
LOCAL HISTORIC DISTRICT: Dilworth

ADDRESS OF PROPERTY: 1923 Dilworth Road East

SUMMARY OF REQUEST: Fence Modification

OWNER: Carl and Joelle Jacobs

APPLICANT: Carl and Joelle Jacobs

THIS APPLICATION WAS DEFERRED ON FEBRUARY 12, 2014 FOR THE FOLLOWING:

- **Context**
- **All pictures**
- **Rear changes**
- **Massing**
- **Fenestration**
- **Rhythm**

Details of Proposed Request

Existing Conditions

The property is located at the corner of Dilworth Road East and Ideal Way. A fence was approved by the Commission in May 2012 and is currently under construction.

Proposal

The applicant is requesting an amendment from the approved plan which includes a stacked stone retaining wall and changes to the fence.

1. Along Ideal Way the applicant is requesting to leave the fence in it's current location which is specified on the plans as 8" from the back of sidewalk to the center of the post. A portion of the fence along Ideal Way is in the side yard *and* the rear yard.
2. The applicant is proposing a short retaining wall that is 28" at the highest point in the back corner.
3. The majority of the privacy fence in the rear yard will not exceed 6'. However, the applicant is requesting a corner panel to be 6'-10" due to site conditions. The left side yard fence will be within the guidelines for privacy fences as stated on the plans.
4. The applicant is proposing to screen the privacy fence in the rear yard as specified in the guidelines.

Policy & Design Guidelines for Fences

1. Front yard or front setback fencing is restricted to low picket style fencing. On such fences, the height of the support posts should not exceed thirty-six inches above grade, and the height of the pickets should not exceed thirty inches. All pickets must be separated by a visible spacing pattern. All front yard fencing on residential uses must enclose three sides of the front yard. Front yard privacy fences are not allowed.

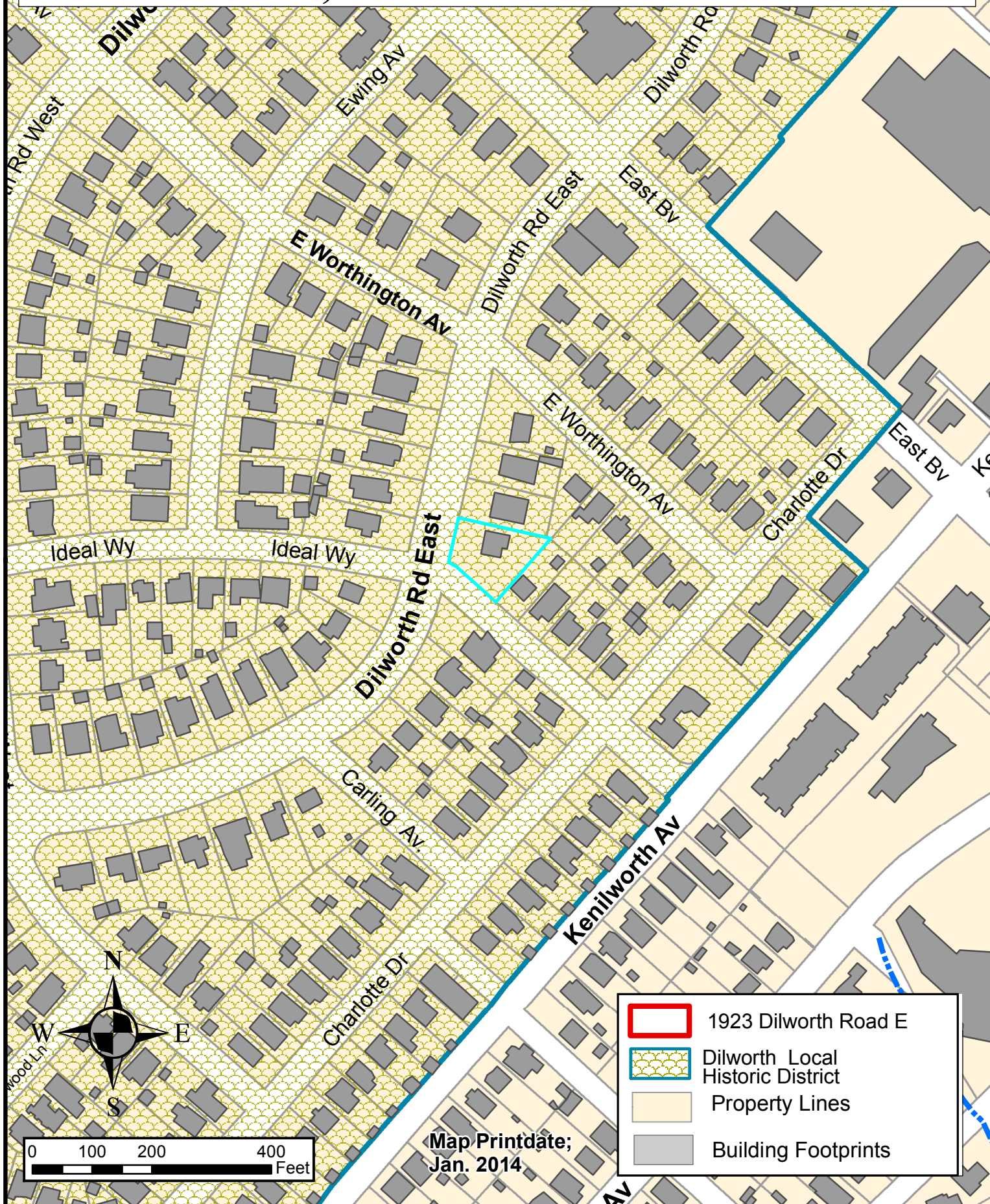
2. Fencing should not obscure the front elevation of the primary structure on a property. Also, fencing should not substantially obscure side elevations of the primary structure.
3. Fencing visible from any public street must be judged appropriate to the district. It must have texture resulting from an interplay of light and dark materials or solids and voids. Solid privacy fences that would be substantially visible from the street are not allowed.
4. The structural members of any fence must face inward to the property being fenced. The HDC will consider approving fences where the structural members are an integral part of a overall design, and where both sides of the proposed fence are identical.
5. Wooden fences must be painted or stained in an appropriate fashion.
6. No fencing may be over six feet in height, as measured from the outside at grade.
7. Fencing materials and details must be appropriate to the architectural style of the building they enclose. Proper fencing for a Victorian home can differ substantially from that appropriate to a Craftsman bungalow.
8. Fencing must avoid any style that presents a long unbroken expanse to adjacent properties or to public thoroughways.
9. All sides must be appropriately finished.
10. On corner lots on residential streets, privacy fences in rear yards must be screened with appropriate landscaping materials.

Staff Analysis

Staff believes the revised plan meets the applicable guidelines for fence design and has satisfied the unresolved issues identified by the Commission in the previous meeting. The Commission should determine if an exception should be made to the request of a 6'-10" section in the rear left corner of the site.

Charlotte Historic District Commission - Case 2012-029

District Location; DILWORTH



Details of revised project:

This application is for retaining wall and fencing. The Jacobs' previously approved (in May 2012) Certificate of Appropriateness expired due to lengthy litigation brought on by neighbor on Ideal Way. Construction has been stopped awaiting approval from the Commission.

Retaining wall: The back line of our property drops steeply, leaving an area approximately 79' long and 6'9" wide (decreasing to about 3' wide as it gets closer to Ideal Way) which is presently at the neighbor's lower property level (see fill area indicated on site plan). Other properties on our side of Dilworth Rd E share a retaining wall to insure that the drop does not occur until their property line. We propose a similar solution, except that this retaining wall will ameliorate the slope of the land rather than eliminate it. The change in elevation may be as much as 4' in the back corner of the property (and indeed the neighboring retaining wall is 4' or more high.) We propose a more modest wall which is 30" high at its highest point, declining to less than 1' high before it ends. It will be approximately 75' total length, ending near the back of the neighbor's house. The wall will not be visible from any street, and it will not extend into any side or front yard. Picture of dry stack retaining wall in its final stage of construction attached. There will be gravel fill to slow runoff and help contain drainage, and topsoil to correct the grade.

Fence: We propose to enclose our rear yard, and a portion of each side yard, with a wood fence. All fencing visible from the street will be a decorative wood fence with an 18" panel of vertical 1x2 slats above a solid base panel, as detailed in the Fence Construction Detail.

Fencing in all side yard setbacks will conform to HD standards for side yard fencing, including posts at 5' or less, and panels of 4'6" or less. Fencing in the rear yard setback, (including a stretch of fencing adjacent to Ideal Way but within our rear yard setback), will conform to rear yard standards with posts at 6' or less and panels 5'6" or less.

A portion of this fence (19 linear ft) will be set back 6' from Ideal way to allow for a 4'6" wide x 6' deep landscaping bed on either side of our driveway gate (emerald arbor vitae and azaleas) and room for the gates to swing out without encroaching on the sidewalk. For an additional 28'-- extending back from Ideal Way along our rear property line-- the fence which separates the neighbor's front yard from our rear yard will be a 3' 6" height, conforming to HD front yard fence standards as a concession to our neighbor. Both the reduced height of this section of fence and the 3' wide landscape beds adjacent to it should substantially lessen the impact of this fence for neighboring residences on Ideal Way.

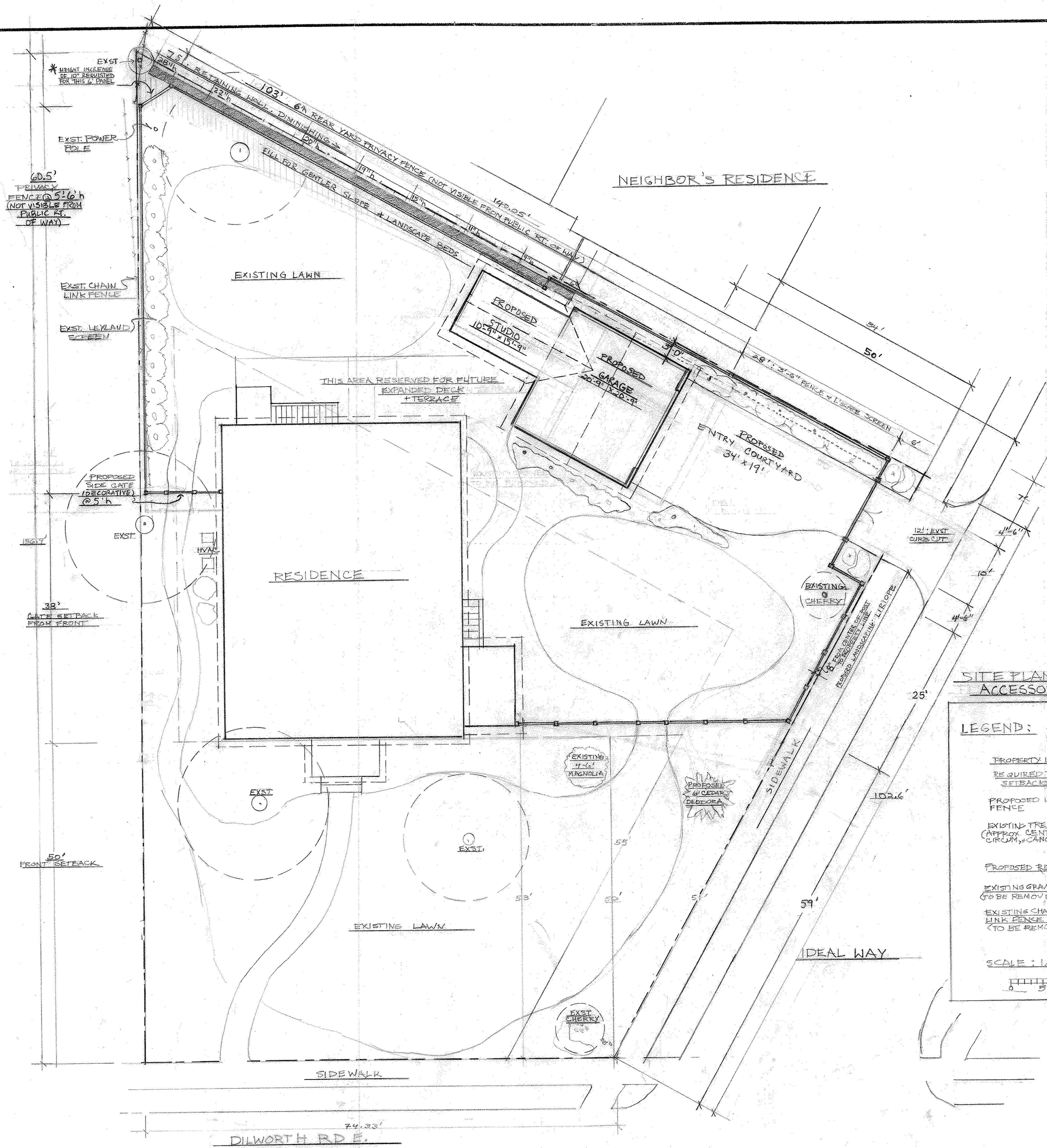
In the rear yard proper, where the fence will not be visible from any public right of way, we propose a 6' screening fence. Please see attached example of 6' screening fence panel in relation to the 5' decorative panel.

We are asking the commission for a variance to raise one panel of fence 10" in the rear corner where 5 properties meet, and area that is barely visible to any neighbors. At the allowable panel height of 5'6" currently there will be a 20" difference between the sides this panel is bridging, making for a very severe

drop in fence. A 10" increase in height for this one panel would transition the drop more naturally, following the lay of the land. Please see photo of this panel during construction.

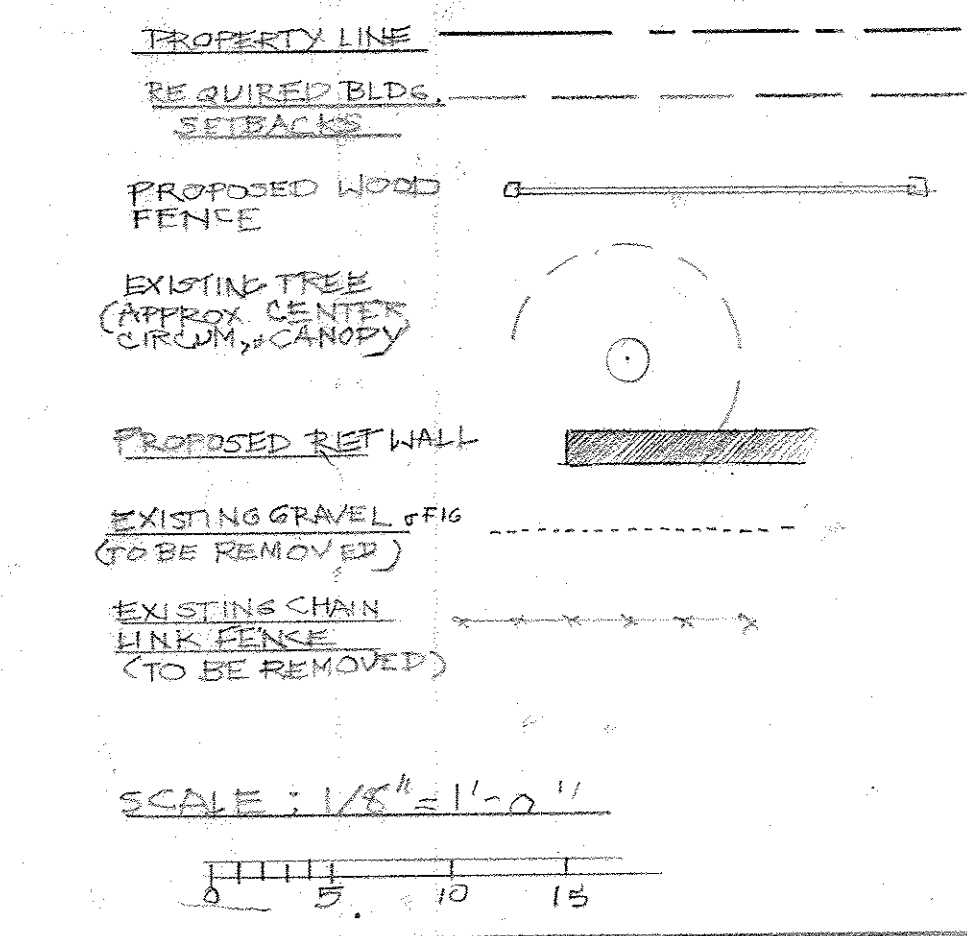
See detail for proposed driveway gate. We have proposed to build this to match the rest of the decorative fence. However, we would like to request approval to deviate from the solid lower portion during construction for safety reasons if we determine it's necessary to space the boards (similar to the upper decorative portion of fence) to allow for better visibility.

Landscaping: We are beginning to develop a comprehensive landscaping and property improvement plan for future implementation, which we will complete as time and budget allows. At this time, we have set the bed lines as indicated on the site plan, and we will landscape the entry gate, and the portion of fence abutting the neighbor's front yard as indicated above. At this time we also wish to have approval for 1 substantial (6'tall b&b) ornamental tree, deodora cedar, to anchor the front landscape in front of the proposed side yard fence.



SITE PLAN: PROPOSED ACCESSORY BUILDING

LEGEND:



Project Information
 JOELLE & CARL JACOBS
 1923 DILWORTH RD. E.
 CHARLOTTE, NC

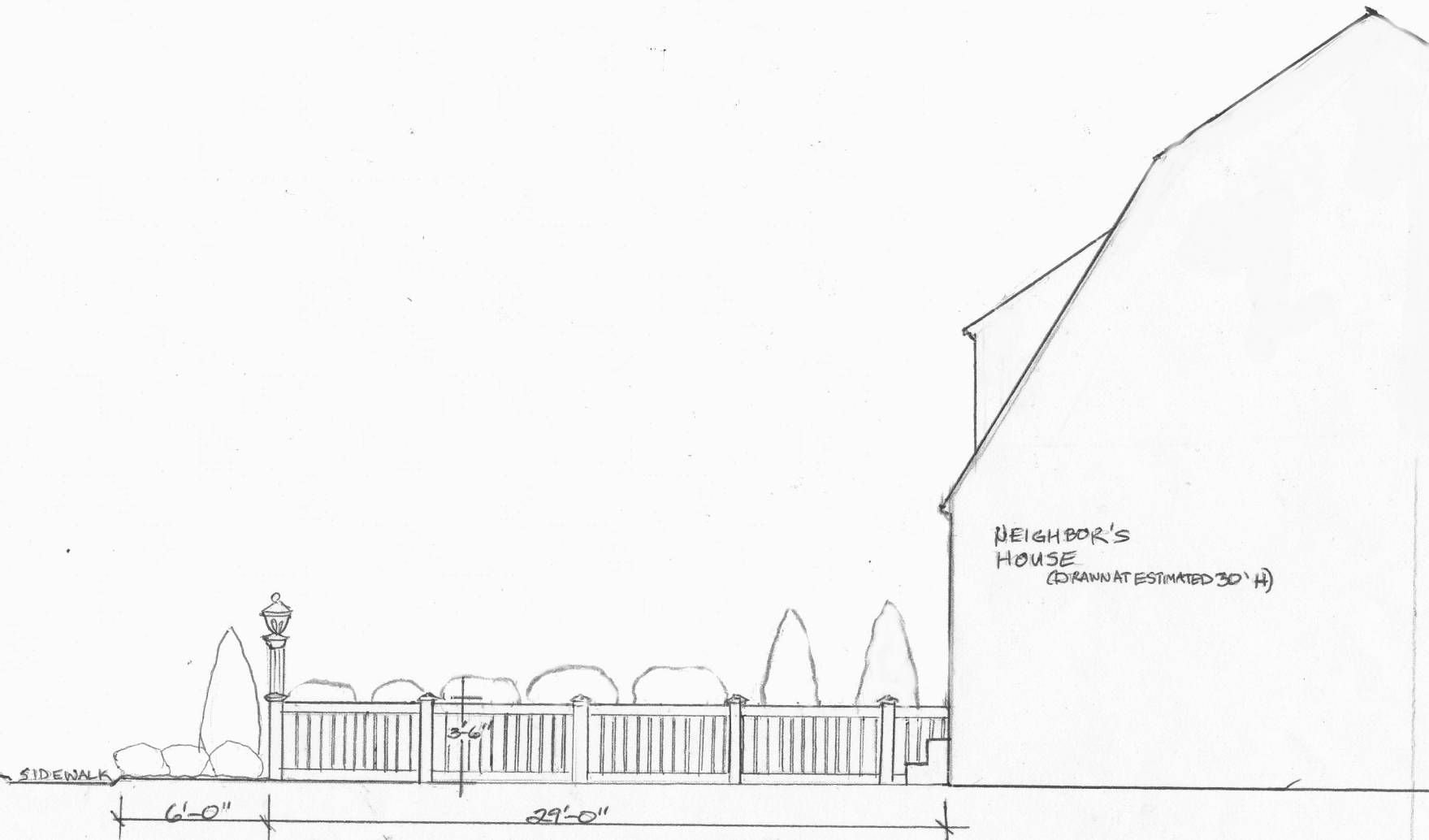
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Date: 2-12-2012
 Revisions:
 Reduced By 50%
 NEW SCALE: 1/8" = 1'-0"
 2-20-2014

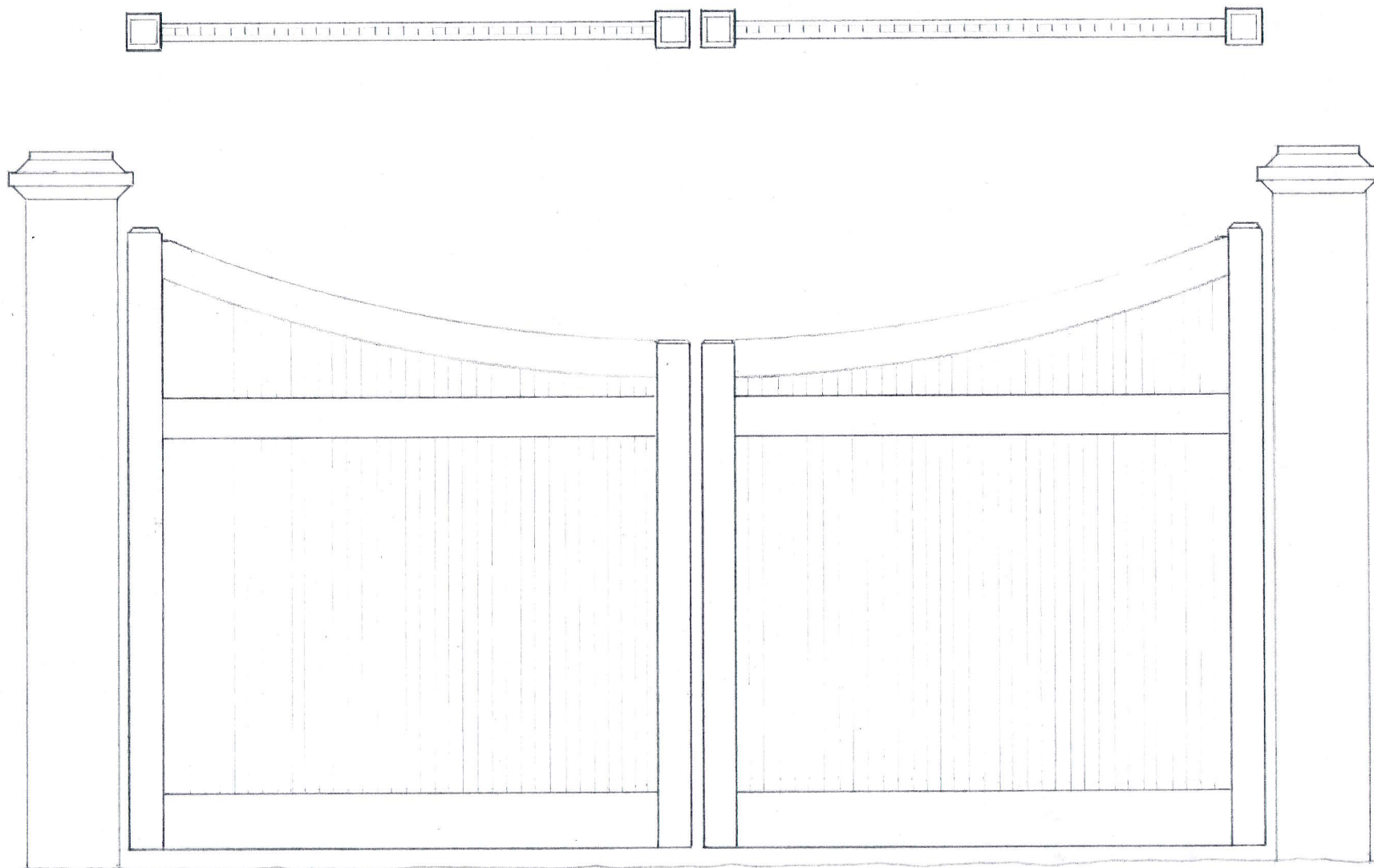
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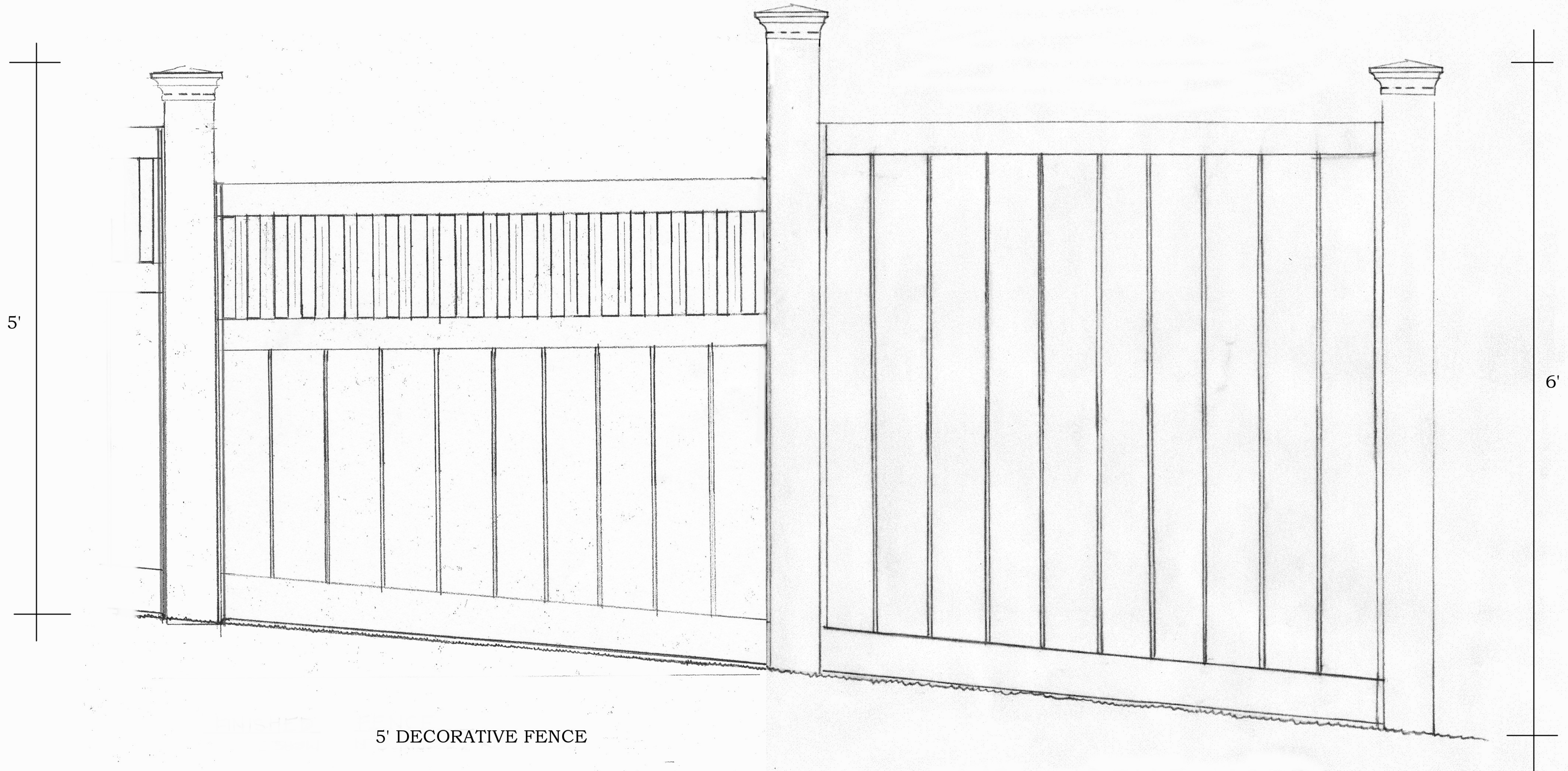
JACOBS FENCE: VIEW FROM IDEAL WAY
NEIGHBOR

SCALE: $\frac{1}{4}" = 1'-0"$



JACOBS GATE DETAIL
 $\frac{3}{4}'' = 1' - 0''$

MBF 2/17/14

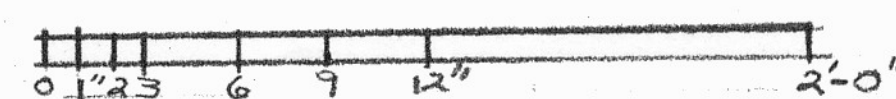


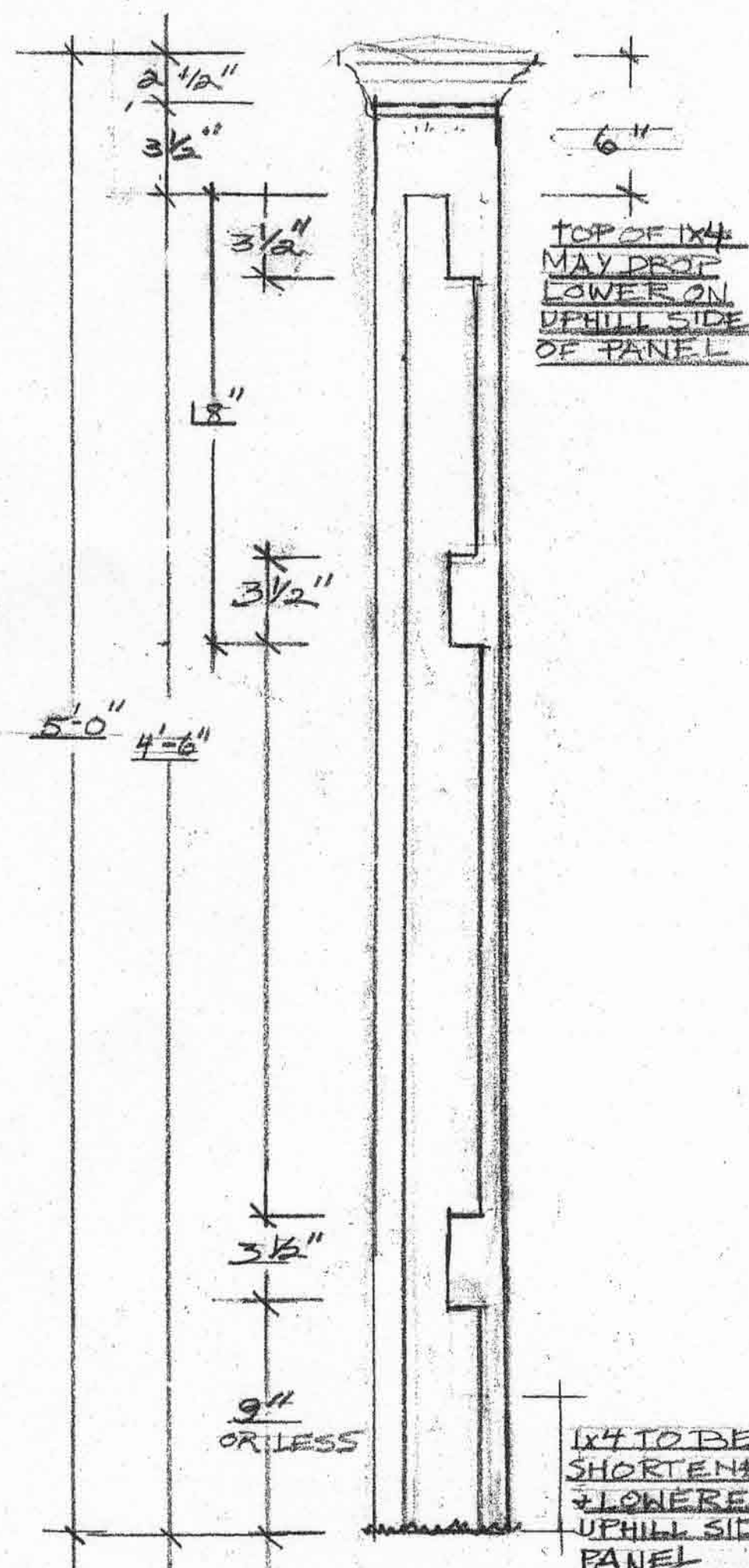
5' DECORATIVE FENCE

6' SCREENING FENCE

CARL + JOELLE JACOBS
SIDE / REAR FENCE

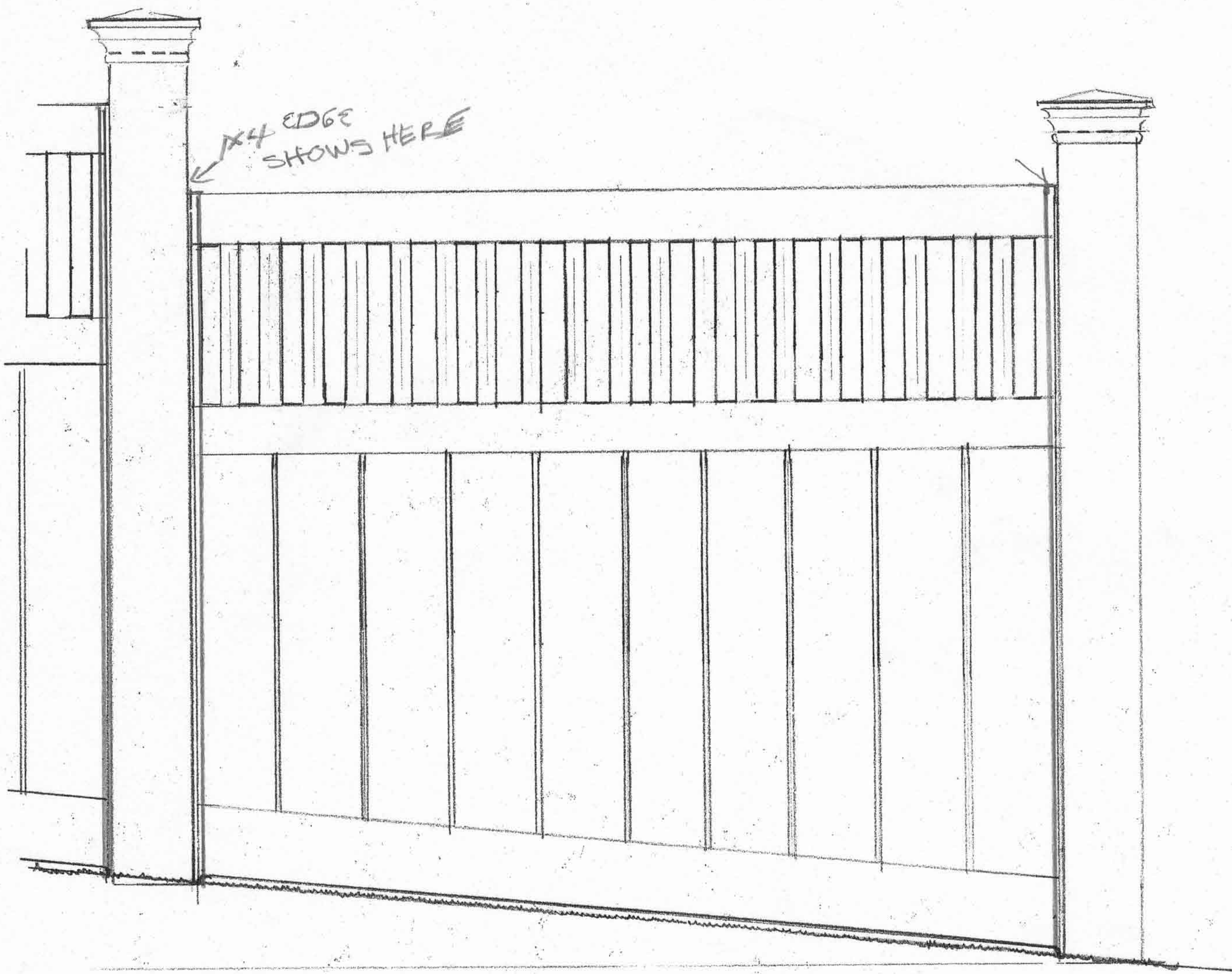
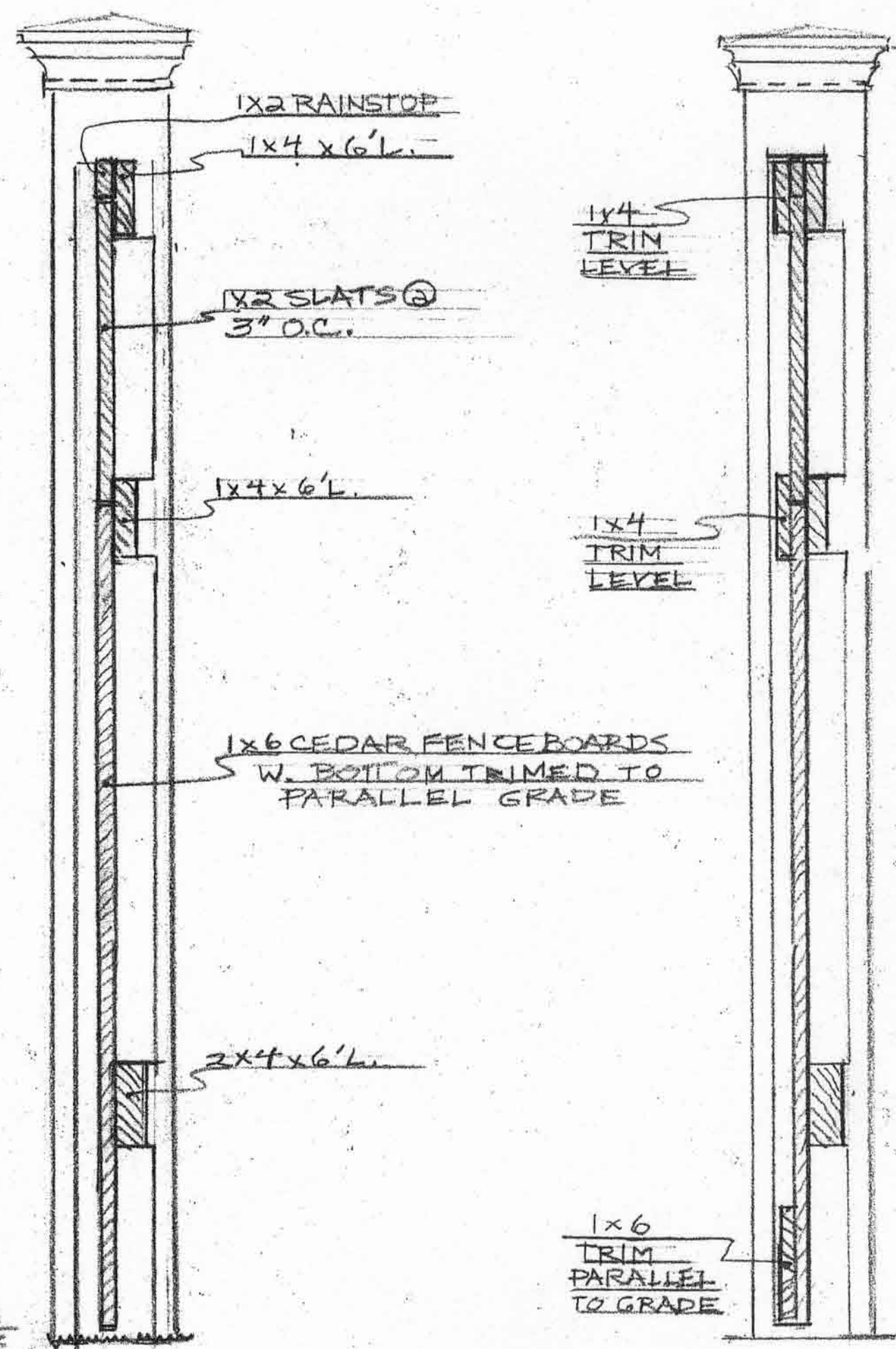
SCALE: $1\frac{1}{2}'' = 1'-0''$





TOP OF 1x4
MAY DROP
LOWER ON
UPHILL SIDE
OF PANEL

1x4 TO BE
SHORTENED
& LOWERED ON
UPHILL SIDE OF
PANEL



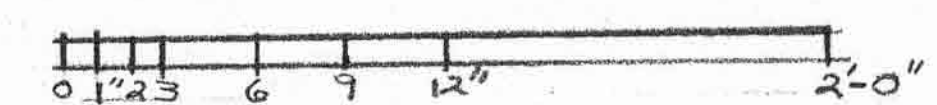
FINISHED FENCE
SHOWN @ RISE 6" / RUN 6'-6"

1. 6x6 POST @ 5'H
2. NOTCHED 1x4 @ 4'-6"H
TO SUPPORT HORIZONTAL
STRUCTURE
3. ADJUST HT. OF 1x4 ON UPHILL
SIDE OF FENCE PANEL SO PANEL
WILL BE LEVEL

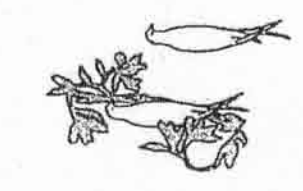
4. USING NOTCHES AS SUPPORT,
AFFIX 1x4 x 6' L (2) + 2x4 x 6' L (1)
TO FENCE POSTS
5. RUN 1x2 RAINSTOP STRIP HORIZ.
FROM POST TO POST (INSIDE OF
1x4: APPROX 5'-10 1/2" L.)
6. FINISH W' HORIZ. TRIM BOARDS ON
PUBLIC FACE: 1x4 x 5'-10 1/2" L (APPROX) + LEVEL
@ TOP & BOTTOM OF 18" SLATS PANEL +
1x6 x 5'-10 1/2" (APPROX) APPLIED @ BOTTOM
OF FENCE PARALLEL TO GRADE

CARL + JOELLE JACOBS
SIDE / REAR FENCE

SCALE: 1 1/2" = 1'-0"



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Date: 2-12-2012

Revisions: REDUCED TO 2/3 ORIGINAL
NEW SCALE: 1" = 1'-0"

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BILWORTH RD EAST

















