

**Historic Review Staff Report and Notice of Decision
June 26, 2019**

FILE NO.: GLUA 19-00018: Addition of a roof over a rear deck on a historic structure in the McLoughlin Conservation District (L.D. Garmin House) Subfile: HR 19-02.

HEARING DATE: June 24, 2019
7:00 p.m. – City Hall
625 Center Street
Oregon, City, Oregon 97045

APPLICANT: Jeremy Seley
20033 S Reflection Lane
Oregon City, OR 97045

OWNER: Mark and Cheryl Lietzke
1109 Monroe St.
Oregon City, OR 97045

LOCATION: 1109 Monroe Street
Oregon City, OR 97045

REQUEST: Addition of a roof over a rear deck on a historic structure in the McLoughlin Conservation District (L.D. Garmin House)

DECISION: On June 25, 2019, after reviewing all of the evidence in the record and considering all of the arguments made by the applicant, opposing and interested parties, the Oregon City Historic Review Board voted 3-0 to approve the proposal with conditions. The Oregon City Historic Review Board adopted as its own the Staff Report with findings and Conditions of Approval for File Number HR 19-02. The complete record for the Historic Review Board decision is on file at the Planning Division.

CRITERIA: Administration and Procedures are set forth in Chapter 17.50, Chapter 17.40, Historic Overlay District in Chapter 17.40, and “R3.5” in Chapter 17.12 of the Oregon City Municipal Code. The City Code Book is available on-line at www.orcity.org.

Please be advised that any issue that is intended to provide a basis for appeal must be raised before the close of the hearing, in person or by letter, with sufficient specificity to afford the Historic Review Board and the parties an opportunity to respond to the issue. Failure to raise an issue with sufficient specificity will preclude any appeal on that issue. The decision of the Historic Review Board may be appealed to the City Commission by parties with standing within fourteen (14) calendar days of the notice of decision. Any appeal will be based on the record. The procedures that govern the hearing will be posted at the hearing and are found in OCMC Chapter 17.50 and ORS 197.763. A city-recognized neighborhood association requesting an appeal fee waiver pursuant to OCMC 17.50.290(C) must officially approve the request

through a vote of its general membership or board at a duly announced meeting prior to the filing of an appeal.

Recommended Conditions of Approval

(P) = Verify that condition of approval has been met with the Planning Division.

(DS) = Verify that condition of approval has been met with the Development Services Division.

(B) = Verify that condition of approval has been met with the Building Division.

(F) = Verify that condition of approval has been met with Clackamas Fire Department.

1. Prior to issuance of a Building Permit, staff shall ensure that: (P)
 - a. Incised lumber or pressure treated wood shall not be used on any visible surfaces.
 - b. All railings shall be installed with a top and bottom rail with balusters attached within the railing.

STAFF EXECUTIVE SUMMARY

The L.D. Garmine House at 1109 Monroe Street is in fair to good condition and has a front gable and wing; the inventory form lists the plan type as “complex.” The applicant has proposed roof addition over an existing attached rear deck, which is secondary in nature to the architecture of the house and does not detract from the architectural character of the house.

The proposed deck cover balances the desire to improve usability of the house while keeping additions secondary and compatible in design with the architecture of the house.

The deck is existing, and the applicant is proposing this project as two phases:

Phase 1: Demolish and replace existing deck. Remove the portion of the deck that wraps around the north side of the house. Rebuild the deck to wrap around the other side of the house to connect to an existing door and stair. This proposal meets HRB policies and has been previously approved by staff. However, the applicant now wishes to use composite decking, which does not meet HRB policies. The applicant proposed a gray color of composite decking (see exhibit 5). Staff finds that use of the gray composite decking on the rear of the structure is compatible, and recommends approval of this material.

Phase 2: Cover the existing deck with a gable roof with 6:12 pitch. As this is a roof, it is considered to be an addition to the home and as such, must be reviewed by the Historic Review Board. Staff finds that the design is compatible and appropriate and would not alter the character of the historic structure. Staff recommends approval with conditions related to materials.

BACKGROUND:

The applicant submitted this application to request a gable roof covering on a rear attached deck. The property is located in the McLoughlin Conservation District and is referred to as the L.D. Garmine House.



Figure 1. Vicinity Map

Site and Context

The property is a 7,300 square foot lot in the R-6 single family dwelling district. It contains the historic home along with a detached accessory dwelling that appears to have been moved to the site decades ago. The deck is existing but uncovered. An alley is located to the north of the property. The property is in a sloped area of the McLoughlin District near Latourette Canyon and a portion of the property is within the Geologic Hazard overlay. The location of the deck is on a fairly flat portion of the site. The house sits high above the street, and while the deck sits at the ground floor, it is above grade about 7 to 8 feet with access to the basement underneath.



The properties on either side of the home along Monroe Street are not locally designated.

1109 Monroe Street – L.D. Garmine House

Inventory Form Description: This c.1916 gable-and-wing house is square in plan. A gabled dormer is present in the center of the gabled roofline. A wide bargeboard and decorative trim molding are present below the eave line. A shed roof exists over an altered front porch enclosure with a modern insulated metal chimney located at the center of the shed roof. A non-historic entrance door is recessed with concrete steps leading up from the street level. The typical window style is modern aluminum 1/1 windows with fixed storm windows attached. A sliding picture window is present under the shed roof. The exterior is clad in shingle siding. Alterations include the enclosure of a front porch at the front elevation. The date of the alteration is unknown.

Statement of Significance: Ledger D. Garmine, a carpenter, who lived at this address in 1916 may have built this house. Garmine sold to Frank and Nellie Serne in 1920. Serne, a CWP Company worker, lived here until his death in 1961. Irene Welch became the owner occupant, thereafter.

Project Description

The applicant submitted the following project description:

We purchased our lovely home in June of 2008 in the historic district of Oregon City. When we bought it was sided with cedar shakes and had the existing back partial wrap around deck. We were not even made aware that our home had gone on the City of Oregon City historic registry until after our purchase was made final. The city had it listed as being built by L. Garmine, a carpenter, in 1916, I believe. I was told to do some research on the Sanborn Maps to find its exact build date, which I did. On my own, I found it on the fire maps of 1900. It also appears to have been built by a non-professional.

To date, I have not been able to find any original photos or drawings or plans of what our home looked like in the beginning. I have done some personal research on what a vernacular style home was. Basically it is

a square or rectangular or L-shaped simple structure made with easily available local materials. The owners embellished these homes to their liking....some more ornate than others....some left plain. With that being said, the cedar shakes were applied probably in the 1960's and were still on the home when we purchased. We assumed we would need to maintain our home as it was sold to us. And that is what we are doing, trying to maintain the integrity of the structure, and its functionality.

The existing deck is experiencing structural issues. We want to put a roof over the deck and have it built to mimic the gable style of the rest of the home. Two winters ago the metal gazebo and fabric roof collapsed under the weight of heavy snow, therefore we had to remove the gazebo from the deck. Last summer, without a roof or cover of any kind, the deck was not useable because of the unbearable heat. Without any form of shade, the heat made our home very much warmer than usual. Basically we are wanting to rebuild the deck into more of a sleeping porch of Victorian era to make functional more year round and keep our home cooler as well.

We humbly ask that the Historic Review board consider and grant our request to rebuild the deck with a cover (roof). And just for reference, this deck is not visible from either the front of the home (Monroe Street) nor the side of the home (11th Street). Thank you very much for your thoughtful consideration.

The contractor also submitted the following information:

“The deck is the same as it was but built to code and instead of the deck wrapping around the west side facing the alley it would wrap around from the back to the east side so the homeowner could walk from the side to the back of the deck without having to use any doors to access the back deck area. The awning is designed to look like all the other gables around the house and wouldn’t look like it was an addition, but would look as if it had always been a part of the house (refer to the pictures provided). We would use the same design with the same trim. Cheryl and Mark are wanting to use a composite decking if it’s not going to cause a negative effect on this process; there is a link provided that describes the decking materials and shows a picture. “



Figure 2. L.D. Garmine House

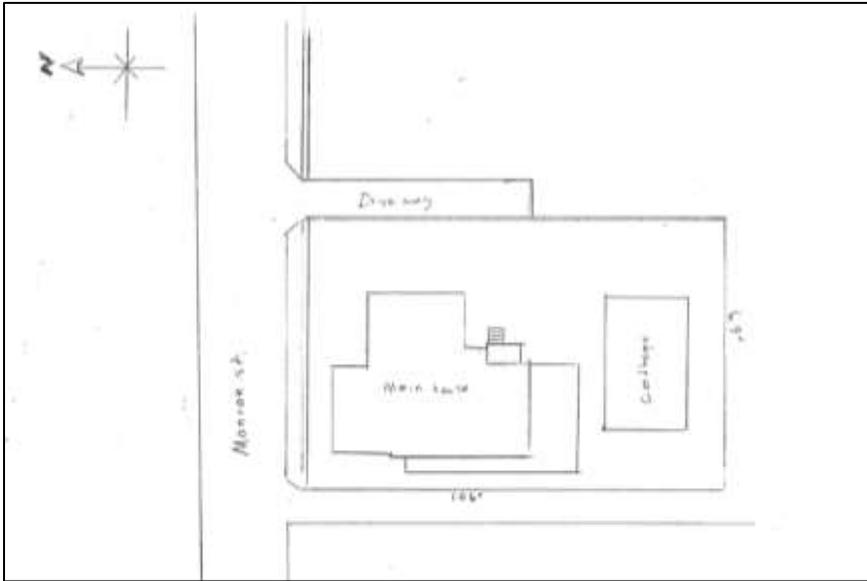


Figure 3. Site Plan

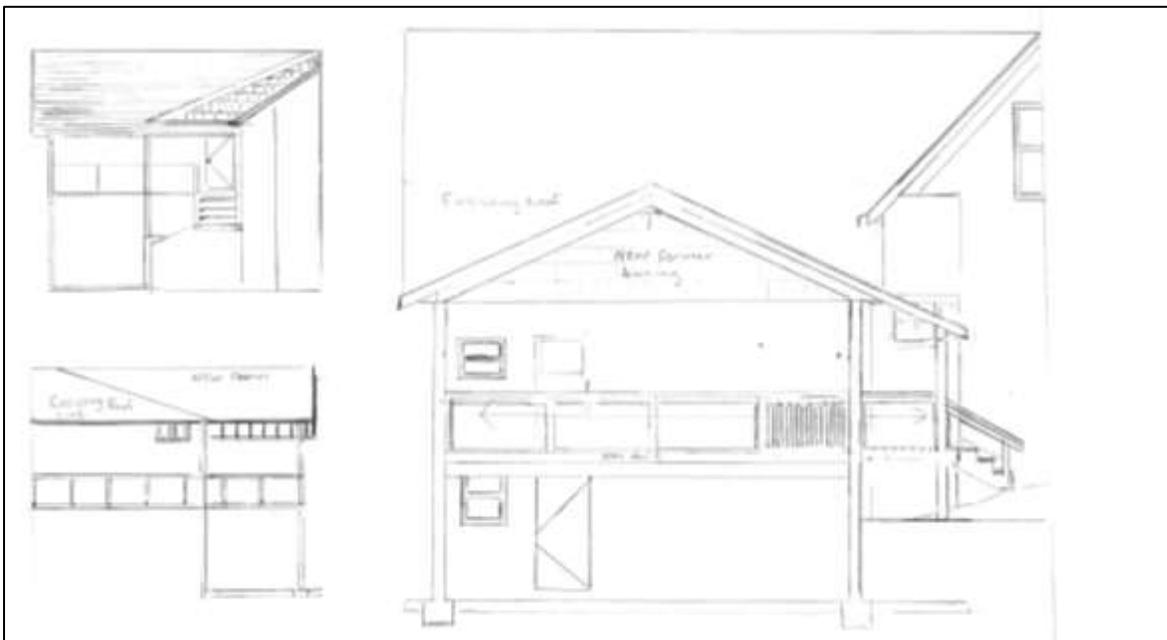


Figure 3. Elevation Drawing

Zoning:

The property is zoned R6 Dwelling District and Medium Density Residential in the Comprehensive Plan.

Notice and Public Comment:

Public notices were mailed to property owners within 300 feet of the subject site, posted on the subject site, and published in a newspaper of general circulation. Public comments that were received are summarized below and responded to within this staff report.

The McLoughlin Neighborhood Association submitted a comment in support of the application and a recommendation that the exterior steps be bull-nosed to allow for water to run off.

FINDINGS OF FACT AND CRITERIA:

17.40.060 - Exterior alteration and new construction.

A. *Except as provided pursuant to subsection I of this section, no person shall alter any historic site in such a manner as to affect its exterior appearance, nor shall there be any new construction in an historic district, conservation district, historic corridor, or on a landmark site, unless a certificate of appropriateness has previously been issued by the historic review board. Any building addition that is thirty percent or more in area of the historic building (be it individual or cumulative) shall be considered new construction in a district. Further, no major public improvements shall be made in the district unless approved by the board and given a certificate of appropriateness.*

Finding: Applicable: The proposal for exterior alteration in a historic district is being reviewed by the Historic Review Board.

B. *Application for such a certificate shall be made to the planning staff and shall be referred to the historic review board. The application shall be in such form and detail as the board prescribes.*

Finding: Complies as Proposed: The applicant submitted the required materials.

C. *Archeological Monitoring Recommendation. For all projects that will involve ground disturbance, the applicant shall provide,*

1. *A letter or email from the Oregon State Historic Preservation Office Archaeological Division indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the Oregon State Historic Preservation Office and that the Oregon State Historic Preservation Office had not commented within forty-five days of notification by the applicant; and*
2. *A letter or email from the applicable tribal cultural resource representative of the Confederated Tribes of the Grand Ronde, Confederated Tribes of the Siletz, Confederated Tribes of the Umatilla, Confederated Tribes of the Warm Springs and the Confederated Tribes of the Yakama Nation indicating the level of recommended archeological monitoring on-site, or demonstrate that the applicant had notified the applicable tribal cultural resource representative and that the applicable tribal cultural resource representative had not commented within forty-five days of notification by the applicant.*

If, after forty-five days notice from the applicant, the Oregon State Historic Preservation Office or the applicable tribal cultural resource representative fails to provide comment, the city will not require the letter or email as part of the completeness review. For the purpose of this section, ground disturbance is defined as the movement of native soils.

Finding: Not Applicable. The project does not include disturbance of native soils.

D. *[1.] The historic review board, after notice and public hearing held pursuant to Chapter 17.50, shall approve the issuance, approve the issuance with conditions or disapprove issuance of the certificate of appropriateness.*

Applicable: The proposal is being reviewed by the Historic Review Board.

2. *The following exterior alterations to historic sites may be subject to administrative approval:*
 - a. *Work that conforms to the adopted Historic Review Board Policies.*

Not Applicable: The proposal is not subject to administrative approval.

E. *For exterior alterations of historic sites in an historic district or conservation district or individual landmark, the criteria to be used by the board in reaching its decision on the certificate of appropriateness shall be:*

1. *The purpose of the historic conservation district as set forth in Section 17.40.010;*

Finding: Complies with Conditions.

The purpose of the district is to:

- A. Effect and accomplish the protection, enhancement and perpetuation of such improvements and of districts which represent or reflect elements of the city's cultural, social, economic, political and architectural history;
- B. Safeguard the city's historic, aesthetic and cultural heritage as embodied and reflected in such improvements and districts;
- C. Complement any National Register Historic districts designated in the city;
- D. Stabilize and improve property values in such districts;
- E. Foster civic pride in the beauty and noble accomplishments of the past;
- F. Protect and enhance the city's attractions to tourists and visitors and the support and stimulus to business and industry thereby provided;
- G. Strengthen the economy of the city;
- H. Promote the use of historic districts and landmarks for the education, pleasure, energy conservation, housing and public welfare of the city; and
- I. Carry out the provisions of LCDC Goal 5.

Adding the rear deck roof to the home will allow the existing open wood deck to be better protected by the elements. The creation of the covered deck is appropriate for the style home, on a secondary elevation and compatible with the Design Guidelines. Alterations meeting adopted design standards can add economic and social value to the district. Economic and Social consequences are expected to be positive as the improved building will add to further investment into the neighborhood.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

2. *The provisions of the city comprehensive plan;*

Finding: Complies with Condition.

There are a few goals and policies in the Comprehensive Plan that pertain to this proposal:

Goal 5.3 Historic Resources

Policy 5.3.7:

Encourage property owners to preserve historic structures in a state as close to their original construction as possible while allowing the structure to be used in an economically viable manner.

Policy 5.3.8:

Preserve and accentuate historic resources as part of an urban environment that is being reshaped by new development projects.

Adding the rear deck roof to the home will allow the existing open wood deck to be better protected by the elements. The creation of the covered deck is appropriate for the style home, on a secondary elevation and

compatible with the Design Guidelines. Alterations meeting adopted design standards can add economic and social value to the district.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

3. *The economic use of the historic site and the reasonableness of the proposed alteration and their relationship to the public interest in the structure's or landmark's preservation or renovation;*

Finding: Complies with Condition: The site is used as a single family residence and the use is not proposed to change. The public interest in the structure's preservation is preserving the architecture and historic character of the house. The proposed rear deck cover does not detract from the architectural character of the house.

4. The value and significance of the historic site;

Finding: Complies as proposed: The value and significance of the historic site is the architecture and age of the structure, a turn of the century vernacular in the McLoughlin District. The L.D. Garmin House is in fair to good condition and has a front gable and wing; the inventory form lists the plan type as "complex." The proposed roof addition over an existing attached rear deck is secondary in nature to the architecture of the house and does not detract from the architectural character of the house.

5. *The physical condition of the historic site.*

Finding: Complies as Proposed. The structure is in fair to good condition. The proposal will not affect the condition of the historic features of the home.

6. The general compatibility of exterior design, arrangement, proportion, detail, scale, color, texture and materials proposed to be used with the historic site;

Finding: Complies with Condition: Adding the rear deck roof to the home will allow the existing attached garage and open wood deck to be better protected by the elements. The creation of the covered deck is appropriate for the style home, on a secondary elevation and compatible with the Design Guidelines. The roof is proposed to be 6:12 pitch, which is less than the pitch of the main roof on the house. As a secondary element of the house, a lower pitch is appropriate. The design is simple, with no ornamentation. The front end of the gable is enclosed and cedar shakes are proposed, which match the existing cedar shingle of the home but are smaller in scale. Composite roofing is proposed.

The applicant shall ensure that:

- a. Incised lumber or pressure treated wood shall not be used on any visible surfaces.
- b. All railings shall be installed with a top and bottom rail with balusters attached within the railing.

The applicant proposed a gray color of composite decking (see exhibit 5). Staff finds that use of the gray composite decking that resembles painted wood on the rear of the structure is compatible. The composite decking will not have an impact on neighboring properties or the view from the street. The deck, while currently made of wood, is not original to the house.

Staff has determined that it is possible, likely and reasonable that the applicant can meet this standard through the Conditions of Approval.

7. Pertinent aesthetic factors as designated by the board;

Finding: Complies as Proposed. Staff does not suggest consideration of any aesthetic factors other than those already reflected in the code.

8. *Economic, social, environmental and energy consequences;*

Finding: Complies as Proposed. The applicant states the home value will be increased. The consequences of the proposal are positive to the economy, environment, and energy conservation. Social impacts are inconsequential.

9. *Design guidelines adopted by the historic review board.*

Finding: Complies with Condition: The following design guidelines from the City's Design Guidelines for Alterations, which include the Secretary of Interior Standards, are applicable to this proposal:

Design Guidelines for Alterations and Additions

Secretary of Interiors Standards for Rehabilitation

1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.

Staff Finding: Complies as Proposed. The proposal allows the home to continue to be used for residential purposes and allows for structural upgrades and additions, strengthening the subject dwelling's relationship with the designs of the McLoughlin Conservation District.

2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

Staff Finding: Complies as Conditioned. The applicant does not propose to remove any distinctive materials or alter any spatial relationships that characterize the property. The rear wing of the home was likely a 1950s addition and only its roof will be affected by the proposal. All material replacement and additions will be with in-kind materials as conditioned. **Staff has determined that it is possible, likely and reasonable that the applicant can meet these Criteria through the Conditions of Approval.**

3. Each property will 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 elements from other historic properties, will not be undertaken.

Staff Finding: Complies as Proposed. The deck was added to the property most well after the house was built. The proposed addition should be seen as another compatible addition that adds value to the house but does not pretend to have been built in the 1900s.

4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.

Staff Finding: Complies as Proposed. The rear wing of the home was likely a 1950s addition and only its roof will be affected by the proposal.

5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.

Staff Finding: Complies with Condition. The rear wing of the home was likely a 1950s addition and only its roof will be affected by the proposal. All porches will be wrapped and all railings will have a top and bottom rail. No exposed pressure treated wood is being proposed for this application. **Staff has determined that it is possible, likely and reasonable that the applicant can meet these Criteria through the Conditions of Approval.**

6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture, and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence

Staff Finding: Complies with Condition. The rear wing of the home was likely a 1950s addition and the deck may have been added at the same time. As conditioned, all new materials will be compatible. **Staff has determined that it is possible, likely and reasonable that the applicant can meet these Criteria through the Conditions of Approval.**

7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.

Staff Finding: Complies as Proposed. No chemical or physical treatments are proposed in this project.

8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.

Staff Finding: Complies as Proposed. The applicant is required to follow state statutes: [Indian Graves and Protected Objects \(ORS 97.740-97.760\)](#) and [Archaeological Objects and Sites \(ORS 358.905-358.961\)](#) – that protect archeological resources on public and private land.

9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.

Staff Finding: Complies with conditions. By following the recommended conditions of approval, staff finds that the proposal meets the adopted design guidelines for alterations and additions and the proposal is secondary in size, utilizes a simple finished design with compatible wood and composite roofing materials.

10. New additions and adjacent or related new construction will 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.

Staff Finding: Complies as Proposed. The rear wing of the home was likely a 1950s addition and only its roof will be affected by the proposal. The porch can easily be removed from the house with no adverse effect.

Design Guidelines: Alterations – Additions

A. Site

1. In addition to the zoning requirements, the relationship of new additions to the street and to the open space between buildings shall be compatible with adjacent historic buildings and with the historic character of the District.

Staff Finding: Complies as proposed. The proposal is secondary in size, utilizes a simple finished design with compatible wood and composite roofing materials.

2. *New additions shall be sited so that the impact to the primary facade(s) is kept to a minimum. Additions shall generally be located at the rear portions of the property or in such locations where they have the least visual impact from public ways.*

Staff Finding: Complies as Proposed. The rear deck cover addition will not detract from the primary façade of the building. The creation of the covered porch is appropriate design and massing for the home and compatible with the Design Guidelines.

B. Landscape

1. *Traditional landscape elements evident in the District (grass, trees, shrubs, picket fences, etc.) should be preserved, and are encouraged in site redevelopment.*

Staff Finding: Not Applicable. No landscape elements are proposed to be added or removed in this application.

2. *Inappropriate landscape treatments such as berms and extensive ground cover are discouraged.*

Staff Finding: Complies as Proposed. Landscaping has not been proposed to be installed or removed as part of this application.

C. Building Height

1. *In addition to the zoning requirements, the height of new additions shall not exceed the height of the historic building, or of historic buildings in the surrounding area.*

Staff Finding: Complies as Proposed. The new porch will be secondary in massing and size.

D. Building Bulk

1. *New additions smaller than the historic building or the historic buildings in the surrounding area are encouraged.*

a. *Where new additions must be larger, the new addition shall be articulated in such a manner that no single element is visually larger than the historic building or surrounding historic buildings.*

Staff Finding: complies as Proposed. The new porch will be secondary in massing and size.

E. Proportion and Scale

1. *The relationship of height to width of new additions and their sub-elements such as windows and doors and of alterations shall be compatible with related elements of the historic building, and with the historic character of the District.*

Staff Finding; Complies as Proposed. The new porch will be secondary in massing and size.. The creation of the covered porch is appropriate for the style home and compatible with the Design Guidelines.

2. *The relationship of solids to voids (wall to window) shall be compatible with related elements on the historic building, and with the historic character of the District.*

Staff Finding: Complies as Proposed. Windows will not be changing as a result of this application, nor will the wall be extended.

F. Exterior Features

1. General

a. *To the extent practicable, original historic architectural elements and materials shall be preserved.*

b. *Architectural elements and materials for new additions shall be compatible with related elements of the historic building and with the historic character of the District.*

c. The preservation, cleaning, repair and other treatment of original materials shall be in accord with the Secretary of Interior's Standards of Rehabilitation and Guidelines for Rehabilitating Historic Buildings.

Staff Finding: Complies with Condition. The majority of the home will stay the same, Construction of the new porch will be required to use materials and design features found with in Design Guidelines..

Staff has determined that it is possible, likely and reasonable that the applicant can meet these Criteria through the Conditions of Approval.

17.40.065 - Historic Preservation Incentives.

A. Purpose. Historic preservation incentives increase the potential for historically designated properties to be used, protected, renovated, and preserved. Incentives make preservation more attractive to owners of locally designated structures because they provide flexibility and economic opportunities.

B. Eligibility for Historic Preservation Incentives. All exterior alterations of designated structures and new construction in historic and conservation districts are eligible for historic preservation incentives if the exterior alteration or new construction has received a certificate of appropriateness from the Historic Review Board per OCMC 17.50.110(c).

C. Incentives Allowed. The dimensional standards of the underlying zone as well as for accessory buildings (OCMC 17.54.100) may be adjusted to allow for compatible development if the expansion or new construction is approved through historic design review.

D. Process. The applicant must request the incentive at the time of application to the Historic Review Board.

Finding: Not Applicable: No incentives are proposed.

I. CONCLUSIONS AND RECOMMENDATIONS

Based on the findings, staff recommends that the Historic Review Board approve the proposed development with the conditions found at the front of the staff report.

Exhibits

1. Vicinity Map
2. Applicant Submittal
3. Public Comment
4. Survey Form
5. Composite Decking Product page