

**Provo City Landmarks Commission Staff Report
Certificate of Appropriateness for Addition
Hearing Date: July 16, 2008**

<p>Agenda Item: 1</p> <p>Staff Coordinator: <u>Matthew Taylor</u></p> <p>SUMMARY Case File: 08-0001LMDR</p> <p>Applicant: Gene Shumway</p> <p>Property Address: 589 East Center</p> <p>Neighborhood: Central Business District</p> <p>Parcel ID#: 05:057:0001</p> <p>Current Zone: R16A (One-Family Residential with Accessory Apartment Overlay)</p> <p>Related Files: Building Permit 26391, 98-0020LMN</p> <p>Acreage: 0.29</p> <p>Number of Properties: 1</p> <p>*Council Action Required: No</p>	<p>REQUEST Gene Shumway requests a Certificate of Appropriate for an addition to a Historic Landmark Register property generally located at 589 East Center Street and commonly referred to as the Fred Taylor House. <i>Joaquin Neighborhood</i> 08-0001LMDR</p> <p>NEIGHBORHOOD ISSUES No information has been received from the Neighborhood Chair or other interested parties.</p> <p>STAFF REPORT SUMMARY OF KEY ISSUES <u>Standards and Guidelines for Historical Rehabilitation and Preservation</u>, as outlined in the <i>Findings of Fact</i> shall be satisfied per findings by the Landmarks Commission.</p> <p>STAFF RECOMMENDED ADMINISTRATIVE ACTION:</p> <ol style="list-style-type: none"> 1. Approve the requested Certificate of Appropriateness. <i>This action would be consistent with the recommendations of the Staff Report. Deny</i> the requested Certificate of Appropriateness. <i>New findings should be stated.</i> 2. Continue to a future date to obtain additional information or to further consider information presented.
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OVERVIEW

The applicant is seeking a certificate of appropriateness for an addition to a Landmarks Register property generally located at 589 East Center and commonly referred to as the Fred Taylor house.

This item was up for consideration at the June 18, 2008, Landmarks hearing. However, a quorum was not present. Those in attendance agreed that the request met the criteria for approval and a building permit was issued. The purpose of addressing this item on this agenda is to ratify by vote the issuance of the building permit and authorize the certificate of appropriateness.

FINDINGS OF FACT

1. Section 16.05.050(5), Results of Designation to the Landmarks Register and Requirement for a Certificate of Appropriateness, requires a Certificate of Appropriateness be issued for exterior changes to buildings that have been designated to the Landmarks Register.
2. Section 16.05.050(12): *Proposed repairs, alterations or additions to Historic Landmarks, if not*

administratively approved, are subject to the review of the Landmarks Commission and the subsequent review and approval of the Mayor, if the Commission's decision is appealed. The purpose of such review is to ensure the preservation of historic materials and features to the greatest degree possible....the Landmarks Commission shall review applications received for compliance with "Standards for Rehabilitation", promulgated by the United States Secretary of the Interior, hereafter referred to as "Standards" (See Chapter 16.06)....

A person whose application is found to be in noncompliance with the provisions of this Title, shall be offered a negotiating period of sixty (60) days, during which time the Landmarks Commission, together with the applicant, shall explore all means for proper repair, alteration or addition to the historic landmark, which may include the following:

- (i) feasibility of modifications to the plans*
- (ii) feasibility of alternative uses of the landmark*
- (iii) feasibility of public acquisition or resale*
- (iv) feasibility of acquiring easements*
- (v) feasibility of obtaining financial or other forms of assistance from preservation organizations.*

If no solution is agreed upon within the initial sixty (60) days, the Landmarks Commission may offer the applicant an extension of sixty (60) days. If no solution is agreed upon at the conclusion of one hundred twenty (120) days, the Certificate of Historic Appropriateness shall be denied; consequently, the Building Official shall not issue any permits.

3. Chapter 16.06.010, Provo City Code, provides the Standards and Guidelines for Historical Rehabilitation and Preservation:

(1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.

(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.

(3) Each property shall 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 architectural elements from other buildings, shall not be undertaken.

(4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

(5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall adhere to the old design, in terms of color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

(7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.

(8) Significant archeological resources affected by a project shall be protected and preserved. If such

resources must be disturbed, mitigation measures shall be undertaken.

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

(10) New additions and adjacent or related new construction shall 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.

4. Section 16.06.030: *The Commission shall utilize the U.S. Department of Interior's Guidelines for Rehabilitation as an aid to applicants in formulating plans for the rehabilitation, preservation, and continued use of historic buildings. Conformance with the Guidelines for Rehabilitation shall be a factor in judging compliance with this Title.*

STAFF ANALYSIS & CONCLUSION

The majority of the proposed work will not affect the historical integrity of the Landmark Register property. However, standard number nine may not be satisfied: *New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.* .

It appears that the addition may not be distinguishable from the old construction. However, the addition is in the rear of the property and will generally not be viewable from the public.

STAFF RECOMMENDATION

Approve the requested for a Certificate of Appropriateness.

ATTACHMENTS

1. Proposed elevation and work detail.

ca. 1940's



28 Oct 2003



Aerial Photograph





