

**LOCAL HISTORIC DISTRICT:** Dilworth

**PROPERTY ADDRESS:** 2021 Dilworth Road West

**SUMMARY OF REQUEST:** Vinyl fence

**APPLICANT/OWNER:** Erin Johnson

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### **Details of Proposed Request**

#### *Existing Context*

The existing structure is a Contributing Structure listed in the Dilworth National Register National Register of Historic Places constructed in 1927.

#### *Proposal*

The applicant is requesting the construction of a vinyl fence along the side and rear yard. The applicant has submitted examples on the appearance of the fence.

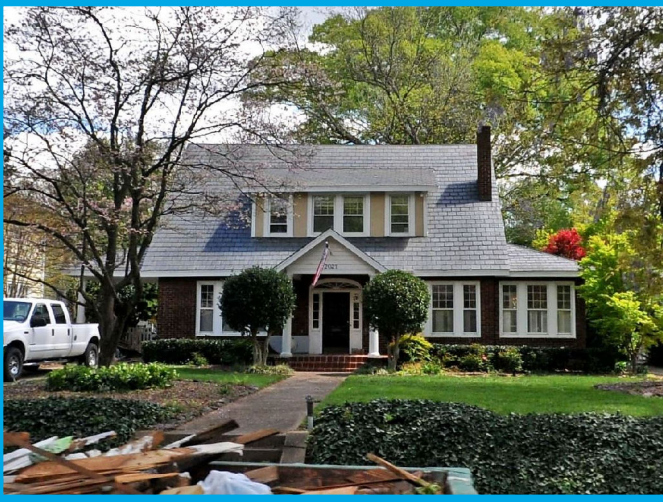
### **Policy & Design Guidelines – Fences, page 56**

The Historic District Commission considers fencing to be a major element in the character of a Local Historic District because of its often strong visual impact. Consequently, all fencing within a Local Historic District will require a Certificate of Appropriateness. Fences that meet these guidelines are eligible for administrative approval.

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** - The Commission shall determine if an exception should be approved for vinyl fencing material.

*Charlotte Historic District Commission Case 2017-365*  
**HISTORIC DISTRICT: DILWORTH**  
**FENCE**











### Detailed Project Description

Replacing the current 4' left and 6' back rear chain link fence (not meeting CHD requirements) and adding where there currently is no fence at the right side rear (to fully enclose the rear yard) a white, eco-friendly/'green', vinyl, tongue and groove, commercial-grade, with an interplay of solids and voids (looks like wood, not cheap vinyl from a big box store) 6' fence on left, right and back rear of property line, as marked on the current site plan and survey. This fence will enclose the previously approved pool to meet requirements and safety standards.

### Fence Guidelines (page 10 of the Historical District Commission Criteria for Project Review RE: fencing):

1. Fencing cannot be a style that presents a long unbroken expanse – **MEETS** – the fence is broken every 8' with posts and contains decorative lattice work at the top; the fence is identical on both sides.
2. Solid privacy fences that would be substantially visible from the street are not allowed (N/A) – **MEETS** – the fence will not be substantially visible from the street, see photos submitted.
3. Front yard or front setback fencing is restricted to low picket style fencing up to 36" in height (N/A) – **MEETS** – the new fence will not be in the front yard or front setback.
4. Maximum height for fencing in the side and rear yard is 6 ft. – **MEETS**, the fence is 6' tall.
5. Exceptions to fence design requires full Commission Review – **AN EXCEPTION IS NOT BEING REQUESTED**; however, we were informed that staff cannot approve vinyl fence material even though there is no restriction for such use.

### Charlotte Historic District Commission Policy & Guidelines RE: Fences, pages 56-57

The proposed fence meets all of the applicable CHDC Policies and Guidelines, as follows (only applicable guidelines are addressed below):

1. The fence will not be in the front of the house and will not substantially obscure the side elevations of the house in the rear.
2. The fence details are appropriate to the architectural style of the house.
3. The fence is a white, tongue and groove fence with texture resulting from an interplay of solids and voids at the top; it is not a solid privacy fence. The structural members are every 8' and are integral to the overall fence design; both sides of the fence are identical and all sides are finished.
4. The fence will not be over six feet in height, as measured from the outside at grade.
5. The fence materials are a green product (unlike wood) that looks like wood and holds up better than wood (see below).
6. See picture of approved vs. proposed fence on following page.



Acceptable fence from page 57:



- *Horizontal / vertical latticework, and panels butt joined to sturdy uprights create a softened privacy fence.*

Proposed Fence



### Superior Quality Materials

We would like to replace the chain link fence (which does not seem to meet HDC requirements) with a commercial grade vinyl fence in lieu of wood due to the superior materials of the vinyl materials – see below.

- *Excellent Wind Rating*
  - Can withstand constant hurricane force winds up to 110 mph and 130 mph gusts. Certified to hurricane requirements. This will prevent ‘leaning’ of the fence, which happens to wood fences over time
- *Excellent Sound Barrier*
  - Blocks 98% of direct sound with a sound transmission class rating of 26. This will add to the quiet atmosphere of the neighborhood
- *Debris Resistant & Maintenance free*
  - Easily remove debris using a high-powered pressure washer; it will never need painting or staining; nor will it warp, fade or crack. This improved durability will maintain the ‘new’ look longer while wooden fences mold, rot, and discolor over time (there are numerous fences throughout the neighborhood that look like this)
- *A Green Product*
  - Ashland fence panels are approved as a “Green Product” and used for many projects requiring the use of eco-friendly building materials. Wood is not a green material; the CHD should permit the use of green materials by owners if they

meet the style/architectural guidelines and are not inferior products, which this is not

Finally, there is no prohibition of vinyl fencing in any CHD guideline or policy. In addition, there is a white, vinyl fence that meets all of the CHD requirements around the corner from our house, within the Historic District.

If you would like any additional information, please ask.





"I CERTIFY THAT THIS MAP WAS DRAWN UNDER MY SUPERVISION FROM AN ACTUAL SURVEY MADE UNDER MY SUPERVISION (DEED DESCRIPTION RECORDED IN BOOK: 30318, PAGE: 532 OR OTHER REFERENCE SOURCE MAP BOOK: 3, PAGE: 9); THAT THE BOUNDARIES NOT SURVEYED ARE INDICATED AS DRAWN FROM INFORMATION IN BOOK \_\_\_\_\_, PAGE: \_\_\_\_\_ OR OTHER REFERENCE SOURCE SHOWN HEREON; THAT THE RATIO OF PRECISION IS 1:10,000; AND THAT THIS MAP MEETS THE REQUIREMENTS OF THE STANDARDS OF PRACTICE FOR LAND SURVEYING IN NORTH CAROLINA (21 NCAC 56.1600)." THIS 25 DAY OF APRIL, 2016. THIS MAP IS NOT INTENDED TO MEET G.S. 47-30 REQUIREMENTS.

"THIS SURVEY DOES NOT REFLECT A COMPLETE TITLE EXAMINATION"

NOTES:

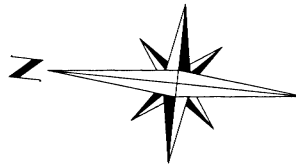
1. BOUNDARY SURVEY MADE USING EXISTING PHYSICAL EVIDENCE OBSERVED DURING FIELD SURVEY.
2. ALL DISTANCES ARE HORIZONTAL GROUND (GEODETIC) UNITED STATES SURVEY FEET UNLESS OTHERWISE NOTED.
3. THIS SURVEY WAS PERFORMED WITHOUT THE BENEFIT OF A TITLE COMMITMENT REPORT. THIS PLAT/PROPERTY IS SUBJECT TO ANY AND ALL RIGHTS-OF-WAY, UTILITY EASEMENTS, DEED RESTRICTIONS, RESTRICTIVE COVENANTS OR AGREEMENTS WHICH MAY OR MAY NOT BE OF RECORD AND APPLICABLE HERE TO AND MAY OR MAY NOT BE FOUND BY LEGAL TITLE SEARCH PRIOR TO THE DATE OF THIS SURVEY.
4. BEARINGS AND DISTANCES SHOWN IN PARENTHESES, AND PROPERTY SHOWN AS DASHED WERE TAKEN FROM DEEDS, MAPS OR OTHER PUBLIC RECORD.
5. ADJOINER PROPERTY LINES NOT SURVEYED ARE SHOWN AS BROKEN LINES AND ARE FOR ORIENTATION PURPOSES ONLY.
6. THIS PROPERTY IS CURRENTLY ZONED R-5. R-5 MINIMUM SETBACK REQUIREMENTS: FRONT= 20' OR AS SHOWN; SIDE YARD= 5'; REAR YARD= 35'. THESE SETBACKS REFLECT CURRENT ZONING ONLY. SETBACK REQUIREMENTS SET FORTH IN DEED RESTRICTIONS OR RESTRICTIVE COVENANTS MAY EXIST FOR THIS PROPERTY. PRIOR TO ANY CONSTRUCTION ON THIS PROPERTY SETBACK REQUIREMENTS MUST BE VERIFIED BY THE HOMEOWNER OR CONTRACTOR.
7. THIS PROPERTY IS NOT GRAPHICALLY SHOWN IN A DESIGNATED FLOOD HAZARD AREA.
8. UNDERGROUND UTILITIES NOT LOCATED AT THE TIME OF SURVEY. IF SHOWN UTILITY LOCATIONS ARE APPROXIMATE BASED ON LOCATIONS OF ABOVE GROUND APPURTENANCES, UNDERGROUND UTILITIES NOT SHOWN HEREON MAY EXIST.
9. MINOR IMPROVEMENTS INCIDENTAL TO THE STRUCTURE OR YARD MAY EXIST AND ARE NOT SHOWN HEREON.
10. THE TERM ENCROACHMENT IS USED AS A MEANS TO CONVEY THAT PER LISTED DEEDS AND MAPS THAT AN OBJECT TOUCHES OR CROSSES THE DEED OR MAP LINE IN THAT AREA ON THE DATE OF SURVEY, NO CERTIFICATION OR STATEMENT IS BEING MADE TO THE POSSESSION, ADVERSE OR OTHERWISE OR TITLE TO THE LAND EFFECTED.

SIGNED

ROBERT E. LEE, PROFESSIONAL LAND SURVEYOR L-4755



REF: S 83° 00' 00" W  
AS SCALED FROM M.B. 3 PG. 9



LEGEND:

- PROPERTY LINE
- ADJOINER PROPERTY LINE
- EASEMENT LINE
- FENCE LINE
- OVERHEAD UTILITY LINE
- RIGHT-OF-WAY SETBACK
- E.I.R. - EXISTING IRON REBAR
- E.I.P. - EXISTING IRON PIPE
- E.C.M. - EXISTING CONCRETE MONUMENT
- C.P. - COMPUTED POINT
- S.I.R. - RE-SET #4 IRON REBAR
- P.D.E. - PUBLIC DRAINAGE EASEMENT
- S.S.E. - SANITARY SEWER EASEMENT
- R/W - RIGHT-OF-WAY
- P.P. - POWER POLE
- M.B. - MAP BOOK
- D.B. - DEED BOOK
- P.G. - PAGE
- L - LINE
- C - CURVE
- P.I.D. - TAX PARCEL IDENTIFICATION NUMBER
- NTS - NOT TO SCALE

LOT 16, BLOCK 14  
M.B. 3, PG. 9  
PID #12111716

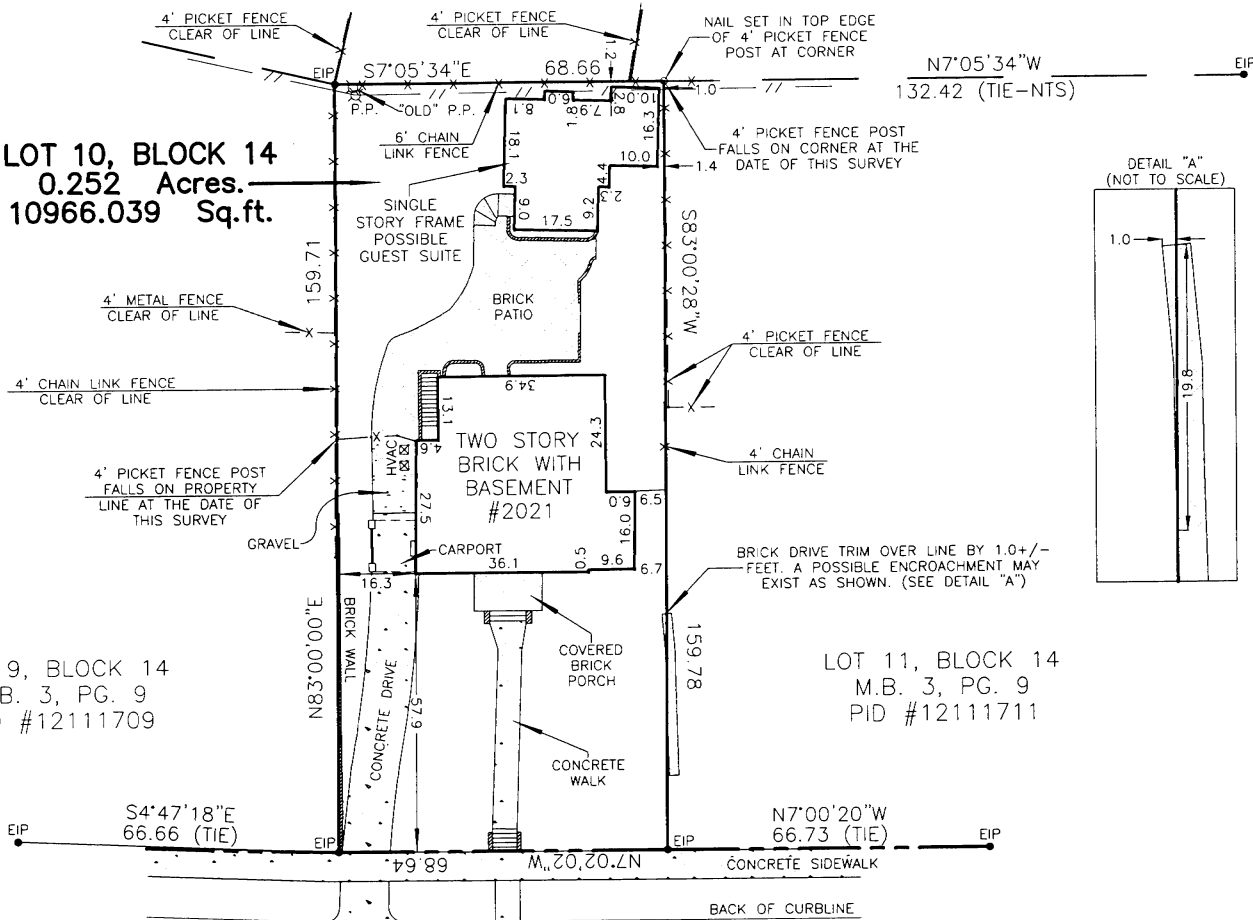
LOT 15, BLOCK 14  
M.B. 3, PG. 9  
PID #12111715

LOT 14, BLOCK 14  
M.B. 3, PG. 9  
PID #12111714

LOT 10, BLOCK 14  
0.252 Acres.  
10966.039 Sq.ft.

LOT 9, BLOCK 14  
M.B. 3, PG. 9  
PID #12111709

LOT 11, BLOCK 14  
M.B. 3, PG. 9  
PID #12111711



DILWORTH ROAD WEST  
(70' PUBLIC R/W)

**ROBERT E. LEE, PLS**  
PROFESSIONAL LAND SURVEYOR  
P.O. BOX 180  
MT. HOLLY, NC 28120  
PHONE: (704)575-2556  
FAX: (704)812-8084  
EMAIL: robertlee@leelandsurveying.com

PHYSICAL SURVEY OF

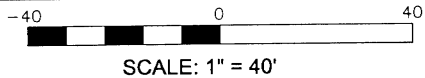
**#2021 DILWORTH ROAD WEST**  
LOT 10, BLOCK 14 OF PART OF DILWORTH  
CHARLOTTE, MECKLENBURG COUNTY, NC  
THE PROPERTY OF: ERIN L. C. JOHNSTON AND GEORGE WILLIAM JOHNSTON, IV

LEGAL REFERENCES:

MAP BOOK: 3 PAGE: 9 DEED BOOK: 30318 PAGE: 532  
TAX PARCEL IDENTIFICATION NUMBER: 121-117-10

DRAWN BY: R. LEE

JOB NUMBER: 4185















A VINYL FENCE & DECK WHOLESALER

# Technical Specifications - Rainier Privacy Fence With Lattice

6' Tall x 8' or 6' Wide Sections

