

# HISTORIC PRESERVATION COMMISSION MEETING AGENDA

Wednesday, November 9, 2022 at 6:00 PM

City Hall Council Chambers, 35 Cabarrus Avenue West

1. CALL TO ORDER - *Chair*
2. ORDER OF BUSINESS - *Chair (Ask Staff if there are any adjustments to agenda)*
3. INTRODUCTIONS - *Chair and Commissioners (give your name for the record)*
4. APPROVAL OF MINUTES - *Motion, second, and vote needed.*
5. SWEARING IN OF WITNESSES - *Chair*
6. OLD BUSINESS - *Chair*
7. NEW BUSINESS

## **H-23-22 (Quasi-Judicial Hearing)**

**Tristan and Kristen Adamczuk** have submitted a Certificate of Appropriateness application for “ex post facto” (after the fact) approval to pave with concrete an approximately 8.0’-7.0” wide by 58.0’ long portion of an alleyway at 97 Union St N. PIN 5620-78-7915.

- a. Open Public Hearing by Motion - *Motion, second, and vote needed.*
- b. Staff Presentation
- c. Applicant’s Testimony
- d. Other Testimony
- e. Close Public Hearing by Motion - *Motion, second, and vote needed.*
- f. Approve Findings of Fact by Motion - *Motion, second, and vote needed.*
- g. Approve Conclusions of Law by Motion - *Motion, second, and vote needed.*
- h. Approve/Deny Conditions and Permit by Motion - *Motion, second, and vote needed.*

## **H-24-22 (Quasi-Judicial Hearing)**

**Terry and Ann Norwood** have submitted a Certificate of Appropriateness application in order to install an approximately 2.0’ tall by 50.0’ long retaining wall running adjacent to the front yard sidewalk at 414 Union St S. PIN 5630-14-7059.

- a. Open Public Hearing by Motion - *Motion, second, and vote needed.*
- b. Staff Presentation
- c. Applicant’s Testimony
- d. Other Testimony
- e. Close Public Hearing by Motion - *Motion, second, and vote needed.*
- f. Approve Findings of Fact by Motion - *Motion, second, and vote needed.*
- g. Approve Conclusions of Law by Motion - *Motion, second, and vote needed.*
- h. Approve/Deny Conditions and Permit by Motion - *Motion, second, and vote needed.*

## STAFF UPDATES/DISCUSSIONS

### Handbook Updates

- a. Discuss Committee’s Initial Meeting from October 24, 2022

### Logan Updates - Historic Survey Inventory for National Register Nomination Study

- a. Discuss Community Meeting from October 25, 2022

8. ADJOURNMENT

***In accordance with ADA Regulations, please note that anyone who needs an accommodation to participate in the meeting should notify Planning & Neighborhood Development Department at 704/920-5152 at least twenty-four (24) hours prior to the meeting.***

**DATE:** November 9, 2022

**SUBJECT:**

<u>Certificate of Appropriateness Request:</u>	H-23-22
<u>Applicants:</u>	Tristan and Kristen Adamczuk
<u>Location of Subject Property:</u>	97 Union St N
<u>PIN #:</u>	5620-78-7915 (alleyway)
<u>Staff Report Prepared by:</u>	Brad Lagano, Economic Development Manager

**BACKGROUND**

- The subject property at 97 Union St N is designated as a “Pivotal” structure in the North Union Street Historic District (ca. 1912) (Exhibit A).
- “Handsome, sophisticated, two-and-a-half-story frame Colonial Revival residence, erected for Joseph Franklin Cannon (1876-1939), one of James William Cannon’s six sons, the president of Wiscasset Mills in Albemarle, and the developer of one of Concord’s finest movie places. House has symmetrically composed façade, with single-paned windows with fixed transoms on the first floor and 9/1 sash windows on the second story. The façade’s most distinctive feature is the large, centrally placed Palladian dormer. Full façade porch has fluted Ionic columns, balustrade, and projecting pediment over entrance. Porte-cochere and second-story sunroom project from south side of house” (Exhibit A).
- Applicants’ requested modification: “ex post facto” (after-the-fact) approval to pave with concrete an approximately 8.0’-7.0” wide by 58.0’ long portion of an alleyway (Exhibits B, D).

**DISCUSSION**

- An approximately 10.0’ private alleyway runs from Franklin Ave NW southeast approximately 198.67’ and provides access to four separate parcels - PINs 5620-78-6954, 5620-79-7010, 5620-78-8882, and 5620-78-8967 (Exhibit D).
- On or about March 4, 2022, Tristan and Kristen Adamczuk proceeded to pave with concrete an approximately 8.0’-7.0” wide by 58.0’ long portion of the alleyway leading to their parcel - PIN 5620-78-8882.
- On March 15, 2022, Code Enforcement sent a violation letter to Tristan and Kristen Adamczuk concerning the newly paved portion of the alleyway providing two options to correct the violation - (1) remove the newly poured concrete or (2) apply for a Certificate of Appropriateness to receive Historic Preservation Commission approval (Exhibit E).
- On March 24, 2022, Tristan and Kristen Adamczuk submitted an “ex post facto” Certificate of Appropriateness application requesting after-the-fact approval to pave with concrete an approximately 8.0’-7.0” wide by 58.0’ long portion of the alleyway (Exhibit F).
- On or about May 4, 2022, the City Legal Department reviewed the Certificate of Appropriateness application and determined that although Tristan and Kristen Adamczuk had the deeded right to use the alleyway, they were not the owners of the property they were seeking Certificate of Appropriateness approval in order to modify so therefore could not properly bring the matter before the Historic Preservation Commission.
- On September 14, 2022, Non-Warranty Deed 27626 was recorded with the Cabarrus County Register of Deeds, Book 16203, Pages 196-200, showing Barium Springs Home for Children, having a 75% undivided interest in the alleyway, and Children’s Hope Alliance, having a 25%

undivided interest in the alleyway, conveyed 100% of their interests in the alleyway to Tristan and Kristen Adamczuk (Exhibit G).

- On September 19, 2022, being the new owners of the property they were seeking Certificate of Appropriateness approval in order to modify, Tristan and Kristen Adamczuk submitted an “ex post facto” Certificate of Appropriateness application requesting after-the-fact approval to pave with concrete an approximately 8.0’-7.0” wide by 58.0’ long portion of an alleyway (Exhibit B).

### **ATTACHMENTS**

Exhibit A: National Register of Historic Places Inventory

Exhibit B: Certificate of Appropriateness Application

Exhibit C: Subject Property Map

Exhibit D: Alleyway Legal Description and Site Plan/Survey

Exhibit E: Code Enforcement Violation Letter Dated March 15, 2022

Exhibit F: “Ex Post Facto” Certificate of Appropriateness Application Dated March 24, 2022

Exhibit G: Non-Warranty Deed Recorded September 14, 2022

Exhibit H: Previous Alleyway Photos

Exhibit I: Paved Alleyway Photos

### **HISTORIC HANDBOOK DESIGN RECOMMENDATIONS**

#### **Approval Requirement Needs Table: Type of Work Requiring Commission Hearing and Approval**

- *All new patios, walks, and driveways.*

#### **Chapter 5 - Section 10: Driveways, Walkways, and Parking**

- *Gravel and pavement are acceptable materials for driveways, as are some alternative materials such as cobblestone, brick, and pervious pavers.*

### **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
Inventory List - North Union Street Historic District, Concord	#7	32

- 36. E.W.G. Fisher House  
91 North Union Street  
ca. 1890  
C

Two-story, frame house with asymmetrical form and both Queen Anne and Colonial Revival details. South bay of house has gable front roof and projects from side gable main block. Main block pierced by two gable-roofed dormers with tall, narrow 2/2 sash windows and decorative shingles. Wrap-around porch supported by Tuscan columns replaced earlier, more elaborate Queen Anne style porch treatment. South side of porch enclosed for sunroom during early 20th. century.

- 37. Joseph Franklin Cannon House  
97 North Union Street  
1912 (OI)  
P

Handsome, sophisticated, two-and-a-half-story frame Colonial Revival residence, erected for Joseph Franklin Cannon (1876-1939), one of James William Cannon's six sons, the president of Wiscasset Mills in Albemarle, and the developer of one of Concord's finest movie palaces. House has symmetrically composed facade, with single-paned windows with fixed transoms on the first floor and 9/1 sash windows on the second story. The facade's most distinctive feature is the large, centrally placed Palladian dormer. Full facade porch has fluted Ionic columns, balustrade, and projecting pediment over entrance. Porte-cochere and second-story sunroom project from south side of house.

- 38. N. Felix York House  
103 North Union Street  
ca. 1909  
C

Rambling, asymmetrical, two-story frame residence combining Queen Anne and Colonial Revival elements. Two-story bays with cut-away corners project from the front and both sides of the house. The projecting facade bay is topped with a broad, flared gable, decorated with overlapping hexagonal shingles. Engaged under the gable is a one-bay balcony. The balcony, the board wrap-around porch, and the porte-cochere extension of the porch all have Tuscan columns.

**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: Kristen and Tristan Adamczuk  
Address: 97 Union Street North  
City: Concord State: NC Zip Code: 28025 Telephone: 704-907-8528

**OWNER INFORMATION**

Name: Kristen and Tristan Adamczuk  
Address: 97 Union Street North  
City: Concord State: NC Zip Code: 28025 Telephone: 704-907-8528

**SUBJECT PROPERTY** per Deed Book: 16203 Page: 0196 (attached) and Cabarrus County Land Records

Street Address: 10' Alley way from Franklin Ave NW P.I.N. # 56207879150000  
97 Union Street North P.I.N. # 5620788820000  
Area (acres or square feet): 1.13 0.046 Current Zoning: RM-1 Land Use: SFR

**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: poured concrete in deeded alley way and rear garage  
~~elevation modification~~

2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):  
8' 7" x 58' poured concrete within the 10' x 20' <sup>198'</sup> deeded alley way  
~~removal of dormers from rear garage elevation~~

We are submitting this application again per the Historic Preservation Commission's Legal instructions  
provided to us via email May 4, 2022, to "determine ownership and submit a valid application".

List of materials: scored concrete  
Required scaled site plan (Plat Book 93 Page 61) and photos attached a part of this application

**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.

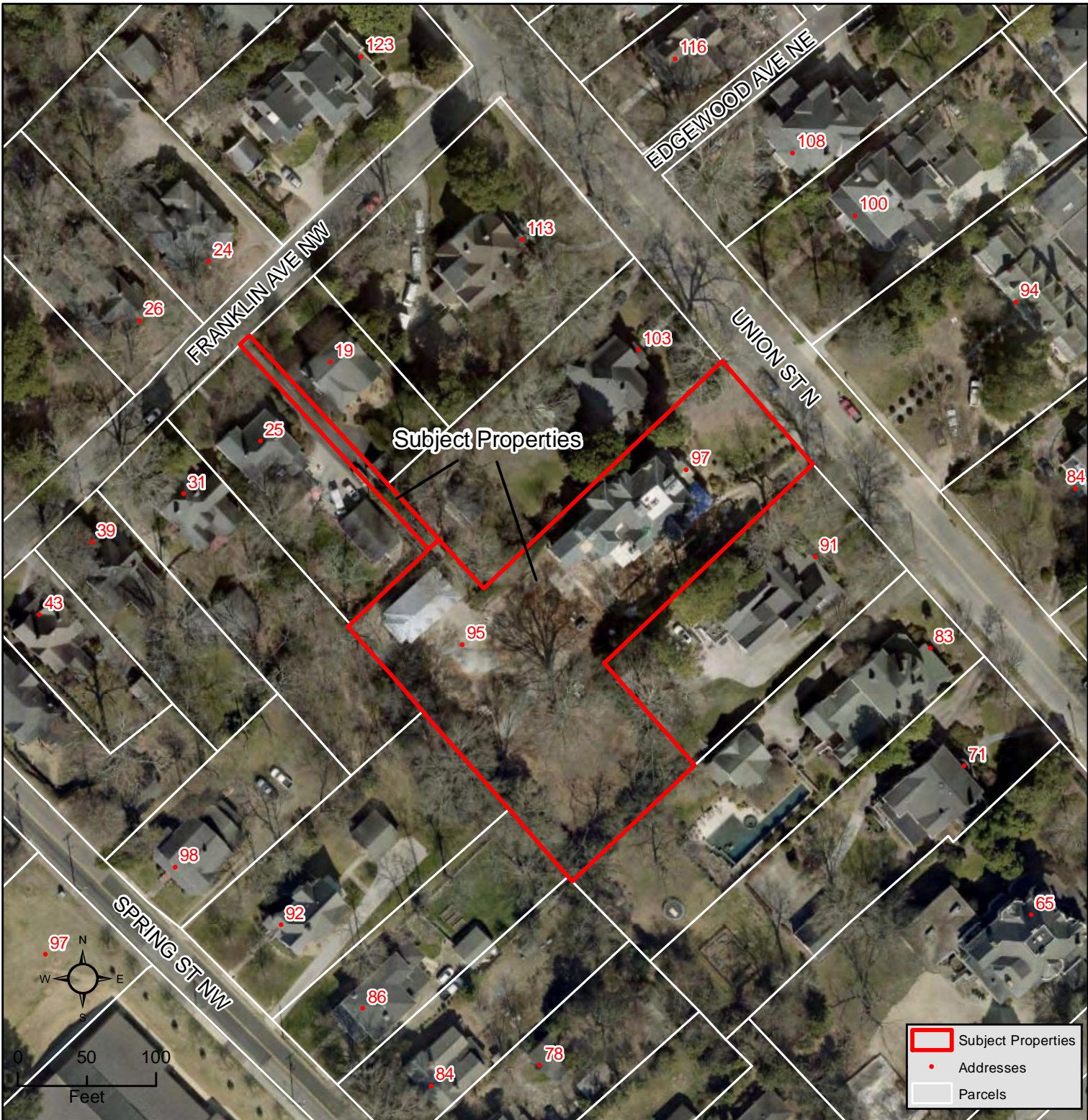
\*\*\*Applications may be submitted electronically.\*\*\*

**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.

~~03/24/2022~~ 09/19/2022  
 Date

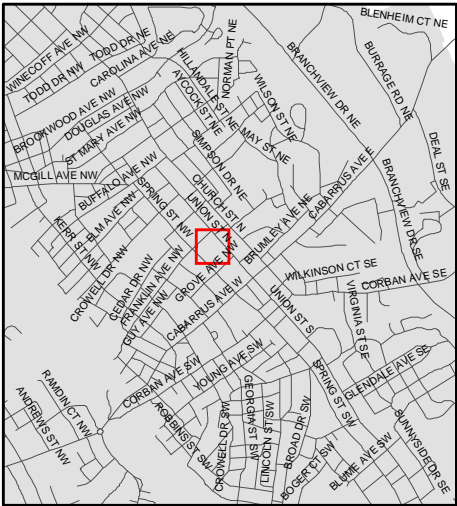
  
 Signature of Owner/Agent



H-23-22

97 Union St N

PINs: 5620-78-8882 (Main Parcel)  
5620-78-7915 (Private Alley)



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.



## PART OF THE PROPERTY OF:

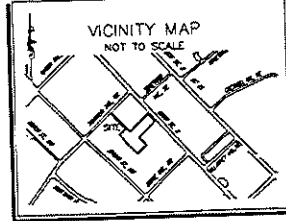
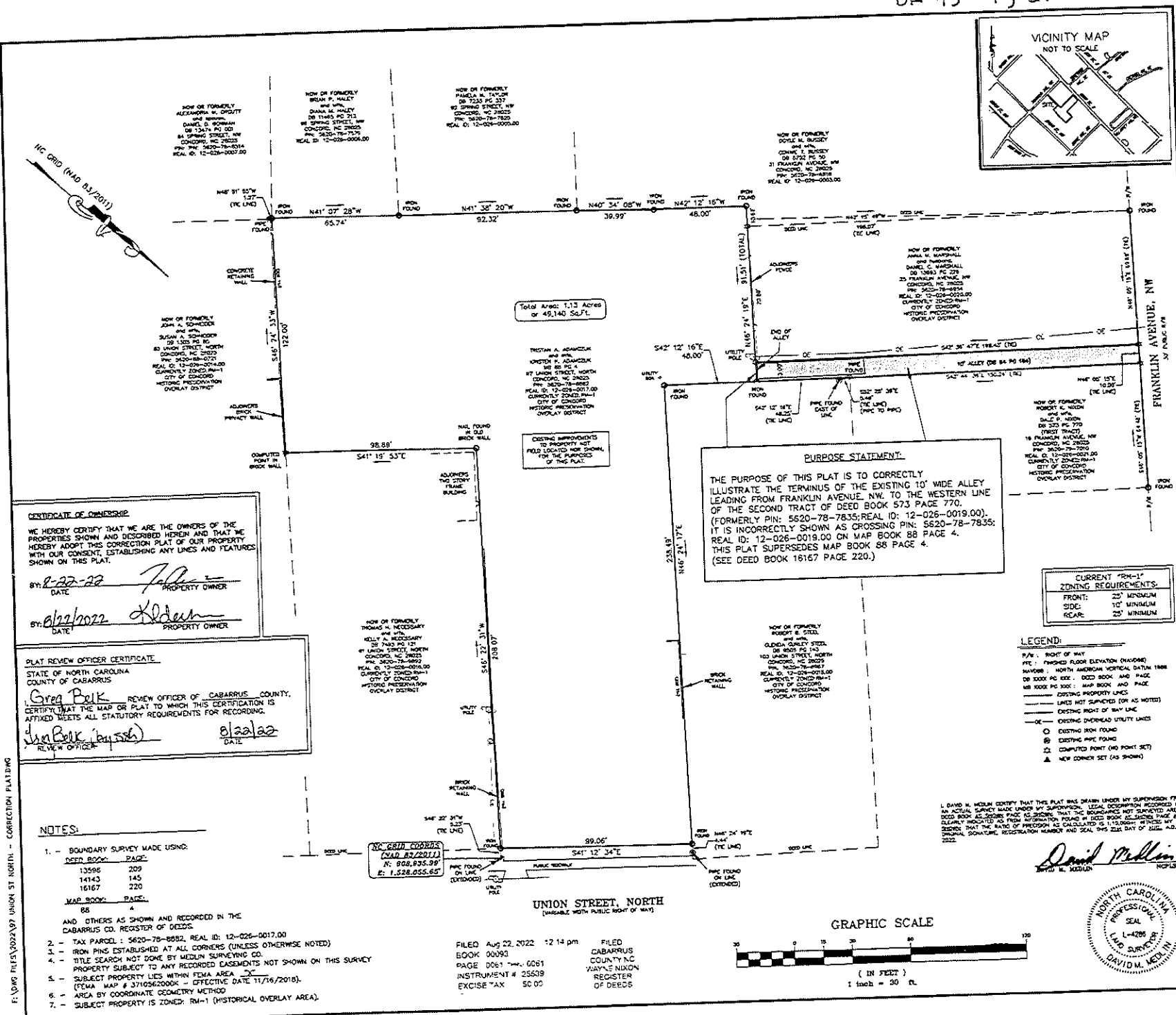
J.P. ALLISON ESTATE  
(Deed Book 36, Page 122)

Lying and being in the City of Concord, No. 12 Township, Cabarrus County, North Carolina, on the East side of Franklin Avenue, NW (previously known as Mill Street) and being known as 10' wide alley, a portion of Deed Book 36, Page 122 as recorded among the Cabarrus County Register of Deeds; and being more particularly described as follows:

A 10' Wide Private Alley

Beginning at a NEW MAGNETIC NAIL SET near the back of the existing Public sidewalk on the east side of Franklin Avenue, NW, said NEW MAGNETIC NAIL SET being further described as being a common corner of said 10' Wide Alley and the southwest corner of the property of Robert K. Nixon and wife, Dale P. Nixon (now or formerly) Deed Book 573 Page 770 (PIN: 5620-79-7010; Real ID: 12-026-0021.00) and also being the Point of Beginning (POB) of the 10' Wide Alley area, being described herein below; thence leaving the POB and running along the common line of the aforesaid alley and Deed Book 573 Page 770

- 1) South 42°44'38" East 150.42 feet (L4) to an existing PIPE FOUND on the northern line of said alley at the common corner of the aforesaid Deed Book 573 Page 770 and the property of Robert B. Steel and wife, Glenda G. Steel (now or formerly) Deed Book 9505 Page 143 (PIN: 5620-78-8967; Real ID: 12-026-018.00); thence running along the common line of said alley and Deed Book 9505 Page 143
- 2) South 42°12'16" East 48.25 feet (L5) to an exist IRON FOUND on said common line at a common corner with the property of Tristan A. Adamczuk and wife, Kristen H. Adamczuk (now or formerly) Map Book 88 Page 4 (PIN: 5620-78-8882; Real ID: 12-026-0007.00), said IRON FOUND being further described as being the southeastern corner of the aforesaid alley; thence leaving the aforesaid common corner and running along the common line of Map Book 88 Page 4 (PIN: 5620-78-8882; Real ID: 12-026-0007.00) and the alley
- 3) South 46°24'19" West 10.00 feet (L1) to a NEW MAGNETIC NAIL SET at the southeastern corner of said alley, said NEW MAGNETIC NAIL being further described as being the northeast common corner to the aforesaid Map Book 88 Page 4 and the property of Anna M. Marshall and husband, Daniel C. Marshall (now or formerly) Deed Book 13693 Page 226 (PIN: 5620-78-6954; Real ID: 12-026-0020.00) thence running along the common line of said alley and Book 13693 Page 226
- 4) North 42°36'47" West 198.62 feet (L2) to a NEW MAGNETIC NAIL SET near back of the aforesaid existing Public sidewalk on the east side of Franklin Avenue, NW; thence running a line near the back of said sidewalk
- 5) North 46°07'24" East 10.00 feet (L3) to the Point of Beginning and containing 2,020 square feet or 0.046 acres of land, more or less.



**MEDLIN SURVEYING CO.**  
 2915 STALLINGS RD.  
 HARRISBURG, NC 28075  
 Cell: 704-201-4332  
 EMAIL: MEDLINSURV@YAHOO.COM

PROPERTY  
 08-11-2022 CORRECTED TRAPINGS OF EXISTING ALLEY

DATE: 11-27-22  
 DATE: MARCH 05, 2020  
 DRAWN BY: [Signature]  
 CHECKED BY: [Signature]  
 SCALE: AS SHOWN  
 JOB NO: 97 UNION ST N  
 CORRECTION PLAT

**EXHIBIT MAP: CORRECTION PLAT**  
 TRISTAN A. ADAMCZUK and wife, KRISTEN H. ADAMCZUK  
 1.13 ACRES TRACT  
 (PIN: 5620-78-8882; REAL ID: 12-026-0017.00)  
 97 UNION STREET NORTH, CONCORD, NC 28025 Hb. 12 TOWNSHIP OF CABARRUS COUNTY

**CERTIFICATE OF OWNERSHIP**  
 WE HEREBY CERTIFY THAT WE ARE THE OWNERS OF THE PROPERTIES SHOWN AND DESCRIBED HEREIN AND THAT WE HEREBY ADOPT THIS CORRECTION PLAT OF OUR PROPERTY WITH OUR CONSENT, ESTABLISHING ANY LINES AND FEATURES SHOWN ON THIS PLAT.

BY: 8-22-22 [Signature] PROPERTY OWNER  
 DATE  
 BY: 8/22/2022 [Signature] PROPERTY OWNER  
 DATE

**PLAT REVIEW OFFICER CERTIFICATE**  
 STATE OF NORTH CAROLINA  
 COUNTY OF CABARRUS  
 I, Greg Berk REVIEW OFFICER OF CABARRUS COUNTY, CERTIFY THAT THE MAP OR PLAT TO WHICH THIS CERTIFICATION IS AFFIXED MEETS ALL STATUTORY REQUIREMENTS FOR RECORDING.  
 [Signature] 8/22/22  
 REVIEW OFFICER DATE

- NOTES:**
- BOUNDARY SURVEY MADE USING:  
 DEEP BOOK PAGE:  
 13596 209  
 14143 145  
 15167 220  
 MAP BOOK PAGE:  
 88 4
  - AND OTHERS AS SHOWN AND RECORDED IN THE CABARRUS CO. REGISTER OF DEEDS.
  - TAX PARCEL: 5620-78-8882, REAL ID: 12-026-0017.00
  - IRON PINS ESTABLISHED AT ALL CORNERS (UNLESS OTHERWISE NOTED)
  - TITLE SEARCH NOT DONE BY MEDLIN SURVEYING CO.
  - PROPERTY SUBJECT TO ANY RECORDED EASEMENTS NOT SHOWN ON THIS SURVEY
  - SUBJECT PROPERTY LIES WITHIN FEMA AREA XX (FEMA MAP # 3710562000K - EFFECTIVE DATE 11/16/2018).
  - AREA BY COORDINATE GEOMETRY METHOD
  - SUBJECT PROPERTY IS ZONED: RM-1 (HISTORICAL OVERLAY AREA).

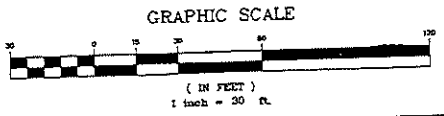
Total Area: 1.13 Acres or 49,140 Sq.Ft.

**PURPOSE STATEMENT:**  
 THE PURPOSE OF THIS PLAT IS TO CORRECTLY ILLUSTRATE THE TERMINUS OF THE EXISTING 10' WIDE ALLEY LEADING FROM FRANKLIN AVENUE, NW, TO THE WESTERN LINE OF THE SECOND TRACT OF DEED BOOK 573 PAGE 77A. (FORMERLY PIN: 5620-78-7835; REAL ID: 12-026-0019.00). IT IS INCORRECTLY SHOWN AS CROSSING PIN: 5620-78-7835; REAL ID: 12-026-0019.00 ON MAP BOOK 88 PAGE 4. THIS PLAT SUPERSEDES MAP BOOK 88 PAGE 4. (SEE DEED BOOK 18167 PAGE 220).

**CURRENT "RM-1" ZONING REQUIREMENTS:**  
 FRONT: 25' MINIMUM  
 SIDE: 10' MINIMUM  
 REAR: 25' MINIMUM

**LEGEND:**  
 P.M. - RIGHT OF WAY  
 P.E. - FINISHED FLOOR ELEVATION (DIAGRAM)  
 M.A.S.H. - NORTH ANGLE/BACK VERTICAL DATUM 1988  
 DB BOOK PG E.S. - DEED BOOK AND PAGE  
 MB BOOK PG BOOK - MAP BOOK AND PAGE  
 --- EXISTING PROPERTY LINES  
 --- LINES NOT SURVEYED FOR (AS NOTED)  
 --- EXISTING RIGHT OF WAY LINE  
 --- EXISTING OVERHEAD UTILITY LINES  
 ○ EXISTING IRON FOUND  
 ⊗ EXISTING PIPE FOUND  
 △ COMPUTED POINT (NO POINT SET)  
 ▲ NEW CORNER SET (AS SHOWN)

I, DAVID M. MEDLIN, CERTIFY THAT THIS PLAT WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION. LEGAL OCCUPATION RECORDED IN DEED BOOK AS SHOWN PAGE AS SHOWN. THAT THE SURVEYING NOT SHOWN ARE CLEARLY INDICATED AS FROM INFORMATION IN DEED BOOK AS SHOWN PAGE AS SHOWN. THAT THE BOUNDARY OF PROPERTY AS CALCULATED IS 113,000 SQ. FEET BY MEASUREMENT. REGISTRATION NUMBER AND SEAL THIS DAY OF JULY, A.D., 2022.  
 David Medlin  
 DAVID M. MEDLIN



FILED Aug 22, 2022 12:14 pm FILED  
 BOOK 0093 CABARRUS  
 PAGE 0061 COUNTY N.C.  
 INSTRUMENT # 25539 WAFLE NIXON  
 EXCISE TAX \$0.00 REGISTER  
 OF DEEDS

Case No. CNCE2022-00234

Date: March 15, 2022

Tristan & Kristen Adamczuk  
97 Union St N  
Concord, NC 28025

Dear Property Owner:

Please be advised that the parcel/alley way located behind 103 Union St N., that you recently paved with concrete, is in violation of The City of Concord Historic District Handbook Pg 4, Specifically, Approval Requirement Needs: Type of Work-Miscellaneous-Any type of alteration of exterior features of a building, site, or environment which is not specifically listed. **You have two (2) options to correct this violation:**

- 1. Remove the newly poured concrete located in the alley way.**
- 2. Apply for a Certificate of Appropriateness as required by the Historic Preservation Handbook.**

**If you have any questions, you can contact Planning at 704-920-5131.**

If the above stated violation is not corrected within seven (7) days of the receipt of this notification, a civil penalty of \$100 for the first day following the expiration of the time period, and \$100 each day thereafter in accordance with Section 1.5.5.(A). Per Section 1.5.5.(B) a same violation recurring on the same property by the same violator within a 36-month period of the first violation shall be considered a repeat offense. A violation with an immediate civil penalty of \$300.00 may be issued. No warning periods shall be granted at such stage. For each day the violation remains, the violation will be subject to a \$300.00 penalty.

Your timely cooperation in this effort to render Concord a more beautiful and safe city will be appreciated. If you have any questions, please feel free to call me at (704) 920-6030 or via email at [caudell@concordnc.gov](mailto:caudell@concordnc.gov).

Sincerely,



Derrick Caudell, CZO  
Building Level I Inspector  
Senior Code Enforcement Officer

File: cc

Police

Phone (704) 920-6030 • Fax (704) 786-3494

H-23-22 EXHIBIT E

**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: Kristen and Tristan Adamczuk  
Address: 97 Union Street North  
City: Concord State: NC Zip Code: 28025 Telephone: 704-907-8528

**OWNER INFORMATION**

Name: Kristen and Tristan Adamczuk  
Address: 97 Union Street North  
City: Concord State: NC Zip Code: 28025 Telephone: 704-907-8528

**SUBJECT PROPERTY**

Street Address: 97 Union Street North P.I.N. # 56207888820000  
Area (acres or square feet): 1.13 Current Zoning: RM-1 Land Use: SFR

**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: poured concrete in deeded alley way and rear garage elevation modification
2. Detailed specifications of the project (type of siding, windows, doors, height/style of fence, color, etc.):  
8' 7" x 58' poured concrete within the 10' x 204' deeded alley way  
removal of dormers from rear garage elevation

**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.

03/24/2022 \_\_\_\_\_  
 Date

  
 Signature of Owner/Agent

FILED  
CABARRUS COUNTY NC  
WAYNE NIXON  
REGISTER OF DEEDS

FILED Sep 14, 2022  
AT 02:17 pm  
BOOK 16203  
START PAGE 0196  
END PAGE 0200  
INSTRUMENT # 27626  
EXCISE TAX \$30.00  
MNS

SCANNED AND RETURNED

**NON-WARRANTY DEED**

Excise Tax: \$30.00  
Tax Parcel ID No. PIN assigned by Cabarrus County Verified by \_\_\_\_\_ County  
on the \_\_\_\_ day of \_\_\_\_\_, 20\_\_\_\_ By: \_\_\_\_\_

Mail/Box to: Grantee  
This instrument was prepared by: Nadine A. Neel, PA Title Company: Morehead Title Company  
Brief description for the Index: 10 Alley way from Franklin Ave NW

THIS DEED, made this the \_\_\_\_ day of September, 2022, by and between

**GRANTOR:** Barium Springs Home for Children, a North Carolina Non-Profit corporation (a 75% undivided interest) and Children's Hope Alliance, a North Carolina Non-Profit corporation (a 25% undivided interest)  
whose mailing address is P.O. Box 1, Barium Springs, NC 28010  
(herein referred to as **Grantor**) and

**GRANTEE:** Tristan Adamczuk and wife, Kristen Adamczuk  
whose mailing address is 97 Union Street North, Concord, NC 28025  
(herein referred to as **Grantee**) and

WITNESSETH:

For valuable consideration from Grantee to Grantor, the receipt and sufficiency of which is hereby acknowledged, Grantor hereby gives, grants, quitclaims and conveys unto Grantee in fee simple the following described property located in Number Twelve (12) Township, County of Cabarrus, State of North Carolina, more particularly described as follows:

**See attached Exhibit A**

Said property having been previously conveyed to Grantor by instrument(s) recorded in Book 36, Page 122.

All or a portion of the property herein conveyed \_\_\_ includes or X does not include the primary residence of a Grantor.

TO HAVE AND TO HOLD unto Grantee, together with all privileges and appurtenances thereunto belonging, in fee simple. Grantor makes no warranty, express or implied, as to title to the property hereinabove described.

All references to Grantor and Grantee as used herein shall include the parties as well as their heirs, successors and assigns, and shall include the singular, plural, masculine, feminine or neuter as required by context.

Revised December 17, 2009

5/24 -

H-23-22 EXHIBIT G

IN WITNESS WHEREOF, the Grantor has duly executed the foregoing as of the day and year first above written.

Barium Springs Home for Children, a North Carolina Non-Profit corporation

Children's Hope Alliance, a North Carolina Non-Profit corporation

By: Celeste Dominguez (SEAL)  
Celeste Dominguez, President

By: Celeste Dominguez (SEAL)  
Celeste Dominguez, President

State of North Carolina  
County of Iredell

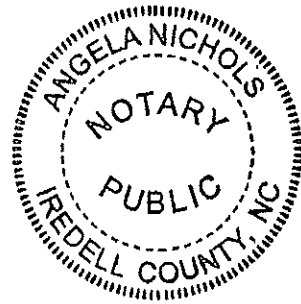
I, Angela Nichols, a Notary Public of the County of Iredell, State of North Carolina, do hereby certify that Celeste Dominguez, President of Barium Springs Home for Children, a North Carolina Non-Profit corporation, either being personally known to me or proven by satisfactory evidence (said evidence being driver's license), personally appeared before me this day and that by authority duly given and as the act of said entity, she has signed the foregoing instrument in its name on its behalf as its act and deed.

Witness my hand and official seal this 13 day of September, 2022.

Angela Nichols Notary Public  
Angela Nichols

My Commission Expires: Sept 17, 2022

(Official/Notarial Seal)



State of North Carolina  
County of Iredell

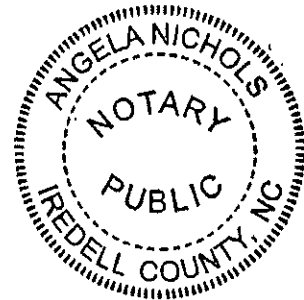
I, Angela Nichols, a Notary Public of the County of Iredell, State of North Carolina, do hereby certify that Celeste Dominguez, President of Children's Hope Alliance, a North Carolina Non-Profit corporation, either being personally known to me or proven by satisfactory evidence (said evidence being driver's license), personally appeared before me this day and that by authority duly given and as the act of said entity, she has signed the foregoing instrument in its name on its behalf as its act and deed.

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Angela Nichols

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PREVIOUS ALLEYWAY PHOTOS FROM FRANKLIN AVE NW









**ALLEYWAY PHOTOS AFTER PAVING WITH CONCRETE**



**DATE:** November 9, 2022

**SUBJECT:**

Certificate of Appropriateness Request: H-24-22  
Applicant: Terry D. and Ann F. Norwood  
Location of Subject Property: 414 Union St S  
PIN: 5630-14-7059  
Staff Report Prepared by: Brad Lagano, Senior Planner

**BACKGROUND**

- The subject property at 414 Union St S is designated as a “Contributing” structure in the South Union Street Historic District (ca. 1921) (Exhibit A).
- “Two-story, frame, double-pile house with hip roof, simple details, and slightly asymmetrical form. One-story, shed-roofed porch with square-in-section wood posts on brick bases and balustrade. Façade has symmetrical fenestration with paired, 9/2 sash windows flanking entrance on first floor and single 9/2 window at second story. Asymmetrical features are the projecting north (right) first story façade bay and the slightly projecting southeast (left front) corner of the house. At rear is two-story garage and utility structure contemporary with house (Exhibit A).
- Applicant’s requested modification: install a new approximately 2.0’ tall by 50.0’ long retaining wall running adjacent to the front yard sidewalk (Exhibit B).

**DISCUSSION**

On September 27, 2022, Terry D. and Ann F. Norwood applied for a Certificate of Appropriateness under Concord Development Ordinance (CDO) §9.8 to install a new approximately 2.0’ tall by 50.0’ long masonry and natural stone veneer and cap retaining wall running adjacent to the front yard sidewalk.

The existing front yard is sloped toward the adjacent sidewalk on both sides of the existing concrete steps. Heavy ivy growth dominates each slope. There is no existing retaining wall underneath the ivy. The applicants plan to remove all the ivy and replace with Creeping Juniper groundcover and install a new masonry and natural stone veneer and cap retaining wall along the existing front yard sidewalk. The dimensions of the proposed wall are approximately 2.0’ tall by 50.0’ long excluding the concrete steps. The existing concrete steps have one safety railing on the left side and both features will remain.

The proposed stone is natural and typically referred to as “Tennessee fieldstone”. The veneer and cap will be approximately 2.0” thick and provide a façade to cover the Concrete Masonry Unit (CMU) blocks from view (Exhibit E).

Typical scope of work (SOW) would include, but not be limited to:

- Removing existing ivy and hauling off debris.
- Installing a concrete footer with rebar to serve as the new wall’s foundation.
- Installing drainage pipes to redirect water runoff.
- Building a new masonry retaining wall with 8” wide CMU’s.
- Finishing with a natural stone veneer and cap approximately 2.0” thick to hide the CMU’s and provide an appearance blending with the historic character of the area (Exhibit E).
- Backfilling the excavated area with landscaping fabric, stone, and remaining dirt.
- Site cleanup.

## **ATTACHMENTS**

- Exhibit A: National Register of Historic Places Inventory
- Exhibit B: Certificate of Appropriateness Application
- Exhibit C: Subject Property Map
- Exhibit D: Existing Front Yard Photos
- Exhibit E: Proposed Natural Stone for Veneer and Cap Photos

## **HISTORIC HANDBOOK DESIGN RECOMMENDATIONS**

### **Approval Requirement Needs Table: Masonry Walls**

- *All walls in public view over 18” in height require Commission Hearing and Approval.*

### **Chapter 5 – Section 9: Fences and Walls**

- *Where walls are concerned, natural stone or brick walls are encouraged and should not be coated or painted.*
- *The type and color of stone and masonry should respond to the historic nature of the property.*
- *Poured-in-place concrete walls are discouraged.*
- *Concrete-masonry walls constructed of plain concrete-masonry-units (CMU’s) (often referred to as “concrete blocks” or “cinder blocks”) and walls constructed from railroad ties are prohibited.*
- *Concrete-masonry walls constructed of decorative concrete blocks (such as split-face blocks that are textured, colored, etc.) will be considered by the Commission on a case-by-case basis.*
- *Decorative concrete blocks shall not have a beveled face and shall not be stacked in a manner that allows the flat surface of the block to be visible on the wall’s front façade.*
- *Decorative concrete blocks shall have textured faces to mimic the shape irregularities of natural stone.*
- *Front yard walls equal to and taller than 36” may not utilize decorative concrete blocks.*
  
- *Design Standards: Fences and Walls*
  1. *Use materials such as natural stone, brick, wood, powder coated aluminum and iron.*
  2. *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 - South Union Street Historic District, Concord</u>	#7	10

accentuates impressive site of house on ridge overlooking S. Union St.

- 7. L. A. Weddington House  
414 S. Union St.  
by 1921 (SM)  
C

Two-story, frame, double-pile house with hip roof, simple details, and slightly asymmetrical form. One-story, shed-roofed porch with square-in-section wood posts on brick bases and balustrade. Facade has symmetrical fenestration with paired, 9/2 sash windows flanking entrance on first floor and single 9/2 window at second story. Asymmetrical features are the projecting north (right) first story facade bay, and the slightly projecting southeast (left front) corner of the house. At rear is two-story garage and utility structure contemporary with house.

- 8. Dr. S. E. Buchanan House  
406 S. Union Street  
1921-1927 (SM)  
C

One-and-a-half story, frame bungalow with side gable roof and deep, two-bay, gable-front porch. House has broad eaves trimmed with curved brackets and 4/1 sash windows characteristic of bungalow style; another typical feature is gable-roofed dormer over north (right) facade bay. Porch is upheld by brick piers trimmed with concrete and has an arched frieze; its eaves treatment echoes that of the house's main block. At rear is two-story garage and utility structure contemporary with the house.

- 9. R. C. Crook's House  
398 S. Union St.  
1921-1927 (SM)  
C

One-and-a-half story, relatively tall and narrow frame bungalow with a brick veneer laid in Flemish bond. Side gable roof with semi-engaged, full-facade porch with tapered posts on brick bases and balustrade. Principal feature or facade is tall, gable-front dormer with three 6/1 sash windows and exposed rafters; dormer is clad in scallop-shaped, asbestos shingles. Ground floor facade symmetrical with pairs of unusually tall and narrow 6/1 sash windows flanking a central entrance with sidelights. Shallow raised foundation accentuates both the house's



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: Dale + Ann Norwood
Address: 414 Union St. S.
City: Concord NC 28025
State: NC
Zip Code: 28025
Telephone: 704.351.9759
Email: pollypoo@windstream.net

OWNER INFORMATION

Name: Dale + Ann Norwood
Address: 414 Union St. S.
City: Concord
State: NC
Zip Code: 28025
Telephone: 704.351.9759
Email: pollypoo@windstream.net

SUBJECT PROPERTY

Street Address: 414 Union St. S. P.I.N. #
Area (acres or square feet):
Current Zoning:
Land Use:

Concord logo, Staff Use Only, Application Received by: Dale + Ann Norwood, Date: , 20, Fee: \$20.00 Received by: , Date: , 20, The application fee is nonrefundable.

Application for Certificate of Appropriateness

H-24-22 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:

1. Project or Type of Work to be Done: landscape front hill

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

Remove ivy from hill. Build 2' stone wall + replace ivy with creeping juniper. Both sides of the stairs will be done.

### 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 of the project from an "after" perspective. **Planning & Neighborhood Development** 35 Cabarrus Ave W P. O. Box 308 Concord, NC 28025
5. Samples of windows, doors, brick, siding, etc. **Development** 35 Cabarrus Ave W P. O. Box 308 Concord, NC 28025
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.

*[Handwritten Signature]*

Date

Signature of Owner/Agent

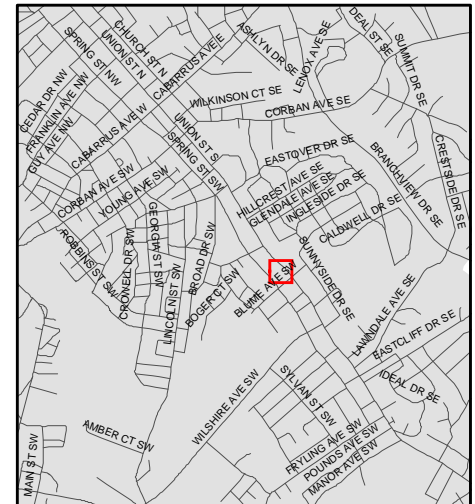
*9.27.22*



H-24-22

414 Union St S

PIN: 5630-14-7059



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-24-22 EXHIBIT C**

**FRONT YARD – LEFT SIDE**



**FRONT YARD – RIGHT SIDE**



**PROPOSED NATURAL STONE FOR VENEER AND CAP**



TENNESSEE  
FIELDSTONE

