

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

July 11, 2024

Address	416 North 5 th Avenue
District	Historic District - Residential (HD-R)
Request	Installation of a Driveway
Property owner	Commonwealth Capital Group, LLC 2001 Countrywood N Rd Raleigh NC 27615
Agent	Michael Lasonde 2001 Countrywood N Rd. Raleigh NC 27615
Staff	Megan Bacik, 910-772-4165, megan.bacik@wilmingtonnc.gov



416 North 5th Avenue, Front (west) Façade, May/2024

Case Overview

The applicant proposes to install new driveway and enlarge the existing curb cut.

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).

Built circa 1904, the Thaddeus Dickinson house is a two-story, side passage dwelling with a cross-gable roof over the main body, and hip roofs over the rear addition and front porch. The pedimented gable features a circular attic vent. Windows are two-over-two sash windows and there is an enclosed stair on the north elevation.

Historically the enclosed staircase on the north side of the front façade has had a door or window at different times.

Sanborn Fire Insurance Maps

- **1889 Map.** The subject lot first developed with a one- and one-half story, wood frame dwelling with a one-story front porch and a one-story side porch near the rear of the house. A one-story, wood frame accessory structure, addressed as 416 ½ N 5th Avenue, is developed along the southern property line to the rear of the dwelling.
- **1893 Map.** The previously mentioned dwelling is demolished. A new one-story dwelling with a full width front porch and a rear one-story wing with a full width southern facing porch. A one-story stone structure labeled U.B. Dyeing/Cleaning is constructed in the northeast corner of the lot. The new structure is addressed as 416 ½ N 5th Avenue. The previous accessory structure is no longer addressed but still appears on the lot.
- **1898 Map:** A half story has been added to the dwelling.
- **1904 Map.** All three pre-existing structures are demolished. A two-story, irregular-shaped, wood frame dwelling with a two-story wrap around front porch and a two-story side porch towards on the rear portion of the north side of the house is constructed. Toward the rear of the dwelling and parallel to the northern property line is a one-story, wood frame structure. The stone structure remains on the property and is labeled Dye House and is still address 416-1/2 N 5th Avenue.
- **1910 Map.** The accessory structure is demolished. A one-story, wood framed stable with a rear porch is constructed along the midpoint of the south property line. The stable is addressed as 416 1/3 N 5th Avenue. The stone structure previously mentioned remains with an added note of a buried gasoline tank.
- **1915 Map.** The stable's rear porch is enlarged, and a two-story, wood frame structure with a rear porch labeled Dyeing, addressed as 416 ½ N 5th Avenue, is constructed on the north side of the lot. The existing Dye House is labeled 'To Be Removed.
- **1951 Map.** All accessory structures including the Dye Houses and stable are demolished. A rear addition that includes the infill of the rear porch has been added to the dwelling. A full-width, two-story rear porch is constructed on the rear addition.

Current Conditions

- **Post 1955:** the front porch was partially infilled and altered to a full-width porch, and an enclosed staircase was constructed on the side (north).
- The lot was approved to be subdivided into three lots on April 16, 2024.
- A 19'-8" easement to allow access to the two rear lots was approved By City of Wilmington Zoning and Engineering on April 9, 2024.
- The subject building is a contributing resource to the Historic District - Residential (HD-R).
- This property was zoned Historic District-Residential (HD-R) on September 5, 2000.

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 east side of North 5th Avenue between Red Cross and Walnut Streets.
3. The applicant proposes to construct a new gravel driveway:
 - a. The proposed driveway will be 8'-6" W x 29'-0" L.
 - b. The proposed driveway will the following setbacks:
 - i. 1' - 0" from the side (north) property line. .
 - ii. 3'-6" from the recessed front entrance stairs.
 - iii. 7'-6" from the front porch.
 - iv. The applicant has not provided the gravel material that they are proposing to use.
 - c. Existing curb cut is 8'-6" wide
 - d. Mulch will be installed along the front (west) façade of the front porch.
 - i. The site plan indicates that unlisted plants will be installed in the proposed mulch area.
 - e. Sod will be planted in the front yard and around the proposed driveway.
4. The applicant proposes to construct a new concrete sidewalk:
 - a. The proposed 6'-0" W sidewalk will be located between the existing right-of-way sidewalk and the front porch stairs.
 - b. The proposed 4'-0" W sidewalk will come off the proposed 6'-0" W sidewalk will be installed to lead up to the recessed front entrance stairs.
5. **Certificates of Appropriateness.** The following applicable certificates of appropriateness have been issued for the property.
 - a. February 22, 2022: (MJW-2202-30): Install storm windows, repair existing windows, modify two window openings, create new door opening and install rear French doors, repair siding, install rear deck, remove rear shed roof, replace existing decking on side deck, modify north side roof line, install new decking on front porch, and paint house and trim. Conditions included that meeting rails of all storm windows shall align with the meeting rails of the windows, all new, repaired, and replacement windows shall have true divided lights and glass shall be clear with no tint, all new siding shall match the existing in materials, design, and reveal, and new roofing materials shall match the existing in materials, color, pattern, and dimensions. The repaired siding would be wood lap siding to be 5 7/8" x 3/4" with a five-inch reveal. The siding would be kiln-dried, treated pine from Special Wood.
 - b. April 17, 2024: MW-24-162: Restore existing front and southern façade windows to be restored to single window openings. New windows wood, JELD-WEN Sitrine windows to be installed in all window openings.
6. **Similar Requests.** Staff has found the following precedent for approval of similar projects in the Historic District – Residential (HD-R).
 - a. 11 South 5th Avenue (MJW-17-119): Construct a new concrete parking pad in 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.
7. **Denial Precedent.** Staff found the following a recent denial of a similar request 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 for a previous driveway located behind the dwelling. Contributing.
8. **Staff Observations.** Staff notes the following:
 - a. The lot does not have an existing driveway.
 - b. Staff was unable to find historical documentation of a driveway.
 - c. Site visit confirmed that the existing curb cut is 8'-6" wide.
 - d. The northernmost wall of the side (north) façade is setback approximately 14'-0" from the side (north) property line.
 - e. The proposed driveway will be located to the side of the front porch and to the front of the main building of the dwelling, taking up most of the north side of the front yard.
 - f. The property has been subdivided and an access easement will run along the southern side of the property between 416 N 5th Ave and 414 N 5th Avenue.
 - g. A denial for vinyl windows and wood siding was issued in March 2024 by the Historic Preservation Commission.
 - h. On June 26, 2024, the applicant submitted a revised plan that decreased the original proposed size of the drive by approximately half, changed the proposed driveway material from concrete to gravel, and included the addition of a new sidewalk and minor landscaping.
9. **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.
- **Standard 5:** Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- **Standard 6:** Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
- **Standard 7:** Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- **Standard 8:** Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- **Standard 9:** New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- **Standard 10:** New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.

2.2 District Setting – Public Right-of-Way Pages 56-57

- **Standard 1:** Preserve and maintain the patterns, features, materials, and size of streets, sidewalks, and street plantings that contribute to the character of the historic districts. Paving, ground cover, street lights, benches, traffic signs, transit stops and utility lines also contribute to the character of the public right-of-way.
- **Standard 3:** If construction work in the ROW is necessary, protect and retain historic streetscape features such as brick streets, street furniture, fountains, granite curbing, and street plantings. Repair or replace sidewalks, curbs, and paving where needed to match adjacent materials. If new bricks are needed for street or sidewalk repair, they should match the original in size, dimension and color.
- **Standard 7:** It is inappropriate to introduce new ROW features in historic districts to create a false historical appearance or era. Examples of such features include paving materials, lighting, and streetscape furniture.
- **Standard 8:** Historic street patterns, width, profiles, and materials shall be maintained, if feasible. Streets and alleys shall not be closed. Replacement of granite curbs with concrete is not appropriate. Avoid disrupting historic curb and sidewalk materials. Physical connections with historic curb and sidewalk materials shall be made as cleanly and compatibly as possible.

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 2:** Replace only the deteriorated sections of historic walkways and driveways, and match the original with respect to materials, design, color., and texture.
- **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 9:** Existing driveways may be eliminated where they did not exist historically, and their elimination should be encouraged.
- **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.
- **Standard 13:** Provide internal landscaping for large parking lots, including shade trees planted in curbed islands. A parking lot with more than six parking stalls should have a minimum of ten (10) percent of the interior area landscaped.
- **Standard 14:** Large trash receptacles, including dumpsters, should be located out of the public view at the rear or along an inconspicuous side of a building. It should also be screened by gated walls or fences and/or evergreen vegetation.

Conditions

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

1. All Right-of-Way permits will be required prior to construction.
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>	5/29/2023	<i>Advertisement Date(s)</i>	6/7/2023
<i>Property Owner Letters</i>	5/29/2023	<i>Other – Contact(s)</i>	None

Attachments

- 1) Application (dated received 5/7/2024)
- 2) Case map (dated 5/21/2024)
- 3) District map (dated 5/21/2024)
- 4) Project narrative (dated received 5/7/2024)
- 5) Site Plans (dated received 5/7/2024)
- 6) Photos of site submitted by applicant (dated received 5/7/2024 and 6/26/2024)
- 7) Revised project description (dated received 6/26/2024)
- 8) Revised site plan (dated received 6/26/2024)



416 North 5th Avenue, Front (west) Façade, City Records, 1999



416 North 5th Avenue, Front (west) Façade, City Records, c. 1990s



416 North 5th Avenue, Front (west) and Side (north) Façades, City Records, Undated



416 North 5th Avenue, Front (west) Façade, City Records, 2022



416 North 5th Avenue, Side (north) Yard, City Records, 2022



Original proposed location of driveway

416 North 5th Avenue, Front (west) Façade, City Records, February 2024



Proposed location of driveway

Proposed location of 4'-0 walkway

Proposed location of 6'-0 walkway

416 North 5th Avenue, Front (west) Façade, City Records, February 2024



416 North 5th Avenue, Existing curb cut, City Records, May 2024



416 North 5th Avenue, View of existing curb cut from public sidewalk, City Records, May 2024