

HISTORIC LANDMARK COMMISSION STAFF REPORT



Planning Division
Department of Community and
Economic Development

Mitchell Fence Replacement
PLNHLC2010-00337
77-79 Hillside Avenue
July 7, 2010

Applicant

Joe Mitchell

Staff

Ray Milliner

ray.milliner@slcgov.com

Current Zone

R-2 (Single and Two Family
Residential)

Master Plan Designation:

Capitol Hill Master Plan, Low
Density Residential

Council District

District 3, Stan Penfold

Community Council

Capitol Hill

Lot Size:

Approximately .17 acres

Current Use

- Duplex Residential

**Applicable Land Use
Regulations**

- 21A.34.020 (G)

Notification

- Notice mailed June 24, 2010
- Sign posted June 24, 2010
- Posted to Planning Dept and
Utah State Public Meeting
websites June 24, 2010

Attachments

- A. Site plans
- B. Photos

Request

The applicant, Joe Mitchell is requesting approval of a new composite fence along the corner front yard, and rear yard of a duplex at 77-79 Hillside Avenue.

Staff Recommendation

Staff recommends that the Historic Landmark Commission review the proposed composite fence in the rear and corner side yard of the home, and take action pursuant to one of the options below. Staff has found that the composite material is appropriate for the rear fence, but is requesting that the Commission make a determination with regard to the fence along the corner side yard.

Options

Approval: If the Commission finds that the proposed project meets the standards of the ordinance, the application should be approved provided the structure conforms to the requirements of the Uniform Building Code and all other applicable City ordinances.

Denial: If the Commission finds that the proposed project does not meet the standards of the ordinance the application should be denied.

Continuation: If the Commission finds that additional information is needed to make a decision, then a final decision may be postponed with specific direction given to the applicant or Planning Staff regarding the additional information required for the Commission to take future action.

VICINITY MAP



Background

On May 27, 2010, the applicant submitted a certificate of appropriateness application requesting approval for a new garage door, to replace the stucco in the gables, and to build a new composite material fence around the rear and corner side yard of the property at 77-79 Hillside Avenue. The certificate was reviewed administratively and on June 10, 2010, staff issued a certificate of appropriateness allowing work to begin on the garage door and gables but not the fence.

Recently, the Historic Landmark Commission has been discussing the factors under which approval of fences made of composite materials are suitable in the historic districts. Four requests for privacy fences made from composite materials have been approved, each with separate findings for approval. At the time of these approvals, the HLC made it clear that they would like to consider each application for a composite fence on an individual basis until a policy regulating the use of the material is established. Normally, fences are reviewed administratively and only rise to the level of the Commission in the case of an appeal of an administrative action.

Each of the fences approved by the Commission have been privacy fences located in the rear of a single family home with no, or limited visibility from the street. The fence under review is different, in that a portion of the fence will be clearly visible from the State Street right-of-way. It would face the street, but be located outside of the corner side yard setback area.

Project Description

This is a request to allow a fence along the corner front yard, and the rear property line of the duplex at 77-79 Hillside Avenue. The property is a corner lot with a duplex with the side of one unit facing State Street and the front of the building facing Hillside Avenue. The structure is a contributing building to the historic district (due to age and structural integrity).

The applicant would like to build a composite fence along the rear property line and the corner side property line to the midpoint of the home. The fence would be 6 feet tall and would be setback approximately 15 feet in the corner side yard (see attached site plan exhibit A). The fence would replace an existing fence in the same location.

Comments

Public Comments

No public comment regarding this application was received as of the date of the preparation and distribution of this staff report.

Analysis and Findings

Findings

21A.34.020 H Historic Preservation Overlay District

G. Standards for Certificate of Appropriateness for Altering 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 shall find that the project substantially complies with all of the general standards that pertain to the application and that the decision is in the best interest of the City.

Of the standards outlined in this section of the Zoning Ordinance, it is standard number twelve (12) that pertains specifically to the subject request for the fence. Standard twelve (12) refers to additional design standards adopted by the Historic Landmark Commission and City Council. Planning Staff, therefore, has reviewed this request based on pertinent materials in two documents adopted by the Historic Landmark Commission and the City Council; the *Design Guidelines for Residential Historic Districts in Salt Lake City*, and the *Policy Document – Salt Lake City Historic Landmark Commission*.

Design Guidelines for Residential Historic Districts in Salt Lake City

Chapter 1.0 of the Design Guidelines addresses design standards for site features and specifically addresses fences. The following guidelines are of particular note in light of the subject fence:

1.1 Preserve historically significant site features.

These may include historic retaining walls, irrigation ditches, gardens, driveways and walkways. Fences and street trees are also examples of original site features that should be preserved. Sidewalks, parkways, planting strips, street trees and street lighting are examples of historic streetscape elements that should be considered in all civic projects.

1.2 Preserve original fences.

Replace only those portions that are deteriorated beyond repair

1.3 For a replacement fence, use materials that appear similar to that of the original

A painted wood picket fence is an appropriate replacement in most locations. A simple metal fence, similar to traditional “wrought iron” or wire, also may be considered. In all cases, the fence components should be similar in scale to those seen historically in the neighborhood.

1.4 A replacement fence should have a “transparent” quality, allowing views into the rear from the street.

Using a solid fence, with no spacing between the boards, is inappropriate in a front yard. Chain link is not allowed as a fence material where it would be visible from the street. Vinyl fencing is reviewed on a case by case basis. In some instances, it is allowed if it is not seen from the street, if the style of the fence is compatible with the house and if the vinyl fence is not replacing an historic fence or landscape feature.

Chapter 12.0 of the Design Guidelines addresses general design standards and specifically addresses fences.

The following guideline is of note in light of the subject fence:

12.9 The use of traditional site structures is encouraged.

Constructing retaining walls and fences that are similar in scale, texture, and finish to those used historically is appropriate.

Analysis: Although the building in question is a contributory historic structure, the existing wood fence is a contemporary feature, installed within the last 30 years. As a result, the applicant is neither proposing to remove any historic features on the site, nor eliminate a contributory original fence from the property. The replacement fence proposed is similar in size and scale to that which it proposes to replace. The composite material has a larger slat, and a heavier feel than the original wood fence.

The privacy fence would be located in the rear and corner side yard with little or no spacing between the slats. Because the fence is located in the rear and on the side, the front yard of the home will still be visible from the street in spite of the fence construction. The portion of the fence along the corner side yard will be set back approximately 15 feet from the property line, within the buildable area. The fence will terminate prior to reaching the front façade of the home keeping it out of the front yard.

The composite fence has a wide slat with a limited element of transparency, and the scale of the fence is more substantial than a traditional wooden fence. The composite material proposed in the rear is appropriate, as it is not visible from the public right-of-way and is designed to provide privacy from adjacent uses. The use of the composite material in the corner side yard will also be used for privacy, but will be visible from the State Street right-of-way.

Finding: Staff finds that the proposed composite fence in the rear is appropriate for the site due to the fact that the existing fences are not historically significant and the rear section is not visible from the right of way.

Staff requests that the Historic Landmark Commission provide a determination as to whether or not the section along the corner side yard is appropriate for a composite fence.

Policy Document – Salt Lake City Historic Landmark Commission

This policy document was originally approved by the Historic Landmark Committee, now the Historic Landmark Commission, on February 1, 1984. This document specifically addresses fences in section 14.0, and was updated and revised on February 3, 1993. This section reads as follows:

The relationship between an historic building and landscape features help to define the historic character of the site. Among the various visual aspects relating to the setting of an historic property are such site features as fences, including their design and materials. Appropriate fencing materials in historic districts or around historic properties include the following: wood, wrought iron, and masonry.

Analysis: In terms of this policy statement, although composite style fences are not specifically called out as an accepted material, the HLC has the authority to review and approve or deny such materials on a case by case basis.

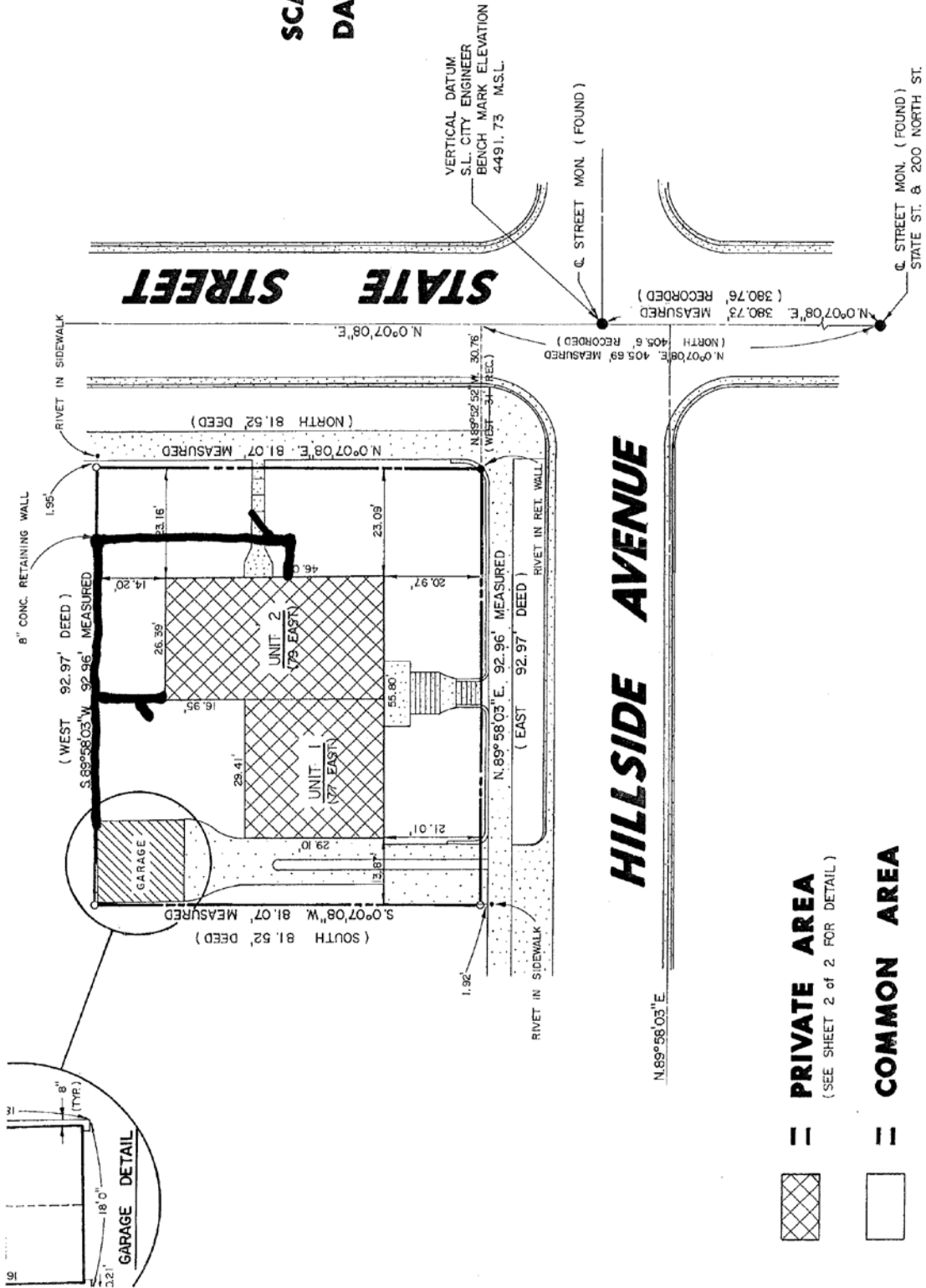
Finding: The subject fence is entitled to a review for appropriateness by the HLC.

Attachment A
Site Plans

C:\Users\jacob\OneDrive\Documents\77-79 Hillside Fence Replacement\77-79 Hillside Fence Replacement.dwg



SCALE: 1"=1'
DATE: MAY



Attachment B
Photographs



Attachment C
Composite Information



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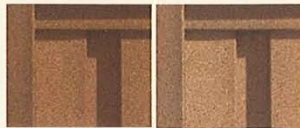


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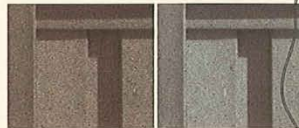
Unlike vinyl, Trex Seclusions fencing offers a palette of rich color choices.

SADDLE



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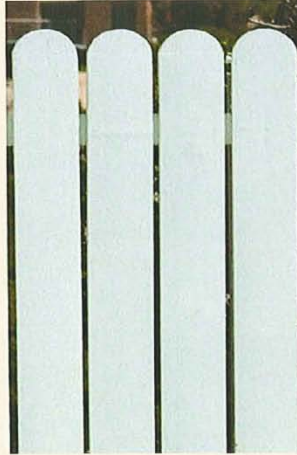


THE LOOK OF WOOD. THE EASE OF PLASTIC.

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Trex Seclusions – a revolutionary material that provides years of worry-free ownership.



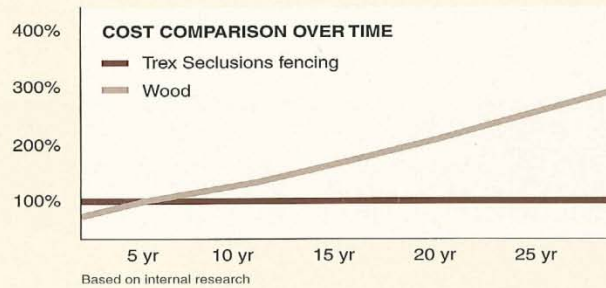
Vinyl is treated with a white UV inhibitor, which limits color choice.



Wood rots and can require a great deal of maintenance.

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Wind, rain, sleet and snow. No problem. Trex® won't buckle, heave, freeze or thaw. Trex is also resistant to insects, including termites. And, while the upfront cost may be higher than wood, over time, the gap closes and Trex proves its value through years of worry-free ownership.



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Low Maintenance	X		X
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Miami/Dade Wind Load Certification**	X		
Rich Color Choices	X		
True Privacy (No gaps between pickets)	X		
Good Neighbor Fence (No one gets bad side of fence)	X		X
Non-Reflective Surface	X	X	
Standard 6" Nominal Posts	X		
Limited Residential Warranty (years)	25	0-12	20+
Top Building Products Brand	X		

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