

**Historic Review
Staff Report and Notice of Decision for Proposed Demolition and Addition
in the McLoughlin Conservation District
February 27, 2020**

FILE NO.: GLUA-20-00011, HR 20-06 and HR 20-07: Historic Review

HEARING DATE: February 26, 2020
7:00 p.m. – City Hall
625 Center Street
Oregon, City, Oregon 97045

APPLICANT/OWNER: Craig Curtis
806 Washington Street
Oregon City, OR 97045

LOCATION: 806 Washington Street
Oregon City, OR 97045

REQUEST: Historic Review for partial demolition of a designated structure and a replacement addition in the McLoughlin Conservation District (H. Leighton Kelly House)

REVIEWER: Kelly Reid

DECISION: On February 26, 2020, 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 5-0 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 20-06 and 20-07. 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.oregoncity.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.

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 H. Leighton Kelly House at 806 Washington Street is in fair condition and is currently being restored. The applicant has proposed to demolish the 160-square-foot rear mudroom, which is not part of the original volume of the home, and replace it with a new addition using the same footprint. The proposed addition is not visible from the right of way, is secondary in nature to the architecture of the house, and does not detract from the architectural character of the house. The new design is more compatible than the previous addition and utilizes materials that match the house.

BACKGROUND:

The applicant submitted this application to request approval for the demolition of a rear portion of the home, and a replacement addition in the same location. The property is located in the McLoughlin Conservation District and is referred to as the H. Leighton Kelly House.



Figure 1. Vicinity Map

Site and Context

The property is a 50x105 foot lot in the R-3.5 single family dwelling district. It contains the historic home along with a detached accessory building.

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

806 Washington Street - H. Leighton Kelly House

This one story house sits under a front gable roof with a wraparound hip porch on the north and west sides of the house. The porch hip is supported by Tuscan columns and is terminated on the north side by a rectangular bay under a second gable roof. The porch columns rest on a low solid balustrade clad with wood shingles and support a blank frieze below the enclosed eaves of the porch hip. The gables on the



house are also enclosed, and feature narrow rake and frieze boards. The main body of the house is clad with drop siding finished with cornerboards, but the gable ends and the foundation are also clad with wood shingles. The house features 1/1 double-hung wood sash windows with plain board surrounds on three sides and narrow sills. The east end of the house may be an early addition to the house, but matches the rest of the house in both character and materials. The house's front door appears to have been moved slightly to the north, sometime after the original survey photo was taken.

Statement of Significance: In 1880, Hercules and Catharine Kelly sold lots 3-6 to Peyson Hatch. Hatch and his wife sold those lots back to Catherine Kelly in 1883. In 1910, Hercules Kelly transferred the remaining lots 1-8 into his wife's name. Hercules Kelly was a prominent Oregon pioneer, who crossed the plains in 1859. Mr. Kelly was born in Seneca Falls, NY (1840) and married Catherine Abbott of Oregon City. By 1926, Hercules died and the properties were passed among the Kelly children. Their son, Leighton Kelly, was born in Oregon City in 1875. After high school graduation, he went to Idaho to survey with Hezekiah Johnson and Harold and Ernest Rands. He then worked for the Imperial Flour Mills. He left the mill to take a position with the Clackamas Fish Hatchery. Later, he was employed by hatcheries at the Rogue River and in South America. He was Oregon' State Game Commissioner. In 1938, H.L. and Roy Kelly sold lots 5 and 6 to George and Thelma Nichols. The Nichols sold the lots in 1946 to John W. and Addie Reddaway. In 1959, Addie sold them to St. Paul's Parish where the house became a study home.

Project Description

The applicant submitted the following project description:

"This is a request to rebuild the addition of the H. Leighton Kelly House (806 Washington Street). I purchased it in September 2019 to be my home in Oregon City. The house is approximately 1,079 sq. ft of which 160 sq. ft. is the addition. I am thoroughly restoring the entire house including the addition which is attached to the back of the house. The addition is not a period structure. It resembles a poorly constructed shed deteriorating from dry rot. My proposal to rebuild the addition utilizes its same footprint and size (16' x 10'). Naturally, the rebuild will bring the structure up to current building code. The exterior design of the

rebuild follows the details of the house itself and will enhance the beauty and authenticity of the Historic District.

Four views of the house are shown in Photos #1, 2, 3, and 4. The addition is shown in Photo #5 and 6. Photo #2 is a photo of the house (circa 1980) taken from the HRB inventory record. I use this photo as a reference point since it is the only historic photo that I can find of the house. For lot perspective, the Floor Site Plan is Drawing #2 and the Google Earth View is Photo #7.

The addition was not built to be structurally sound nor is it representative of the architecture of the house. The shed style roof is without adequate slope and uses asphalt shingles. The stairs lack a railing and protrude into the driveway. The siding is a fiber cement product. The exterior single hung window is vinyl. The interior floor is single sheet of particleboard, essentially a subfloor. There are no gutters and vapor barriers so the floor joists and floor has rotted in time from trapped moisture. The structure requires rebuilding to be safe and to be usable.

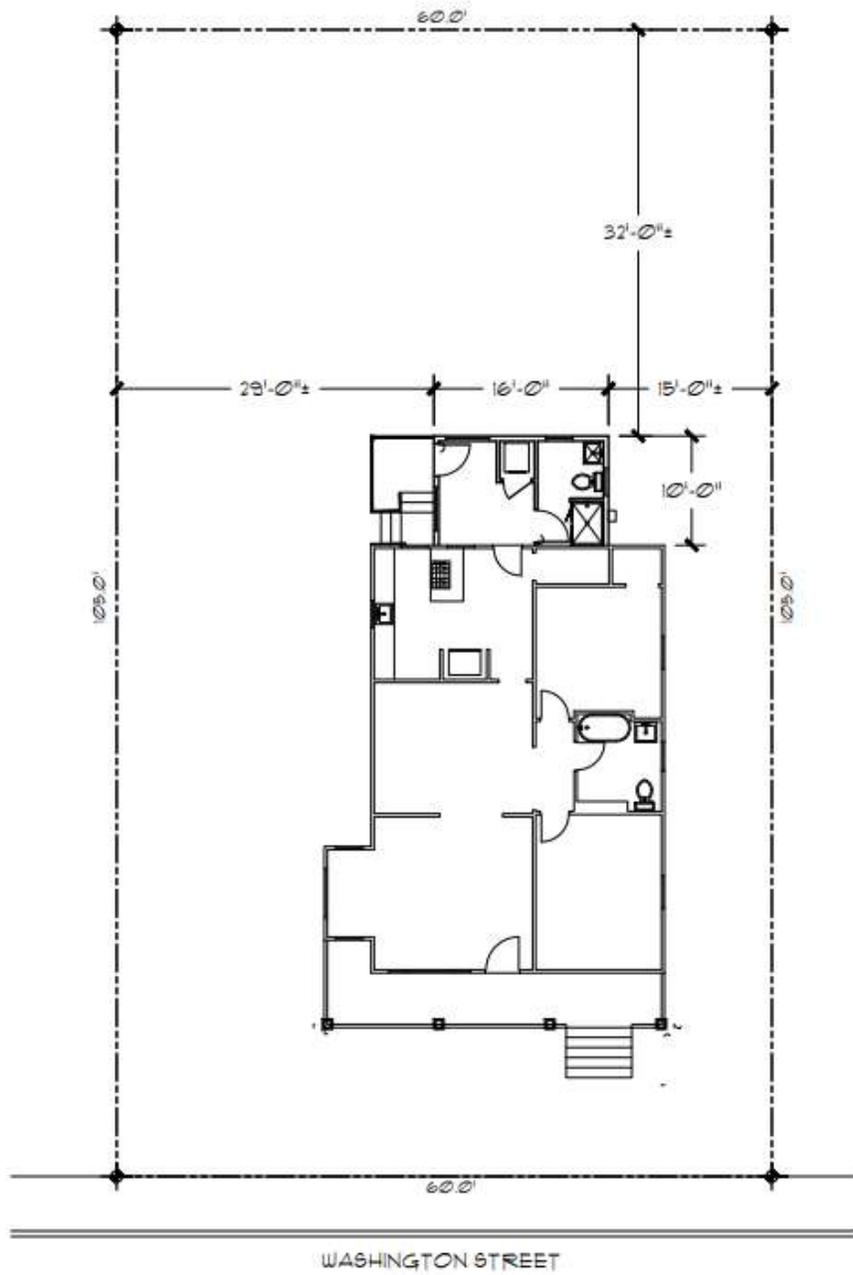
The addition is an essential part of the house. It allows for a washer and dryer, utility sink, furnace and water heater. Thus, there is water (hot and cold), sewer and electricity in the space. The interior plan for the rebuild is Drawing #1. The plan adds a toilet and a shower. It replaces the glass mudroom with an outdoor landing to accommodate the stairs so they don't protrude into the driveway. The two enclosed exterior windows of the house in the glass mudroom are preserved in the rebuild with one of the house windows inside the space and one overlooking the landing (see Photo #5 and 6 through the mudroom glass). The exterior siding of the house will remain on the interior wall of the rebuilt addition (also seen through the mudroom glass in Photo #5 and 6) to agreeably differentiate the original house from the addition.

The rebuild for the addition is shown in Drawings #3, 4 and 5. It will rest on the existing foundation. The gable roof is a continuation the house roofline and that of a prior addition of an unknown date. A prior addition is easily discerned in Photo #3 by the vertical siding board. The rebuild uses materials and a design that emulates the house. It copies the belly board with siding above it and shingles below it. The other identical features are: double sash wood windows, corner molding and window molding, gable vent and gable fascia molding, and cedar shake roof. The landing, stairs and railings will be similar to the house's porch. The exterior door on the landing will utilize the existing door. All surfaces will be painted. The entire house and addition will be painted to match once the addition rebuild is completed.

Thank you for your consideration and for taking the time to understand my project and request."



Figure 2. H. Leighton Kelly House



FLOOR/SITE PLAN



SCALE: 1/16" = 1'-0"

Figure 3. Site Plan



Figure 3. Elevation Drawing



Figure 4. Side Elevations



Figure 6. Previous rear façade of house

Zoning:

HR 20-06 and 20-07

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. The existing foundation is being utilized.

- 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.

The addition 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.

The addition 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.

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 addition 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. The Leighton Kelly House is in fair condition and it being repaired and renovated to an improved condition. The proposed addition 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: The addition 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. 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 applicant proposed the following materials:

- Siding: custom milled cedar of exact size and dimensions of house siding; painted
- Belly Board: cedar of same size and dimension of house; painted
- Shingles under Belly Board: cedar shingles of same dimensions as house; painted
- Corner molding: cedar of same size and dimension of house; painted
- Window Molding: cedar of same size and dimension of house; painted
- Windows: custom measured by Marvin to match those in the house; double hung aluminum clad wood windows including the sash detail (as pictured in Photo #11); painted
- Gable Vent: custom made wood to match front gable vent; painted
- Gable Fascia Molding: custom made wood to match front and side gables; painted Roof: cedar shake shingles matching house
- Gutters: aluminum matching house; painted Landing and
- Stairs: cedar to match design of front porch; painted
- Railings: detail TBD and will follow HRB Policy #11; painted
- Exterior Door: use existing
- Exterior Tankless Water Heater: installed on south elevation of addition; tan in color
- Paint: identical to house with white for window and corner molding, belly board, gutters and Gable vents; light green for siding, shingles under belly board, landing and stairs; brick red trim on the window sashes and the gable fascia moldings (pictured in Photos #9 and 10)

The tankless water heater is installed on the rear of the home and will not be visible from any public area. Being placed on the addition rather than the original volume of the home will avoid any adverse effects to the structure.

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, to meet HRB Policy #11.

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. 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 previous addition was added to the property most well after the house was built. The proposed addition is more compatible due to the gable roof style.

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 applicant has not proposed to destroy any changes that have historic significance.

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

Staff Finding: Complies as Proposed. The existing siding and wood window on the rear of the structure are proposed to be retained. The applicant states “The two enclosed exterior windows of the house in the glass mudroom are preserved in the rebuild with one of the house windows inside the space and one overlooking the landing (see Photo #5 and 6 through the mudroom glass). The exterior siding of the house will remain on the interior wall of the rebuilt addition (also seen through the mudroom glass in Photo #5 and 6) to agreeably differentiate the original house from the addition.”

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 applicant has not proposed to replace any original historic features. 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 as Proposed. The proposal is secondary in size, utilizes a simple finished design with compatible wood and composite roofing materials. The applicant states “The two enclosed exterior windows of the house in the glass mudroom are preserved in the rebuild with one of the house windows inside the space and one overlooking the landing (see Photo #5 and 6 through the mudroom glass). The exterior siding of the house will remain on the interior wall of the rebuilt addition (also seen through the mudroom glass in Photo #5 and 6) to agreeably differentiate the original house from the addition.” The applicant proposes to use materials and design that matches the original home; wood siding, wood windows, belly board, etc. There is little differentiation in the design and materials that would indicate that the room is an addition; however, the retention of the original exterior siding and windows will make it clear that the addition is not original.

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 applicant proposes to retain the exterior siding of the home, along with rear wood window. The addition 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 applicant has proposed an 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 addition 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 addition 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 addition will be secondary in massing and size. The creation of the addition 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.

17.40.070 - Demolition and moving.

A. If an application is made for a building or moving permit to demolish or move all or part of a structure which is a landmark or which is located in a conservation district or an historic district, the building inspector shall, within seven days, transmit to the historic review board a copy of the transaction.

B. The historic review board shall hold a public hearing within forty-five days of application pursuant to the procedures in Chapter 17.50. C. In determining the appropriateness of the demolition or moving as proposed in an application for a building or moving permit, the board shall consider the following:

1. All plans, drawings and photographs as may be submitted by the applicant;

Finding: Complies as Proposed. The applicant submitted a site plan along with photos of the exterior of the home. The proposal includes demolition of a 160-square foot space on the rear of the structure which is not original.

2. Information presented to a public hearing held concerning the proposed work;

Finding: The Board will consider all information presented at the public hearing.

3. The city comprehensive plan;

Section 5

Open Spaces, Scenic and Historic Areas, and Natural Resources

Policy 5.3.8

HR 20-06 and 20-07

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

Finding: Complies as Proposed.

The demolition of the previous addition does not affect the original volume of the home; the historic resource is being preserved.

4. The purpose of this section as set forth in Section 17.40.010;

The purpose of the district is

- 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.*

Finding: Complies as Proposed.

The demolition of the previous addition does not affect the original volume of the home; the historic resource is being preserved.

5. The criteria used in the original designation of the landmark or district in which the property under consideration is situated;

Finding: Complies as Proposed.

The demolition of the previous 160 square foot rear addition does not affect the original volume of the home; the historic resource is being preserved.

6. The historical and architectural style, the general design, arrangement, materials of the structure in question or its fixtures; the relationship of such features to similar features of the other buildings within the district and the position of the building or structure in relation to public rights-of way and to other buildings and structures in the area;

Finding: Complies as Proposed.

The applicant states "The addition was not built to be structurally sound nor is it representative of the architecture of the house. The shed style roof is without adequate slope and uses asphalt shingles. The stairs lack a railing and protrude into the driveway. The siding is a fiber cement product. The exterior single hung window is vinyl. The interior floor is single sheet of particleboard, essentially a subfloor. There are no gutters and vapor barriers so the floor joists and floor has rotted in time from trapped moisture. The structure requires rebuilding to be safe and to be usable."

7. The effects of the proposed work upon the protection, enhancement, perpetuation and use of the district, which cause it to possess a special character or special historic or aesthetic interest or value;

Finding: Complies as Proposed.

Demolition of the 169 square foot rear addition of the home will allow replacement with a more compatible addition.

8. Whether denial of the permit will involve substantial hardship to the applicant, and whether issuance of the permit would act to the substantial detriment of the public welfare and would be contrary to the intent and purposes of this section;

Finding: Complies as Proposed. The demolition has already occurred without approval. The applicant has stopped work on the project and requested approval from the Historic Review Board for the work that has already occurred, along with the proposed replacement addition. Denial of this request would require that the applicant build back the addition as it was, which would be a less functional space for the applicant and would not be a more compatible solution.

9. The economic, social, environmental and energy consequences.

Finding: Complies as Proposed.

These consequences are minimal; the removal of the deteriorating portion of the structure will lead to improved economic and energy consequences.

D. The failure of the applicant to provide the information required by Subsection C.1.—9. shall be grounds for deeming the application incomplete.

Finding: Complies as Proposed. The applicant submitted the materials necessary for review.

E. The board may approve or deny the demolition or moving request after considering the criteria contained in Section 17.40.070C. Action by the board approving or denying the issuance of a permit for demolition or moving may be appealed to the city commission by any aggrieved party, by filing a notice of appeal, in the same manner as provided in Section 17.50 for appeals. If no appeal of a demolition permit is filed, the building official shall issue the permit in compliance with all other codes and ordinances of the city.

Finding: Complies as Proposed. The process will be followed as described.

F. In any case where the city commission has ordered the removal or demolition of any structure determined to be dangerous to life, health or property, nothing contained in this title shall be construed as making it unlawful for any person, without prior approval of the historic review board, pursuant to this title, to comply with such order.

Finding: Not applicable. The City Commission has not ordered the demolition of this structure.

I. CONCLUSIONS AND RECOMMENDATIONS

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

Exhibits

1. Vicinity Map
2. Applicant Submittal
3. Survey Form