

# HISTORIC LANDMARK COMMISSION STAFF REPORT



Planning Division  
Department of Community and  
Economic Development

## Garbett Manor Secondary Principal Structure New Construction 273 North East Capitol Street PLNHLC2009-01402 February 3, 2010

**Applicant:** Bryson Garbett

**Staff:** Ray Milliner  
[ray.milliner@slcgov.com](mailto:ray.milliner@slcgov.com)

**Tax ID:** 09-31-311-006

**Current Zone:** RMF-35  
Residential Multi Family  
Medium Density

**Master Plan Designation:**  
Medium Density Residential

**Council District:**  
District 3 – Stan Penfold

**Community Council**  
Capitol Hill

**Lot Size:** 0.64 acres (27,878  
square feet)

**Current Use:** Mixed Use,  
Office – Residential

**Applicable Land Use  
Regulations:**

- 21A. 24.130
- 21A.40.050(B)2

**Notification:**

- Notice mailed on January 20, 2009
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites January 20, 2009

**Attachments:**

- A. Site Plan, Elevations
- B. Photographs
- C. Historic Information

### ***Request***

The applicant, Bryson Garbett, is requesting approval of a second primary structure at 273 North East Capitol Street. The building would house a three car garage with living space on the second floor. The applicant is requesting that the Historic Landmark Commission approve the design of the proposed building.

### ***Staff Recommendation***

Based on the analysis and findings of this staff report, Staff recommends that Historic Landmark Commission approve the project pursuant to the following conditions of approval:

1. Approval of the final details of the design shall be delegated to the Planning Staff based upon direction given during the hearing from the Historic Landmark Commission.
2. The project must meet all other applicable City requirements, unless otherwise modified within the authority of the Historic Landmark Commission, Administrative Hearing Officer, or Board of Adjustment.
3. Prior to any construction on the site, a modification to the existing condominium plat must be reviewed and approved by the City.

### ***Options***

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

1. Approve the proposal by finding that the proposal substantially complies with all applicable ordinances, design guidelines and adopted policies;
2. Deny the proposal by finding that the proposal does not substantially comply with applicable ordinances, design guidelines and adopted policies; or
3. Table the item and request additional information from the applicant and/or staff.

## VICINITY MAP



### ***Project Information***

#### **Request**

The applicant is the owner of a historic landmark site located at 273 East Capitol Street in the Capitol Hill Historic District, known as the Dickson-Gardner, Wolf House. This brick Federal Style building is a three-story mansion with a mix of classical and neo-classical features throughout. The home has been modified over the years, and is currently in use as an office/residential condominium. No work is proposed on the original home.

The applicant is requesting approval of a two story second primary structure on the northwest corner of the property. The building would house a 3 car garage with additional living space above. The footprint would be approximately 1,120 square feet with a total square footage of 2,240 square feet. The pitched roof structure would be approximately 25 feet tall, measured from established grade to the midpoint of the roof with a small cupola structure on the roof that would add another 3.5 feet to the overall height of the building for a total of

28.5 feet. The proposed wall material is hardi plank lap siding with a 6 inch exposure that matches an addition done to the main home a few years ago. The project also includes architectural grade asphalt shingles, 3 metal single stall garage doors, vinyl double hung windows, and aluminum soffit and fascia.

## Project Details

<b>Ordinance Requirement</b>	<b>Proposed</b>	<b>Comply</b>
<b>Minimum Lot Area And Lot Width:</b> 5,000 square feet, 50 feet	27,878 square feet more than 50 feet. No change proposed.	<b>COMPLIES</b>
<b>Maximum Building and Wall Height:</b> 35 feet for a pitched roof.	27 feet.	<b>COMPLIES</b>
<b>Minimum Front Yard Requirements:</b> Ten (10) feet	37 feet.	<b>COMPLIES</b>
<b>Interior Side Yard:</b> Four feet (4')	4'	<b>COMPLIES</b>
<b>Rear Yard:</b> Twenty five percent (25%) of the lot depth, but not less than twenty feet (20') and need not exceed twenty five feet (25').	25 feet	<b>COMPLIES</b>
<b>Maximum Building Coverage:</b> The surface coverage of all principal and accessory buildings shall not exceed fifty percent (50%) of the lot area. For lots with buildings legally existing on April 12, 1995.	Lot size = 27,878 square feet. Coverage = 5400 Square feet or approximately 20%.	<b>COMPLIES</b>
<b>More than one Principal Buildings:</b> Allowed subject to site plan review, and must have street frontage	Will submit for review after HLC review	<b>COMPLIES</b>

**Discussion:** The project meets the minimum requirements for the RMF-35 zoning district. Code section 21A.36.010 states that lots in the RMF-35 zone may have more than one principal building on a lot, subject to all of the principal nonresidential buildings being occupied by one use, or all principal residential and nonresidential buildings having frontage on a public street and subject to site plan review approval. The proposed building has frontage on Hillside Avenue, and therefore meets the minimum requirement of the code for more than one primary structure on a lot.

## Background

The applicant is seeking approval of a 2,240 square foot garage at 273 North East Capitol Street. If approved, the structure will be used as a three car garage with living space above it. The building is proposed on a 27,878 square foot lot. Adjacent to the garage is an existing historic landmark site, known as the Wolf Mansion.

The Wolfe Mansion was built in 1905 for William H. Dickson, one of the first District Attorneys for the State of Utah, and considered to be a prominent lawyer in the west. The home was later passed on to James H. Wolfe, who was a Chief Justice of the State Supreme Court. Under the ownership of the Wolfe Family, the home was converted to apartments, and later a bed and breakfast. Most recently, the home was remodeled and converted to a condominium with residential and office uses inside.

## Public Participation

### Public Comments

No public comments have been received at the time of this writing.

### *Project Review*

For determinations regarding certificates of appropriateness for new construction, the Historic Landmark Commission must consider the Zoning Ordinance criteria (Section 21A.34.020H) and the *Design Guidelines for Residential Historic Districts*. Staff analysis and findings are in italics.

1. Scale and Form.
  - a. Height and Width. The proposed height and width shall be visually compatible with surrounding structures and streetscape;
  - b. Proportion of Principal Facades. The relationship of the width to the height of the principal elevations shall be in scale with surrounding structures and streetscape;
  - c. Roof Shape. The roof shape of a structure shall be visually compatible with the surrounding structures and streetscape; and
  - d. Scale of a Structure. The size and mass of the structures shall be visually compatible with the size and mass of surrounding structure and streetscape.

### Standards for New Construction

**11.4 Construct a new building to reinforce a sense of human scale.** A new building may convey a sense of human scale by employing techniques such as these:

- Using building materials that are of traditional dimensions.
- Providing a one-story porch that is similar to that seen traditionally.
- Using a building mass that is similar in size to those seen traditionally.
- Using a solid-to-void that is similar to that is seen traditionally, and using window openings that are similar in size to those seen traditionally.

**11.6 Design a front elevation to be similar in scale to those seen traditionally in the block.** The front shall include a one-story element, such as a porch. The primary plane of the front should not appear taller than those of typical historic structures in the block. A single wall plane should not exceed the typical maximum facade width in the district.

**11.7 Build to heights that appear similar to those found historically in the district. This is an important standard which should be met in all projects.**

**11.12 Use roof forms that are similar to those seen traditionally in the block.** Visually, the roof is the single most important element in an overall building form. Gable and hip roofs are appropriate for primary roof forms in most residential areas. Shed roofs are appropriate for some additions. Roof pitches should be 6:12 or greater. Flat roofs should be used only in areas where it is appropriate to the context. They are appropriate for multiple apartment buildings, duplexes, and four-plexes. In commercial areas, a wider variety of roof forms may occur.

**11.13 Design overall facade proportions to be similar to those of historic buildings in the neighborhood.** The “overall proportion” is the ratio of the width to height of the building, especially the front facade. See the discussions of individual districts and of typical historic building styles for more details about facade proportions.

### **13.18 Design a new building to be similar in scale to those seen historically in the neighborhood.**

Front facades should appear similar in height to those seen historically on the block.

**Analysis:** The proposed structure would be located in the northwest corner of the lot, with the garage doors facing east. The rectangular design is proposed with a 4.22 – 12 pitched roof. There are gabled ends on the north and south sides. Access to the building would come from a driveway entrance off of Hillside Avenue. The structure is fairly utilitarian with dormers breaking up the east roof line and a hipped roof balcony breaking up the south elevation. The scale of the structure is subordinate to the larger Wolfe Mansion on the site, and is compatible in size and scale to the surrounding homes on the streetscape. The homes to the west are similar in height, width and scale to the proposed building.

**Finding:** The proposed two level building is similar in terms of height, width, proportion of principal façade and scale with other buildings on the block and within the Capitol Hill Historic District. Given the eclectic architectural development of this neighborhood and the range of shapes found historically, the proposed house form fits into the overall character of the neighborhood.

Nonetheless, staff finds that improvements to the design could be made through an increase in the pitch of the roof, a lowering of the wall height, and greater articulation in the rectangular design.

1. Composition of Principal Facades.
  - a. Proportion of Openings. The relationship of the width to the height of windows and doors of the structure shall be visually compatible with surrounding structures and streetscape;
  - b. Rhythm of Solids to Voids in Facades. The relationship of solids to voids in the facade of the structure shall be visually compatible with surrounding structures and streetscape;
  - c. Rhythm of Entrance Porch and Other Projections. The relationship of entrances and other projections to sidewalks shall be visually compatible with surrounding structures and streetscape; and
  - d. Relationship of Materials. The relationship of the color and texture of materials (other than paint color) of the facade shall be visually compatible with the predominant materials used in surrounding structures and streetscape.

### **Standards for New Construction**

**11.10 Use a ratio of wall-to-window (solid to void) that is similar to that found on historic structures in the district.** Large surfaces of glass are inappropriate in residential structures. Divide large glass surfaces into smaller windows.

**11.15 Use building materials that contribute to the traditional sense of scale of the block.** This will reinforce the sense of visual continuity in the district.

**11.17 Use building components that are similar in size and shape to those found historically along the street.** These include windows, doors, and porches.

**11.19 Contemporary interpretations of traditional details are encouraged.** New designs for window moldings and door surrounds, for example, can provide visual interest while helping to convey the fact that the building is new. Contemporary details for porch railings and columns are other examples. New soffit details and dormer designs also could be used to create interest while expressing a new, compatible style.

**11.21 Windows with vertical emphasis are encouraged.** A general rule is that the height of the window should be twice the dimension of the width in most residential contexts. See also the discussions of the character of the relevant historic district and architectural styles.

**11.22 Frame windows and doors in materials that appear similar in scale, proportion and character to those used traditionally in the neighborhood.** Double-hung windows with traditional depth and trim are preferred in most districts. (See also the rehabilitation section on windows as well as the discussions of specific historic districts and relevant architectural styles.)

**13.19 Design a new building with a primary form that is similar to those seen historically.** In most cases, the primary form for the house was a single rectangular volume. In some styles, smaller, subordinate masses were then attached to this primary form. New buildings should continue this tradition.

**13.20 Use primary materials on a building that are similar to those used historically.** Appropriate building materials include: brick, stucco, and painted wood.

**Analysis:** The proposed windows and openings are similar to those found traditionally in the neighborhood, with a vinyl double hung design and a vertical orientation. Square windows will not be allowed. The window to wall ratio is proportionally appropriate with no wall exceeding 2/3 wall to 1/3 window. The front door is of a traditional size and style, and is located on the side of the south façade. The design of the door is a solid panel door with side lights above. Because the design of the structure is primarily as a garage, there is no porch element. The applicant is proposing fiber cement siding for the home and aluminum soffit and fascia. These materials have been approved for new construction by the Commission in the past, when the siding has a smooth finish to match the appearance of historic wood siding and the size, proportion and profile of the windows are similar to those seen historically.

**Finding:** The design of the home meets the standards of the ordinance. The house is visually compatible with the surrounding buildings and streetscape in terms of proportion of openings, rhythm of solids to voids in facades, rhythm of entrance porch and other projections and relationship of materials. The size, scale and mass of the structure are similar to that of both the contemporary and historic homes in the immediate neighborhood.

#### 4. Relationship to Street.

- a. Walls of Continuity. Facades and site structures, such as walls, fences and landscape masses shall, when it is characteristic of the area, form continuity along a street to ensure visual compatibility with the structures, public ways and places to which such elements are visually related;
- b. Rhythm of Spacing and Structures on Streets. The relationship of a structure or object to the open space between it and adjoining structures or objects shall be visually compatible with the structures, objects, public ways and places to which it is visually related;
- c. Directional Expression of Principal Elevation. A structure shall be visually compatible with the structures, public ways and places to which it is visually related in its orientation toward the street; and
- d. Streetscape-Pedestrian Improvements. Streetscape and pedestrian improvements and any change in its appearance shall be compatible to the historic character of the landmark site or H historic preservation overlay district.

### **Standards for New Construction**

**11.1 Respect historic settlement patterns.** Site new buildings so that they are arranged in ways similar to other historic buildings in the area. This includes consideration of building setbacks, orientation and open space, all of which are addressed in more detail in the individual district standards.

**11.2 Preserve the historic district's street plan.** Most historic parts of the city developed in traditional grid patterns, with the exception of Capitol Hill. In this neighborhood the street system initially followed the steep topography and later a grid system was overlaid with little regard for the slope. Historic street patterns should be maintained. See specific district standards for more detail. The overall shape of a

building can influence one's ability to interpret the town grid. Oddly shaped structures, as opposed to linear forms, would diminish one's perception of the grid, for example. In a similar manner, buildings that are sited at eccentric angles could also weaken the perception of the grid, even if the building itself is rectilinear in shape. Closing streets or alleys and aggregating lots into larger properties would also diminish the perception of the grid.

**13.14 Arrange a new driveway, as well as any street improvements, so that they continue the respective street pattern.**

**13.15 Maintain the traditional setback and alignment of buildings to the street, as established by traditional street patterns.** Traditionally, smaller structures were located closer to the street, while larger ones tended to be setback further.

**13.17 Orient the front of a primary structure to the street.**

Define the entry with a porch or portico.

**Analysis:** The proposed garage is sited on the lot in a similar fashion as other buildings in the vicinity and would contribute to the established wall of continuity of the street. In the Capitol Hill area, side yards are generally small and nonexistent in some cases. The design of the new home respects the rhythm of spacing and structures on the street by maintaining typical setbacks between adjacent structures and the street. To maintain the historic feel of the building and streetscape, the applicant has located the garage on the northwest side elevation of the main building, partially obscuring it from street view.

**Finding:** Because of the slope of the lot and neighborhood, most of the homes were built with a limited front yard setback. The applicant has proposed a building that is oriented with the garage doors facing away from the closest street, and has a front setback measured as the average of all of the buildings on the block face. The driveway enters from Hillside Avenue and courses to the proposed garage. This configuration is consistent with the development pattern in the immediate area.

#### 4. Subdivision of Lots.

The planning director shall review subdivision plats proposed for property within an H historic preservation overlay district or of a landmark site and may require changes to ensure the proposed subdivision will be compatible with the historic character of the district and/or site(s).

**Finding:** The proposed garage structure is to be located in an approved, recorded condominium. As a result, no construction may begin on site until an amendment to that condominium plat has been approved by either the Planning Commission or the Planning Director.

























**Attachment C**  
Historic Information

Utah State Historical Society

Property Type:

Historic Preservation Research Office

Site No. \_\_\_\_\_

Structure/Site Information Form

IDENTIFICATION

Street Address: 273 East Capitol UTM:  
 Name of Structure: T. R. S.  
 Present Owner: Child Investment Company  
 Owner Address: 177 E 100 S  
 SLC, Utah 84111  
 Year Built (Tax Record): 1907 Effective Age: Tax #: 05 2712  
 Legal Description Kind of Building:

STATUS/USE

Original Owner: William H. Dickson Construction Date: 1919 Demolition Date:  
 Original Use: residence Present Use: multi-family  
 Building Condition: Integrity: Preliminary Evaluation: Final Register Status:  
 Excellent  Site  Unaltered  Significant  Not of the  National Landmark  District  
 Good  Ruins  Minor Alterations  Contributory  Historic Period  National Register  Multi-Resource  
 Deteriorated  Major Alterations  Not Contributory  State Register  Thematic

DOCUMENTATION

Photography: Date of Slides: Slide No.: Date of Photographs: Photo No.:  
 Views:  Front  Side  Rear  Other Views:  Front  Side  Rear  Other  
 Research Sources:  
 Abstract of Title  Sanborn Maps  Newspapers  U of U Library  
 Plat Records/Map  City Directories  Utah State Historical Society  BYU Library  
 Tax Card & Photo  Biographical Encyclopedias  Personal Interviews  USU Library  
 Building Permit  Obituary Index  LDS Church Archives  SLC Library  
 Sewer Permit  County & City Histories  LDS Genealogical Society  Other

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

Salt Lake City Building Permit, #487-5736, December 31, 1904, USHS.  
 Salt Lake County Plat Records, 1860-1940.  
 Sanborn Maps, SLC, 1898, 1911, 1930  
 Polk, Salt Lake City Directory, 1910-1940.  
 "William H. Dickson," Deseret News, January 18, 1924, p. 1, sec. 2.

Researcher: Henry O. Whiteside

Date: 1980

Street Address: 273 East Capitol

Site No:

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ARCHITECTURE

Architect/Builder:

Building Materials:

Building Type/Style:

Description of physical appearance & significant architectural features:  
(Include additions, alterations, ancillary structures, and landscaping if applicable)

This is a two and one half story hip roof house that reflects the Classical Revival style. The symmetrical facade of the building has a central pedimental portico with paired colossal columns. The entrance is in the Federal Style with elliptical fanlight and sidelights. There have been major window modifications and metal awnings have also been added.

--D. Diana Johnson

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HISTORY

Statement of Historical Significance:

Construction Date: 1905

This house was built in 1905 for William H. Dickson. Dickson was born in 1847 in King County, New Brunswick, Canada. He married Annie L. Earle in 1875 and shortly thereafter moved to Virginia City, Nevada. He had studied and practiced law in Canada and in 1882 began to practice in Salt Lake City. In 1884 he was appointed U.S. District Attorney for the Territory of Utah. He practiced law in several firms and at his death was described as "one of the most prominent attorneys in the West" and "the greatest mining attorney in the world." He was a member of the Alto Club, the Chamber of Commerce, and the Masons. Following the death of his wife in 1917 he deeded the property to his daughter, Irene Earle Dickson Schuller and moved to Los Angeles where he died in 1924.

She sold the house to James P. Gardner, president of Gardner and Adams, clothiers, and vice-president of National City Bank.

In 1924 Gardner sold the house to James H. Wolfe, later a chief justice of the Utah Supreme Court and a member of the State's judiciary for almost 25 years. Wolfe was a Democrat, social reformer, Unitarian, regent of the University of Utah, active in welfare organizations, and a war-time administrator. The house was remodeled into apartments about 1924 and remained in the Wolfe family through 1940.