On August 3, 2022, the Forsyth County Historic Resources Commission ("Commission") conducted, in the above referenced matter, a public hearing in accordance with the statutes and case law pertaining to quasi-judicial proceedings for the issuance of certificates of appropriateness. During the hearing, Michelle McCullough, Historic Resources Officer, presented the staff report, findings, and recommendation. James Lester, applicant, appeared to present testimony and evidence in support of the application. No one appeared to present testimony and evidence in opposition to the application.

After presentation of all testimony and evidence, the Forsyth County Historic Resources Commission, based upon the evidence presented in the application and during the hearing, finds that the proposed project is not incongruous with the character of the Local Historic Landmark and the Old Salem Historic District because:

1) On December 2, 2020, the Commission approved COA2020-126. One part of the application requested to repave the current inappropriate asphalt driveway with pea gravel exposed aggregate concrete. The new material, pea gravel, was found to be compatible in size, shape, appearance, color, and texture with the Landmark site and District. The American Holly tree that is being proposed for removal is located adjacent to the driveway and is causing damage to the driveway. The tree is not listed as a Forsyth County Treasure Tree, which is a designation that recognizes the county’s largest, rarest, and oldest trees. Also, there is no documentation that this tree was part of the historic landscape, therefore it could be considered a volunteer on the property. As such, its removal will not alter the historic environment in the district. (Site Features and Plantings, Landmark Standard 6; and Significant Landscape Features, Old Salem Standard 3)

2) Due to the property boundaries, the location of the garage, and the location of the garage doors, the driveway cannot be relocated. The approved driveway project, COA2020-126, will make the driveway more congruous with the Landmark and the District. A significant amount of the root mass of the tree will be compromised during the project, and the tree roots cannot be protected because the tree is less than five feet from the driveway. It is impossible to maintain the minimum approach distances for the protection zone and to replace the existing deteriorated driveway. The driveway project will also damage large diameter roots due to excavation which will take place within the structural root plate, potentially causing structural instability or tree mortality issues. (Significant Landscape Features, Old Salem Standard 5)
Based on the preceding findings, the Forsyth County Historic Resources Commission hereby approves COA2022-042 for work at the Anna Johanna Vogler House, Local Historic Landmark #35, located at 823 South Church Street, Winston-Salem (PIN 6835-32-4072), with the following conditions:

1) The tree shall be removed in its entirety and the tree stump shall be ground or removed mechanically to below the existing grade;

2) If during the removal any archaeological features are uncovered, the work shall stop immediately, and historic resources staff shall be contacted to assist with a recovery plan;

3) The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;

4) Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project; and

5) The applicant shall submit the Certificate of Appropriateness Request for Certification of Completed Work form and photo documentation of the completed project to HRC staff within ten (10) days of its completion.

This the fourth day of August, 2022.

Mary Catherine Berry, Chair
Forsyth County Historic Resources Commission
CERTIFICATE OF APPROPRIATENESS
Date: August 3, 2022
CASE #: COA2022-042

On August 3, 2022, the Forsyth County Historic Resources Commission approved the issuance of this Certificate of Appropriateness (COA) on the application for the following work at the Anna Johanna Vogler House, located at 823 South Church Street, Local Historic Landmark #35, in the Old Salem Historic District.

- Removal of an American Holly tree

Approval of this item was granted subject to the following conditions:

1) The tree shall be removed in its entirety and the tree stump shall be ground or removed mechanically to below the existing grade;

2) If during the removal any archaeological features are uncovered, the work shall stop immediately, and historic resources staff shall be contacted to assist with a recovery plan;

3) The applicant shall receive, prior to commencement of the work, all other required permits or permissions from governmental agencies;

4) Commission staff shall review and approve any revisions or deviations to any portion of the as-submitted work, that qualifies as a minor work, prior to commencement of that portion of the project; and

5) The applicant shall submit the Certificate of Appropriateness Request for Certification of Completed Work form and photo documentation of the completed project to HRC staff within ten (10) days of its completion.

This COA runs with the property upon which the work is to be performed. The COA does not serve in any manner as a certification by the HRC or the Winston-Salem/Forsyth County Planning Division that the applicant or anyone else has the authority to be on the subject property to perform the approved work. You should perform your own due diligence to confirm whether you have the legal authority to be on the property to perform the approved work.

This Certificate of Appropriateness expires on August 3, 2025.

Mary Catherine Berry, Chair
Forsyth County Historic Resources Commission

The scope of work for this project must meet all other applicable building codes and ordinances. Any additional approvals or permits from the City must be obtained prior to initiating work.