

## APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS – STAFF REPORT

129-18-CA412 KINSEY STREETApplicant:LAURA MICHELLE ROBINSON AND HAROLD LEON ROBINSONReceived:8/15/18Submission date + 90 days:11/13/20181) 9/27/20182)3)

## INTRODUCTION TO THE APPLICATION

<u>Historic District</u>: BOYLAN HEIGHTS HISTORIC DISTRICT <u>Zoning</u>: HOD-G <u>Nature of Project</u>: Implement master landscape plan; install fence; alter driveway; remove trees Staff Notes:

- Unified Development Code section 10.2.15.E.1 provides that "An application for a certificate of appropriateness authorizing the demolition or destruction of a building, structure or site within any Historic Overlay District...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."
- COAs mentioned are available for review.

## APPLICABLE SECTIONS OF GUIDELINES and DESCRIPTION OF PROJECT

Sections	Topic	Description of Work
1.3	Site Features and Plantings	Implement master landscape plan;
		removal of trees
1.4	Fences and Walls	Install fence in rear yard
1.5	Walkways, Driveways, and Off-street	Alter driveway
	Parking	

### STAFF REPORT

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

- A. The implementation of master landscape plan; installation of fence; and tree removal are not incongruous in concept according to *Guidelines* 1.3.1, 1.3.2, 1.3.3, 1.3.5, 1.3.9, 1.3.10, 1.3.13, 1.4.8; however, removal of healthy trees **may be** incongruous according to *Guidelines* 1.3.5, and the following suggested facts:
- 1\* The proposed landscape plan includes a traditionally designed front yard that features flowers and herbs along the right-of-way and boxwoods and flowerbeds along the porch.

- 2\* The rear yard is proposed to feature a sitting wall constructed from stone that addresses the grade of the yard and separates a permeable paver patio from the lawn and vegetable gardens. The patio and steps are proposed to be constructed from pavers that have the appearance of natural stone and are grey in appearance. Specifications were provided.
- 3\* Grey brick, while atypical of Boylan Heights, is similar in color to the traditional concrete and concrete block seen throughout the district.
- 5\* A large galvanized rain barrel cistern is proposed for the northwest corner of the house in the rear yard. The cistern will be sited on a gravel base and will tie into the gutter system. A photo of the proposed cistern was provided; manufacturer's specifications were not included. The application does not state that the cistern will be screened.
- 6\* The application proposes the removal of 5 trees. An International Society of Arboriculture (ISA) certified arborist's assessment was included in the application. The arborist noted that all of the trees proposed for removal appear to be in decent health. It also appears from the report that they need to be pruned.
- 7\* An aerial map was provided that shows the tree canopy of the trees proposed to be removed in red circles.
- 8\* The Site Features and Plantings section of the *Guidelines* on page 22 states that the "removal of mature, healthy trees should be considered only for absolutely compelling reasons." The Silver Maple (depicted as #1 in the photos and map) and the Mulberry (#2) are proposed for removal due to the damage the roots are causing to the driveway and the potential damage to the foundation of the primary structure and the neighboring property. The Ligustrum (#3) is causing severe damage to the shed in the rear yard. The application notes that the property owners would like to remove this tree to repair the shed in the future. The arborist noted that the Walnut (#4) and Hackberry (#5) likely have integrity issues and may see future failures.
- 9\* The application proposes the planting of several Paw-paw trees and an Espalier Tea Olive as replacement trees. Per the applicant, Paw-paw trees have a mature height of 20' and a canopy of 15-25'. Espalier Tea Olive trees have a mature height of 20-25'; however, the applicant intends to maintain a height of 10' and a width of 13'. Comparatively, a Silver Maple can reach 49-82' in height, Mulberry 70', Ligustrum 10', Walnut 80', and Hackberry 30-50'.

#### Staff Report

- 10\* No tree protection information was provided for the other trees located on the property (if any), nor was information provided about the critical root zones of adjacent trees that may be impacted by the construction of a fence in the rear yard.
- 11\* The applicant proposes the installation of a 6' tall dog-eared, cedar privacy fence around the perimeter of the rear yard. The written description mentions a proposed fence along the driveway, but additional information was not included on this fence.
- 12\* Three black aluminum gates are proposed to be installed in the fence. The applicant intends for these gates to "increase pedestrian visibility of the back yard from the street." It is atypical to install a metal gate in a wood fence. No photos or specifications were provided.
- B. The alteration of a driveway is not incongruous in concept according to *Guidelines* 1.5.1, 1.5.3, 1.5.4, 1.5.9; however, the installation of a full brick driveway is incongruous according to *Guidelines* 1.5.1, 1.5.9, and the following suggested facts:
- 1\* The applicant proposes the alteration of the driveway. The existing concrete strips are in poor condition. The application drawings indicate that brick paver strips are proposed; however, in an email from the applicant, a full brick driveway is preferred. The proposed bricks are permeable pavers that will match the existing brick retaining wall in the front yard in appearance. Images of the proposed bricks were provided.
- 2\* Full brick driveways are atypical in Boylan Heights. The Boylan Heights Special Character Essay states: "When not adjacent to alleys, driveways are most often gravel or concrete ribbon strips, squeezing beside the house to access the rear yard, and pushing the house close to the opposite side-lot line."
- 3\* The proposed pavers require excavation of up to a foot in depth which will likely impact the critical root zone of the Silver Maple and the Mulberry that are proposed for removal. A tree protection plan was not provided.

Staff suggests that the deny the installation of a full brick driveway and approve the remainder of the application with the following conditions:

 That a 365-day demolition delay be waived for the removal of the Ligustrum, Silver Maple, and Mulberry.

#### Staff Report

- 2. That a 365-day demolition delay be implemented for the Walnut and Hackberry.
- 3. That the tree protection plan be implemented and remain in place for the duration of construction.
- 4. That fence footings be dug by hand and located to avoid damage to tree roots, should any be encountered during construction of the fence. Roots larger than 1" caliper will be cut cleanly using proper tools such as loppers.
- 5. That details and specifications for the following be provided to and approved by staff prior to issuance of the blue placard:
  - a. Fence gates;
  - b. Driveway details.
- 6. That details and specifications for the following be provided to and approved by staff prior to installation or construction:
  - a. Dimensions for cistern.

# 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



·				
<ul> <li>Minor Work (staff review) – 1 copy</li> <li>Major Work (COA Committee review) – 10 copies</li> <li>Additions Greater than 25% of Building Square Footage</li> <li>New Buildings</li> <li>Demo of Contributing Historic Resource</li> <li>All Other</li> <li>Post Approval Re-review of Conditions of Approval</li> </ul>		For Office Use Only Transaction # 566365 File # 129-16-CA Fee # 50 Amount Paid # 50 Received Date 8 15/18 Received By Office Use Only		
Property Street Address 412 Kinsen Street				
Property Street Address 4/2 Kinsey Str Historic District Boylan Heights				
Historic Property/Landmark name (if applicable)				
Owner's Name Laura Michelle Robinson 4. Havold Leon Robinson Lot size . 199 acres (width in feet) 59 94' 3 /22 81' (depth in feet) 136.57' 3 147.37'				
Lot size . 199 acres (width in feet) 59,94' + 62.81' (depth in feet) 136.57' + 147.37'				
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 ( <u>Label Creator</u> ).				
Property Address		Property Address		
405 S. Boylan Ave.	41	5 S. Boylon Ave		
408 Kinsey St.	413 Kinsey St.			
P.O. Box 18332	114 Longview Lake Dr.			
407 S. Boylan Are	PO	Box 50157		
425 S. Boylon Ave.				
PO Box 50157	2m			
902 S. Walnut Dr.				

PAGE 1 OF 3

514

N. Bloodworth St.

#### WWW.RALEIGHNC.GOV

**REVISION 08.29.16** 

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: E Harold Leon Robinson Lava Michelle Robinson Applicant Wintergreen Dr Mailing Address 5940 Zip Code 27609 State NC City ale 740 4886 919 Daytime Phone 2018 fust 5 Date sells wine @ grail. com she Email Address Applicant Signature Office Use Only Will you be applying for rehabilitation tax credits for this project? X Yes 🗌 No Type of Work \_\_\_\_ Did you consult with staff prior to filing the application? 🔀 Yes No No

Section/Page	Торіс	Brief Description of Work (attach additional sheets as needed)
1.5	Driveways	Owe must fence in the back jord
2.11	A ccessibility, health' safet	for the safety of our children and dops. Also for their safety
1.3.5	Tree Renoval	We need a short ferce installed
	1. Silver maple left of house	I have and of the busy apartment
	3. several ligustrum	parking lot beside it. Trees along back force line must be removed to place the We would also love to replace the
	4. walnut at back force line 5. hackborry at back force	danaged cenent driveway through through
		They require the trees along drivewan to de renoved for this as they reed to dig a foot down for this type of pavor
		to be renoved for this as they need

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PAGE 2 OF 3

## 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.

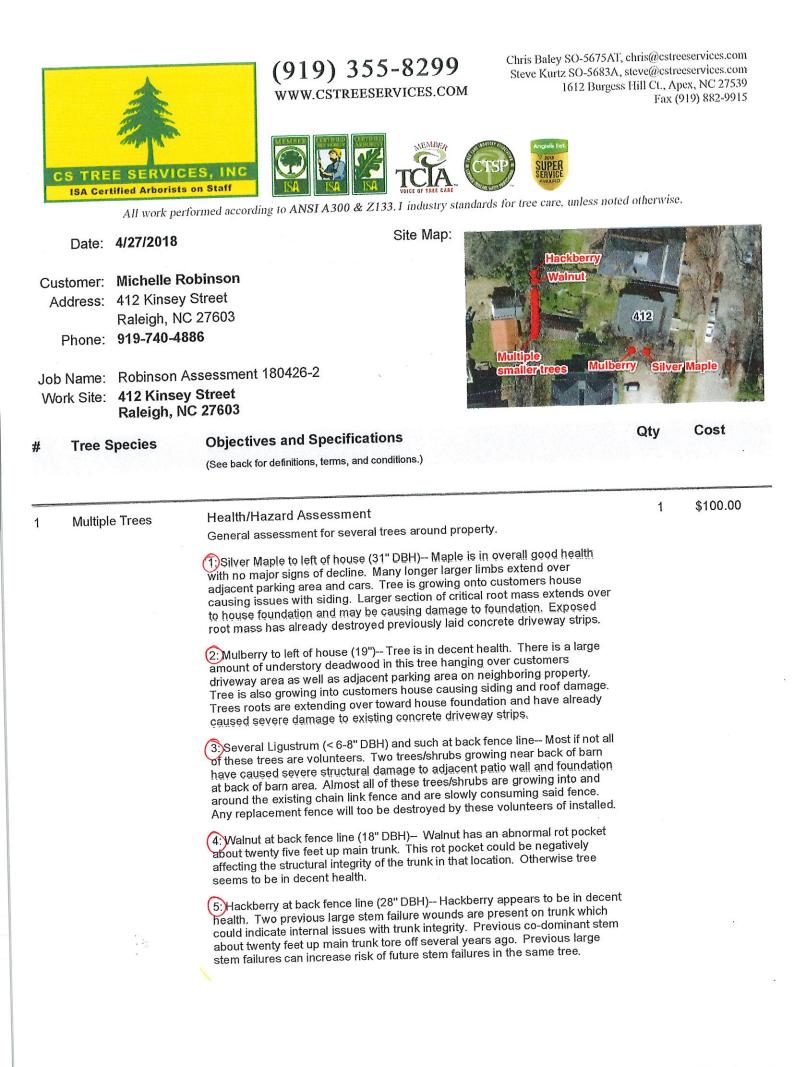
Signature (City of Raleigh) \_\_\_\_\_

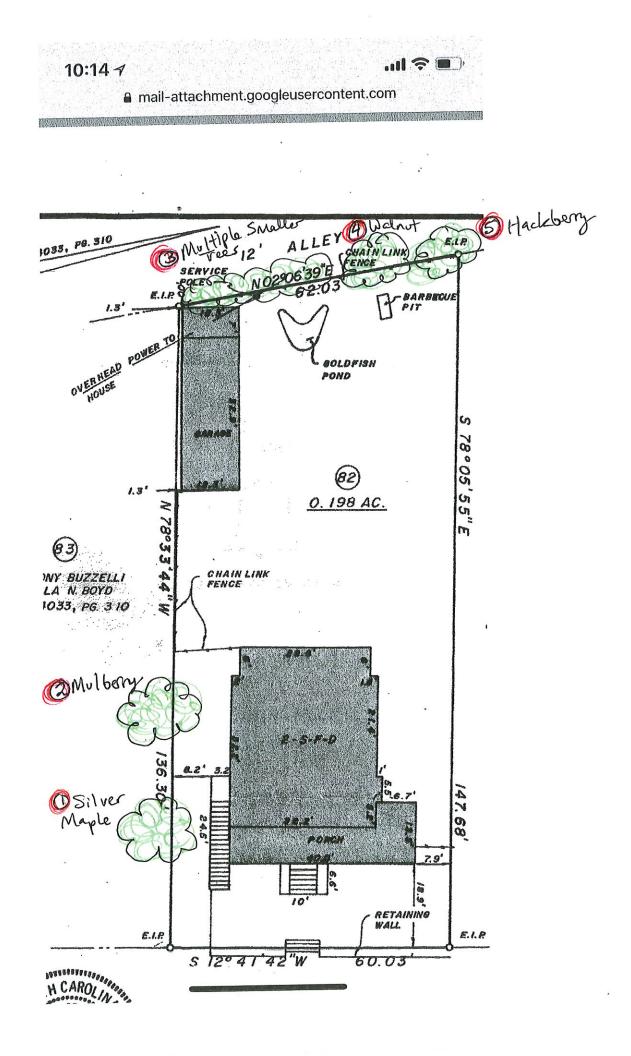
Date \_\_\_\_\_

	TO BE COMPLETED BY APPLICANT				COMPL	
<u> </u>		YES	N/A	YES	NO	N/A
and othe below to <u>Minor W</u>	1/2" x 11" or 11" x 17" sheets with written descriptions and drawings, photographs, r graphic information necessary to completely describe the project. Use the checklist be sure your application is complete.			-		
<u>Major W</u> 1.	<ul> <li>COA Committee review) – 10 copies</li> <li>Written description. Describe clearly and in detail the nature of your project.</li> <li>Include exact dimensions for materials to be used (e.g. width of siding, window trim, etc.)</li> </ul>	X	14	V	-	
2.	Description of materials (Provide samples, if appropriate)	$\mathbf{X}$		~		
3.	Photographs of existing conditions are required. Minimum image size 4" x 6" as printed. Maximum 2 images per page.	K.		~	-	
4.	Paint Schedule (if applicable)					1
5.	Plot plan (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.	X		V		
6.	Drawings       showing existing and proposed work         ☑       Plan drawings         ☑       Elevation drawings showing the façade(s)         ☑       Dimensions shown on drawings and/or graphic scale (required)	X		~	-	
	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.				ŕ	
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 Label Creator to determine the addresses.			~		
8.				-	-	

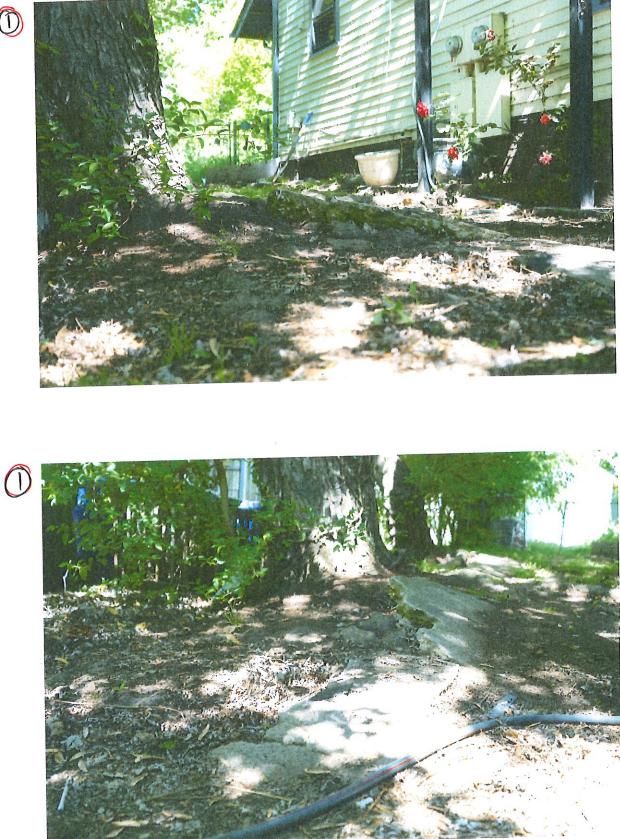
**REVISION 08.29.16** 





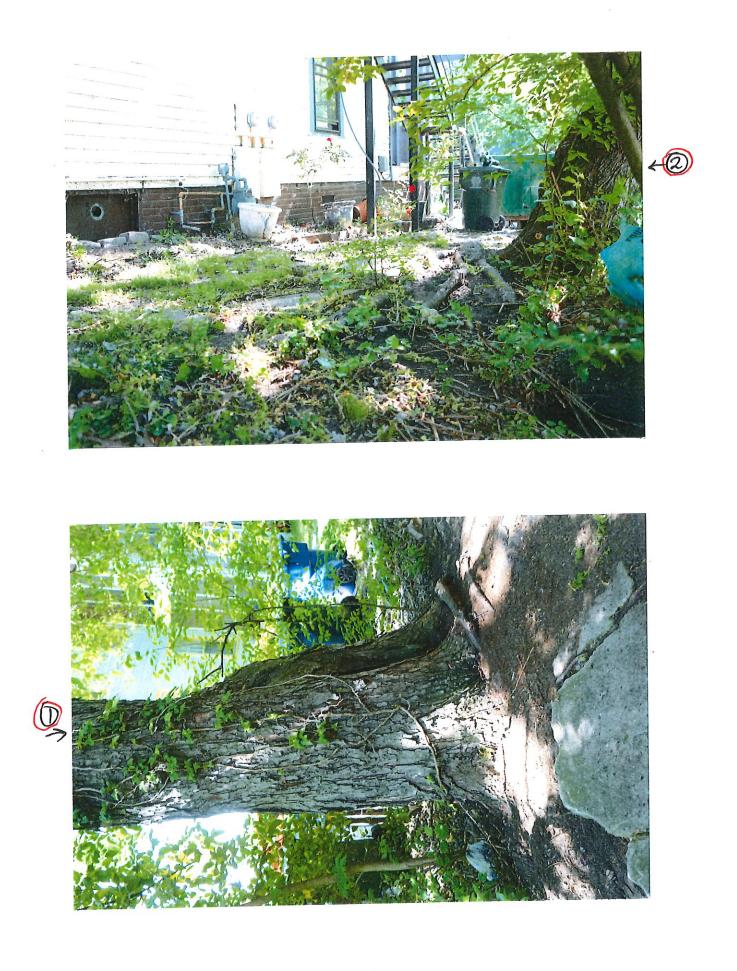


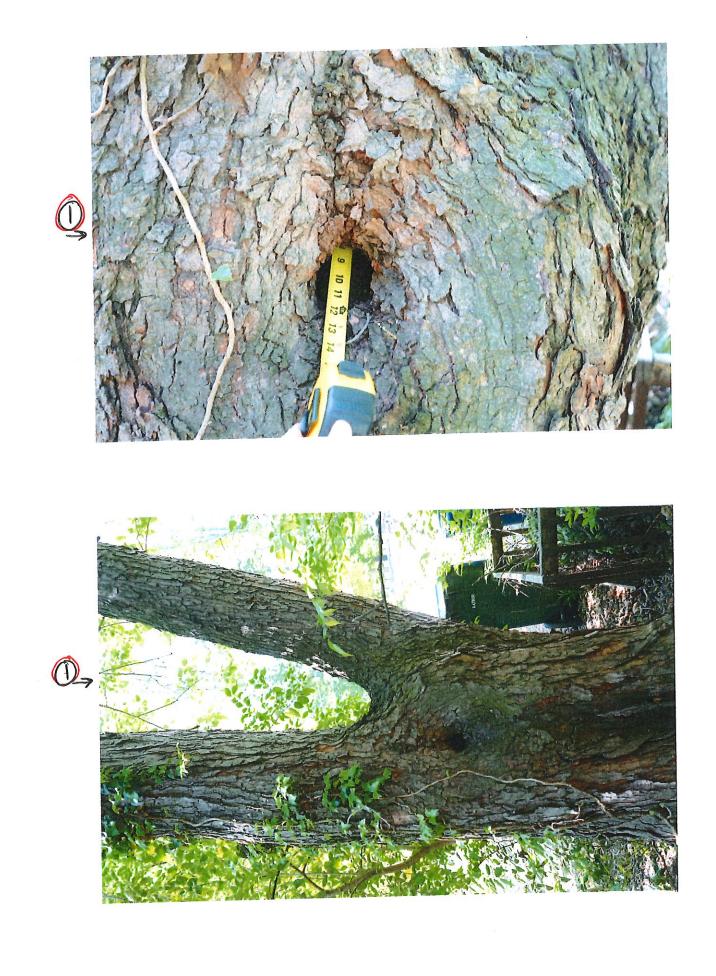


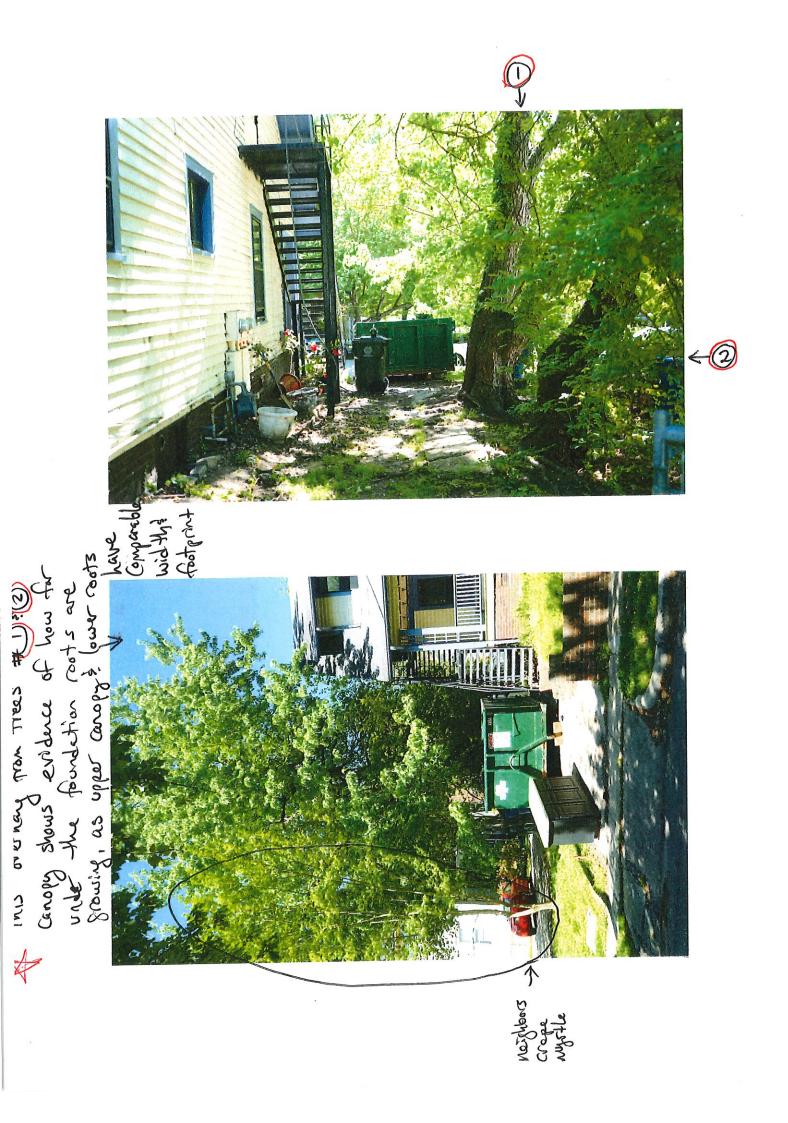










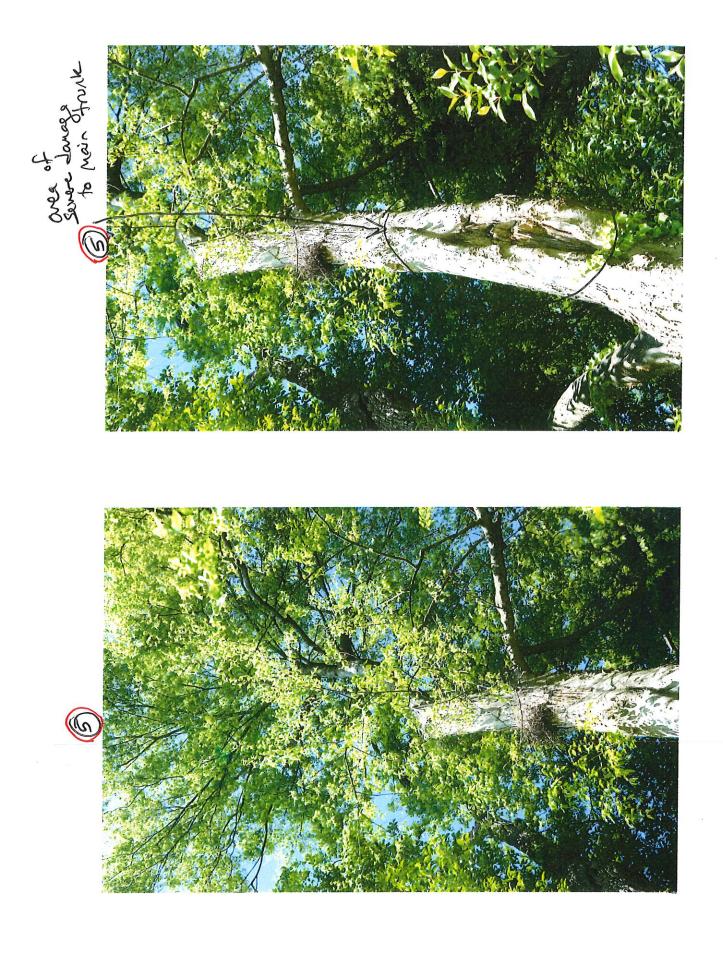




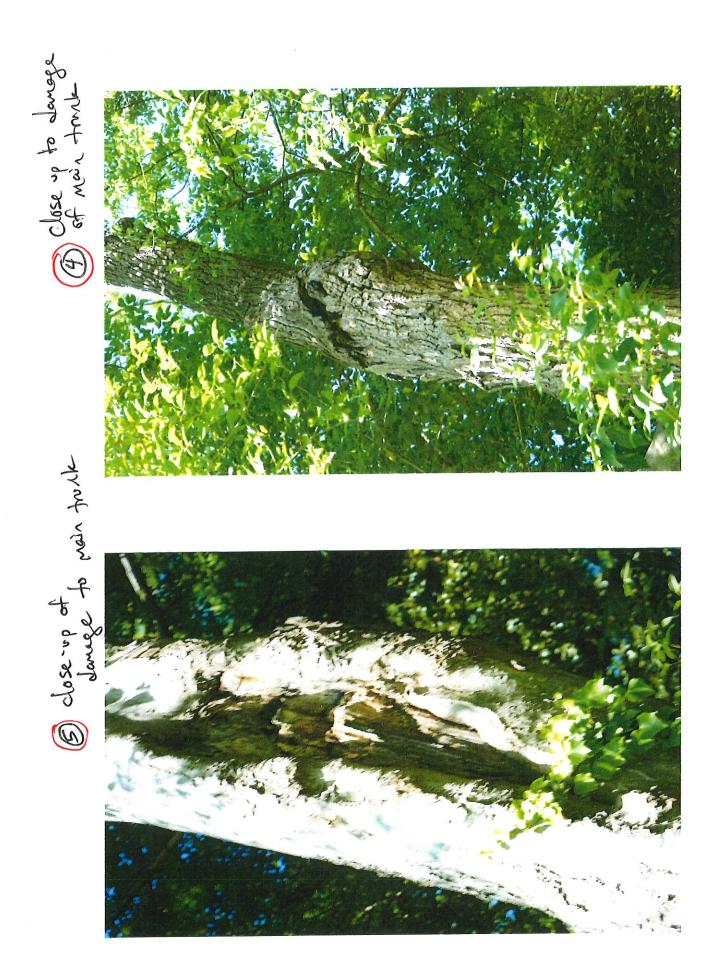




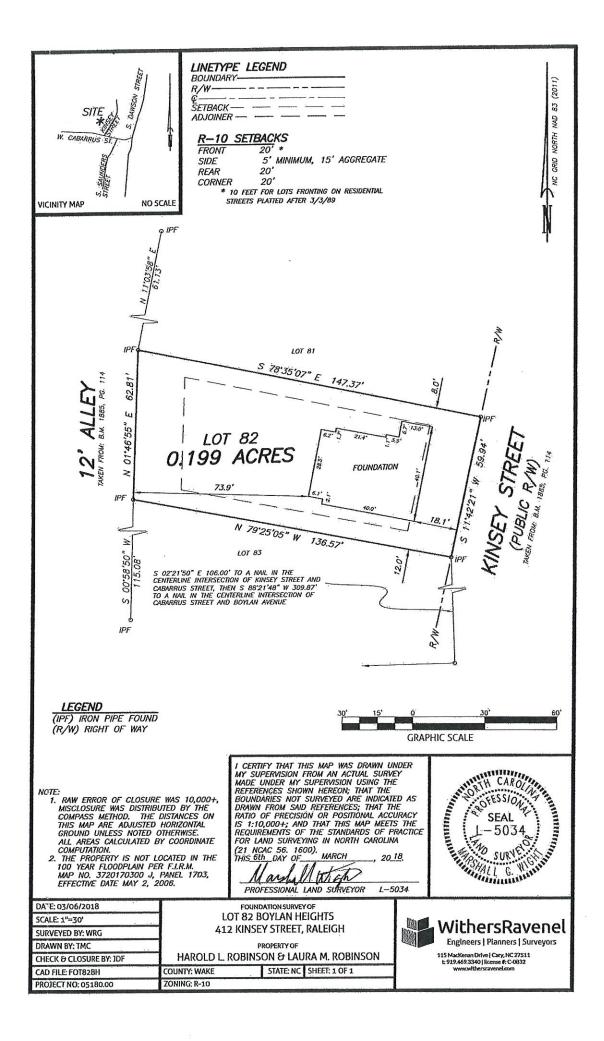


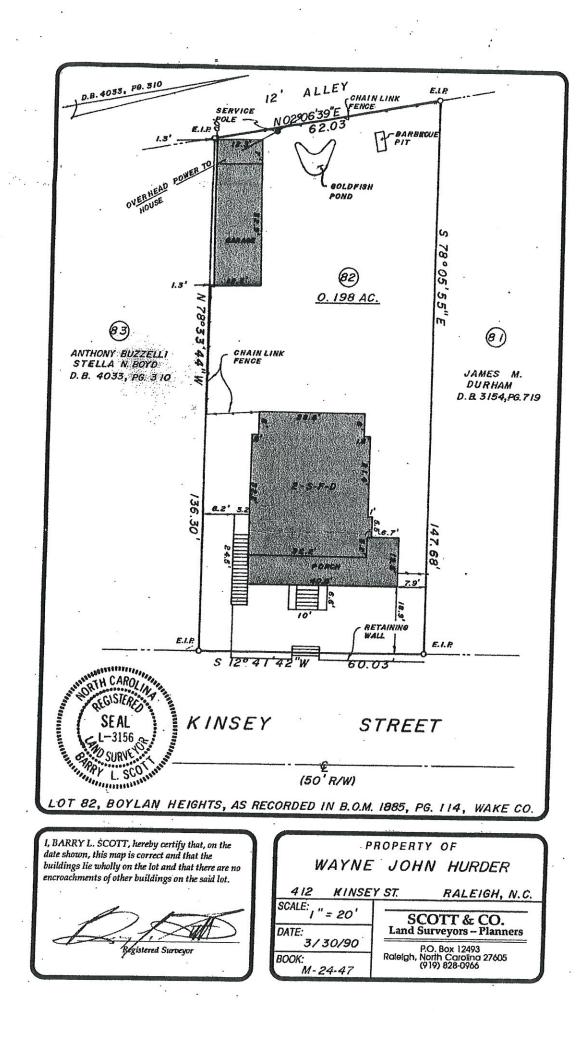


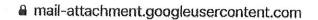


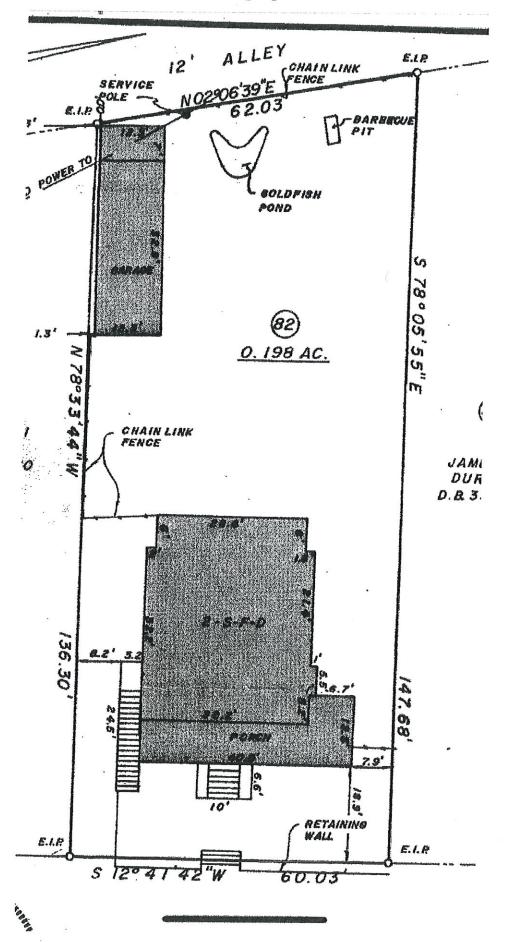




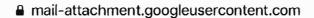


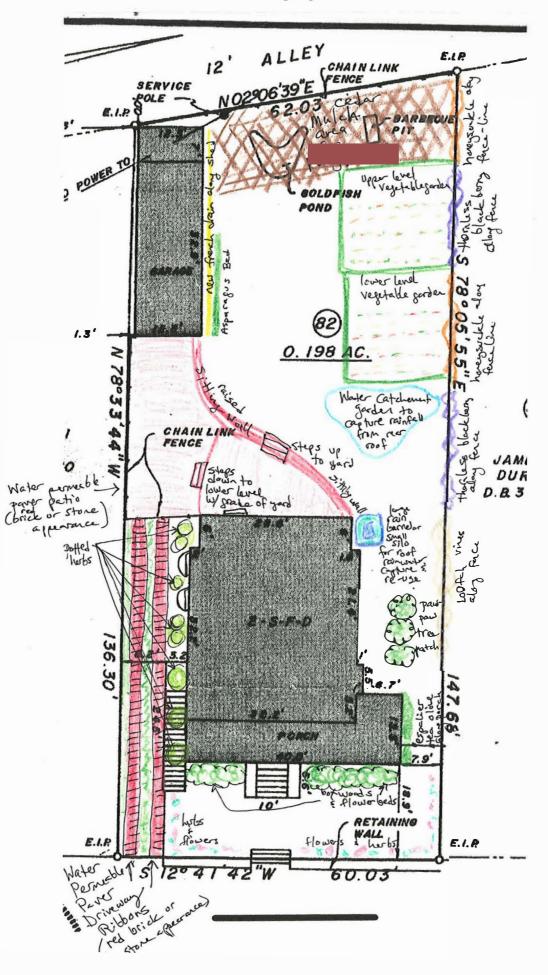














Rel AS



**Steven Kurtz** to me 2 days ago Details

Michelle

The removal of the trees by the driveway will most likely benefit the surrounding Crepes as opposed to doing any type of harm. Crepe Myrtles love their sun light and those should get a good deal more after the driveway trees are removed. They will most likely produce a far better crop of flowers in the following seasons as well.

Not sure if I would recommend Leyland Cypress for the back fence line. If you are looking for a needle bearing evergreen I would choose Arborvitaes, the Emerald Green variety to be specific. They won't get nearly as tall as the Leylands or the "Green Giant" Arborvitae. They do look very similar in form to the standard Leylands though. Leylands and "Green Giant" Arborvitae will reach fifty feet tall at maturity. They also tend to become slightly unstable at that point. That is why I would stick with something that would stay in the twenty foot range.

Granted it would be 10-15 years before any of these trees would get to their mature heights so that is something to consider too. None of these varieties will have a root structure that will disturb surrounding hardscapes.

From:Kinane, ColletteSent:Thursday, August 23, 2018 1:21 PMTo:Michelle RobinsonCc:Tully, Tania; Robb, MelissaSubject:COA Meeting - Thursday, September 27, 2018 - 129-18-CA (412 Kinsey St) - Initial Staff<br/>Comments

#### Michelle,

Thank you for submitting a Major Work Certificate of Appropriateness (COA) application. Your application has been placed on the September 27, 2018 agenda of the COA Committee of the Raleigh Historic Development Commission. The meeting will be held at 4:00 p.m. in the City Council chamber.

Based on what was submitted, the agenda will describe the request as follows. Please let staff know if this is inaccurate. - Master Landscape Plan; Tree removal

In preparation for completing the report, staff has made an initial review of your application regarding clarity and completeness and has the following questions, comments, and suggestions:

- 1. Please provide us with material information for: the sitting wall (brick? stone? etc...) and steps; the pavers for the patio and
  - driveway; and the rain barrel or silo
- Will the rain barrel be placed on a concrete or paved surface? How does it attach to gutter system? (This may be answered in the
  - specification information for the rain barrel)

3. Please provide a photo of the front of the house from the street; a detail photo of the driveway from the street; and photos of how

the rear yard currently appears.

4. Will you be removing the goldfish pond and barbecue pit that appear on the site plan?

5. For the upper level and lower level vegetable gardens – will they be boxed or banded?

6. Please submit a drawing that shows where the fence will be located. Will it be replacing the current chain link? What will it look

like?

- 7. Will the potted herbs along the driveway be placed on a paver or concrete pad? If no, there's no need to show them on the drawings.
- 8. Will the area that's currently shown as blank be left as grass or another material?

Staff has also made an initial review for adherence to the Design Guidelines and offers the following guidance and examples of the type of evidence included in successful applications.

- 1. Guideline sections 1.3 and 1.5 will be the two main areas focused on in the development of the staff report. 1.3.1 will an essential guideline to the Committee's discussion.
- 2. We'd like to request that you remove the playground and play equipment references from the drawings and application, we do not want to accidentally set a precedent of needing to approve these areas.
- 3. Can you provide some information on the trees you are specifying? What is the typical height and canopy of a pawpaw or tea olive tree? How does their mature height/canopy compare to the trees you are removing?

From: Sent: To: Subject: Attachments: Michelle Robinson <shesellswine@gmail.com> Friday, September 7, 2018 10:06 AM Kinane, Collette 412 Kinsey St patio/driveway materials B44E349D-7AD6-4841-80B1-3C23FC16450C.png; 13476889-AE71-4854-B944-954E8E956236.png; 5ACBF9D7-6830-4DCF-919E-46F996936112.png; C792E097-D64B-4654-8A75-2ACB7DC5207F.png; 82095EA7-7C73-4A98-BE56-DDC38A10C3C5.png; 717C1BA2-2BF2-4B44-9236-FF585A732E06.png; CBE72DE2-5839-4F4B-BB82-AAF6518B8557.png

#### Collette,

1. The sitting wall would need to be made from regular stone, not permeable pavers. However the sitting wall would be a close match with color and texture of the permeable paver patio to the rear of the house. The patio, steps and path would all be made from Belgard Rin Hydropor Laziano in Beluga Grey finish. This has the appearance of a natural stone paver.

We think the driveway may look better in a water permeable paver with a brick appearance, to complement the natural brick retaining wall in the front yard, which is also visible from the street. Also the foundation of the house is a painted brick, also visible from the front of the house. The Belgard Eco Dublin in Ashbury Haze finish seems to be the best complement to the existing brick. We prefer to complete the driveway as a solid piece (not a pair of ribbons).

I'm attaching photos of both of these finishes. With both of these as our preference, we are of course open to your teams feedback on what would look best with the house. Other options can be found at <u>www.belgard.com</u>





systems that reduce water run-off.

#### BELGARD<sup>®</sup> | PAVES THE WAY



Sort By: None

Filter

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# ECO DUBLIN®





Ashbury Haze



## PRICING:

# \$\$\$

Belgard brings the classic look of cut stone together with contemporary materials technology in Eco Dublin®, the latest addition to our Environmental Collection of permeable paver systems that reduce water run-off.



COLORS

#### BELGARD<sup>®</sup> | PAVES THE WAY



Products | Permeable Pavers | Rinn™ Hydropor™ Laziano®

# RINN™ HYDROPOR™ LAZIANO®

CONTEMPORARY



Sort By: None

Filter

unique German styling.

## COLORS



APPLICATIONS:





PRICING:

Beluga Grey

# RINN™ HYDROPOR™ LAZIANO®

CONTEMPORARY



=

From:	Michelle Robinson <shesellswine@gmail.com></shesellswine@gmail.com>
Sent:	Friday, September 7, 2018 10:13 AM
То:	Kinane, Collette
Subject:	COA Meeting - Thursday, September 27, 2018 - 129-18-CA (412 Kinsey St) - Initial Staff Comments
Attachments:	73C5630F-013A-418D-98B0-E0806835F493.png

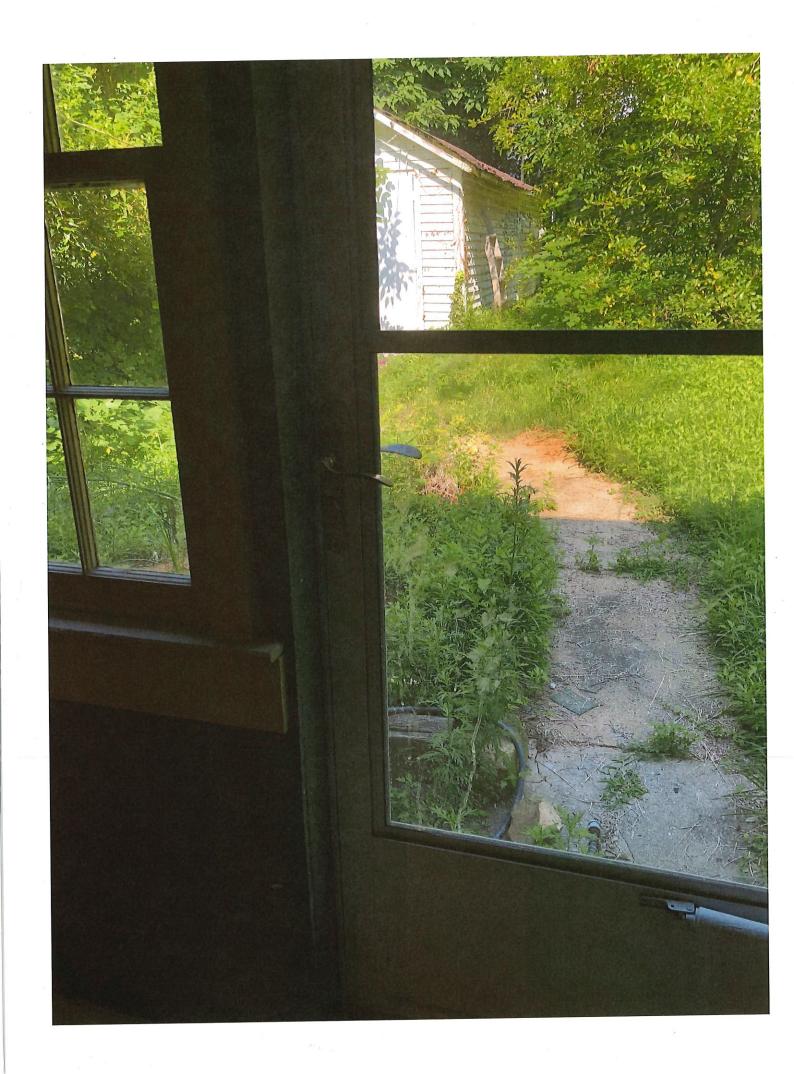
2. The rain barrel will be placed on a gravel surface with drainage underneath. The attached photo shows the style of rain barrel we would like to use, and also the way it would be attached to the gutters. It also illustrates the type of drainage that will be present for overflow, which will be directed towards plantings to the side and front of the house. All openings will be covered in mesh small enough to keep mosquitos out.



From:	Michelle Robinson <shesellswine@gmail.com></shesellswine@gmail.com>
Sent:	Friday, September 7, 2018 10:17 AM
То:	Kinane, Collette
Subject:	Re: COA Meeting - Thursday, September 27, 2018 - 129-18-CA (412 Kinsey St) - Initial
	Staff Comments
Attachments:	5ACB8998-CD26-4836-ACD6-747B32D2C8C9.jpeg; 6CE359D0-5296-4113- A19E-7951D98EF500.jpeg

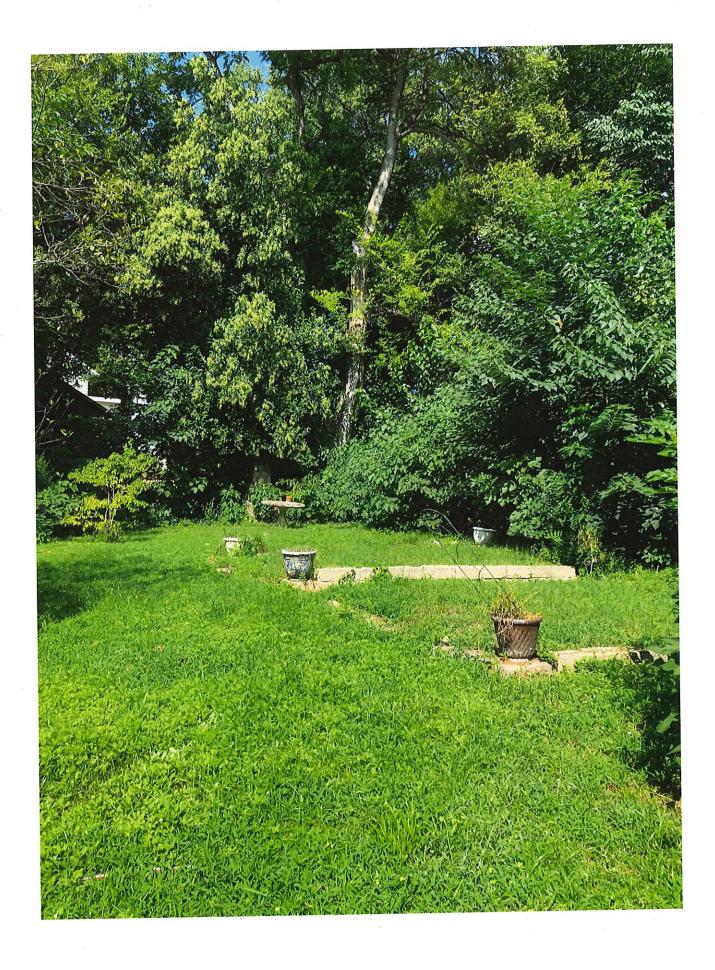
3. Attached are photos of the front of the house and one view of the back yard from the enclosed back porch.

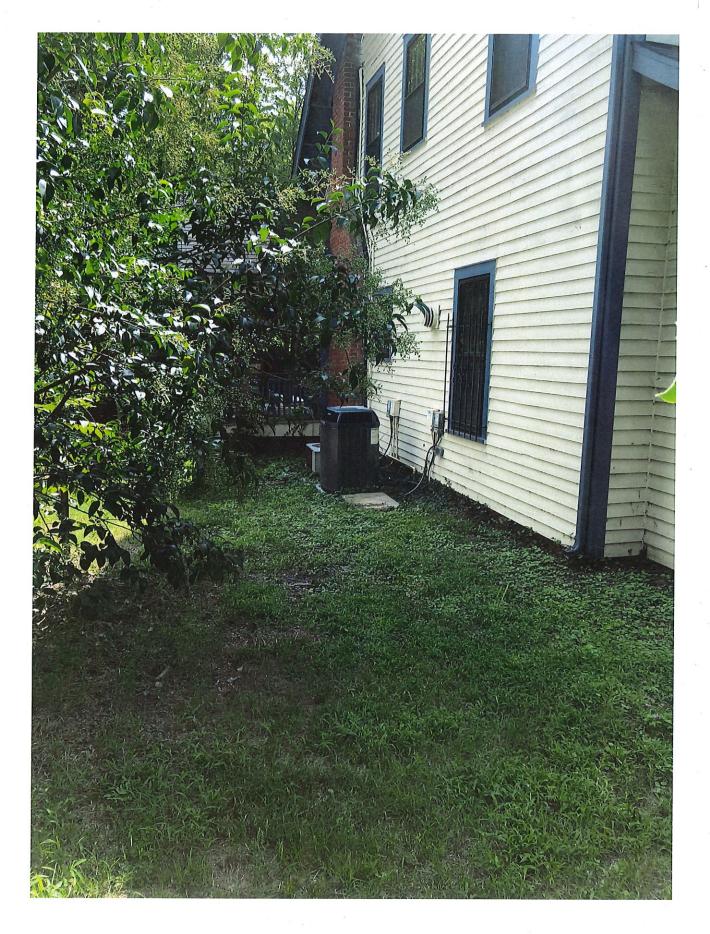




From: Michelle Robinson [mailto:shesellswine@gmail.com]
Sent: Friday, September 7, 2018 10:19 AM
To: Kinane, Collette <Collette.Kinane@raleighnc.gov>
Subject: 412 kinsey back yard photos

3. Two more back yard photos





Sent from my iPhone

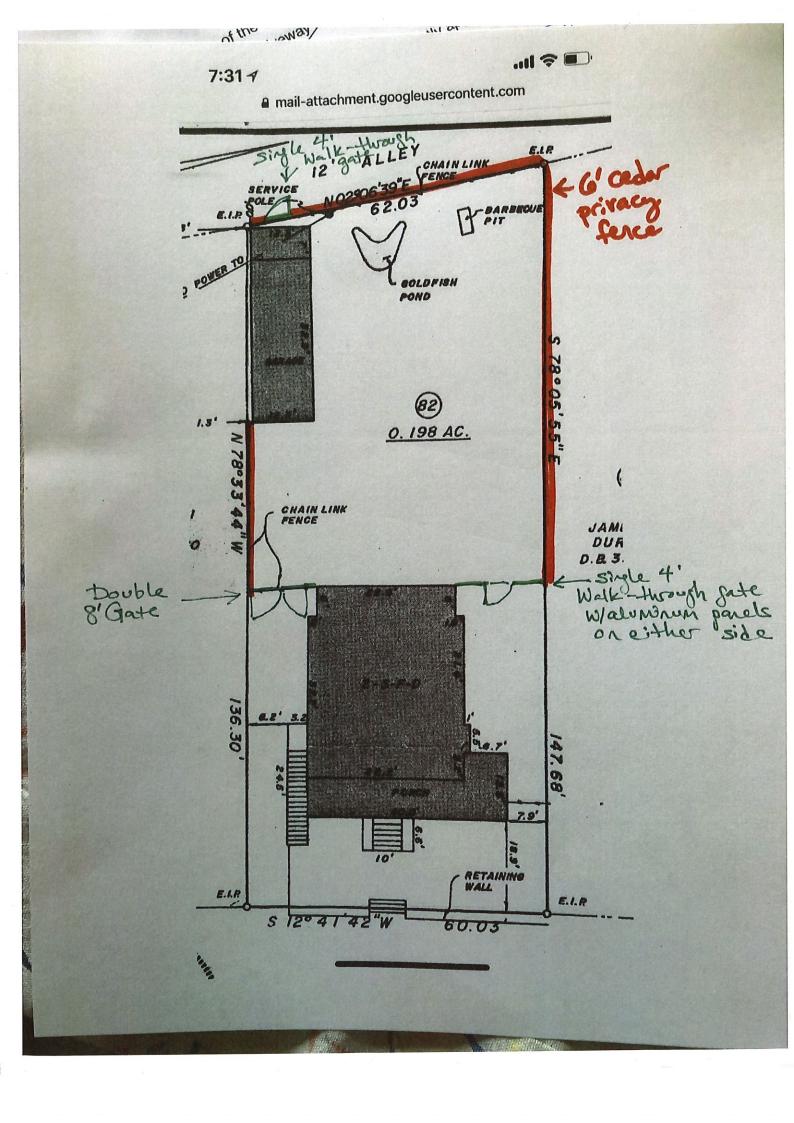
From:Michelle Robinson <shesellswine@gmail.com>Sent:Friday, September 7, 2018 11:08 AMTo:Kinane, ColletteSubject:412 kinsey back yard demo/fenceAttachments:30AE3CB7-DA49-4CDC-9303-CDE44CC1E3A3.jpeg

4. We will be removing the poured concrete u-shaped goldfish pond, as it's steep sides and narrow shape present a drowning risk for our children. The stone Bbq pit is crumbling with a third of the stones loose. We will be removing that as well.

5. The upper and lower level vegetable gardens beds will be defined on all sides by a single row of stone pavers 4" high, 6" wide.

6. The new wood back yard privacy fence will be 6' dog-eared privacy fence in cedar, with no space between 1" x 6" pickets. All 4" x 4" posts will be set with postmaster system and Japanese cedar. Rails will be 2" x 4" with three per section. It will replace the current chain-link, which is severely damaged.

Black aluminum metal gates and panels on either side of the rear corner of the house have been suggested to increase pedestrian visibility of the back yard from the street. Fence will only provide visual privacy on sides and rear of property. There would be a 8' double gate on the left hand driveway side of the house, and a 4' walk gate on the right hand side. Also a 4' wall gate towards the back of the shed at the rear of the property to access the alleyway. I've attached photos showing examples of cedar fence style, and gate style. Also a map showing location of wood fencing and metal gates.



Sent:

To:

Michelle Robinson <shesellswine@gmail.com> From: Friday, September 7, 2018 11:33 AM Kinane, Collette Re: COA Meeting - Thursday, September 27, 2018 - 129-18-CA (412 Kinsey St) - Initial Subject: Staff Comments

7. The potted herbs along the driveway will not be placed on a paver or concrete pad. Will remove from plan.

8. The area that's currently shown as blank is currently covered in weeds. We will be planting a low-maintenance grass seed blend developed at NC state for our area that needs minimal watering. It includes rye, clover and chamomile seed.

1. Will refresh my knowledge of guidelines sections 1.3 and 1.3.1 ahead of the meeting. Do I need to include more references to these in my submission?

2.I will remove the playground and play equipment references from the drawings and application. Should I keep references to that being an area covered in cedar mulch, to specify ground cover?

#### 3. More tree information:

paw paw trees can have a mature height of 20 feet and a width of 15-25 feet. They grow in a cluster, using a common taproot. However we would be pruning them to keep their branches from touching the roof or siding of our house and the neighboring house, and also to discourage root growth from the foundation of these houses.

Tea olive trees can grow into a small, upright evergreen tree, 20 to 25 feet tall. However we would be keeping this pruned to the width of the side of the front porch, approximately 13 feet wide. And an espalier training depth of 3 feet. We would keep the height trimmed and pruned to 10 feet in height as well to complement the height of the front porch and be aesthetically pleasing from the street.

These trees would not equal the canopy size of the trees we are removing. A certified arborist has advised us that there is no way to replace the canopy of the trees we are removing without causing damage to the foundation of the house, destroying any fence we install, damaging the front retaining wall or harming the slab the shed is on. The lot size is just not large enough to accommodate all of these things safely while including this type of canopy.