states that the fence and gate are handmade and that their design plays off of the original Victorian era home with a slightly modern perspective while also allowing it to flow nicely.

- **Fence:**
 - The fence section is to the left side of the house, between the side window and the beginning of the driveway and is located behind a landscaping bed. It is a vertical post and slat system made of paint grade pressure treated pine wood and painted a cream color from Sherwin Williams’ exterior paint line, to match the trim color on the home. The fence section measures 50.75 inches wide and 6 feet tall with the fence slats 5.5 inches wide with 1.5 inch spacing between each slat (Exhibit D).
- **Driveway gate:**
 - The gate is to the left of the small fence section, spanning the width of the driveway and was designed with a French inspired curvature and a simplistic yet elegant slat system that is a mirror image when opening. The gate is made of paint grade pressure treated pine wood and painted a khaki green gray from Sherwin Williams’ exterior paint line, to match the house siding color. It measures a total of 91 inches (7 ½ feet) wide, and 61.25 inches (5.1 feet) tall at the lowest point, 66 inches (5½ feet) tall at the highest point, has two (2) wheels installed on the bottom of either side of the gate to support the interior weight and a wrought iron driveway latch. (Exhibit D).
- **Fence and gate posts:**
 - There are three (3) fence posts including two fence posts on either side of the gate and one against the house measuring 79.75 inches (6.64 feet) high and painted a cream color from Sherwin Williams’ exterior paint line to match the trim color on the home (Exhibit D).

ATTACHMENTS

Exhibit A: National Register of Historic Places Inventory

Exhibit B: Certificate of Appropriateness Application

Exhibit C: Subject Property Map

Exhibit D: Applicant Submitted Photographs and Information

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS

Approval Requirement Needs Table: Fencing and Gates

- *All types of fencing and gates require Commission Hearing and Approval.*

Chapter 5 – Section 9: Fences and Walls

- *Fences should be compatible with most structures in the district.*
- *The style of fence should respond to the historic nature of the property. All wooden fences should be “stick-built” on site.*
- *Wooden fences visible from the street and/or wooden fences in front yards and side yards of corner lots are required to be painted or stained white or a color matching the body or trim of the structure, including shutters, foundation color, etc.*
- *Privacy fences encompassing an area of no more than 250 square feet may be allowed at the discretion of the Commission when adjacent to the applicant's house, garage, or other outbuilding in order to screen from view trash cans, mechanical equipment, cars or other unsightly items, provided such fence does not unreasonably impact any neighbor by blocking windows or the like.*
- *Privacy fences allowed by the Commission should be landscaped where practical with appropriate shrubbery to soften the appearance of the fence.*

Design Standards: Fences and Walls

1. *Use materials such as natural stone, brick, wood, powder coated aluminum and iron.*
2. *Chain link or plastic materials are prohibited.*
3. *Materials and style should coordinate with building and neighborhood buildings as well as other walls and fences in the area.*

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 - North Union Street</u> <u>Historic District, Concord</u>	#7	47

J. Lee Crowell was a prominent attorney who numbered James William Cannon among his clients and who served three terms as Mayor of Concord.

80. Caldwell House
63 Franklin Avenue, N.W.
ca. 1905
C

Two-story, frame house combining Queen Anne and Colonial Revival style elements. Two-story, gable roofed bay projects forward of main hip-roofed block of house. Bay has cut-away corners trimmed with large, scroll-like brackets. Wrap-around porch has retaining wall clad in shingles and Tuscan columns.

81. Mabry House
49 Franklin Avenue, N.W.
ca. 1900
C

One-story, frame, cottage combining Queen Anne and Colonial Revival elements. Facade facing Franklin Avenue is asymmetrically composed with projecting gable clad in shingles and hip-roofed dormer piercing main hip roof. Porch has paired Tuscan columns (grouped in threes at the corners) and balustrade. West side of house is prominent because the house is placed close to Spring Street; its most prominent feature is a slanted bay window whose cut-away corners are trimmed with scroll-like brackets and whose gable is also shingled. This gable is echoed by a smaller one with the same materials near the rear of the house.

82. House
43 Franklin Avenue, N.W.
ca. 1895
C

One-story, frame house with high hip roof and facade composed of two projecting gables. Gables also project from both sides of house. All four gables have cut-out ventilators. House has full facade porch with turned posts and balustrade. Two tall interior chimneys provide four fireplaces for this center hall, double-pile house.

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: Ex Post Facto Request for a fence/gate on our property

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

Handmade by a custom trim carpenter the raw materials of the design consist of paint grade pressure treated pine, screws, wood glue, an interior wrought iron latch, wheels to support the interior weight of the driveway gate portion, and also two custom color blends of exterior grade super paint from sherwin williams exterior paint line. Painted a khacki green gray and cream color this designs color pallet was made to identically match the siding and trim colors on the home. The gate was craftfully designed with a french insipred curvature and a simplistic yet elegant slat system that is a mirror image when opening. However, the fence portion is a bit more simplistic with a vertical post and slat system. There is a post every 7 slats with the exception of the post and slat to tge left of the gate where it meets the edge of our property line. Both areas of the design play off of the original victorian era home with a slightly modern perspective while also allowing it to flow nicely. The modern victorian design aids in a cohesive transition that can last the test of time. Below I have noted the dimensions of each area of the fence and driveway gate and can also provide a photo of the dimensions in each area of the gate for reference as well as perspective regarding how the end result looks alongside the property.

• Post: _____

• Fence Slats: _____

• Highest portion of Driveway Gate: _____

• Lowest portion of Driveway Gate: _____

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: 8/11/23

Signature of Owner/Agent:

X:  (BLANCA LYNCH)

x: Angelica de Santa Ana

x: [Signature]

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.

Staff Use Only: Application Received by: Date: , 20 _ Fee: \$20.00 Received by: Date: , 20 _ *The application fee is nonrefundable.*

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

APPLICANT INFORMATION

Name: Blanca Lynch & Kevin Murphy Jr

Address: 43 Franklin Avenue NW

City: Concord State: North Carolina Zip Code: 28025

Telephone: 980-395-7707

OWNER INFORMATION

Name: Timothy Lynch, Angelica De Santa Ana, & Blanca Lynch

Address: 5333 Bradenbury Ct (Tim/Angelica) & 43 Franklin Avenue Nw (Blanca)

City: Charlotte (Tim/Angelica) & Concord (Blanca)

State: North Carolina (Tim, Angelica, & Blanca)

Zip Code: 28215 (Tim/Angelica) & 28025 (Blanca)

Telephone: 704-200-5295 (Tim), 704-200-5386 (Angelica), 980-395-7707 (Blanca)

SUBJECT PROPERTY

Street Address: 43 Franklin Avenue NW, Concord, NC 28025

P.I.N. # 56207858100000 (Parcel #)

Area (acres or square feet): 8,712 sqft (lot size)

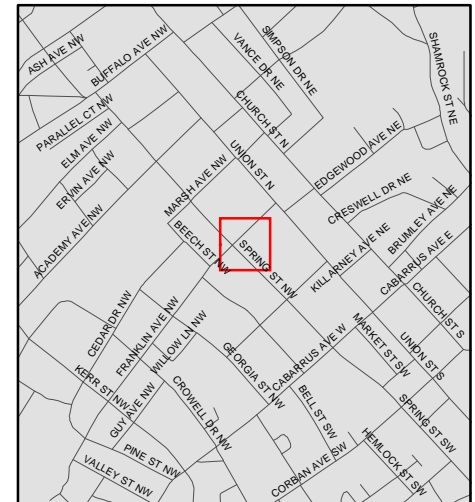
Current Zoning: RM-1 (RESIDENTIAL)

Land Use: RM-1 (RESIDENTIAL)

H-20-23

43 Franklin Ave NW

PIN: 5620-78-5810



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 C



EXHIBIT D



7932
74

6146
6

72"

Add tag



45"

91"

Add tag



1 1/2"

1 1/2"

1 1/2"

1 1/2"

1 1/2"



57 $\frac{3}{4}$

50 $\frac{3}{4}$



Title

Posts 79 3/4, fence pickets 6 ft, slats 5.5" wide, 1 1/2" spacing,

gate 66 inches highest, 61 1/4 lowest, 91" total span 45" wide each



< lowest lowest-priced ...

1 2 3 4 5 6 7 8 9 0

q w e r t y u i o p

a s d f g h j k l

↑ z x c v b n m ↵

!#1 , < English (US) > . ↵

