

HISTORIC LANDMARK COMMISSION STAFF REPORT

Pat Milne, Solar Panel Installation, Appeal of
Administrative Decision, 470-08-07, 475 E Third
Avenue in the Avenues Historic District
May 7, 2008



Planning and Zoning
Division
Department of Community
& Economic Development

Applicant: Pat Milne

Staff: Robin Zeigler, 535-7758,
robin.zeigler@slc.gov

Tax ID: 09-31-440-015-0000

Current Zone: SR-1A, Special
Development Pattern Residential
District

Master Plan Designation:
Avenues Community Master
Plan

Council District: District 3;
Council Member Jergenson

Acresage: .08

Current Use: office

**Applicable Land Use
Regulations:**

- 21A.24.080
- 21A.34.020 (H)

Attachments:

- A. Photos of existing building
- B. Photo from Tax Assessor
- C. Copy of Survey Form

REQUEST

The applicant requests approval to install solar panels on the roof at approximately 475 E. Third Avenue, an interior property. The Historic Landmark Commission has final approval authority.

PUBLIC NOTICE

On April 22nd, 2008 notice was mailed to all property owners within 85 feet of the subject property, meeting the minimum notification requirement. Community Council Chairs, Business Groups and others interested parties were also notified through the Planning Commission's listserv.

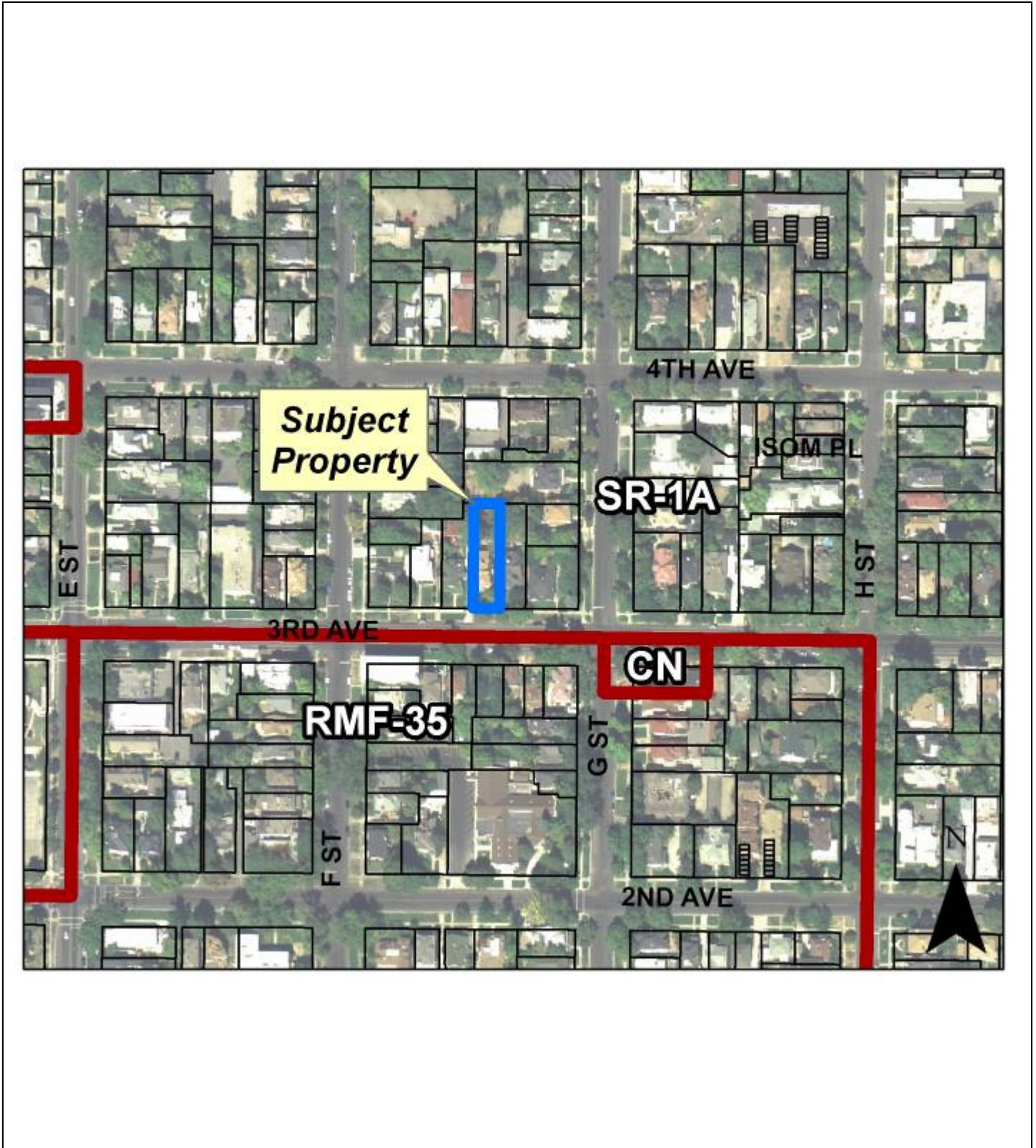
STAFF RECOMMENDATION:

Staff recommends that the Historic Landmark Commission approve the Certificate of Appropriateness for solar panels on the roof at approximately 475 E Third Avenue with the conditions that the panels be placed on the rear east and west portions of the roof where they cannot be seen from the street and be placed below the ridgeline. Staff recommends that the applicant be instructed to submit new drawings with exact locations to be approved by Staff before issuance of a Certificate of Appropriateness. With Staff's recommended conditions the proposed action would meet standards 2, 3, 5, and 9 of the ordinance. (Standards 1,4,6,7,8,10, 11 are not relevant.) This recommendation is based on the Discussion and Findings of Fact in the staff report.

The Historic Landmark Commission has the following options regarding this proposal:

1. The Historic Landmark Commission can approve the proposal by finding that the proposal substantially complies with all applicable ordinance and design guidelines;
2. The Historic Landmark Commission can approve the proposal with conditions by finding that the proposal and conditions substantially complies with all applicable ordinance and design guidelines;
3. The Historic Landmark Commission can deny the proposal by finding that the proposal does not substantially comply with applicable ordinances and design guidelines;
4. The Historic Landmark Commission can delay for additional information and/or request further discussion through the architectural committee.

VICINITY MAP



COMMENTS

Public Comments

No public comment regarding this application has been received.

City Department Comments:

No comments.

BACKGROUND, DISCUSSION AND FINDINGS:

BACKGROUND

The structure at 475 E. Third Avenue is a one-and-one-half story brick Victorian dwelling constructed in 1900. Charles Madsen, a clerk at ZCMI and a native of Denmark was the first occupant of the home. In 1914 the house became rental property and remained so until 1935 at which time it was converted to a duplex. The dwelling is a contributing structure to the Avenues historic district and is significant for its architecture.

The applicant proposes to place eight three feet by 7 feet (3’x7’) solar panels on the roof of the main elevation (south side) facing the street with piping running down the back of the building. The system is a hot water, evacuated tube solar system and would lie close to the slope of the roof. According to staff’s research, recent studies show that, depending on the location and collector tilt, a collector can face up to 90° east or west of true south without significantly decreasing its performance.

ZONING ORDINANCE AND DESIGN GUIDELINES

21A.34.020(H)(G). **Standards For Certificate Of Appropriateness For Alteration Of A Landmark Site Or Contributing Structure:** In considering an application for a certificate of appropriateness for alteration of a landmark site or contributing structure, the historic landmark commission, or the planning director, for administrative decisions, shall find that the project substantially complies with all of the following general standards that pertain to the application and that the decision is in the best interest of the city:

- 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.

Finding: The residential use of the structure is not affected by the proposed change.

- 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.

Applicable “Policy Document, Salt Lake City Historic Landmark Commission”

19.0 The Historic Landmark Commission adopts the following criteria to be considered when reviewing the proposed installation of solar panels on residential structures located within a local historic district or on residential structures that are listed individually as Landmark Sites.

- 1) Solar panels should be installed below the ridgeline of a pitched roof, when possible or setback from the edge of a flat roof.
- 2) Solar panels should be located so as not to change an historic roofline or obscure the relationship of an historic roof to character-defining features such as dormers and chimneys.

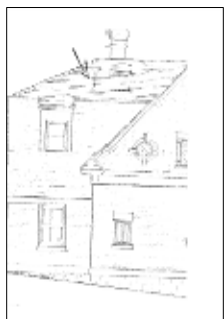
- 3) Solar panels should be installed in a manner which does not damage or obscure character-defining features.
- 4) Solar panels should be located on the rear or sides of a pitched roof. Locating solar panes on a front pitched roof of the primary façade is inappropriate.
- 5) Solar panels should be mounted parallel to the plane of a pitched roof and have a low profile.
- 6) Solar panels should be installed in a location on the roof so as not to be readily visible from public streets

Applicable Design Guidelines for Roofs

7.5 Minimize the visual impact of skylights and other rooftop devices. The addition of features such as skylights or solar panels should not be installed in a manner such that they will interrupt the plane of the historic roof. They should be lower than the ridgeline, when possible. Flat skylights that are flush with the roof plane may be considered on the rear and sides of the roof. Locating a skylight on a front roof plane is inappropriate.

Discussion: The solar panels, as proposed, are located on the roof of the main façade and extend above the ridgeline and therefore do not meet the ordinance. Panels located on the rear east and west roof elevations, as proposed by staff, would meet the ordinance.

Finding: The proposed location is inappropriate since it will interrupt the plane of the roof and alter the design of the original roof line. If the panels were located on the rear portions of the east and west façade and below the ridgeline they would still be effective, according to staff research, yet not be seen from the street. Placing the panels in the location shown below would prevent the panels from negatively impacting the historic character of the dwelling and the neighborhood. A second option for this interior lot would be to have panels placed on the roof of an accessory structure or free-standing in the rear yard.



When considering energy efficiency updates to historic buildings it is important to consider the embodied energy that already exists in these structures. When conflict exists between retaining historic character and increasing the efficiency of a building, the historic character should be maintained as this is a non-renewable historic resource. Property owners may take other directions towards increasing efficiency such as choosing Energy Star appliances, switching to compact fluorescent light bulbs, plugging leaks, adding attic insulation and keeping windows painted and caulked.

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;

Finding: The proposed panels, as a modern device with contemporary design, do not create a false sense of history and therefore meet this section of the ordinance.

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

Finding: The installation of solar panels will not affect alterations or additions.

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

Discussion: The solar panels, as proposed, will project beyond the historic ridgeline. The current roofing material is asphalt shingle and not original.

Finding: Installation of solar panels will not affect historic materials, since the roofing material is not original. Projection of panels above the ridgeline would obscure the original roofline and therefore does not meet the ordinance.

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;

Finding: Addition of solar panels does not involve repair or maintenance.

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;

Finding: Addition of solar panels does not involve cleaning treatments.

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: Solar panels are contemporary in design.

Finding: The contemporary design of a solar panel is in keeping with the ordinance's requirement that new elements should not try to look historic. Solar panels are not compatible with a historic structure in terms of material and character and, if seen from the street, adversely alter the historic character of a neighborhood and of an individual structure. Although they are contemporary in design they are not compatible with historic structures; therefore if their placement causes them to be seen from the street, they do not meet this section of the ordinance.

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: Addition of solar panels involves minimal impact to the structure. The proposed panels are attached to a roof on just two sides with about three connection points.

Finding: Installation of solar panels to a non-historic roof can be undone with minimal damage, therefore if the panels were located in an area where they could not be seen from the street then the installation of solar panels would meet the ordinance.

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;

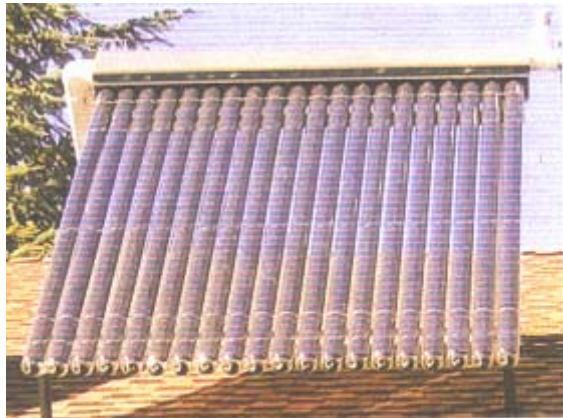
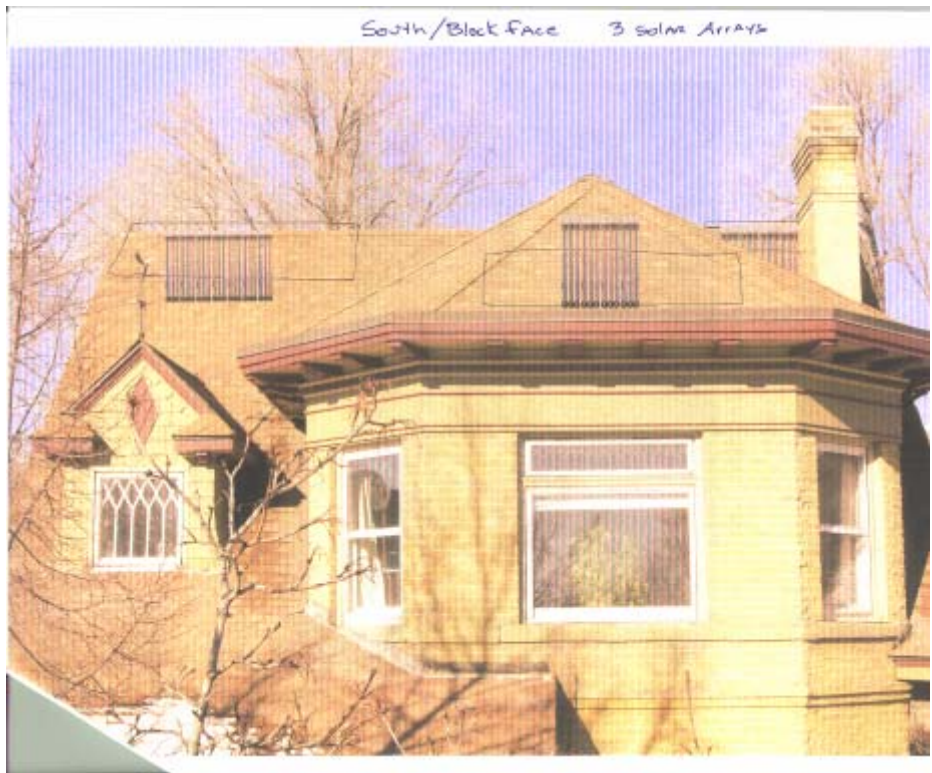
Finding: Addition of solar panels does not involve building materials.

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 of this title;

Finding: The application does not involve signage.

Attachment A
Photos of existing building

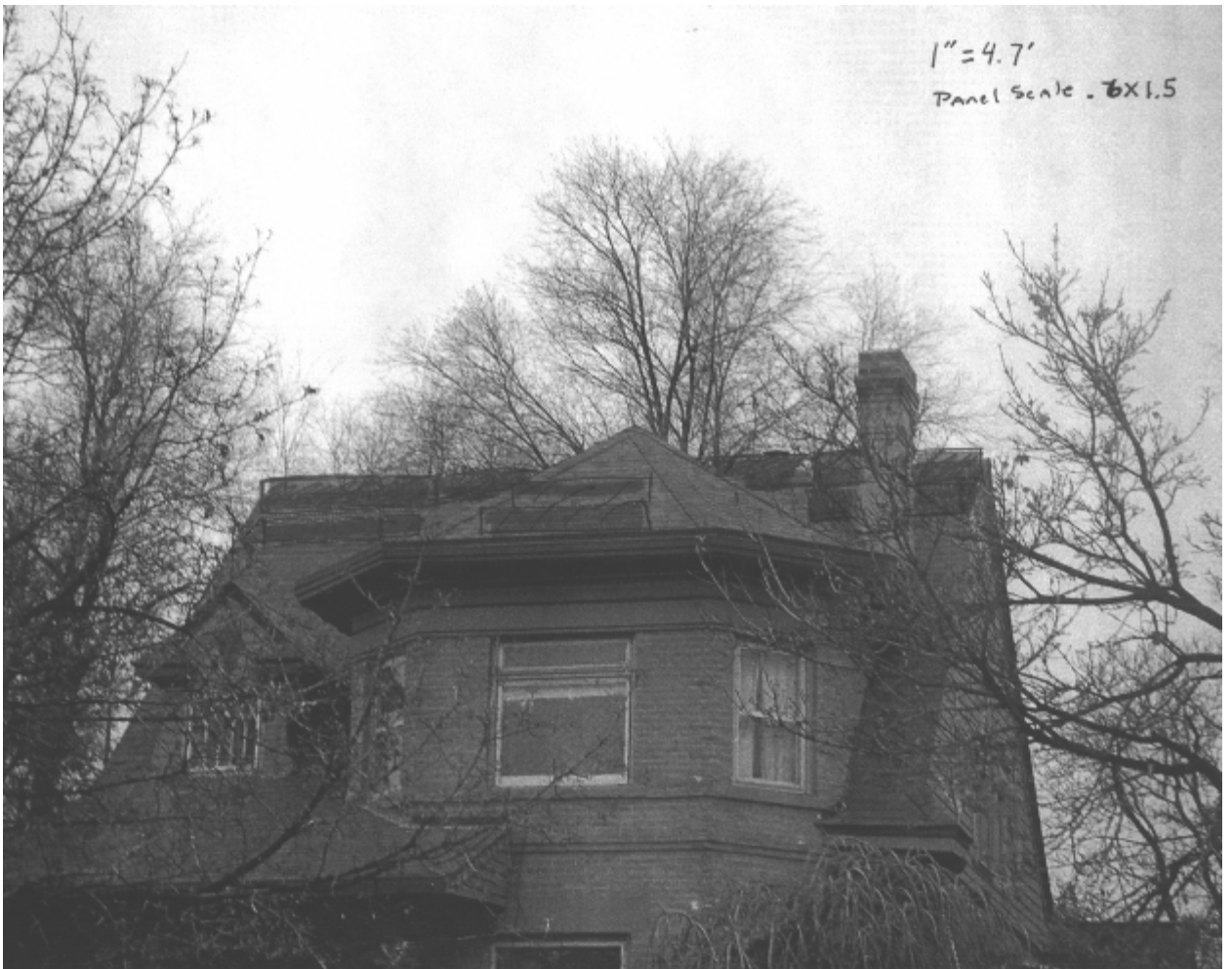
Published Date: January 2, 2008



An evacuated-tube panel

Typical Design On A Flat Roof
+ Installation will be close to
Surface of existing Roof Line





Attachment B
Photo from Tax Assessor

Published Date: January 2, 2008



Attachment C
Copy of Survey Form

Published Date: January 2, 2008

Researcher: Jessie Embry
Date:

Site No. _____

Utah State Historical Society
Historic Preservation Research Office
Structure/Site Information Form

1
IDENTIFICATION

Street Address: 475 3rd Avenue Plat ^D Bl. ⁴⁹ Lot ¹
Name of Structure: T. R. S.
Present Owner: Wacker, Gregory D & Janet K UTM:
Owner Address: Tax #:

2
AGE/CONDITION/USE

Original Owner: Charles E. Madsen Construction Date: 1900 ca. Demolition Date:
Original Use: single-family
Present Use: Occupants:
 Single-Family Park Vacant
 Multi-Family Industrial Religious
 Public Agricultural Other
 Commercial
Building Condition: Integrity:
 Excellent Site Unaltered
 Good Ruins Minor Alterations
 Deteriorated Major Alterations

3
STATUS

Preliminary Evaluation: Final Register Status:
 Significant National Landmark District
 Contributory National Register Multi-Resource
 Not Contributory State Register Thematic
 Intrusion

4
DOCUMENTATION

Photography: 5/77
Date of Slides: Date of Photographs:
Views: Front Side Rear Other Views: Front Side Rear Other
Research Sources:
 Abstract of Title City Directories LDS Church Archives
 Plat Records Biographical Encyclopedias LDS Genealogical Society
 Plat Map Obituary Index U of U Library
 Tax Card & Photo County & City Histories BYU Library
 Building Permit USHS Personal Interviews USU Library
 Sewer Permit Newspapers SLC Library
 Sanborn Maps Utah State Historical Society Library Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Polk, SLC Directories, 1900-1903.
"Nellie Armstrong Jones," Deseret News, July 23, 1934, p.13.

5
ARCHITECTURE

Architect/Builder:

Building Materials: brick

Building Type/Style: Victorian eclectic

Description of physical appearance & significant architectural features:

(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a one-and-a-half story Victorian home with unusual massing and selection of details. It has a main gable roof that curves out over the front porch, a gabled front dormer window with returns and patterned wood shingle siding, and a two-story tower-like front bay with a hip roof. The gables have no roof overhang. They have wood-shingle siding, and ornate Palladian windows flanked by oval windows. The front bay has a heavy cornice, and a pair of leaded glass transoms. The front porch has wooden balustrades and fluted Doric Columns. There is a three-sided west bay window.



6
HISTORY

Statement of Historic

- Aboriginal Americans
- Agriculture
- Architecture
- The Arts
- Commerce

The house is _____ because its architectural style adds to the historic character of the Avenues.

Charles E. Madsen was a clerk at ZCMI. He lived here for four years from 1900 to 1904 and then moved to 479 3rd Avenue.

Madsen was born in Denmark Jan. 11, 1866. He came to Utah with his parents as a young boy. He worked for ZCMI, Auerbach Brothers and Brown Terry and Woodruff. He died at 479 3rd Ave. in 1913.

Patrick J. Earight then lived in the house from 1904 to 1905. There is no more information available in the sources checked on him.

Louis Lownestein lived in the house from 1906 to 1913. He owned Merc Installation Comapny. He moved to Helper in 1914. There is no other information on him in the sources checked.

Julie A. Quayle bought the house in 1914. She did not live here. Mrs. Nellie A. Jones lived here from 1919 to 1934. She probably rented it.

Mrs. Nellie Armitage Jones was born October 15, 1866 in London, England. She came to Salt Lake when she was eighteen years old. She was the daughter of Professor William and Rosa Armitage. She married Harry Jones. She was an active member of the LDS Twentieth Ward and the Daughters of the Utah Pioneers. She died in 1934. She was survived by these children: LeRoy Jones, Howard G. Jones, Lilliam Hammond and Mae Squires.

The house has continued to be a rental unit and was divided into a duplex in about 1935.

4838

Property Type: 111

Utah State Historical Society
Historic Preservation Research Office

Site No. _____

BATCH KEY
1804044736

Structure/Site Information Form

1
IDENTIFICATION

Street Address: 00475 THIRD AV

UTM: 13366 13367

Name of Structure:

T. 01.0 N R. 01.0 E S. 31

Present Owner: WACKER*GREGORY*D* & JANET K
475 3RD AVE

Owner Address: SLC,
UT 84103

Year Built (Tax Record): 1900 Effective Age: 1930 Tax #: 04 0688

Legal Description 01 Kind of Building: RESIDENCE

COM AT SW COR LOT 1, BLK 49, PLAT D, SLC SUR; N 10 RDS; E 2 1/2 RDS; S 10 RDS; W 2 1/2 RDS TO BEG.

2
STATUS/USE

Original Owner:

Construction Date:

Demolition Date:

Original Use:

Present Use:

Building Condition:

Integrity:

Preliminary Evaluation:

Final Register Status:

- | | | | | | | |
|---------------------------------------|--------------------------------|--|---|--|--|---|
| <input type="checkbox"/> Excellent | <input type="checkbox"/> Site | <input type="checkbox"/> Unaltered | <input type="checkbox"/> Significant | <input type="checkbox"/> Not of the | <input type="checkbox"/> National Landmark | <input type="checkbox"/> District |
| <input type="checkbox"/> Good | <input type="checkbox"/> Ruins | <input type="checkbox"/> Minor Alterations | <input type="checkbox"/> Contributory | <input type="checkbox"/> Historic Period | <input type="checkbox"/> National Register | <input type="checkbox"/> Multi-Resource |
| <input type="checkbox"/> Deteriorated | | <input type="checkbox"/> Major Alterations | <input type="checkbox"/> Not Contributory | | <input type="checkbox"/> State Register | <input type="checkbox"/> Thematic |

3
DOCUMENTATION

Photography:

Date of Slides:

Slide No.:

Date of Photographs:

Photo No.:

Views: Front Side Rear Other

Views: Front Side Rear Other

Research Sources:

- | | | | |
|--|---|--|---|
| <input type="checkbox"/> Abstract of Title | <input type="checkbox"/> Sanborn Maps | <input type="checkbox"/> Newspapers | <input type="checkbox"/> U of U Library |
| <input type="checkbox"/> Plat Records/Map | <input type="checkbox"/> City Directories | <input type="checkbox"/> Utah State Historical Society | <input type="checkbox"/> BYU Library |
| <input type="checkbox"/> Tax Card & Photo | <input type="checkbox"/> Biographical Encyclopedias | <input type="checkbox"/> Personal Interviews | <input type="checkbox"/> USU Library |
| <input type="checkbox"/> Building Permit | <input type="checkbox"/> Obituary Index | <input type="checkbox"/> LDS Church Archives | <input type="checkbox"/> SLC Library |
| <input type="checkbox"/> Sewer Permit | <input type="checkbox"/> County & City Histories | <input type="checkbox"/> LDS Genealogical Society | <input type="checkbox"/> Other |

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Researcher:

Date: