

# City of Raleigh



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## 044-18-CA

511 E JONES STREET  
(HECK-WYNNE HOUSE)

RALEIGH HISTORIC  
LANDMARK  
OAKWOOD HISTORIC  
DISTRICT (HOD-G)

0 30 60 120  
Feet



Nature of Project:  
Removal of 5 cypress,  
replacement with camellia;  
removal of hackberry;  
removal of mulberry

APPLICANT:  
DAVID NICOLAY



## APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – STAFF REPORT

044-18-CA      511 E. JONES STREET

Applicant:      DAVID NICOLAY

Received:      03-22-2018

Meeting Date(s):

Submission date + 90 days: 06-20-2018

1) 04-26-2018

### INTRODUCTION TO THE APPLICATION

Historic District: OAKWOOD HISTORIC DISTRICT

Raleigh Historic Landmark: HECK-WYNNE HOUSE

Zoning: HOD-G

Nature of Project: Remove 5 Leland Cypress trees, plant 5 Camellias; remove Hackberry tree;  
remove Mulberry tree

Staff Notes:

- Raleigh City Code Section 10.2.15.E.1. states that “An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District or Historic Landmark may not be denied...However, the authorization date of such a certificate may be delayed for a period of up to 365 days from the date of issuance...If the Commission finds that the building, structure or site has no particular significance or value toward maintaining the character of the Historic Overlay District or Historic Landmark, it shall waive all or part of such period and authorize earlier demolition or removal.”

### APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

<u>Sections</u>	<u>Topic</u>	<u>Description of Work</u>
1.3	Site Features and Plantings	Removal of 5 Leland Cypress trees, planting of 5 Camellias; removal of Hackberry tree; removal of Mulberry tree

### STAFF REPORT

Based on the information contained in the application and staff’s evaluation:

- A. Removal of five (5) Cypress trees and replacement with Camellias is not incongruous in concept according to *Guidelines* section 1.3.1, 1.3.2, 1.3.5, and the following suggested facts:
- 1\* The trees proposed for removal are 5 Leyland Cypress trees located in the east side yard between the property line and the driveway.
  - 2\* The application includes a report from an arborist certified by the International Society of Arboriculture (ISA). It is the arborist’s opinion that “tree form” pruning and an “inherently weak root system” have contributed to the trees’ “decisive lean...toward...the east.”

- 3\* The application proposes to replace the removed trees with 5 camellias. Camellias have been cultivated in the south since 1741 (Middleton Place, Charleston).
- B. The removal of a hackberry tree and the removal of a mulberry tree are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.5, and the following suggested facts:
- 1\* A report prepared by an arborist certified by the International Society of Arboriculture (ISA) was provided.
- 2\* The Mulberry tree is a double stem (12" dbh and 23" dbh) and located at the end of the driveway near the northeast corner of a recent addition. The arborist's report states that the tree exhibits die back and decay. Removal of decayed portions will result in a lack of good structure and branch conflict.
- 3\* The triple stem Hackberry tree is located off the east edge of the driveway and is stated to have multiple decay, infrastructure, and structural issues. Additionally, the root system of the tree is causing the brick driveway to heave.
- 4\* Replacement trees are not proposed. The application includes evidence of the dense tree canopy in the yard before and after tree removal and a comparison of the tree canopy of adjacent properties.

Staff recommends that the committee approve the application, without placing a 365-day demolition delay.

# Raleigh Historic Development Commission – Certificate of Appropriateness (COA) Application



**DEVELOPMENT  
SERVICES  
DEPARTMENT**

Development Services  
Customer Service Center  
One Exchange Plaza  
1 Exchange Plaza, Suite 400  
Raleigh, North Carolina 27601  
Phone 919-996-2495  
eFax 919-996-1831



- ☐ Minor Work (staff review) – **1 copy**
- ☐ Major Work (COA Committee review) – **10 copies**
- ☐ Additions Greater than 25% of Building Square Footage
- ☐ New Buildings
- ☐ Demo of Contributing Historic Resource
- ☒ All Other
- ☐ Post Approval Re-review of Conditions of Approval

## For Office Use Only

Transaction # 548917

File # 044-18-CA

Fee \$147

Amount Paid \$147

Received Date 3/22/18

Received By Lam Best

Property Street Address **511 E. Jones St. Raleigh NC 27601**

Historic District **Oakwood**

Historic Property/Landmark name (if applicable) **Heck Wynne House**

Owner's Name **Gregory Hatem and Samantha Hatem**

Lot size **22045**

(width in feet) **105**

(depth in feet) **210**

For applications that require review by the COA Committee (Major Work), provide addressed, stamped envelopes to owners of all properties within 100 feet (i.e. both sides, in front (across the street), and behind the property) not including the width of public streets or alleys ([Label Creator](#)).

Property Address	Property Address
503 E. Jones St	
504 E. Jones St	
514 E. Jones St	
516 E. Jones St	
519 E. Jones St	
218 N. East St	

I understand that all applications that require review by the commission's Certificate of Appropriateness Committee must be submitted by 4:00 p.m. on the application deadline; otherwise, consideration will be delayed until the following committee meeting. An incomplete application will not be accepted.

Type or print the following:

Applicant David Nicolay

Mailing Address 133 Fayetteville St. Suite 600

City Raleigh

State NC

Zip Code 27601

Date 3.15.18

Daytime Phone 919.320.3752

Email Address dave@empire1792.com

Applicant Signature

Will you be applying for rehabilitation tax credits for this project? ☐ Yes ☒ No

Did you consult with staff prior to filing the application? ☒ Yes ☐ No

Office Use Only

Type of Work \_\_\_\_\_

\_\_\_\_\_

\_\_\_\_\_

**Design Guidelines** - Please cite the applicable sections of the design guidelines ([www.rhdc.org](http://www.rhdc.org)).

Section/Page	Topic	Brief Description of Work (attach additional sheets as needed)
1.3.5	Tree Removal	Remove 5 Leyland Cypress trees on the east side of the driveway, per arborist recommendation, replace with Camelia
1.3.5	Tree Removal	Remove Mulberry per arborist recommendation. No replacement recommended to density of remaining canopy
1.3.5	Tree Removal	Remove Hackberry per arborist recommendation. No replacement recommend due to location and density of remaining canopy.

### Minor Work Approval (office use only)

Upon being signed and dated below by the Planning Director or designee, this application becomes the Minor Work Certificate of Appropriateness. It is valid until \_\_\_\_\_. Please post the enclosed placard form of the certificate as indicated at the bottom of the card. Issuance of a Minor Work Certificate shall not relieve the applicant, contractor, tenant, or property owner from obtaining any other permit required by City Code or any law. Minor Works are subject to an appeals period of 30 days from the date of approval.

Signature (City of Raleigh) \_\_\_\_\_ Date \_\_\_\_\_

TO BE COMPLETED BY APPLICANT			TO BE COMPLETED BY CITY STAFF		
	YES	N/A	YES	NO	N/A
Attach 8-1/2" x 11" or 11" x 17" sheets with written descriptions and drawings, photographs, and other graphic information necessary to completely describe the project. Use the checklist below to be sure your application is complete.  <a href="#">Minor Work</a> (staff review) – 1 copy  <a href="#">Major Work</a> (COA Committee review) – 10 copies					
1. <b>Written description.</b> Describe clearly and in detail the nature of your project. Include exact dimensions for materials to be used (e.g. width of siding, window trim, etc.)	<input checked="" type="checkbox"/>				
2. <b>Description of materials</b> (Provide samples, if appropriate)	<input checked="" type="checkbox"/>				
3. <b>Photographs</b> of existing conditions are required. Minimum image size 4" x 6" as printed. Maximum 2 images per page.	<input checked="" type="checkbox"/>				
4. <a href="#">Paint Schedule</a> (if applicable)	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
5. <a href="#">Plot plan</a> (if applicable). A plot plan showing relationship of buildings, additions, sidewalks, drives, trees, property lines, etc., must be provided if your project includes any addition, demolition, fences/walls, or other landscape work. Show accurate measurements. You may also use a copy of the survey you received when you bought your property. Revise the copy as needed to show existing conditions and your proposed work.	<input checked="" type="checkbox"/>	<input type="checkbox"/>			
6. <b>Drawings</b> showing existing and proposed work <input type="checkbox"/> Plan drawings <input type="checkbox"/> Elevation drawings showing the façade(s) <input type="checkbox"/> Dimensions shown on drawings and/or graphic scale (required) <input type="checkbox"/> 11" x 17" or 8-1/2" x 11" reductions of full-size drawings. If reduced size is so small as to be illegible, make 11" x 17" or 8-1/2" x 11" snap shots of individual drawings from the big sheet.	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
7. Stamped envelopes addressed to all property owners within 100 feet of property not counting the width of public streets and alleys (required for Major Work). Use the <a href="#">Label Creator</a> to determine the addresses.	<input type="checkbox"/>	<input checked="" type="checkbox"/>			
8. <b>Fee</b> ( <a href="#">See Development Fee Schedule</a> )	<input checked="" type="checkbox"/>				

511 Jones Street Tree Removal:

1. Remove 5 Leyland Cypress trees on the east side of the driveway, per arborist recommendation.  
Replace with 5 Camelias



2. Remove Mulberry per arborist recommendation. This tree is crowded out by the canopy of other trees. Its removal will not adversely affect the visual canopy of the site and given the density and quantity of other trees of this size on the property, we are not suggesting a replacement.



3. Remove Hackberry per arborist recommendation. This tree is on the property line, has damaged the neighbor's fence and the paver drive. Its removal will not adversely affect the visual canopy of the site and given the density and quantity of other trees of this size on the property, we are not suggesting a replacement.



Hackberry root damage to drive and neighbors fence



## **Triage Arborist Services**

November 27, 2017

**Empire Hardhat Construction**  
**Attn: Dave Nicolay**  
**133 Fayetteville St.**  
**Suite 600**  
**Raleigh, NC 27601**  
[dave@empire1792.com](mailto:dave@empire1792.com)

**REF: 511 E. Jones St.**  
**Raleigh, NC**

Gentlemen,

For your consideration.

On November 2, 2017, at the request of Dave Nicolay (Empire Hardhat Construction), I performed a ground level, non-invasive health and risk assessment of several trees of concern surrounding the home at 511 E. Jones St. in Raleigh, NC.

What follows are my observations and recommendations.

**1)** A line of five Leyland Cypress (*Cupressocyparis leylandii*) borders the Eastern edge of the driveway from E. Jones St.

These trees predate the current owner and had been planted too close to the driveway resulting in "tree form" pruning for vertical clearance.

The trees are known to have inherently weak root systems and these have developed a decisive lean toward the neighboring home to the East.

**RECOMMENDATION:**

Remove and replace with other upright plants or materials if screening is desired or required.

**2)** A double stem 12" and 23" DBH Mulberry (*Morus rubra*) grows at the end of the driveway, just off the NE corner of the recent addition to the home.

This tree was originally labeled as TREE # 9 in "FAIR" condition in my 2014 COA Tree Report for this property.

At the time, dead wood, decay and branch conflicts were apparent and the recommendation was "weight reduction and safety pruning".

To date, the tree exhibits further die back and decay. Large sections of dead wood extend toward the home. Once this dead wood is removed, the tree will be reduced to the original issue wherein lack of good structure, as well as branch conflicts still exist.

**RECOMMENDATION:**

Remove tree to eliminate safety concerns and surface root damage to driveway.

**3)** A triple stem Hackberry (*Celtis laevigata*) located immediately off the east edge of the driveway adjacent to the home.

This tree was originally labeled as TREE #7 in "FAIR/POOR" condition in my 2014 COA Tree Report.

At the time, multiple decay, infrastructure and structural issues were noted and the recommendation was for "removal".

These previous conditions persist and a section of the brick driveway is heaving as a result of the roots of this tree.

**RECOMMENDATION:**

Remove tree to eliminate safety concerns and damage to driveway.

Risk assessment is a theory of a tree's present and projected future condition. In analyzing risk factors, objective data may not always apply by standard. The living, biological element creates wide variables.

Risk mitigation is an on-going process and periodic, follow up assessments should always be made to track decline or recovery.

The statements made herein are based on current Arboricultural practice and technique and are true and factual to the best of my knowledge and based on the information available to me at this time. The exposure of additional information at a later date may contribute to further opinion.

My compensation for this assessment is not contingent upon a pre-determined or stipulated result and I have no personal interest or bias with respect to any parties involved.

Please do not hesitate to contact me with any further questions or concerns.

Sincerely,



Triage Arborist Services

Kevin L. Steed

ISA Certified Arborist/Municipal Specialist #SO-5519AM

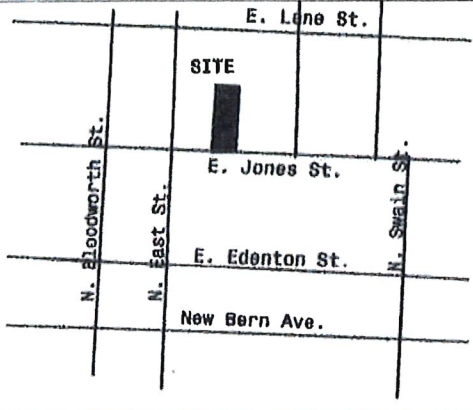
125 Dark Oak Dr. Cary, NC 27513

919-633-4258



# TREES FOR REMOVAL:

Randall Craig &  
Heather Lee Scott  
DB 14968 PG 294  
BM 2012 PG 984



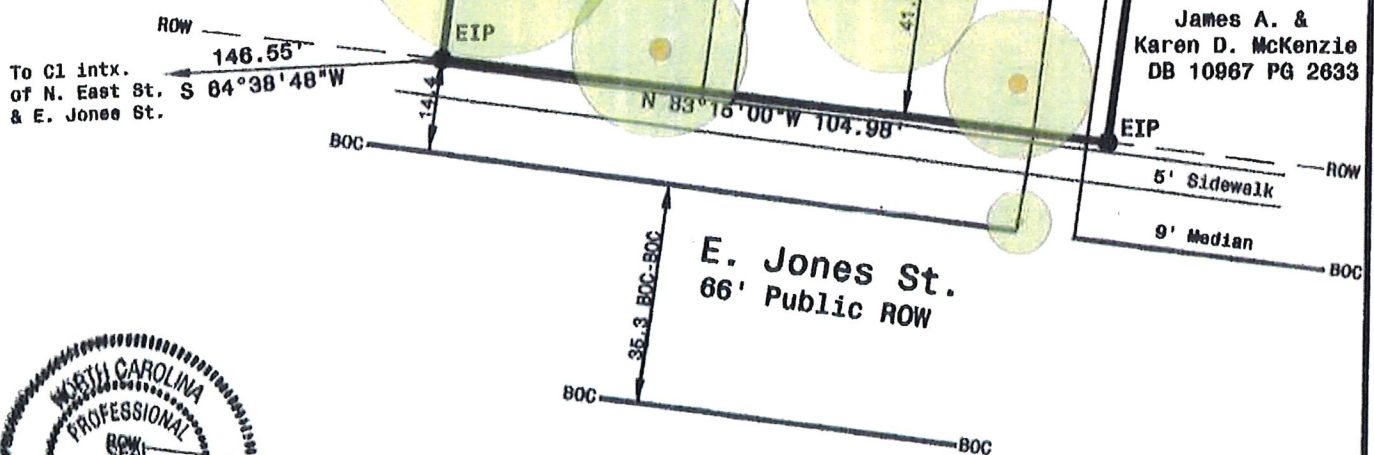
## Notes:

This property is not located in an area designated as having special flood hazards as determined by the U.S. Department of Housing and Urban Development. Flood insurance rate map number 3720170400J Effective Date: 05/02/2006

This survey is an existing parcel of land and does not change any existing streets.

DB 2172 PG 434

Ethan W. &  
Erin L. Barger  
DB 13301 PG 1808

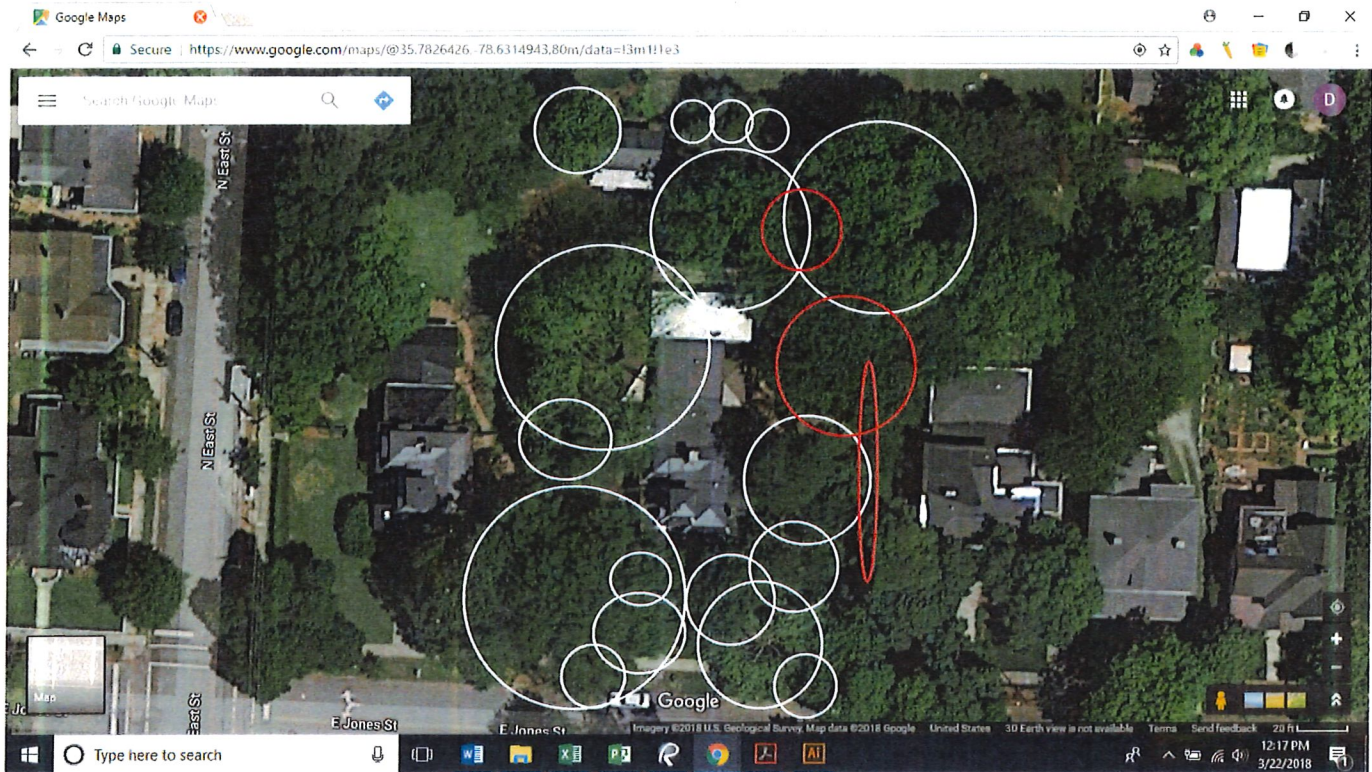


## Legend:

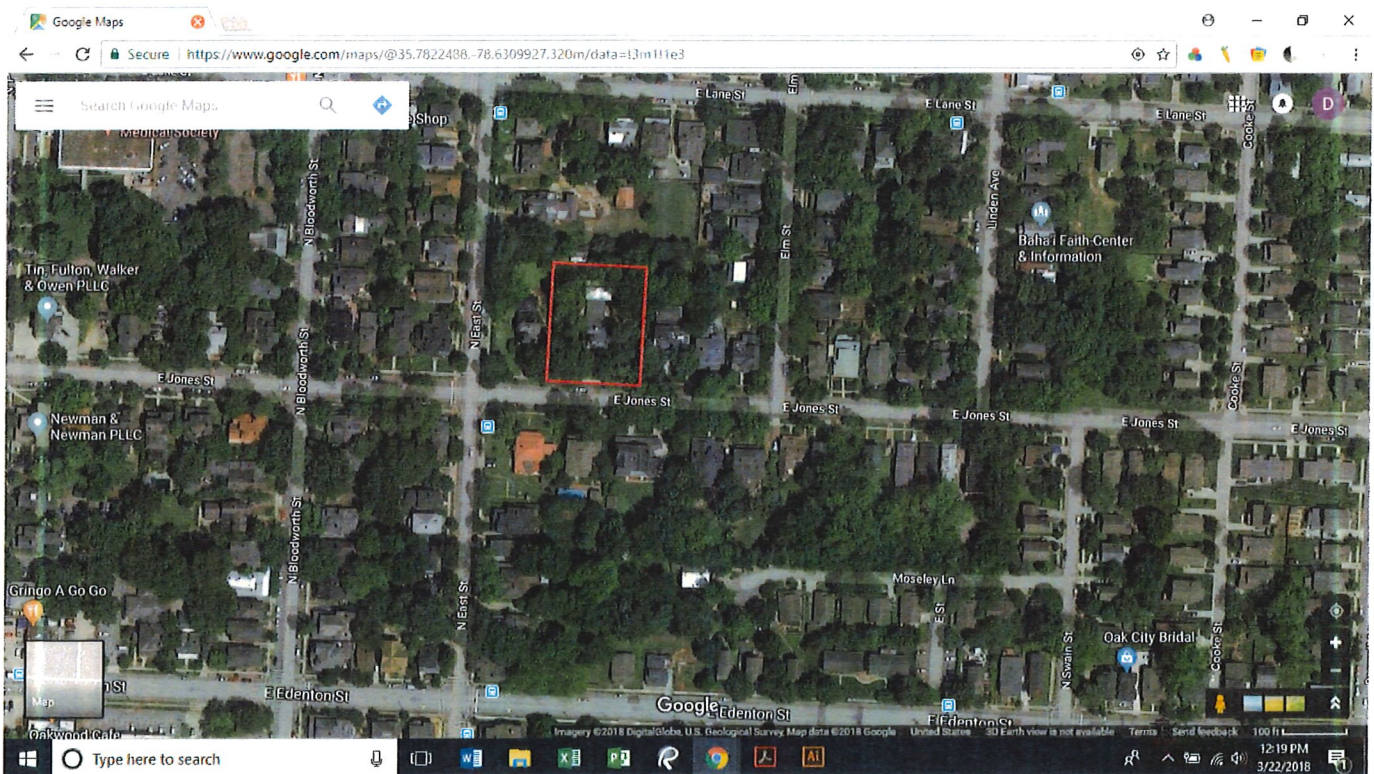
- EIP - Existing Iron Pipe
- BOC - Back of Curb

## Reference:

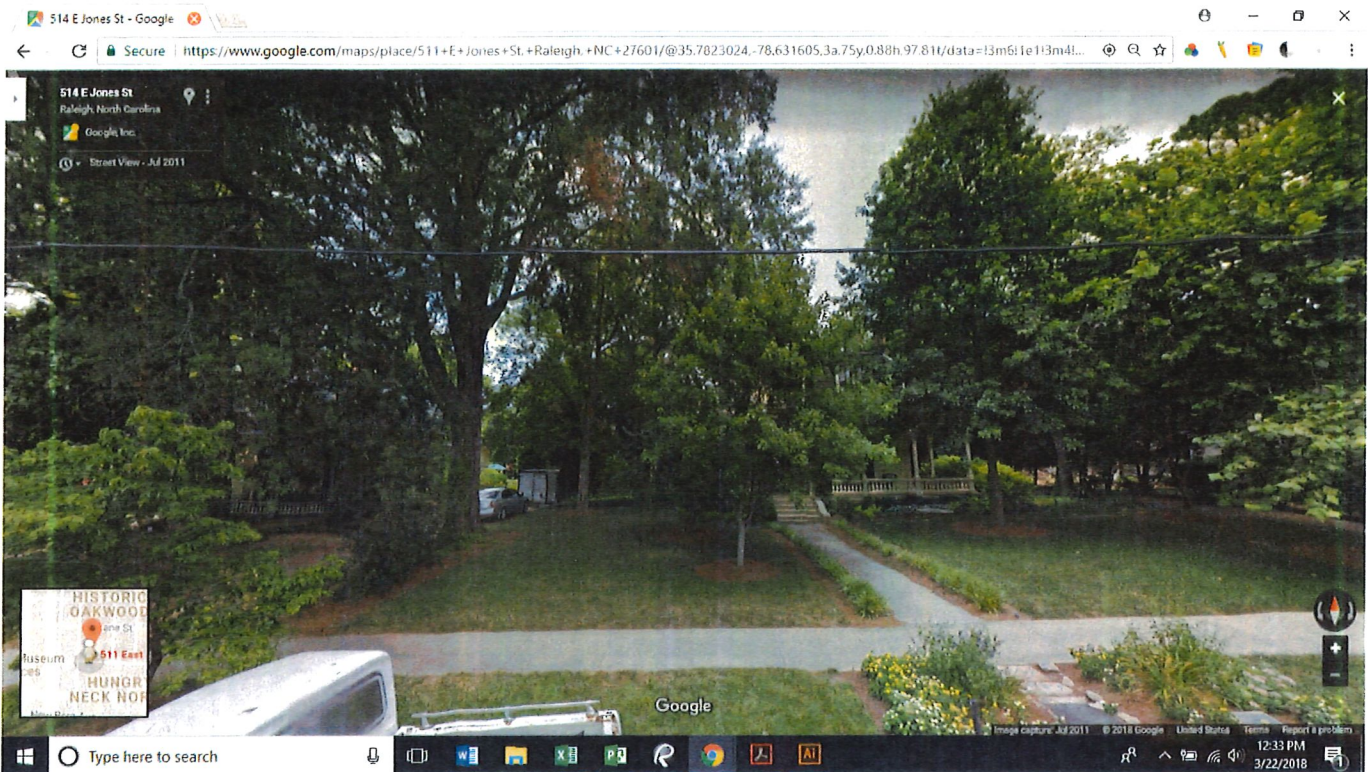
DB 2172 PG 434  
RM 2012 PG 984



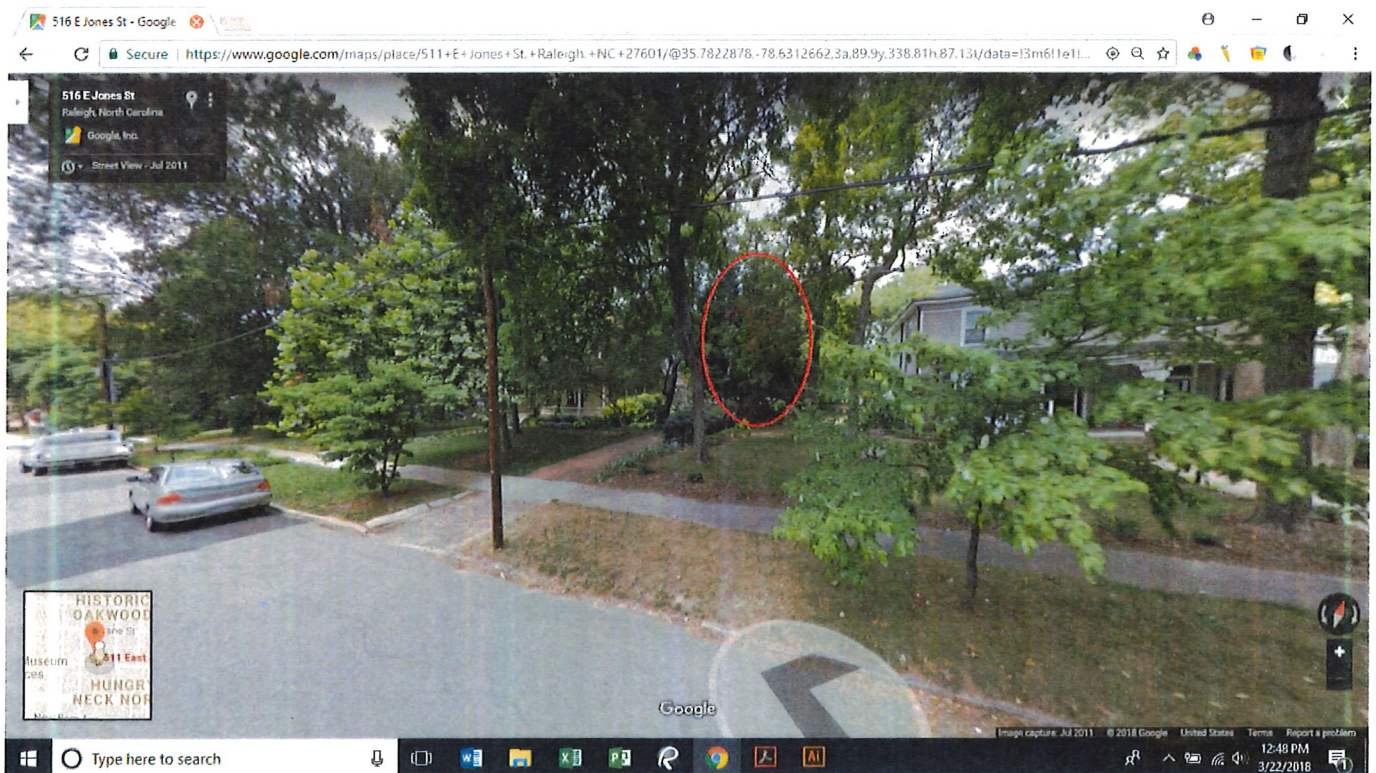
White represents tree canopy to remain. Red represents trees to be removed.  
 The white areas maintain a full tree canopy over the majority of the property.



The tree canopy at 511 E Jones is some of the most dense in Oakwood.  
 Removal of the proposed trees without like replacement of the property will still leave this site as one of the most densely populated and covered on multiple layers of canopy.



No removed trees can be seen in this view, all obscured by the rest of the trees on the property.



Cypress screening trees to be removed and replaced with Camelia

## Tree Canopy Comparison to Neighbors

