

---

|                             |  |                     |
|-----------------------------|--|---------------------|
| <b>ADDRESS OF PROPERTY:</b> | <i>2100 Sarah Marks Av, Dilworth Local Historic District</i> | <i>HDC 2013-021</i> |
| <b>SUMMARY OF REQUEST:</b>  | <i>Tree Removal</i>  |                     |
| <b>OWNER:</b>               | <i>Mary Salley Griffith</i>                                  |                     |
| <b>APPLICANT:</b>           | <i>Mary Salley Griffith</i>                                  |                     |

---

**Details of Proposed Request**

This application request approval for the removal of a large tree at the front of this house, located at the intersection of Sarah Marks Avenue and Ideal Way in Dilworth.

**Relevant HDC Design Guidelines**

- *Landscaping: Tree Removal*

**Staff Analysis**

This tree is a large poplar tree, as shown on the attached aerial photograph. The property owner/applicant is concerned about the condition and safety of the tree.

The attached letter from Gus's Tree Service stated that the tree is:

- Too large for the lot
- Leaning over the house and the adjacent house
- Is stabilized only by a taut cable connected to an adjacent poplar tree
- Based on a very shallow root system that is destroying the front yard walkway

In addition, the letter also states that the tree is adversely impacting the adjacent poplar tree and is a risk to fall in a high rain and wind environment, causing "substantial damage to both residences".

HDC Design Policy on Landscaping says in part:

**Tree Removal:**

- 1. A Certified Arborist should be consulted in all applications regarding the removal of trees, and regarding the planting of trees when necessary. For full HDC review cases, a written recommendation from a Certified Arborist may be required.*
- 2. The removal of dead or diseased trees will not require a Certificate of Appropriateness, provided a written assessment by a Certified Arborist is submitted to HDC Staff in advance, and that the HDC Staff judges that removal is justified. Otherwise, the removal request will be reviewed by the full Historic District Commission.*
- 3. Trees in rear yards that are less than six inches in diameter may be removed with administrative approval.*
- 4. Large healthy trees in rear and side yards that make a major contribution to the neighborhood tree canopy cannot be removed without the approval of the full Historic District Commission.*

Due to the size and prominence of this tree, HDC staff determined that this request should be referred to the Full Historic District Commission for review.



January 10, 2013

Roy H. Michaux Jr.  
D 704.331.7462  
F 704.353.3162  
roy.michaux@klgates.com

Ms. Wanda Birmingham  
Charlotte Historic Commission  
600 East Fourth Street, 8th Floor  
Charlotte, NC 28202

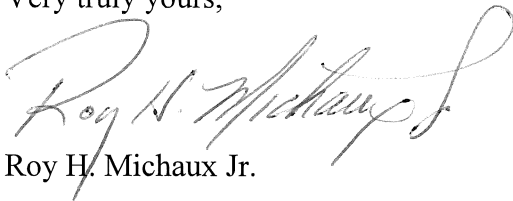
Re: Mary Salley Griffith; Tax Parcel No. 121-123-21

Dear Ms. Birmingham:

Pursuant to your conversation with Salley Griffith, you will find enclosed an application to remove a poplar tree at 2100 Sarah Marks Avenue, Charlotte, NC, together with a letter from Mr. Kostas Holevas to the Commission regarding the tree in question.

We would appreciate your advising Ms. Griffith as to how the Commission wishes to proceed in this matter. If any hearing should be required, please let us know when this matter might be considered by the Commission. Ms. Griffith will plan to appear with her witnesses.

Very truly yours,



Roy H. Michaux Jr.

Encl.

cc: Ms. Mary Salley Griffith  
Mr. Steve Griffith





Kostas Holevas  
Owner

### Gus's Tree Service

- Tree Removal • Deadwood • Trimming
- Lot Clearing • Hauling • Firewood
- Topping • Pruning



PO Box 2516  
Huntersville, NC 28070  
(704) 896-5200

Free Estimates  
Licensed & Insured

December 28, 2012

Charlotte Historic Commission  
600 East Fourth Street, 8th Floor  
Charlotte, NC 28202

Re: Mary Salley Griffith, 2100 Sarah Marks Avenue  
Tax Parcel No. 121-123-21

Gentlemen:

Ms. Mary Salley Griffith has asked me to look at a large poplar tree located in the front of her home at 2100 Sarah Marks Avenue in the Dillworth neighborhood in Charlotte. Both Ms. Griffith and her father, who owns the house next door, have concerns regarding the safety of this tree which is leaning toward her house and toward her father's house next door.

Having inspected the tree, it is readily apparent that it is too large for the lot; it is leaning precariously close to and over her house; it is being stabilized or held up by a taut cable that is connected to an adjacent poplar; and it has a very shallow root system that is tearing up the brick walk leading from the sidewalk to the house.

In my opinion, the concerns of Ms. Griffith and her father as owner of the house next door are valid. The tree in question adds nothing to the value of the property but adversely impacts both the growth and stability of the adjoining tree to which it is connected by the cable. In addition, the tree constitutes a liability in that a saturating rain and high wind may likely cause it to fall which would cause substantial damage to both residences.

In my opinion, the benefits from removing this tree far outweigh the potential liability from requiring it to remain.

Very truly yours,

Kostas "Gus" Holevas  
Owner  
Gus's Tree Service

# CHARLOTTE HISTORIC DISTRICT COMMISSION

## APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

|               |                     |
|---------------|---------------------|
| Application # | <u>HDC 2013-020</u> |
| Date Received |                     |
| Received By   | <u>JK</u>           |
| HDC/Staff     |                     |

ADDRESS OF PROPERTY: 2100 Sarah Marks Avenue

HISTORIC DISTRICT: ☒ Dilworth ☐ Fourth Ward ☐ Hermitage Court ☐ Plaza-Midwood ☐ Wesley Heights ☐ Wilmore

TAX PARCEL NUMBER: 121-123-21

OWNER: Mary Salley Griffith

ADDRESS: 2100 Sarah Marks Avenue

DAY PHONE: 704-617-7778

APPLICANT: Mary Salley Griffith EMAIL: salley.griffith@wellsfargo.com

MAILING ADDRESS: 2100 Sarah Marks Avenue, Charlotte, NC 28203

DAY PHONE: 704-617-7778 FAX: \_\_\_\_\_

DETAILS OF PROPOSED PROJECT: I wish to take down a poplar tree that is shown on the attached photograph for the reasons that: (1) the tree (on the left) is far too large for the lot and is far too close to my house; (2) the tree is leaning badly and is not healthy (see attached letter from Gus's Tree Service); and (3) the tree is not needed for any purposes and is an eminent threat my house and the house next door.

Attach additional sheets if necessary.

### APPLICATION REQUIREMENTS

Applications and supporting materials for projects requiring full Commission approval must be submitted according to the annual schedule adopted by the HDC. Applications eligible for administrative approval may be submitted at any time. Submittal requirements may vary depending on the type of project proposed. Please refer to the Plan Submission Checklist on the back of this form. The materials noted must be submitted by 5 pm on the applicable deadline. Refer to the Application Deadline & Meeting Schedule for more information. If you have any questions, contact the Historic District Commission office at 704-336-2302.

**NOTE: FAILURE TO PROVIDE ALL REQUIRED MATERIALS BY THE APPLICABLE DEADLINE WILL RESULT IN A DELAY OF THE HEARING OF YOUR PROJECT BY THE COMMISSION. INCOMPLETE APPLICATIONS WILL NOT BE FORWARDED FOR COMMISSION REVIEW.**

The Charlotte Historic District Commission  
600 East Fourth Street  
Charlotte, NC 28202-2853

Office (704) 336-2302

Fax (704) 336-5964

# CHARLOTTE HISTORIC DISTRICT COMMISSION

## FINAL PLAN SUBMISSION CHECKLIST

---

Contact HDC staff to determine the materials necessary to review your application.

### REQUIRED MATERIALS FOR ALL APPLICATIONS:

- ✓ Completed application form. Describe clearly and in detail the nature of the proposed project. Attach additional sheets if necessary.
- ✓ Photographs of site and existing conditions. Photographs should be labeled with the property address and the date the photograph was taken. Digital format is acceptable.

### NECESSARY DOCUMENTATION MAY ALSO INCLUDE:

- ☐ Detailed elevations including notes, dimensions and building materials showing both existing and proposed conditions.
- ☐ Site plan with dimensions showing both existing and proposed conditions. Include buildings, additions, sidewalks, drives, trees, property lines, and fences/walls where applicable.
- ☐ Streetscape photographs showing the context of the proposed project by plugging it into the streetscape.
- ☒ Indication of proposed tree removal and/or tree planting.
- ☐ Landscape plans indicating major plant materials and site features. Indicate significant changes of grade.
- ☐ Indication of any planned demolition.
- ☐ Material samples where applicable.
- ☐ Other documentation as indicated by HDC staff.

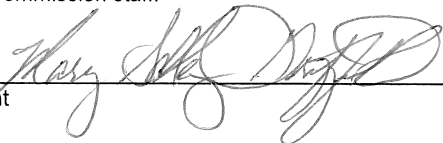
### PLAN SUBMISSION REQUIREMENTS:

- 3 copies of Site Plan & Elevations, not to exceed 11 x 17
  - Drawings may be submitted electronically.  
Contact HDC staff for specifications.
- 

Although attendance by applicants at Historic District Commission meetings is optional, it is **STRONGLY ADVISED** that applicants make every effort to attend. Failure to attend can result in the denial or delay of an application due to incomplete information.

I, the undersigned, certify that all information in this application and in any attachments is accurate to the best of my knowledge. Furthermore, I understand that, should the Charlotte Historic District Commission issue this Certificate of Appropriateness, that Certificate will be valid for a period of six months from the date of issuance. Failure to procure a building permit within that period will be considered as failure to comply with the Certificate and the Certificate will become invalid. If a building permit is not required, then the authorized work must be completed within six months. Certificates can be extended for six months prior to their expiration by requesting an extension in writing from Historic District Commission staff.

Applicant



Date

1/11/2013

---

# Charlotte Historic District Commission - Case 2013-021

