

**Historic Preservation Commission
Certificate of Appropriateness (COA) Application**

July 11, 2024

Address	216 South 3 rd Street
District	Historic District - Residential (HD-R)
Request	After-the-Fact Driveway and Planter Installation
Property owner	Micheal Sheehan Heirs Lynda F. Sheehan, Agent 216 South 3 rd Street Wilmington, NC 28401
Agent	Lewis Coastal Homes and Renovations / Trey Lewis 7930 Champlain Dr Wilmington, NC 28412
Staff	Megan Bacik, 910-772-4165, megan.bacik@wilmingtonnc.gov



216 South 3rd Street, Front (east) Façade, June/2024

Case Overview

The applicant requests the approval of the installation of a driveway and planters after-the-fact.

Details as shown on the drawings, plans, photographs, submittals, and narrative statement contained in the application, and supplemental materials and statements made at the July 11, 2024, meeting are a part of this request unless otherwise noted.

Property Description

The following property description is adapted from the Wilmington Historic District Boundary Expansion and Additional Documentation report, dated 2003 (originally listed 1974).

216 South 3rd Street, built circa 1900, is a two-story, side passage, three bay wide dwelling with a hip roof, lap siding and four-over-four windows. The front façade features a small stoop with a hip roof supported by Tuscan columns. The main entry door in the northernmost bay is surrounded by divided side lights and a transom. A centrally located gable end dormer with a six-light window is visible along the roof line. The rear façade features a full-width wood deck with stairs along the south side of the dwelling. Historically, the house featured full width, wraparound porches.

Sanborn Fire Insurance Maps

- **1893 Map.** The subject lot first appears developed with a two-story, L-shaped dwelling that features a one-story full-width front porch and a two-story wrap-around porch on the rear and west side facades. A stone retaining wall runs along the entire southern property line.
- **1915 Map.** An addition is constructed in the interior southwest corner, with a recessed, two-story rear porch. The stone retaining wall no longer appears on the map.

Current Conditions

- Post 1955 the lot was combined with a portion of the property to the rear (west).
- The subject building is a contributing resource to the Historic District - Residential (HD-R).
- This property was originally zoned Historic District (HD), which was established on June 13, 1962, and then rezoned to Historic District – Residential (HD-R) on March 28, 1989.

Proposed Findings of Fact

1. The subject property is a contributing resource in the Historic District – Residential (HD-R). Revisions to all facades of a building and the site are subject to design review in this district.
2. The subject property is located on the west of South 3rd Street between Orange and Ann Streets. The rear northwest corner of the property touches Northop Alley.
3. The applicant seeks approval for the after-the-fact installation of three metal planters adjacent to the rear (west) property line.
 - a. The planters are Tarter 170-gallon Galvanized Steel Water Tank, 2'-0" W x 2'-0" H x 6'-0" L.
4. The applicant seeks approval for the after-the-fact installation of a concrete driveway:
 - a. The driveway is installed to cover the majority of the rear yard.
 - b. The driveway is approximately 1350 square feet.
 - c. The driveway has a setback of 0" from both the north and south side property lines.
 - d. The driveway has a setback approximately 6'-5" from the rear property line.
 - e. The driveway is setback approximately 5'-6" from a stone wall (circa 1890's).
5. **Certificates of Appropriateness.** The following applicable certificates of appropriateness have been issued for the property.
 - a. August 25, 1968: Repair rear porch
 - b. April 12, 1977: Remove the front porch at 216 S. 3rd Street with the stipulation that applicant returns before the Commission with a more descriptive drawing and explanations of the details and dimensions of the proposed stoop and railings before the Commission will approve a replacement for the porch.
 - c. May 10, 1977: Remove entire back portion of the house and fill in the foundation with concrete blocks and stucco the concrete blocks and existing bricks and paint the

- same color as the body of the house, or, fill in the foundation with concrete blocks and face with a layer of bricks.
- d. October 11, 1977: Approved for existing front façade stoop to remain as existing, and to paint the trim white, leaving the stucco unpainted.
 - e. October 16, 1984: Construct a two-story rear addition to the house. The addition will be in the style of the existing structure. Construct a rear deck, 10'-0" D, with stair access located on the south side of the house. Construct a small roof or portico over the front entrance to protect existing door and framing. The structure of roof style shall match existing roof style, wooden columns will match original columns that were removed prior to earlier renovation.
 - f. April 4, 2023: (MW-23-186): Replace rear deck and stair in-kind with pressure treated wood. Deck cover to be constructed 11 feet above decking and extended approximately 10'-0" from face of dwelling and slope west toward rear yard. The roof of deck cover will match the main dwelling. Rear entry doors to be Andersen wood French doors, same as existing and painted white to match trim.
 - g. November 13, 2023: (MJW-09-2411): Construct a rear addition to the basement and first stories.
6. **Similar Requests.** Staff has found no recent precedent for approval of similar planter projects in the Historic District – Residential (HD-R).
 7. **Similar Requests.** Staff found the following recent approvals of similar driveway requests in the Historic District – Residential (HD-R).
 - a. 11 South 5th Avenue (MJW-17-119): Construct a new concrete parking pad in the rear yard. The narrow part of the pad shall be approximately 3' from the existing wall and aluminum fence in order to install plantings to buffer the abutting gravel parking area. The pad will have a light broom finish with smooth borders and bands to break up the solid concrete form. Dublin Cobble pavers will be installed to create a new walkway from the parking pad to the end of the back steps. Install a 13' x 19' patio using concrete pavers reclaimed from the property. Install a salvaged iron gate in the existing opening of the northern boundary wall. The gate shall be painted black to complement the new aluminum fencing. Contributing
 - b. 326 South 3rd Street (MJW-19-13): After-the-fact approval for driveway width and gravel parking area. On September 20, 2012, Certificate of Appropriateness MW-13-24 was issued to construct a driveway apron in the public right-of-way on Nun Street. According to the approved site plan, the project included construction of a 10' wide concrete driveway with flares at the curb line in the width of 18'. According to the applicant, the driveway project included relocating the driveway westward away from intersection of South 3rd and Nun Streets to provide access to a new garage and parking in the rear yard. Contributing.
 - c. 101 South 7th Street (MJW-23-03): Construct a 10' W x 40' L driveway between the side (south) façade and property line. The proposed driveway will align with an existing driveway apron and requires the removal of a ten-foot portion of the existing boundary wall. Installation of a black metal gate to match existing fencing. Remove six trees, and plant replacement trees to be planted along southern and eastern property. Contributing.
 8. **Denial Precedent.** Staff has found no recent precedent for denial of similar planter projects in the Historic District – Residential (HD-R).
 9. **Denial Precedent.** Staff found the following recent denials of similar driveway requests in the Historic District – Residential (HD-R).
 - a. 323 South 4th Street (MJW-29-2405): Construct a new 10' W x 37'-6" L driveway with 6" W concrete borders and white river rock infill, install a new fence and complete major landscaping alterations on a corner lot. The driveway will be set back 6'-0" from the side (north) property line. A ten-foot portion of the existing front (west) boundary wall to be removed to create an opening for the new driveway. On either side of the

proposed driveway boundary walls to match existing will be built to approximately 10'-0" L to meet existing grade. The property has an existing curb cut and driveway located behind the dwelling. Contributing.

10. **Staff Observations.** Staff notes the following:
 - a. The stone wall recorded in 1898 still exists on the property today.
 - b. The after-the-fact driveway is located in the rear yard, following the Design Standards recommendation for off street parking locations.
 - c. Staff was unable to find historical documentation of a driveway previously on the property.
 - d. At the site visit staff confirmed that the new parking pad is connected to the alley to the rear of the property.
 - e. Of the properties on the 200 block of 3rd Street one has a driveway that is visible from the public right-of-way, and one has a rear yard driving pad accessible from Haskins Alley.
 - f. Of the 5 properties that are bordered by Haskins Alleys four have access points to their rear yards in the form of either double gate entries or parking pads.
11. **Applicable Design Standards.** The following Wilmington Design Standards for Historic Districts and Landmarks are applicable to this request:

1.6 Secretary of the Interior's Standards Pages 47-49

- **Standard 1:** A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- **Standard 2:** The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- **Standard 3:** Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- **Standard 4:** Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

2.1 District Setting – Landscaping Pages 52-55

- **Standard 1:** Maintain the topography of the site to the extent possible. Do not alter topography with grading, filling, or excavating unless it is part of the approved construction of a building addition or a new structure. Site grading should not adversely affect drainage or soil stability on adjoining properties. Site and roof drainage should assure that water does not splash against building or foundation walls nor drain toward the building. It is inappropriate to use landscape timbers or railroad ties to create retaining walls or raised planting beds in locations visible from a street.
- **Standard 2:** Retain and maintain landscaping that contributes to the character-defining elements of the historic districts, including large trees, hedges, foundation plantings, grassy lawns, ground cover, trellises, patios, terraces, fountains, and gardens. Exceptions include trees and other landscaping that is diseased, dying, considered to be an undesirable or invasive species, a threat to the safety of property and/or people, or is causing structural damage to a historic structure. If desirable landscaping is removed, it should be replaced with identical or similar species.
- **Standard 3:** Themes in landscape design should be consistent with the character of the historic districts. For example, oriental gardens or a southwestern desert landscape are inappropriate.
- **Standard 4:** Avoid planting a tree or large shrub too close to a wall or structure. Not following this standard may cause root damage to foundations or basement walls, in turn

causing them to crack or heave. Furthermore, tree limbs overhanging a building's roof may promote the growth of plant materials in gutters, particularly if they are not cleaned on a regular basis. Position trees to the side of the front entry and at least three times the distance from the structure as the tree trunk width at maturity. If the construction of a new wall close to a mature tree is being considered, the root span should be checked by the City of Wilmington's Planning, Development, and Transportation Division. To prevent root damage a masonry arch or reinforced concrete lintel supporting the wall may be introduced between the regular footings.

- **Standard 6:** Mature, healthy trees should remain intact and undisturbed on a site unless they are causing the structural deterioration of a building. A mature tree is defined as being fifteen (15) inches or larger in diameter as measured four (4) feet above the ground. Removed trees should be replaced with a similar type tree, except where the replacement would cause structural damage to the building. Diseased trees should be examined by the City Arborist to determine if removal or treatment is required. When a tree is removed, the tree stump should be ground and the soil should be leveled and seeded.
- **Standard 7:** Do not remove a tree because it disrupts an adjacent sidewalk. Also, do not cut the tree roots, which will jeopardize the tree's health. Instead, repair or replace the sidewalk to accommodate the roots. The least expensive method is to lift the sidewalk slab, shave it from the underside to accommodate the root, and reinstall it. Other techniques include:
Excavating below the root to give it space to shift downward; away from the roots and outside the root plate (the distance from the tree that is three times the tree trunk's diameter).
Replacing the sidewalk slabs with thicker concrete slabs connected by rebar or wire mesh to avoid the future lifting of a slab; or If space allows, meandering the sidewalk

2.4 District Setting – Walkways, Driveways and Off-Street Parking Pages 62-3

- **Standard 1:** Retain and preserve the patterns, features and materials of existing walkways, driveways, and off-street parking areas that contribute to the character of the historic district. That includes brick and stone pavers, and poured concrete features predating roughly 1950.
- **Standard 3:** For driveways, use paving bricks manufactured specifically for driveways, as opposed to bricks made for other purposes.
- **Standard 4:** Design new walkways and driveways to be compatible with the dimensions, materials and color of existing paths and driveways. Use of pervious paving materials is encouraged.
- **Standard 5:** Preserve significant site features, including topography and mature trees, when constructing new driveways, walkways and parking lots. See standards in the Landscaping section for protecting trees and other important features.
- **Standard 6:** Do not use precast paving slabs or decorative coatings for paths or walkways in the residential areas of the historic districts.
- **Standard 8:** New driveways should not be constructed where they did not exist historically. If a new driveway is permitted, it should only provide access to a parking area at the lot's rear. If a new driveway is planned next to an existing driveway on an adjacent lot, a planting strip should be left to avoid a wide expanse of pavement.
- **Standard 10:** Minimize the width of driveways to the extent possible. Consider features such as landscaped central strips and permeable paving to minimize the amount of permeable surface.
- **Standard 12:** Design off-street parking to be unobtrusively located in the rear or side yard and visually screened from the street with appropriate fencing, walls and/or landscaping. Parking areas placed directly in front of primary buildings are inappropriate.

Conditions

If the commission elects to issue a certificate of appropriateness for this request, staff recommends the following conditions be applied:

1. The driveway shall be decreased in size by 50%, of which the final design, materials and location shall be submitted and approved through administrative bypass application.
2. All construction shall comply with the regulations and requirements imposed by the Land Development Code and other applicable federal, state, or local law, ordinance, or regulation, including the North Carolina Building Code. All required permits shall be obtained.
3. Changes to the project from that described in the application and submittals, shall be reviewed by the Historic Preservation Commission, or if minor in nature as specified in the *Wilmington Design Standards for Historic Districts and Landmarks*, by staff through the administrative bypass process.

Neighborhood Contact

<i>Verification of Sign Posted</i>	6/26/2024	<i>Advertisement Date(s)</i>	7/5/2024
<i>Property Owner Letters</i>	6/26/2024	<i>Other – Contact(s)</i>	None

Attachments

- 1) Application (dated received 6/3/2024)
- 2) Case map (dated 6/25/2024)
- 3) District map (dated 6/25/2024)
- 4) Project narrative (dated received 6/3/2024)
- 5) Photos of site submitted by applicant (dated received 6/3/2024)



216 South 3rd Street, Front (east) Façade, City Archives, C. 1966



216 South 3rd Street, Front (east) Façade, City Archives, C. 1970



216 South 3rd Street, Front (east) Façade, City Archives, C. 1977



216 South 3rd Street, Front (east) Façade, City Archives, October/2023



216 South 3rd Street, Rear (west) Yard, City Archives, c. 1994



216 South 3rd Street, Rear (west) Façade and Yard, City Archives, October/2023



216 South 3rd Street, Rear (west) Yard, Staff Site Visit, June/2024



216 South 3rd Street, Planters along the Rear (west) Property Line, Staff Site Visit, June/2024



216 South 3rd Street, Planter Product Tag, Staff Site Visit, June/2024