

**DATE:**

March 8, 2023

**SUBJECT:**

<u>Certificate of Appropriateness Request:</u>	H-26-22
<u>Applicant:</u>	Zac Moretz
<u>Location of Subject Property:</u>	56 Cabarrus Ave. West
<u>PIN:</u>	5620-87-1679
<u>Staff Report Prepared by:</u>	Autumn C. James, Senior Planner

**BACKGROUND**

- The subject property at 56 Cabarrus Ave W is designated as a “Pivotal” structure in the North Union Street Historic District (Exhibit A).
- “Two-and-a-half story, frame, double-pile residence with mansard roof combines idioms of the Italianate and the Second Empire. House is similar to John Milton Odell's home (#2). Interior and exterior are exceptionally rich in detail. Projecting center bay of facade features a paneled door with architrave and deeply recessed sidelights and transom. Central portion of the porch also projects. The porch is supported by square posts that rise from molded, paneled pedestals to a paneled frieze and long, sawn brackets with pendant drops. The paired, segmental arched windows of the first and second floors are trimmed with molded surrounds and bracketed hoods. Below second story cornice rests a stylish frieze that features crenelated moldings, pendant-drop brackets, and panels with garland inserts. The mansard roof, the segmental-arched dormers is topped with a paneled frieze and cornice that features the same garland inserts and pendant-drop brackets that are located about the first story (Exhibit A).

**DISCUSSION**

On November 4, 2022, Zac Moretz applied for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 to install a handicap ramp from the parking area to the existing wood porch (Exhibit B). It will measure approximately eleven feet. The ramp is to be constructed out of wood to match the existing front porch in color and style. The wood rails, positioned on either side of the ramp, will be constructed of evenly spaced posts which will be pressure-treated 6x6 wrapped with ripped 1x8 boards. Base detail will be added to match the existing front porch columns. Evergreen shrubs will be placed at the front of the structure to screen the base (Exhibit D).

The ramp will need to be installed at the front entrance as this is where clients will enter the law firm. The side and rear porches have too steep a gradient for handicap access. Additionally, this is the lowest grade for entrance, and the 2010 ADA Standards for Accessible Design require certain specifications for compliance (Exhibit F).

**ATTACHMENTS**

Exhibit A: National Register of Historic Places Inventory  
Exhibit B: Certificate of Appropriateness Application  
Exhibit C: Subject Property Map  
Exhibit D: Site Plan  
Exhibit E: Existing Conditions Photos  
Exhibit F: 2010 ADA Standards for Accessible Design: Chapter 4: Accessible Route: 405 Ramps  
Historic Preservation Commission  
Case # H-26-22

## **HISTORIC HANDBOOK DESIGN RECOMMENDATIONS**

### **Approval Requirement Needs Table: Porches**

*Removal of porches, adding a new porch, altering the porch, or enclosing a porch require Commission Hearing and Approval.*

#### **Chapter 5 – Section 6: Porches**

- *Porches which are original or are compatible with the design of the structure should be retained.*
- *Original steps should be retained and handrails should match the railing on the porch.*

#### **Design Standards: Porches**

1. *Alterations to original porches that have no historic basis are not appropriate.*
2. *Handicap accessible ramps should be temporary structures and be able to be removed once no longer needed. Ramps deemed appropriate by a Certificate of Appropriateness should not detract from the aesthetic and architectural character of the principal dwelling unit nor should the removal of a ramp jeopardize any portion of the unit's structural integrity. To the greatest extent feasible, handicap ramps should be located where they are not visible from the street.*

### **Approval Requirement Needs Table: Miscellaneous**

*Any type of alteration of exterior features of a building, site, or environment which is not specifically listed.*

#### **Chapter 5 – Section 12: Mechanical and Incidental Equipment**

- *North Carolina State Building Code and ADA (Americans with Disabilities Act) require handicap ramps for some non-residential and multifamily structures. Although their design is largely dictated by the Building Code, thoughtful planning can result in a design that requires little change to the appearance of the building and not be visible from the street.*

#### **Design Standards: Mechanical and Incidental Equipment**

1. *Tie handicap ramps to existing porches and avoid alterations to the porches when practical. Construct new handicap ramps to match the existing features of the structure.*

## **Appendix A - Secretary of the Interior's Standards**

### **Building Site**

*The relationship between a historic building or buildings features within a property's boundaries – or building site – helps to define the historic character and should be considered an integral part of overall planning for rehabilitation project work*

#### **Recommended**

1. *Identifying, retaining, and preserving buildings and their features as well as features of the site that are important in defining its overall historic character. Site features can include driveways, walkways, lighting, fencing, signs, benches, fountains, wells, terraces, canal systems, plants and trees, berms, and drainage or irrigation ditches; and archeological features that are important in defining the history of the site.*
2. *Designing new on-site parking, loading docks, or ramps when required by the new use so that they are as unobtrusive as possible and assure the preservation of character-defining features of the site.*

### **Health and Safety Code Requirements**

*As a part of the new use, it is often necessary to make modifications to a historic building so that it can comply with current health, safety and code requirements. Such work needs to be carefully planned and undertaken so that it does not result in a loss of character-defining spaces, features, and finishes.*

#### Recommended

- 1. Identifying the historic building's character defining spaces, features, and finishes so that code required work will not result in their damage or loss.*
- 2. Providing barrier-free access through removable or portable, rather than permanent, ramps.*

#### Not Recommended

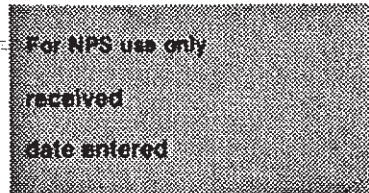
- 1. Installing permanent ramps that damage or diminish character-defining features.*

### **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



Continuation sheet	Item number	Page
Inventory List - North Union Street Historic District, Concord	#7	64

131. (Former) All Saints Episcopal Church  
44 Cabarrus Avenue West  
1890-1891  
P

Extremely important church with lovely Gothic details. Nave displays a high-pitched gable roof with flared eaves. A similar roof design can be found at the front entrance. The projecting front vestibule is the main entrance and possibly is not original brickwork. The original brickwork is 1:5 common, however, brickwork at vestibule is laid in common bond and is not the same color as the original. Church has two buttresses at projecting corners and a single buttress where the vestibule adjoins main building. The nave at the south end has two buttresses at each corner. All of the buttresses have cement trim and are in two stages. However, the lower stage of the nave's buttresses are broader and are not as steeply pitched as those of the vestibule. The nave's fenestrations consist of paired lancet-arched windows. The four-stage bell tower, on the west side, features a four-paneled door with lancet transom containing stained glass. A corbeled cornice rest below the crenelated parapet that crowns the tower. The church is the oldest downtown sanctuary in the district. A mid-twentieth century Sunday School wing is quite harmonious with the original structure. The congregation moved to a larger facility in the early 1970s. Mary Frances Calder Ridenhour converted the sanctuary into a restaurant in 1970's that has since closed. The structure is now know as the Faith Covenant Church.

132. L'il General Store  
50 Cabarrus Avenue West  
ca. 1980  
I

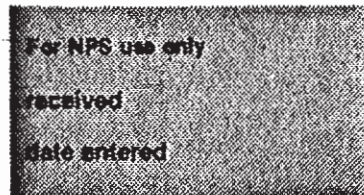
One story brick and concrete block structure with a gas island and a parking lot in the front. Most flagrant intrusion in the district.

133. Matthew O. Beatty House  
56 Cabarrus Avenue, West  
1874-1882  
P

Two-and-a-half-story, frame, double-pile residence with mansard roof combines idioms of the Italianate and the Second Empire. House is similar to John Milton Odell's home (#2). Interior and exterior are exceptionally rich in detail. Projecting center bay of facade features a paneled door with architrave and deeply recessed sidelights and transom. Central portion of the porch also projects. The porch is supported by square posts that rise from molded, paneled pedestals to a paneled frieze and

**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 - North Union Street Historic District, Concord</u>	#7	65

long, sawn brackets with pendant-drops. The paired, segmental-arched windows of the first and second floors are trimmed with molded surrounds and bracketed hoods. Below second story cornice rests a stylish frieze that features crenelated moldings, pendant-drop brackets, and panels with garland inserts. The mansard roof, with segmental-arched dormers is topped with a paneled frieze and cornice that features the same garland inserts and pendant-drop brackets that are located above the first story.

Matthew O. Beatty (1828-1898) was a builder and contractor. He was originally from Westmoreland County, Pennsylvania and came to Concord in 1870. The house was built within the early years of his 1874 marriage to Sarah Emaline Benson Swink Beatty. Sarah Beatty owned the land and the home remained in her family until the 1970s. T. Laine Harling, a contractor, and his wife Alice Arey have undertaken the restoration of the home.

134. House  
64 Cabarrus Avenue, West  
1892 (SM)  
C

A one-story, frame, shingled bungalow with porch. Gable front supported by shingled pillars rising from a retaining wall. Slanted facade with ell and another bay on eastern elevation.

135. Vacant Lot  
Between 64 and 74-78 Cabarrus Avenue West.  
VL

Vacant lot that was a former site of a home.

136. Commerical Building  
74-78 Cabarrus Avenue  
I

One-story, brick, commerical building with a large front. Parking lot and three stories that include H & R Block, a beauty salon, and a vinyl siding shop.

137. Thomas Ross House  
90 Cabarrus Avenue, West  
1916 (SM)  
C



**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: Zac Moretz \_\_\_\_\_  
Address: 300 McGill Ave. NW \_\_\_\_\_  
City: Concord \_\_\_\_\_ State: NC \_\_\_\_\_ Zip Code: 28027 \_\_\_\_\_ Telephone: 704-721-3513 \_\_\_\_\_  
Email: zac@moretzlaw.com \_\_\_\_\_

**OWNER INFORMATION**

Name: Second Empire Properties, LLC \_\_\_\_\_  
Address: 1800 Central Ave. Ste 305 \_\_\_\_\_  
City: Charlotte \_\_\_\_\_ State: NC \_\_\_\_\_ Zip Code: 28205 \_\_\_\_\_ Telephone: 704.453.3451 \_\_\_\_\_  
Email: cherman@chermanconstruction.com \_\_\_\_\_

**SUBJECT PROPERTY**

Street Address: 56 Cabarrus Ave. West \_\_\_\_\_ P.I.N. # 5620871679 \_\_\_\_\_  
Area (acres or square feet): Approx. 0.654 ac Current Zoning: C-1 \_\_\_\_\_ Land Use: Residential/Office \_\_\_\_\_

**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: Handicap ramp as shown on attachment \_\_\_\_\_

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2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):  
 Simple handicap ramp as shown on attachment to be constructed out of wood to match existing front porch in color and style; prefer to construct treads of ramp from color-matched composite material for durability if acceptable, but will use wood if required.

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**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., may 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.

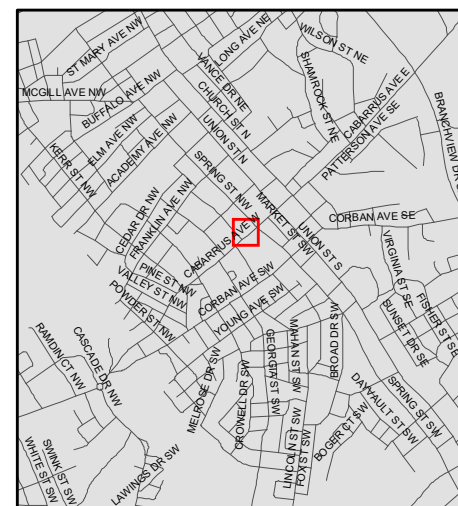
11/4/22  
 \_\_\_\_\_  
 Date

  
 \_\_\_\_\_  
 Signature of Owner/Agent

H-26-22

56 Cabarrus Ave W

PIN: 5620-87-1679



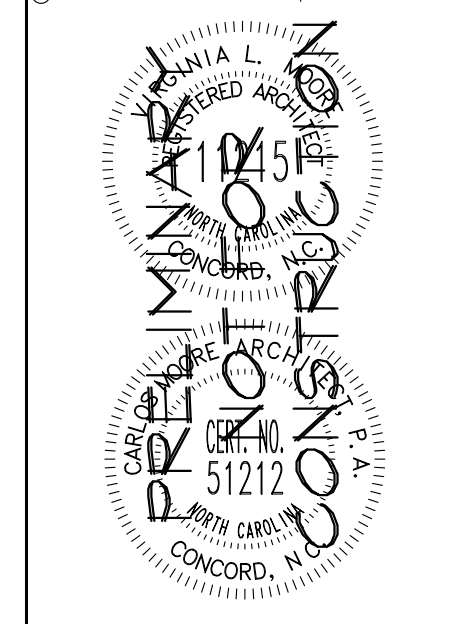
Source: City of Concord  
Planning Department

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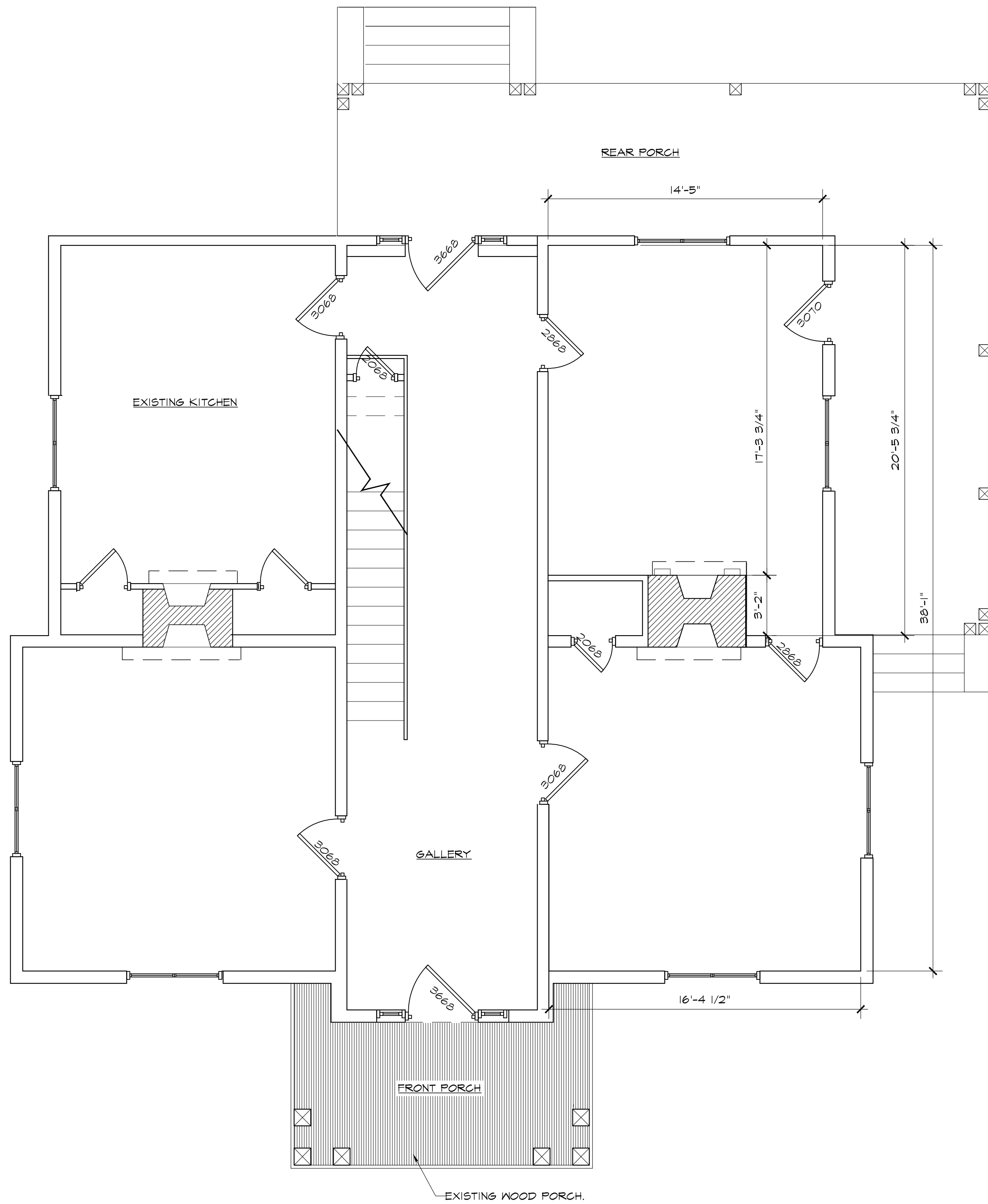
UPFIT FOR  
**MORETZ LAW**  
 56 CABARRUS AVE W, CONCORD, NC  
 PROJECT TITLE:  
**FLOOR PLANS**  
 SHEET TITLE:

TODAY'S DATE: 01.11.2023  
 SCHEMATIC DESIGN APPR. XXX  
 ORIGINAL SEAL DATE: XXXXXXX

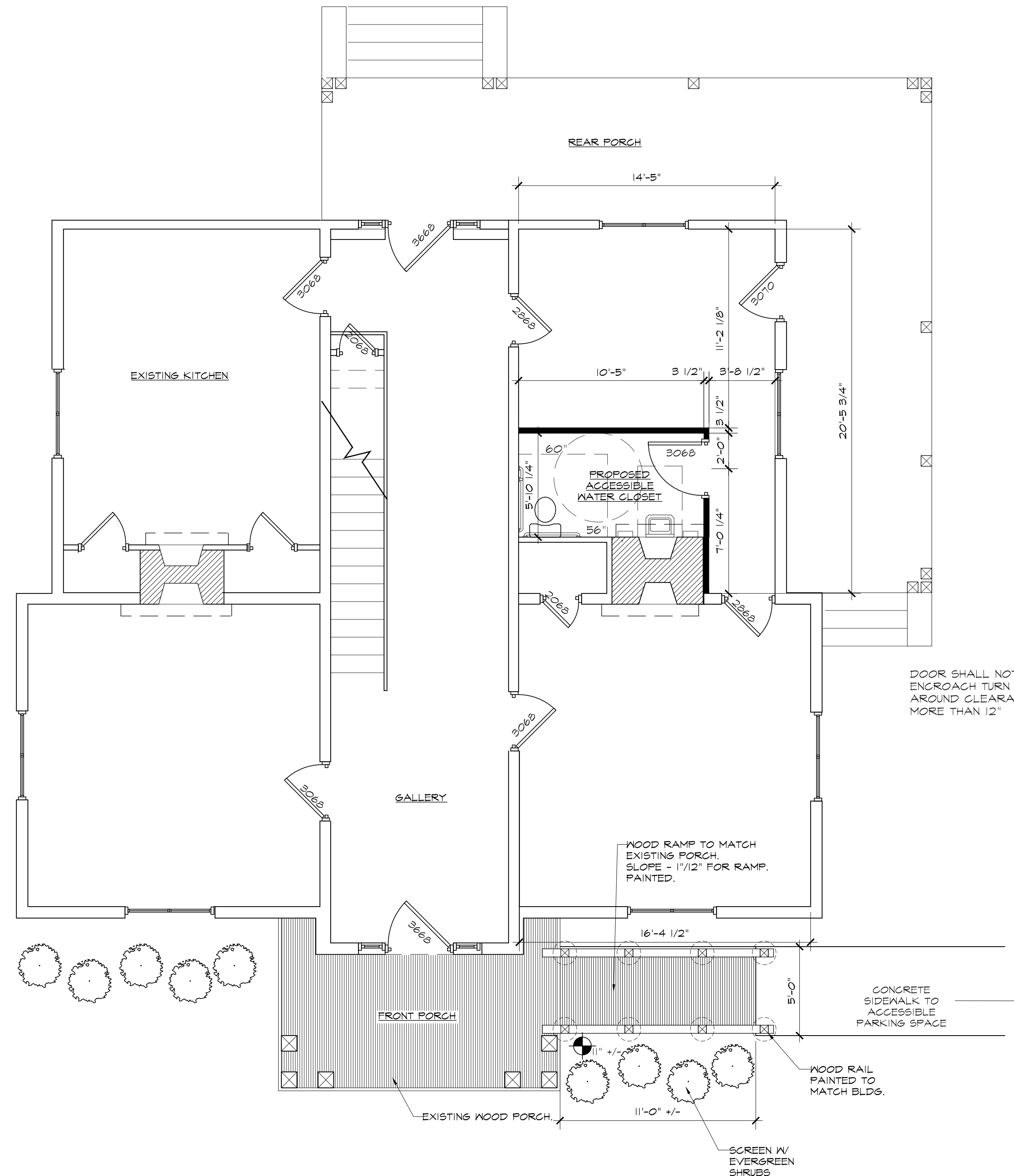
REVISIONS:

DRAWING #: 22101 FV2  
 DRAWN BY: RGN  
 PROJECT MGR: VLM  
 CHECKED BY: V. MOORE

SHEET  
**A=1**  
 TOTAL # OF SHEETS: 1



1  
 A-1 EXISTING GROUND FLOOR PLAN  
 SCALE 1/4"=1'-0"



2  
 A-1 PROPOSED GROUND FLOOR PLAN  
 SCALE 1/4"=1'-0"

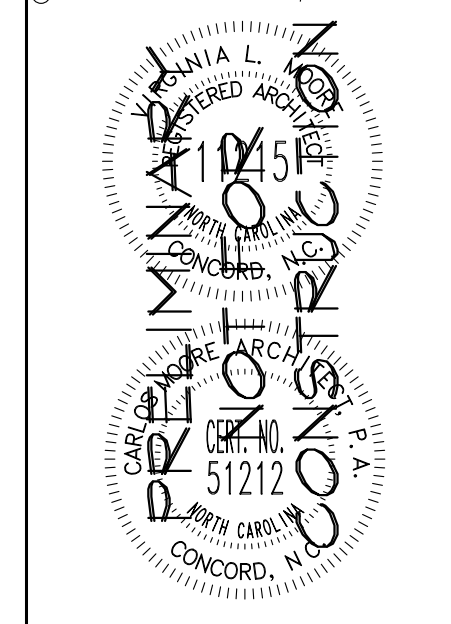
**WALL LEGEND**

— EXISTING WALL TO REMAIN

— 2X4 WOOD STUDS @ 16" O.C., 1/2" GAB ON BOTH SIDES, M.R. TYPE GAB ON WET WALLS.

NOTES:  
 1. USE MOISTURE RESISTANT GAB IN ALL TOILET ROOMS AND IN ANY WET AREAS.  
 2. ALL HARDWARE SHALL BE ADA COMPLIANT & LEVER TYPE HANDLES.

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UPFIT FOR  
**MORETZ LAW**  
 56 CABARRUS AVE W, CONCORD, NC  
 ELEVATIONS

PROJECT TITLE:  
 SHEET TITLE:  
 TODAY'S DATE: 01.11.2023  
 SCHEMATIC DESIGN APPR. XXX  
 ORIGINAL SEAL DATE: XXXXXXXX  
 REVISIONS:

DRAWING #: 221101 EEL  
 DRAWN BY: RGN  
 PROJECT MGR: VLM  
 CHECKED BY: V. MOORE  
 SHEET  
**A-2**  
 TOTAL # OF SHEETS: .



**1**  
 A-2 **EXISTING FRONT ELEVATION**  
 SCALE 1/4"=1'-0"



**2**  
 A-2 **PROPOSED FRONT ELEVATION**  
 SCALE 1/4"=1'-0"

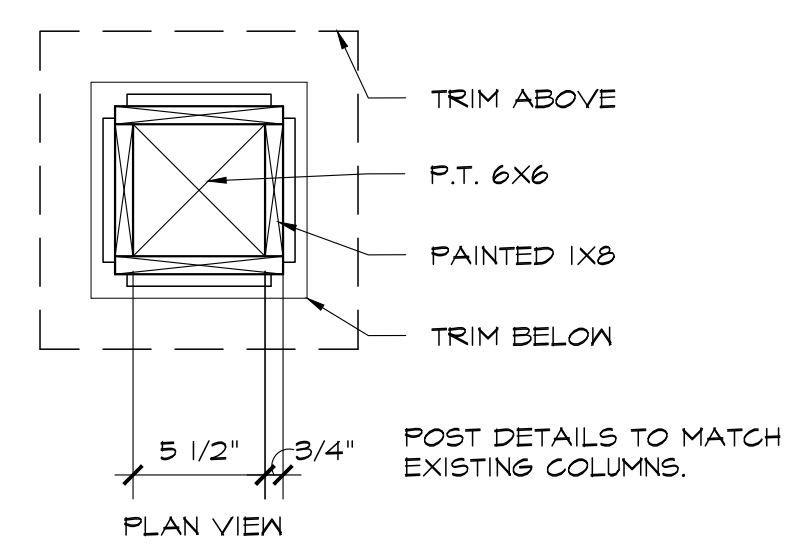
NOTE: ADD EVERGREEN SHRUBS AT THE FRONT OF STRUCTURE TO SCREEN BASE. (EXCLUDED FROM DRAWING FOR STRUCTURE CLARITY)



**3**  
 A-2 **EXISTING COLUMN CONDITIONS**  
 N.T.S.



OVAL MEDALLIONS TO BE REMOVED AS NOT HISTORIC TO ORIGINAL STRUCTURE



**4**  
 A-2 **POST DETAIL**  
 SCALE 1/2"=1'-0"



Front



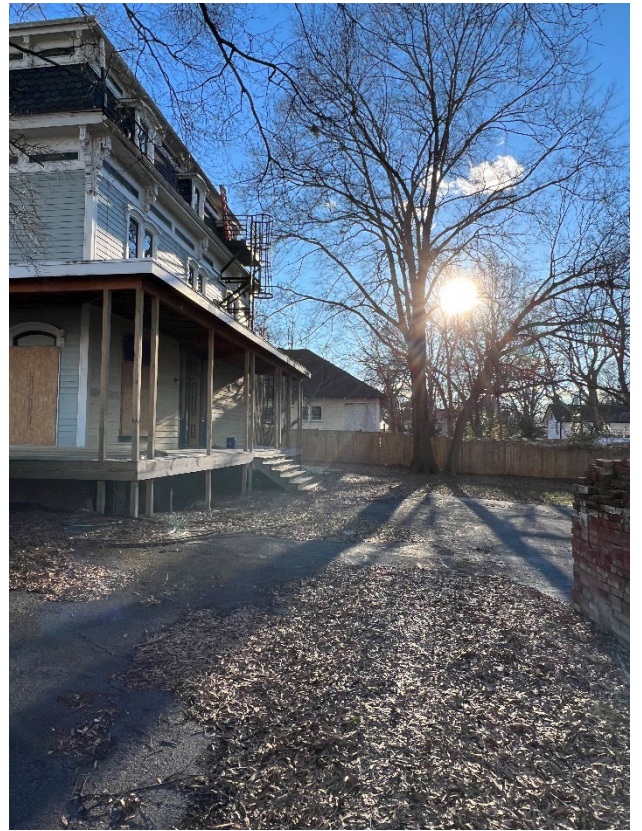
Front and Side View



View from Parking to Porch



Side Porch



Rear Porch

2010 ADA Standards for Accessible Design	
Introduction	+
2010 STANDARDS FOR STATE AND LOCAL GOVERNMENT FACILITIES: TITLE II	+
28 CFR 35.151 New construction and alterations	
Appendix to 35.151(c)	
2010 STANDARDS FOR PUBLIC ACCOMMODATIONS AND COMMERCIAL FACILITIES: TITLE III	+
28 CFR part 36, subpart D – New Construction and Alterations	+
2010 STANDARDS FOR TITLES II AND III FACILITIES: 2004 ADAAG	
CHAPTER 1: APPLICATION AND ADMINISTRATION	+
CHAPTER 2: SCOPING REQUIREMENTS	+
CHAPTER 3: BUILDING BLOCKS	+
CHAPTER 4: ACCESSIBLE ROUTES	–
401 General	
402 Accessible Routes	
403 Walking Surfaces	
<b>404 Doors, Doorways, and Gates</b>	
405 Ramps	

1015 mm) minimum when operated in emergency mode.

**EXCEPTION:** Where manual swinging doors and gates comply with 404.2 and serve the same means of egress compliance with 404.3.6 shall not be required.

**404.3.7 Revolving Doors, Revolving Gates, and Turnstiles.** Revolving doors, revolving gates, and turnstiles shall not be part of an accessible route.

## 405 Ramps

**405.1 General.** Ramps on accessible routes shall comply with 405.


**EXCEPTION:** In assembly areas, aisle ramps adjacent to seating and not serving elements required to be on an accessible route shall not be required to comply with 405.

**405.2 Slope.** Ramp runs shall have a running slope not steeper than 1:12.

**EXCEPTION:** In existing sites, buildings, and facilities, ramps shall be permitted to have running slopes steeper than 1:12 complying with Table 405.2 where such slopes are necessary due to space limitations.

**Table 405.2 Maximum Ramp Slope and Rise for Existing Sites, Buildings, and Facilities**

Slope (A slope steeper > than 1:8 is prohibited.)	Maximum Rise
Steeper than 1:10 but not steeper than 1:8	3 inches (75 mm)
Steeper than 1:12 but not steeper than 1:10	6 inches (150 mm)

 **Advisory 405.2 Slope.** +

**405.3 Cross Slope.** Cross slope of ramp runs shall not be steeper than 1:48.

<https://www.ada.gov/law-and-regs/design-standards/2010-stds/#405-ramps>