

DATE: October 12, 2022

SUBJECT:

<u>Certificate of Appropriateness Request:</u>	H-22-22
<u>Applicants:</u>	Mark and Marcia Lewis
<u>Location of Subject Property:</u>	356 Union St S
<u>PIN:</u>	5630-14-3640
<u>Staff Report Prepared by:</u>	Brad Lagano, Senior Planner

BACKGROUND

- The subject property at 356 Union St S is designated as a “Fill” structure in the South Union Street Historic District (ca. 1970) (Exhibit A).
- “One-story brick ranch-style residence” (Exhibit A).
- Fill structures are those properties which were constructed on single or scattered site undeveloped lots in established neighborhoods, after the period of significance of the more important structures, but prior to official establishment of the District.
- Applicants’ requested modification: replace an existing 4.0’ tall wooden rear yard fence and gate with a new 6.0’ tall wooden shadow box fence and gate (Exhibit B).

DISCUSSION

On August 31, 2022, Mark and Marcia Lewis applied for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 to replace an existing 4.0’ tall wooden rear yard fence and gate with a new 6.0’ tall wooden shadow box fence and gate (Exhibit B).

The existing 4.0’ tall wooden rear yard fence and gate extends approximately 33.0’ from the rear of the house to the brick wall running along the rear property line and runs parallel to Tribune Ave SW. There is angled mesh screening on the top of the existing fence and gate to prevent the applicants’ cats from climbing over. The existing gate dimensions are approximately 4.0’ tall by 4.0’ wide.

The proposed 6.0’ tall wooden dog-ear shadow box style fence will be built on site and stained a medium brown on both sides. It will mirror the existing fence’s approximate 33.0’ length and connect to the existing brick wall running along the rear property line. An approximately 6.0’ by 4.0’ wide gate will serve as the entry point. The new fence will be moved closer to the road by less than 1.0’ to provide additional space between the new fence and existing planter for easier access around the latter.

The existing landscaping in front of the existing fence will be retained to help hide the majority of the new fence and gate from view along Tribune Ave SW.

ATTACHMENTS

- Exhibit A: National Register of Historic Places Inventory
- Exhibit B: Certificate of Appropriateness Application
- Exhibit C: Subject Property Map
- Exhibit D: Photos of Existing Rear Yard Fence and Gate
- Exhibit E: Property Survey
- Exhibit F: Proposed Site Sketch
- Exhibit G: Proposed Fence and Gate Specification Sheet and SOW

HISTORIC HANDBOOK DESIGN RECOMMENDATIONS

Approval Requirement Needs Table: Fencing and Gates

- *Replacing or repair of existing with alternate materials and all other types of fencing and gates require Commission Hearing and Approval.*

Chapter 5 – Section 9: Fences and Walls

- *Chain link, basket weave, plastic/vinyl, and split-rail fences are prohibited within the historic districts.*
- *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 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.*
- *Painting or staining is recommended, but not required, for rear yard fences unless they are visible from the street.*
- *Rear yard fences are defined as fences which do not extend forward on the applicant’s property beyond the side centerline of the house in plain view. Approval of the location may also be handled on a case-by-case basis to determine the best natural break in the rear and front yards for placement of fences.*
- *Rear yard fences may be higher than four (4) feet.*
- *The portions of rear yard fences that face the street should be landscaped with shrubs and trees of a planting size that will fully hide the fence from the street within two (2) years.*
- *All proposed fences and walls should not negatively affect existing trees and mature landscaping.*
- *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.



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: MARK & MARCIA LEWIS
Address: 356 Union Street S
City: Concord State: NC Zip Code: 28025 Telephone: 610 248 0189
Email: mlewis7789@gmail.com

OWNER INFORMATION

Name: Mark & MARCIA LEWIS
Address: 356 Union Street S
City: Concord State: NC Zip Code: 28025 Telephone: 610 248 0189
Email: mlewis7789@gmail.com

SUBJECT PROPERTY

Street Address: 356 Union Street S P.I.N. # 56301436400000
Area (acres or square feet): 32 AC Current Zoning: RM-2 Land Use: 0/00

Staff Use Only:	
Application Received by: _____	Date: _____, 20____
Fee: \$20.00 Received by: _____	Date: _____, 20____
<i>The application fee is nonrefundable.</i>	

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

H-22-22 EXHIBIT B



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:

- Project or Type of Work to be Done: Partial backyard fence replacement
- Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):
Remove and replace 34" with gate 48" high wood picket fence with 34' with gate by 72" high wood "shadow box" type fence. See details attached

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 if **16 folded copies** are submitted for distribution.
- A photograph of the front of the house.
- 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.
- Samples of windows, doors, brick, siding, etc., may be submitted with application.
- 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.

8/31/2022 ^{MEP}

Date
10/4/2022

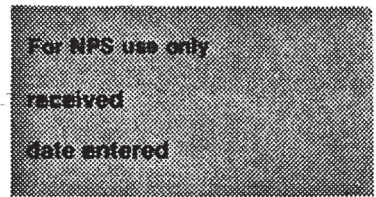
MEP

Signature of Owner/Agent

Please note - application was amended on 10/4/22 to include applicant's signature

**United States Department of the Interior
National Park Service**

**National Register of Historic Places
Inventory—Nomination Form**



Continuation sheet	Item number	Page
<u>Inventory List - South Union Street Historic District, Concord</u>	#7	12

13. House
374 S. Union St.
ca. 1905
F

Somewhat altered, one-and-a-half story, double-pile of frame construction similar in form to #12. At an undetermined date, probably during the 1920-1940 period, the attic was converted to living space and dormers were installed on the front and side elevations of the house. The gable-roofed facade dormer has tall casement windows that detract from the character of the house. The hip-roofed dormer on the south (left) elevation has 3/1 bungalow sash windows that suggest the date of the attic's conversion.

14. House
368 S. Union St.
ca. 1905
C

One-story, double-pile, frame cottage with a high, nearly pyramidal hip roof. This house resembles inv. #5, 12 and 13, but retains more of its original Queen Anne style trim. Remaining details include sawn ornament in the projecting gable of the south (left) facade bay, and the chamfered posts with decorative brackets that support the full-facade porch.

15. House
362 S. Union St.
ca. 1905
C

One-story, double-pile cottage nearly identical to inv. #14; only significant difference is that porch wraps around to shelter one bay of north (right) elevation. This may well have been the original configuration of the porch at 368 S. Union St.

16. House
356 S. Union St.
ca. 1970
F

One-story brick ranch-style residence.



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5. Samples of windows, doors, brick, siding, etc., may be submitted with application.
6. Detailed list of materials that will be used to complete the project.

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8/31/2022
 Date

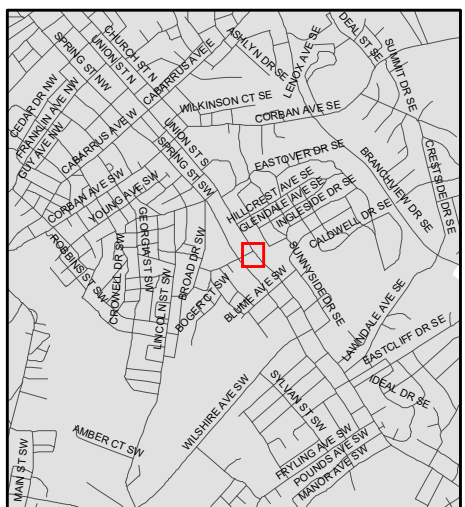
 Signature of Owner/Agent



H-22-22

356 Union St S

PIN: 5630-14-3640



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.

H-22-22 EXHIBIT C

H-22-22 Existing Rear Yard Fence and Gate



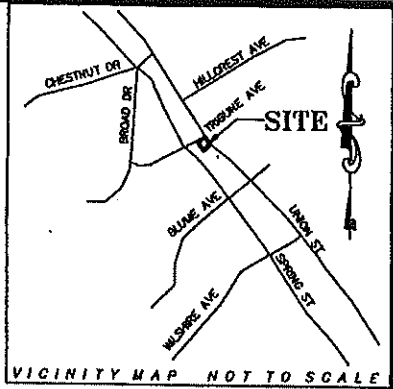
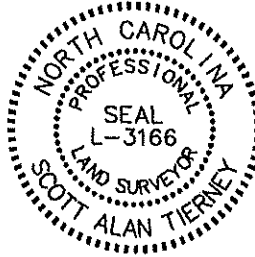




North Carolina

I, SCOTT ALAN TIERNEY, certify that this plat was drawn under my supervision from an actual survey made under my supervision and this map and the survey upon which it is based conform to the standards of practice for land surveying in North Carolina (section .1600 of board rules).

Scott Alan Tierney
SCOTT ALAN TIERNEY REGISTRATION No. L-3166

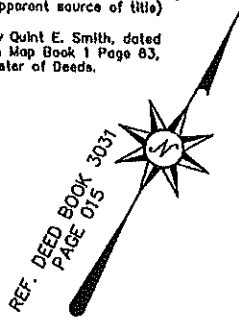


NOTES:

1. This map was prepared from a field survey performed on November 27, 2019, the basis of bearings in field tie to found monumentation on per survey reference number 1.
2. All distances shown are surface horizontal distances unless otherwise noted.
3. This map was prepared without benefit of title report or opinion and does not purport to show all matters of record of which the surveyor has no knowledge.
4. Subject tract is Cabarrus County tax parcel 5630-14-3840.

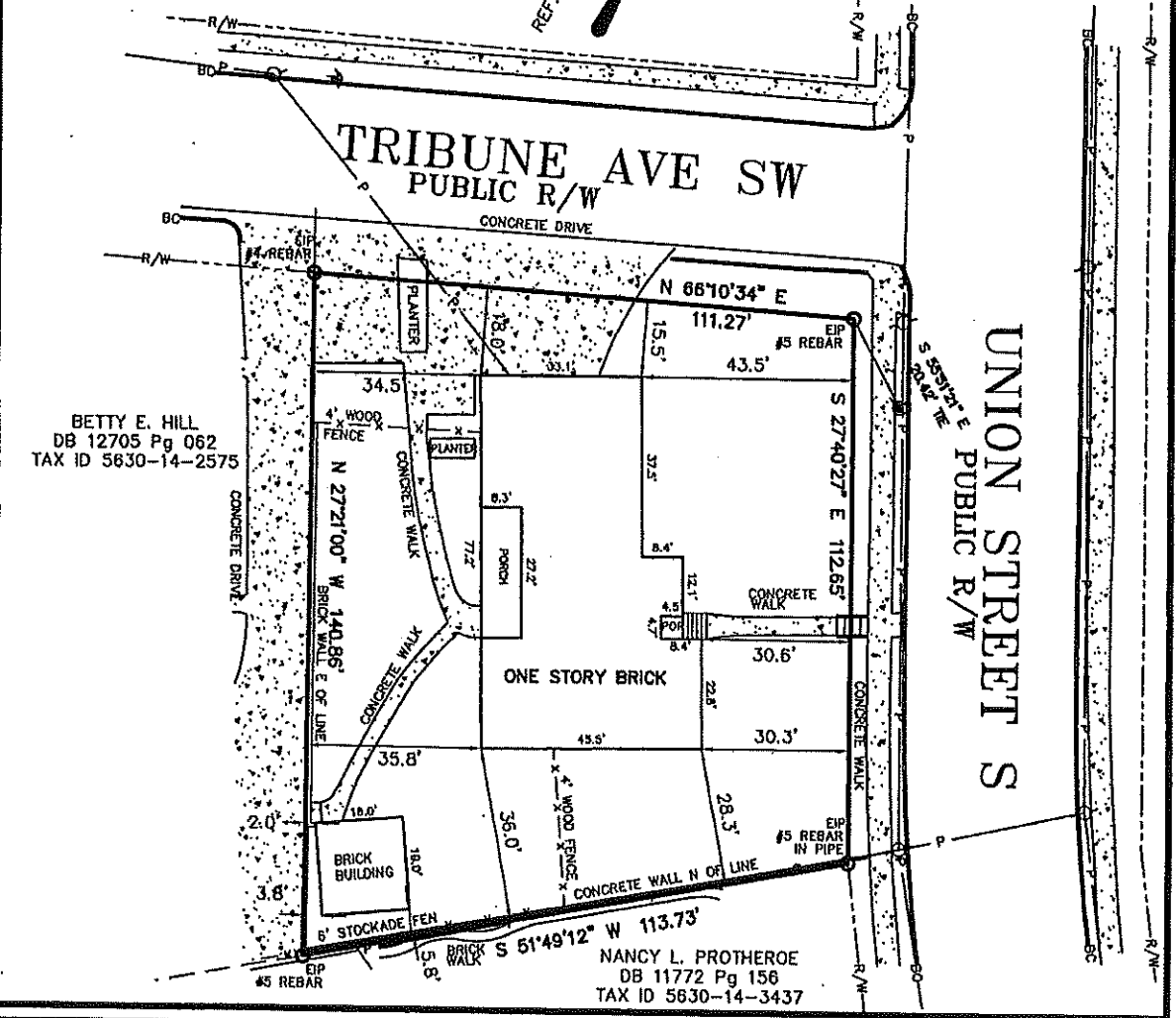
REFERENCES:

1. Deed Book 3031, Page 015, Cabarrus County Register of Deeds. (opponent source of title)
2. Plat: "Fairview", by Quint E. Smith, dated 1901, and recorded in Map Book 1 Page 83, Cabarrus County Register of Deeds.



Legend

- EIP Existing Iron Pin (Found)
- NCM New Chisel Mark (Set)
- Computed Point
- Properly Line Surveyed
- - - Line Not Surveyed
- - - Right of Way
- - - Existing PK Nail
- - - Back of Curb
- - - Edge of Pavement
- - - Overhead Power
- - - Power Pole
- - - Guy Wire
- - - Fire Hydrant
- - - Fence Line



BETTY E. HILL
DB 12705 Pg 062
TAX ID 5630-14-2575

NANCY L. PROTHEROE
DB 11772 Pg 156
TAX ID 5630-14-3437

PHYSICAL SURVEY
FOR
**MARK LEWIS & wf.
MARCIA LEWIS**

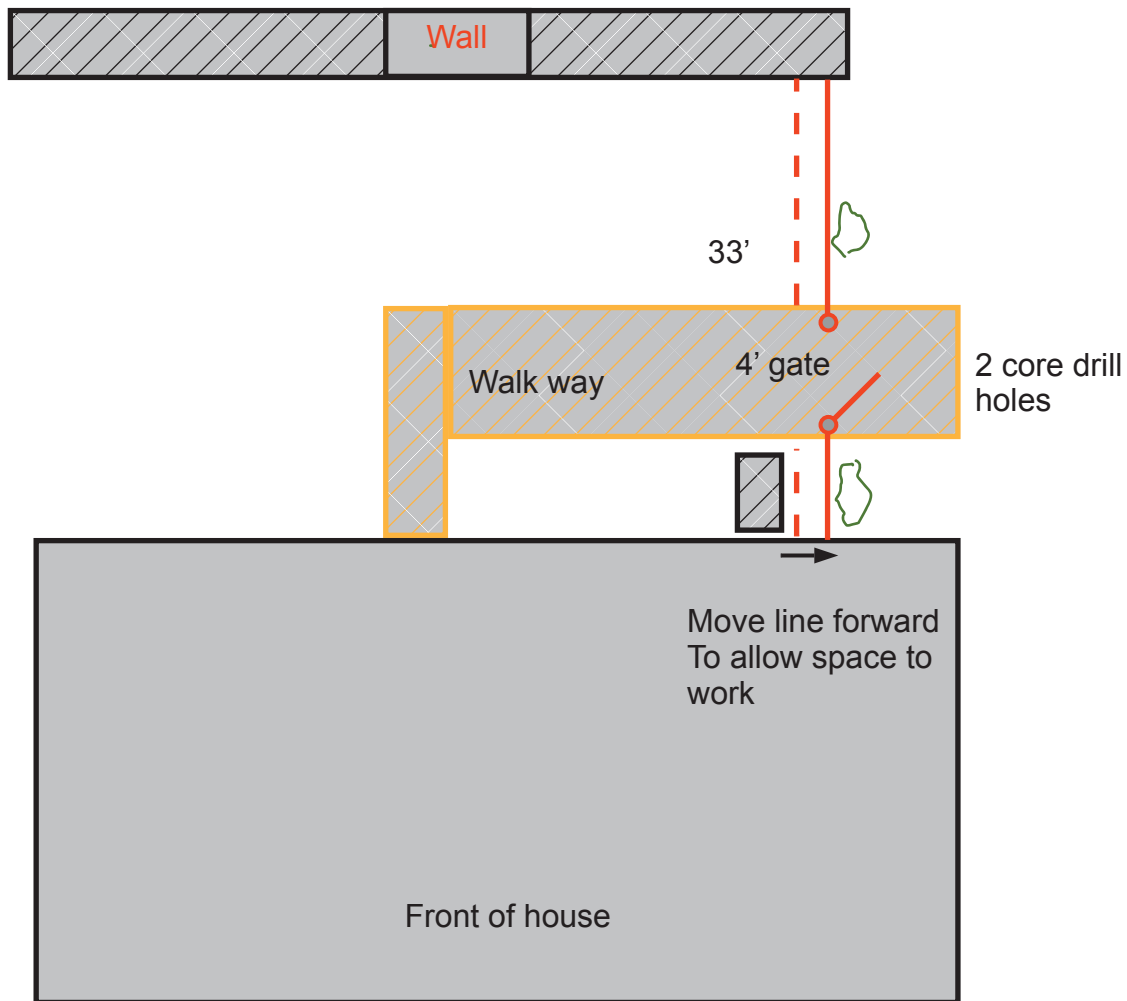
PART OF LOTS 1 AND 2 "FAIRVIEW"
MAP BOOK 1 PAGE 83
356 UNION STREET SOUTH
CITY OF CONCORD, NUMBER TWELVE TOWNSHIP
CABARRUS COUNTY, NORTH CAROLINA

14,121 Square Feet
0.324 Acres

AS RECORDED IN DEED BOOK 3031 PAGE 015
CABARRUS COUNTY REGISTRY

SURVEY BY:
SCOTT A. TIERNEY, PLS
2740 FOWLER ROAD
CONCORD, NC 28025
(704) 793-1697
TAX ID 5630-14-3840
DEED BOOK 3031 PAGE 015
DATE: DECEMBER 2, 2019
SCALE: 1" = 30'
CADD FILE: 256-UNION.DWG

H-22-22 Proposed Site Sketch





7427 Matthews Mint Hill Road
 Suite 105 PMB 365
 Mint Hill, NC 28227
 704-569-3445
 www.championfenceinc.com

"fencepros of the Carolinas" – Proposal

Date: 08/26/22 (quote good for 30 days)
 Customer: Mark Lewis
 Address: 356 Union St South
 City: Concord State: NC Zip: 28025
 Subdivision: _____ County: Cabarrus
 Phone: 1 610-248-0189 2
 Email: mlewis7789@gmail.com

Option 1

Installation of 33' of 6' tall wood dog ear shadowbox
 1 single gate @ 4' wide
 2 core drill holes in concrete
 (will have to remove brick paver for coredrilling)

A. _____ B. _____
 Total (\$): 1827.00 Total (\$): _____

Option 2

Stain and seal of fencing in option 1 or 2 (both sides)
 Enjoy a 5% discount on these services when booked together!

A. _____ B. _____
 Total (\$): 750.00 Total (\$): _____

Option 3

Remove and haul away 33' of existing wood fence

A. _____ B. _____
 Total (\$): 132.00 Total (\$): _____

This is for a straight line only. If the fence line changes then price may go up due to needing more posts and 2x4s



REVISED

4:36 pm, Aug 29, 2022

- *all posts set in concrete
- *pressure treated pine
- *stick built on site
- *we do not paint - ask about our stain & seal



This quote was compiled using:

- *Customer Specs/ *Survey/ *Satellite Technology
- Upon scheduling, a supervisor may visit your job site to confirm measurements.
- Additional charges that may apply:
- *Removal/*Haul away of existing fence
- *Clearing for fence line/*Core drilling/*Sloped Gate

Notes / Directions

Customer to check with historical society
 Do not install until confirmed
 Customer to trim bushes back and tie back flowers

Bk to start crew ***

A 50% DEPOSIT IS REQUIRED TO SCHEDULE ALL JOBS. FINAL PAYMENT IS DUE UPON DAY OF COMPLETION. When paying with check or cash, the customer shall make arrangements to be on site to pay the crew for the balance due when finished. When paying with credit card, the card on file will be charged for the balance when the crew is finished. Champion Fence provides a LIFETIME warranty on workmanship. CF provides LIFETIME residential gate adjustments for FREE, commercial/community gates not included. CF does not warranty any materials. All wood products are treated for outdoor conditions. CF guarantees that wood will always split, crack, fade, shrink, and warp. Therefore, CF is not responsible for splitting, cracking, fading, shrinking or warping of wood. CF is not responsible financially or otherwise for any damage done to phone lines, tv cable lines, gas lines, electrical lines, water lines, irrigation systems, or invisible fence lines. The customer assumes full responsibility for the location of the fence. CF is not in any way liable for compensation due to the re-scheduling of your installation date. The customer will be assessed a 20% penalty for cancellation of the job once materials are ordered.

Customer Signature

Carissa York
 Contractor Signature

By signing and/or paying in full, the customer agrees to all parts of this contract.
 Payment method: Cash, Check, or Credit Card

FX/EM QB S
H-22-22 EXHIBIT G