

HISTORIC LANDMARK COMMISSION  
STAFF REPORT

**Petition 470-07-35 Steven Seare Legalization of windows** on a contributing structure located at 517 East 900 South in the Central City Historic District.

October 3, 2007



Planning and Zoning  
Division  
Department of Community  
Development

**Applicant:** Steve Seare

**Staff:** Nick Norris at 535-6173  
or nick.norris@slcgov.com

**Tax ID:** 16-07-276-030

**Current Zone:** CN  
Neighborhood Commercial  
District

**Master Plan Designation:**  
Neighborhood Commercial

**Council District:** Council  
District 4; Nancy Saxton

**Acreage:** 0.09 acres

**Current Use:**  
Single Family Residential

**Applicable Land Use  
Regulations:**

- 21A.34.020 (G)

**Attachments:**

- A. Application
- B. Building Permit Card
- C. Photos of existing  
building

**REQUEST**

The applicant is requesting that the Historic Landmark Commission approve windows that were added to the contributing structure located at 517 East 900 South in the Central City Historic District. The windows were installed without either a Certificate of Appropriateness or building permit.

**PUBLIC NOTICE**

A notice was mailed on September 19 to all property owners within 85 feet of the subject property.

**STAFF RECOMMENDATION:**

Staff recommends that the Historic Landmark Commission deny the request to legalize the windows that were installed without a Certificate of Appropriateness located at approximately 517 East 900 South for the following reason:

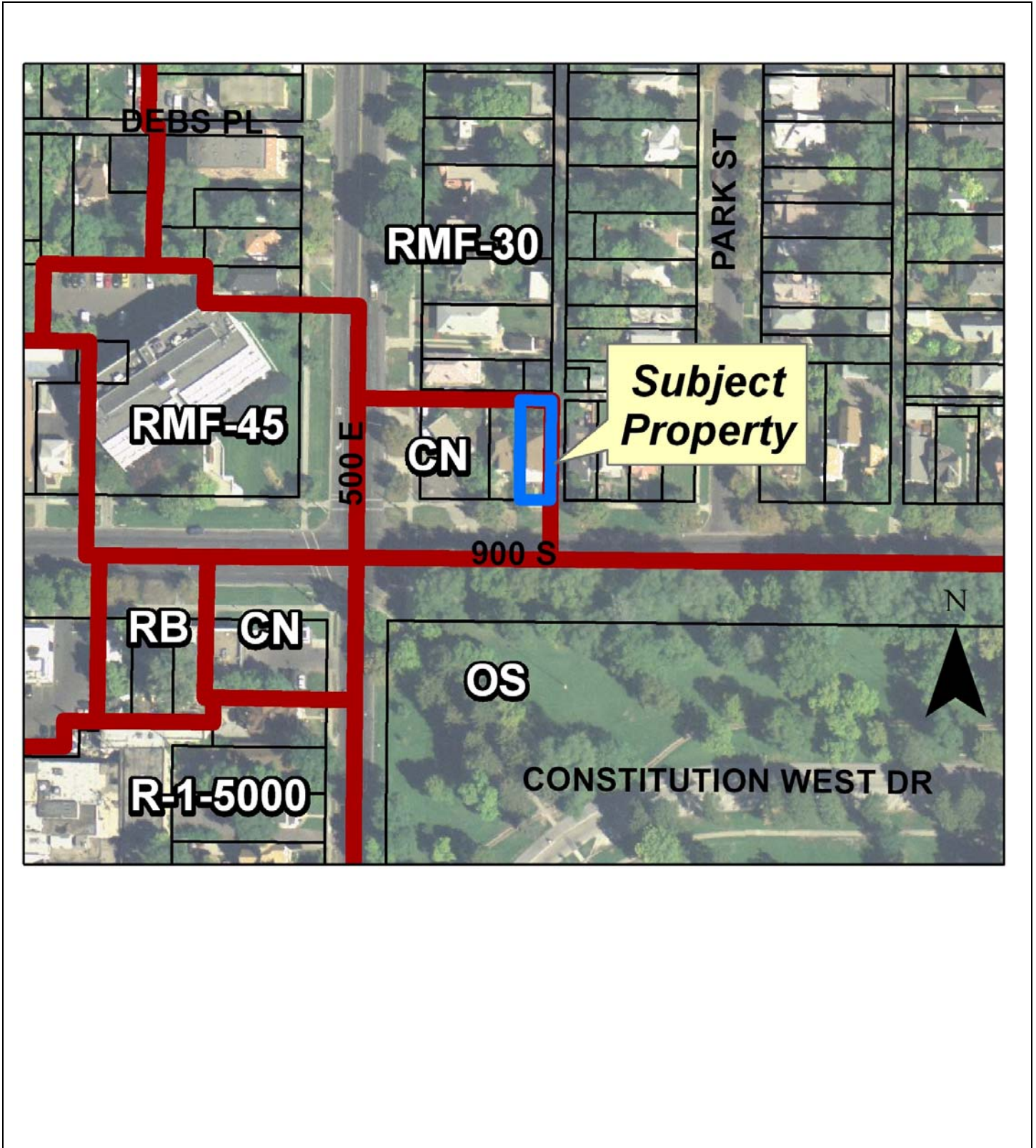
1. The window type is not consistent with window types typically found in historic structures within Salt Lake City as stated in "Design Guidelines for Residential Historic Districts in Salt Lake City.

Staff would recommend that the applicant work with staff on an acceptable configuration of windows that would be appropriate as discussed in this report.

Staff would recommend a Certificate of Appropriateness for the front door and the second level door with the following conditions:

1. That a building permit is obtained and all necessary inspections are performed.
2. That a railing be installed on the second level that is compliant with all applicable building codes and that a certificate of appropriateness is issued for the railing prior to it being installed.

VICINITY MAP



## COMMENTS

### **Public Comments**

*No public comment regarding this application has been received.*

## **BACKGROUND, ANALYSIS AND FINDINGS:**

### **BACKGROUND**

The subject property was originally built in 1908 as a single family residence. The structure has had multiple alterations over the years. According to the Building Permit Card, the front porch was enclosed in 1952 to accommodate an office. The addition is over fifty years old. It is not known if the area is currently used as an office. A variance was granted by the Board of Adjustment (Case 2524) to accommodate enclosing the front porch for the purpose of using it as an office. The front porch remains enclosed. In 1981 the Board of Adjustment (Case 8690) granted a variance for an addition to the rear of the building that encroached into the rear yard setback. In 1982, the Board of Adjustment reheard the case due to the variance expiring and approved the Case.

Earlier this year, the petitioner replaced four windows on the structure, two on the front façade and one on each side of the building. The petitioner also replaced the front door and a door that provides access from the second level to a deck on the front façade. A certificate of approval was not issued for the doors and windows. A Zoning Enforcement Officer started an enforcement action against the property owner regarding the work which was done without the required building permits.

The windows that were replaced include 2 plate windows in the front. The windows were replaced with vinyl horizontal sliders with wood trim. One of the side windows was a fixed window. The other window was a steel frame casement window. The side windows were replaced with vinyl horizontal slider windows with wood trim work. The openings were not altered to accommodate the window installations.

The front door that was replaced was a solid wood panel door. The replacement door is a similar type of door. The second level door was a sliding glass door was replaced with French doors. The tax ID photo does show what appears to be a large sliding glass door or window on the second level. It is unknown when the tax ID photo was taken. The opening does not appear to have been altered to accommodate the new door.

### **STAFF ANALYSIS AND FINDINGS**

The Historic Landmark Commission should make findings in this case based upon Section 21A.34.020(G): *Standards for Certificate of Appropriateness for Alteration of a Landmark Site or Contributing Structure*, of the City Zoning Ordinance.

**1. A property shall be used for its historic purpose or be used for a purpose that requires minimal change to the defining characteristics of the building and its site and environment;**

**Discussion:** No changes are proposed to the use of the property.

**Finding:** The project is consistent with this standard.

**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;**

**Discussion:** The size, proportion and style of windows play a major role in a building's appearance. The design of surrounding window casings, the dimensions and profile of window sash elements and the materials of which they were constructed are also important features. Due to the addition that was done to the front of the house in 1952, the original windows were enclosed and new windows added to the walls of the front porch enclosure. The windows were fixed picture windows and did not add to the historic character of the home. Due to the addition, the historic character of this residential structure was compromised when the original wood windows were covered up by the front porch enclosure. The sliding glass doors that are in the tax ID photograph do not add to the historic character of the home.

**Finding:** Legalizing the windows and door added by the applicant would not alter the historic character of the structure because the windows are located in an addition that was added in 1952 and covered up the original first floor façade. The applicant has not removed or altered historic features of the property.

**3. All sites, structures and objects shall be recognized as products of their own time. Alterations that have no historical basis and which seek to create a false sense of history or architecture are not allowed;**

**Discussion:** Removal of the fixed windows and replacing them with a synthetic material (vinyl) does not create a false sense of history because vinyl is a modern construction material. The openings on the front façade have not been altered to accommodate the new windows and doors.

**Finding:** Vinyl windows and the new doors comply with this standard to the extent that their application would not create a false sense of history.

**4. Alterations or additions that have acquired historic significance in their own right shall be retained and preserved;**

**Discussion:** The front porch addition was done in 1952 and is fifty-five years old. Despite the age of the addition, it does not add to the historic character of the structure and covers up the architectural features on the primary façade of the house. The windows and doors that were replaced were added after 1952 and do not add to the historic character of the building.

**Finding:** The primary façade and character-defining elements of the historic building as seen from the street would not be negatively affected by the removal of the windows and sliding glass door. The windows were an inappropriate alteration that detracted from the historic character of the building and although of sufficient age do not add to the historic character and therefore have not achieved historic significance.

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

**Discussion:** As mentioned above under Standard 4, the windows and doors were not character-defining features of the property. The 1952 addition covered the first floor of the front elevation of the structure. The new windows and doors do not cover up any additional distinctive features. Horizontal slider windows were not typically found on historic homes and therefore they are not appropriate. The fixed windows that they replaced are more appropriate for contributing structures.

**Finding:** The application complies with this standard in that the windows that were replaced were not did not add to the historic character of the structure. Replacement of the windows would not remove finishes or construction techniques that characterize this historic property.

**6. Deteriorated architectural features shall be repaired rather than replaced wherever feasible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or**

## **pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other structures or objects;**

**Discussion:** Due to earlier additions and alterations, the front façade of the subject building has been altered dramatically. The addition covered up the original windows and little is known about them. The second level door was likely not original to the house because the deck was added after the front porch was enclosed. The windows that were removed were not original to the structure and had not achieved historical significance.

Regardless of the previous alterations, the vinyl slider windows were installed without a certificate of appropriateness. The replacement windows should be consistent with the Design Guidelines for Residential Historic Districts in Salt Lake City. Slider windows were not typically found in historic structures, particularly on the primary facade. The Historic Landmark Commission has allowed the use of sliders on secondary locations but not on the principal facade. The horizontal slider windows on the east and west sides of the house are highly visible were not typically found on historic structures. Fixed or composite (a fixed center pane flanked by a pair of vertically proportioned casement, or single or double hung windows) windows are more characteristic of historic homes and would have been a more appropriate replacement scheme for the windows.

The windows that were replaced had a simple wood casing that surrounded the glazing. The size of the window openings has not changed and there is not a substantial decrease in the amount of glazing due to the new windows. The windows are a vinyl finish. The window is designed to be installed directly to the framing. As a result, the profile of the window is created by the trim on the outside of the wall. The plate glass windows that were removed had a similar type of profile due to the simple wood casing. The windows do include a wood trim that is consistent with windows found in historic structures.

The Historic Landmark Commission has approved the use of vinyl replacement windows in cases where the windows are located on secondary and tertiary elevations and no decorative or architectural features are removed. The windows must also be the same size and configuration as the historic window openings. Staff considers the original windows on the addition as an incompatible alteration which compromised the architectural integrity of the building. The structure was rated as a “B” in the 1994 Reconnaissance Level Survey. A rating of A or B indicates that a building would be “eligible” for consideration as a contributing building in an historic district.

The second level door provides access to what appears to be a deck area above the addition. The double doors that were installed are a door type that is typically found on historic structures. The deck may be old enough that a railing was not required at the time the addition was done and the second level door was added. However, due to the changes it is appropriate to require a building permit to insure the deck meets the minimum safety standards due to its height above the ground.

### **Design Standards for Windows**

**3.1 Preserve the functional and decorative features of a historic window.** Features important to the character of a window include its frame, sash, muntins, mullions, glazing, sills, heads, jambs, moldings, operation, and groupings of windows. Repair frames and sashes rather than replacing them whenever conditions permit.

**3.3 Preserve the historic ratio of window openings to solid wall on a primary façade.** Significantly increasing the amount of glass on a character-defining façade will negatively affect the integrity of the structure.

- 3.4 Preserve the size and proportion of a historic window opening.** Reducing an original opening to accommodate a smaller window or increasing it to receive a large window are inappropriate measures.
- 3.5 Match a replacement window to the original in its design.** If the original is double-hung, then the replacement window should also be double-hung, or at a minimum appear to be so. Match the replacement also in the number and position of glass panes. Matching the original design is particularly important on key character-defining facades.
- 3.6 Match the profile and its components, as closely as possible to that of the original window.** A historic wood window has a complex profile--within its casing, the sash steps back to the plane of the glazing (glass) in several increments. These increments, which individually only measure eighths or quarters of inches, are important details. They distinguish the actual window from the surrounding plane of the wall. The profiles of wood windows allow a double-hung window, for example, to bring a rich texture to the simplest structure. In general, it is best to replace wood windows with wood on contributing structures, especially on the primary façade. Non-wood material, such as vinyl or aluminum, will be reviewed on a case-by-case basis, and the following will be considered: will the original casing be preserved? Will the glazing be substantially diminished? What finish is proposed? Most importantly, what is the profile of the proposed replacement windows?
- 3.7 In a replacement window, use materials that appear similar to the original.** Using the same material as the original is preferred, especially on key character-defining facades. However, a substitute material may be considered in secondary locations if the appearance of the window components will match those of the original in dimension, profile and finish.

**Finding:** Since this is a request to legalize previous work, it is no longer possible to repair the original windows that were removed. The windows that were replaced were located on an addition that compromised the historical character of the structure. Two of the vinyl windows that were installed were located on the primary elevation of the structure and are not consistent with window types typically found in historic structure in Salt Lake City. Slider type of windows would not have typically been found on the sides of historic buildings. Single or double hung or fixed windows would be more appropriate.

**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;**

**Discussion:** No chemical or physical treatments are proposed as part of this request.

**Finding:** This standard does not apply to this project.

**8. Contemporary design for alterations and additions to existing properties shall not be discouraged when such alterations and additions do not destroy significant cultural, historical, architectural or archaeological material, and such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment;**

**Discussion:** The historic character of the primary elevation was diminished by the 1952 addition and the windows and doors on the addition do not add to the historical character of the building. The new windows and doors maintained the opening on the addition.

**Finding:** The application for replacement windows and doors does not destroy significant cultural, historical, architectural or archaeological material.

**9. Additions or alterations to structures and objects shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the structure would be unimpaired. The new work shall be differentiated from the old and shall be compatible in massing, size, scale and architectural features to protect the historic integrity of the property and its environment;**

**Discussion:** The windows and doors of this building have undergone several changes over time. The most significant change was the 1952 addition that dramatically altered the front façade of the building. Replacing the windows in the addition does not impact the essential form and integrity of the structure because the addition itself has already done that.

The second level doorway was likely not original to the building. It was common for there to be windows where the door is now. At some point in time, the window opening was enlarged to accommodate a doorway. This alteration could be repaired with appropriate brick, mortar and windows but that is not being proposed at this time.

**Finding:** The new windows and doors could be removed if the existing addition were to be removed.

**10. Certain building materials are prohibited including the following:**

- a. Vinyl or aluminum cladding when applied directly to an original or historic material, and**
- b. Any other imitation siding material designed to look like wood siding but fabricated from an imitation material or materials;**

**Discussion:** No new siding materials are proposed as part of this request. No historic materials have been covered or had inappropriate materials applied directly to them.

**Finding:** This standard does not apply to this project

**11. Any new sign and any change in the appearance of any existing sign located on a landmark site or within the H historic preservation overlay district, which is visible from any public way or open space shall be consistent with the historic character of the landmark site or H historic preservation overlay district and shall comply with the standards outlined in Part IV, Chapter 21A.46, Signs;**

**Discussion:** Signage is not a component of this project.

**Finding:** This standard does not apply to the project.

**12. Additional design standards adopted by the historic landmark commission and city council.**

**Discussion:** The design standards that are specific to this petition focus on windows and doors and have been addressed above.

**Finding:** The request is inconsistent with Standard # 6 as noted above and not supported by the design guidelines mentioned in this staff report.





# **Attachment A Application**

# **Attachment B Building Permit Card**

# **Attachment C**

## **Photos of existing building**

# **Attachment D Window Details**