


# Memorandum

Planning Division  
Community & Economic Development Department

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To: Historic Landmark Commission

From: Lex Traughber – Principal Planner 

Date: June 2, 2010

CC: Ruth Ann Trudell & Joan Thompson – Property Owners/Applicants

Re: Petition PLNHLC2010-00057,  
Trudell/Thompson – Window Replacement  
249 South 1100 East

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## Background

On May 5, 2010, the Historic Landmark Commission held a public hearing and considered the above referenced petition, making a motion to consider the subject structure noncontributory and requested that the application be sent back to Planning Staff for further review of the proposed window replacement project.

On May 19, 2010, the Historic Landmark Commission held a public hearing and re-considered the request, making a decision with findings to render the structure at the subject address noncontributory as follows:

The subject home is a noncontributory structure in the University Historic District based on the criteria in Section 21A.34.020(C)(2)(b) of the Zoning Ordinance. The home has undergone extensive and irreversible alterations over the years and has lost the ability to meet the definition a contributing structure in the District. Exterior alterations to said structure shall be reviewed in accordance with Zoning Ordinance Section 21A.34.020(H) which addresses the "Standards for a Certificate of Appropriateness Involving New Construction or Alteration of a Non-Contributing Structure."

Planning Staff subsequently issued a Certificate of Appropriateness (COA) on May 20, 2010, for the windows to be replaced and stipulated that no internal grid patterns (internal muntins) were to be used. Planning Staff had discussed this issue with the applicant and the window contractor on several occasions, and had noted in the May 5, 2010, staff report (attached, see page 4 bottom) that internal window grids had never been allowed by the Historic Landmark Commission nor administratively by Planning Staff. The Historic Landmark Commission discussed this window design feature during project deliberation stating that any grid pattern on the replacement windows would probably be inappropriate as the original home probably featured tall, narrow, one-over-one windows (see attached minutes – May 5, 2010, page 5).

### Request

The applicant would like to use internal window grids on several of the windows on the home including those on the front façade. The applicant requests that the Historic Landmark Commission provide clarification regarding this matter.

### Discussion

The review criteria for new construction or non-contributing structures, Section 21A.34.020(H) of the Zoning Ordinance, do not specifically address window features such as internal window grids and are therefore irrelevant in this case. It is noted however that the "Design Guidelines for Residential Historic Districts" still apply in this particular instance and Planning Staff asserts that design standard 3.5 for windows is applicable. Design standard 3.5 reads, "*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.*"

This guideline specifically addresses the number and position of glass panes and the importance of matching the original window design on key character-defining facades. While photographic evidence of the original windows on this home is limited, the assertion that the windows were most likely without grids or muntins is valid based on the style and age of this subject home.

Further, because internal grids in windows have not been allowed in the past, including windows used in new construction as well as on noncontributing structures, Planning Staff stipulated in the COA issued on May 20, 2010, that no internal window grills be used. Planning Staff is uncomfortable issuing an administrative COA for such a design element given past practice, and does not want to establish any precedent for this type of window design.

### Recommendation

Based on the Design Standard 3.5 that addresses matching replacement windows to the original window design, and based on past practice concerning the internal window grid design feature, Planning Staff recommends that the Historic Landmark Commission deny the request to retain the internal grids in the newly installed windows, and to deny the installation of internal grids on any further replacement windows at the subject property.

### Attachments:

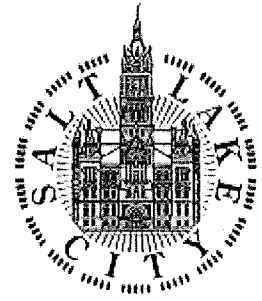
Staff Report Text 5/5/2010  
HLC Minutes 5/5/2010

Staff Report Text 5/5/2010

# HISTORIC LANDMARK COMMISSION

## STAFF REPORT

### Trudell/Thompson Window Replacement PLNHLC2010-00057 249 South 1100 East May 5, 2010



Planning and Zoning Division  
Department of Community and  
Economic Development

**Applicant:** Ruth Ann Trudell  
& Joan Thompson - Property  
Owners

**Staff:** Lex Traughber,  
(801) 535-6814,  
[lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)

**Tax ID:** 16-05-256-002

**Current Zone:** R-2 (Single &  
Two-Family Residential  
District)

**Master Plan Designation:**  
Central Community Master Plan,  
Low Density Residential (1-15  
dwelling units per acre)

**Council District:**  
District 4 – Luke Garrott

**Lot Size:**  
Approximately .19 Acres

**Current Use:**  
Single-Family Residence

**Applicable Land Use  
Regulations:**

- 21A.34.020 G

**Notification:**

- Notice mailed on 4/22/10
- Agenda posted on the  
Planning Division and Utah  
Public Meeting Notice  
websites 4/22/10
- Property posted on 4/23/10

**Attachments:**

- A. Historic Photos

### **Request**

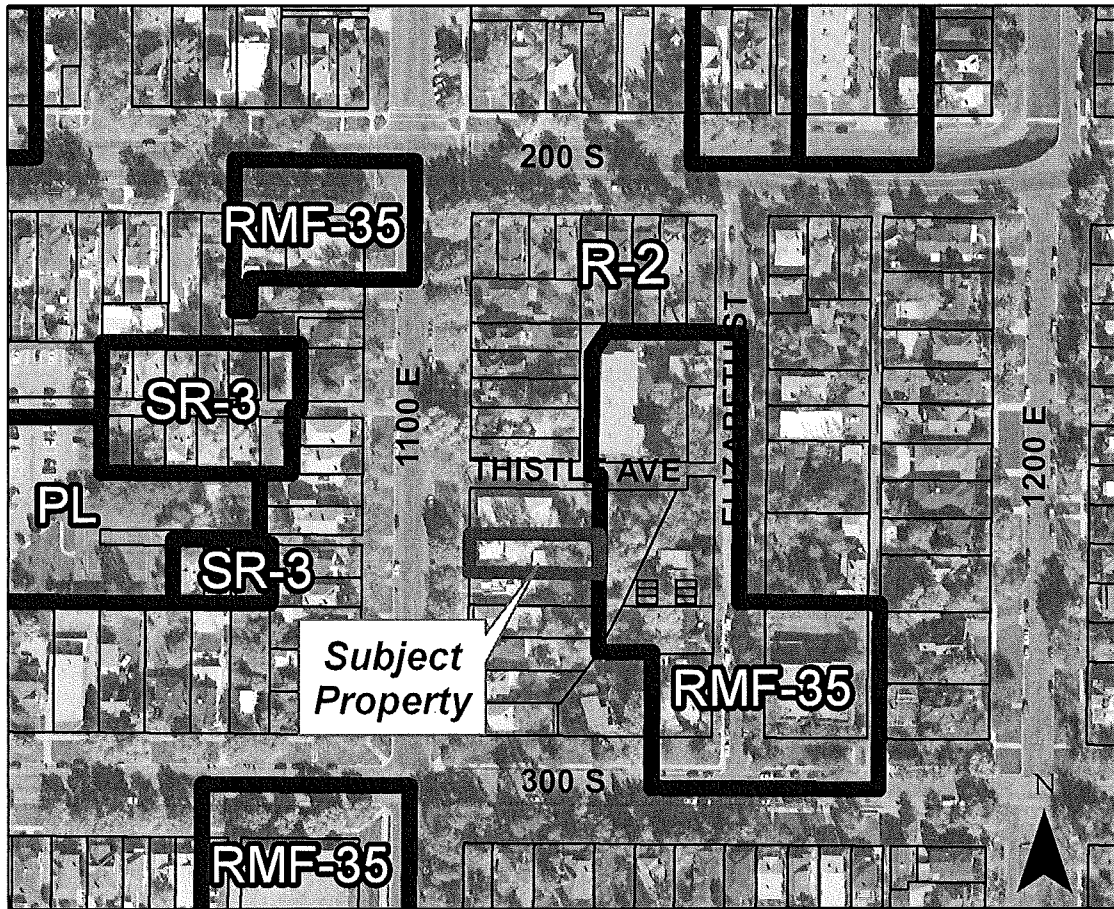
The applicants propose to retroactively request approval for replacement windows, and request approval for the installation of additional replacement windows at the subject property. The applicant would also like to replace the upper porch level patio door.

### **Staff Recommendation**

Based on the discussion and findings listed in the staff report, it is Planning Staff's opinion that the request does not meet applicable standards and guidelines, and recommends that the Historic Landmark Commission deny the petition with the exception of the replacement windows on the rear façade.

B. Site Plan & House Photos	
C. Photos – Front Façade	
D. Photo – North Façade	
E. Photo – Rear Façade	
F. Photos – South Façade	
G. Anderson Double-Hung Window Specifications	
H. Anderson Picture Window Specifications	
I. Anderson Door Diagram	

**VICINITY MAP**



**Background**

**Project Description**

The subject home, built in 1895, is a contributory structure in the University Historic District. The structure has undergone significant alterations over the years as shown in the attached photos from 1936 and 1980 (Exhibit A).

Prior to submitting an application for a Certificate of Appropriateness, several windows in the home had recently been replaced. The replacement windows are from the Renewal by Anderson product line. These windows are manufactured using a composite material made of reclaimed wood fiber and a thermoplastic polymer.

At this time, the applicant seeks to retroactively obtain approval for the windows that have already been installed, seeks approval for additional windows, and seeks approval for a new door on the upper porch on the front façade of the home. A site plan and general photos of the home have been included to establish orientation (Exhibit B). The following is a list of activities that have already taken place, as well as further alterations that the applicant would like the Commission to consider for approval:

Windows recently replaced:

- Front façade, upper-level porch windows: Side-by-side, double hung, Anderson windows with internal grid.
- Rear façade, upper-level windows: one picture, one awning, and one double hung window, all by Anderson.

Proposed replacement windows:

- South façade, upper-level: Double casement wood window, proposed to be replaced with an Anderson picture window.
- South façade, lower-level: Side-by-side double hung-wood windows to be replaced with side-by-side Anderson windows.
- North façade, lower-level: Steel frame casement window to be replaced with an Anderson picture window.
- Front façade, lower-level porch windows: Side-by-side, double-hung, Anderson windows with internal grid.

Proposed door replacement:

- Front façade, upper-level porch door: Sliding glass door to be replaced with an Anderson sliding glass door of the same design/style.

## ***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***

### **Options**

- Approval: If the Commission finds that the proposed project meets the standards of the ordinance, the application should be approved provided the replacement windows conform to the requirements of the Uniform Building Code and all other applicable City ordinances. This option would require the Commission to state alternative findings to support the motion to approve the windows and sliding glass door.
- 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 to the applicant or Planning Staff regarding the additional information required for the Commission to take future action.

## Findings

### ZONING ORDINANCE AND DESIGN GUIDELINES

#### 21A.34.020 H Historic Preservation Overlay District

**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;

**Discussion for Standard 1:** The use of the property will not change.

**Finding for Standard 1:** The proposal meets 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 for Standard 2:** As previously noted, the subject home has been significantly altered over the years, particularly the front façade. When considering the replacement of the existing windows on the front façade, Planning Staff asserts that the single or double-hung window configuration as shown in the attached historic photo from 1936, is an appropriate window style for the subject home. Planning Staff asserts that the proposed double-hung windows for the front façade honor the historic character of the structure. This type of window is typical of, and consistent with, the architectural style and age of the subject home. Photos of the existing and proposed front façade windows are attached for review (Exhibit C). Specification and technical information for Anderson Double-Hung Windows is also attached (Exhibit G).

Planning Staff's main concern with the proposed side-by-side double-hung windows is that there is no significant mullion feature separating the windows. Essentially, the proposed windows are separated by the width of the window frames. Typically, a more substantial mullion would separate side-by-side windows of this nature. Further, a window grid pattern is not evident on any of the historic photos that Planning Staff has been able to obtain. An internal grid (sandwiched between the double panes of glass) has been installed on the upper-level front façade windows. Planning Staff asserts that a grid pattern is not consistent with the historic characteristics of the windows that were in this home in 1936. Therefore, the grids should be removed from the newly replaced windows, and should not be included in any further replacement windows. To Planning Staff's knowledge, internal grid patterns are never appropriate for windows on the primary façade (and perhaps secondary or rear facades) for structures in the City's historic districts, nor have they ever been approved.

The proposed picture window on the north façade of the home does not honor the historic character of the property (Exhibit D). Instead of a picture windows in this location, Planning Staff has suggested either two side-by-side double-hung windows with a mullion, or a window with a transom. For reference, technical specifications for Anderson Picture Windows are attached (Exhibit H).

The windows that were recently replaced on the rear of the home, in general, retain and preserve the historic character of the property (Exhibit E). The new awning window and the new double-hung window are of the same configuration as the windows shown in the attached photograph from 1980. The new picture window is inconsistent with the more characteristic single or double-hung window pattern, however since it is on the rear of the building and not visible from the street, Planning Staff asserts that this particular window is acceptable.

**Findings for Standard 2:** In general, the side-by-side double-hung windows installed, and those proposed, on the front façade retain and preserve the historic character of the subject home. The absence of a substantial mullion feature between these windows is inconsistent with the historic configuration of windows of this nature, and therefore somewhat detracts from retaining and preserving the historic character of this property. To be more historically characteristic, a substantial mullion feature is needed. Because of the lack of this feature in the windows installed and those proposed on the front façade, Planning Staff asserts that these windows do not meet this standard. Further, any simulated light grid pattern in the installed or proposed windows does not reflect, retain, or preserve the historic character of the home and should therefore be removed and/or eliminated as proposed. Finally, the picture window proposed on the north façade does not meet this standard, as it does not reflect, retain, or preserve the historic character of the property.

The windows that were installed on the upper story of the rear façade, in general, do retain the historic character of the property and therefore should be allowed to remain.

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 for Standard 3:** The finished and proposed windows on the front, north, and rear facades do not create a false sense of history. In general, the newly replaced and further proposed windows more accurately reflect the original historic character of the home in their style and dimensions. As noted previously however, there are outstanding issues related to the windows.

**Finding for Standard 3:** The windows replaced, and those that are proposed to be replaced, do not create a false sense of history, and in general more closely reflect the original historic character of the home in their style and dimensions.

4. Alterations or additions 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 historic property shall be preserved;

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.

**Applicable Design Criteria for Standard 6 in relation to the front façade, north façade, and rear facade windows:**

**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 of the sash 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 in 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 materials, 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? More importantly, what is the profile of the proposed replacement window?

**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.

**Discussion of Standard 6 in relation to the front, north, and rear façade windows:** The double-hung windows chosen for the front façade generally meet the design criteria for replacement windows. The style is likely similar to the originals based on historic photos, and the profile of the windows generally meet the criteria as well. The window's wood composition material is one that has been allowed in the past and is therefore appropriate in this instance. To reiterate previous discussion, the issue with the proposed side-by-side double-hung windows on the front façade rests primarily with the lack of a substantial mullion feature, and the inclusion of a simulated divided-light grid pattern.

The rear façade windows in general meet these criteria as well. As previously noted, a single or double-hung window would have been a better choice for the picture window that was installed, but the picture window appropriate in this particular case because of the location.

The proposed picture window on the north façade does not meet criteria 3.5, as it is highly unlikely that the original window in this location was a picture window. It is more likely that the window was of the single or double-hung variety, hence Planning Staff's suggestion that this type of window be used in this location.

**Findings for Standard 6 in relation to the front, north, and rear façade windows:** In general, the windows installed, and those chosen for installation, on the front and rear facades of the home, meet Standard 6 based on duplications of features that are substantiated by historic pictorial evidence. The configuration of the front façade windows are somewhat problematic because of the lack of a mullion

feature and the inclusion of a simulated divided-light grid pattern. The picture window chosen for the north façade does not meet this standard.

**Finding for Standards 4 and 5 in relation to the front, north, and rear façade windows:** These standards are not applicable to these windows.

**Applicable Design Guidelines for Standards 4, 5, and 6 in relation to the south façade windows:**

**3.0 Repair of Historic Windows:** Whenever possible, repair historic windows, rather than replace them. In most cases it is in fact easier, and more economical, to repair an existing window rather than to replace it, because the original materials contribute to the historic character of the building. Even when replaced with an exact duplicate window, a portion of the historic building fabric is lost and therefore such treatment should be avoided. When considering whether to repair or replace a historic window, consider the following:

First, determine the window's architectural significance. Is it a key character-defining element of the building? Typically, windows on the front of the building and on sides designed to be visible from the street, are key character-defining elements. A window in an obscure location, or on the rear of a structure may not be. Greater flexibility in the treatment or replacement of such secondary windows may be considered.

Second, inspect the window to determine its condition. Distinguish superficial signs of deterioration from actual failure of window components. Peeling paint and dried wood, for example, are serious problems, but often do not indicate that a window is beyond repair. What constitutes a deteriorated window? A rotted sill may dictate its replacement, but it does not indicate the need for an entire new window. Determining window condition must occur on a case-by-case basis, however, as a general rule, a window merits preservation, with perhaps selective replacement of components, when more than 50 percent of the window components can be repaired.

Third, determine the appropriate treatment for the window. Surfaces may require cleaning and patching. Some components may be deteriorated beyond repair. Patching and splicing in new material for only those portions that are decayed should be considered in such a case, rather than replacing the entire window. If the entire window must be replaced, the new one should match the original in appearance.

**3.0 Energy Conservation:** In some cases, owners may be concerned that an older window is less efficient in terms of energy conservation. In winter, for example, heat loss associated with an older window may make a room uncomfortable and increase heating costs. In fact, most heat loss is associated with air leakage through gaps in older windows that are a result of a lack of maintenance, rather than loss of energy through the single pane of glass found in historic windows. Glazing compound may be cracked or missing, allowing air to move around the glass. Sash members also may have shifted, leaving a gap for heat loss.

The most cost-effective energy conservation measures for most historic windows are to replace the glazing compound, repair wood members and install weather stripping. These steps will dramatically reduce heat loss while preserving historic features.

If additional energy savings are a concern, consider installing a storm window. This may be applied to the interior or the exterior of the window. It should be designed to match the historic window divisions such that the exterior appearance of the original window is not obscured.

**Applicable Design Criteria for Standards 4, 5 & 6 in relation to the south façade windows:**

**3.8 Use a storm window to enhance energy conservation rather than replace a historic window:**

Install a storm window on the interior where feasible. This will allow the character of the original window to be seen from the public way. If a storm window is to be installed on the exterior, match the sash design of the original windows. A metal storm window may be appropriate if the frame matches the proportions and profiles of the original window. It should fit tightly within the window opening without the need for sub-frames or panning around the perimeter. Match the color of the storm window sash with the color of the window frame; do not use an anodized or a milled (silvery metallic) finish. Finally, set the sash of the storm window back from the plane of the wall surface as far as possible.

**Discussion for Standards 4, 5, and 6 in relation to the south façade windows:** From the photographs submitted (Exhibit F) and a site inspection, the existing windows appear to be repairable and are character defining features of the building. The windows on this façade, proposed for replacement, are wood windows of the casement and single-hung varieties. While these windows may not be original, they are certainly older windows and contribute to the historic character of the home. These windows appear to have acquired historic significance in their own right and therefore should be retained and preserved. They display distinctive features and construction techniques, and are examples of craftsmanship that characterize a historic property. Planning Staff contends that these windows are not beyond repair and therefore should be preserved and maintained, rather than replaced.

If the Historic Landmark Commission makes the determination that it is appropriate to replace these windows rather than repair them, Planning Staff suggests that a picture window is not an appropriate replacement style for the wood casement windows on the upper-level, and that the single-hung windows on the ground level be replaced with single or double-hung windows with a substantial mullion and no grid pattern.

**Finding for Standards 4, 5 and 6 in relation to the south façade windows::** Replacement of the wood windows on the south façade of the home does not meet Standards 4, 5, and 6, nor the applicable Design Guidelines and Criteria.

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 for Standard 7:** This proposal does not involve chemical or physical treatments.

**Finding for Standard 7:** This criteria is not applicable.

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;

## **Applicable Design Guidelines for Standard 8:**

**3.0 Background:** Windows are some of the most important character-defining features of most historic structures. They give scale to buildings and provide visual interest to the composition of individual facades. Distinct window designs in fact help define many historic building types.

**3.0 Window Features:** The size, shape, and proportions of a historic window are among its essential features. Many early residential windows in Salt Lake City were vertically-proportioned, for example. Another important feature is the number of “lights,” or panes, into which a window is divided.

**Discussion for Standard 8:** In general, the window replacements on the front and rear facades meet this standard, as they are compatible with the size, scale, material and character of the property. The picture windows proposed for the north and south facades are not compatible with this Standard in terms of honoring the historic character of the property.

**Finding for Standard 8:** The proposal does not fully meet this standard.

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;

**Finding for Standard 9:** This criteria is not applicable in this case.

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 for Standard 10:** This project does not include altering the siding of the dwelling.

**Finding for Standard 10.** This criteria is not applicable.

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;

**Discussion:** The project does not include signage.

**Finding.** This criteria is not relevant.

12. Additional design standards adopted by the Historic Landmark Commission and City Council.

## **ANALYSIS OF THE SLIDING GLASS DOOR ON THE FRONT FAÇADE UPPER PORCH**

Of the extensive alterations that have occurred on this home over the years, the alterations to the front façade are the most significant. The installation of a sliding glass door has no relevant context in the historic integrity of this home. Sliding doors of this nature did not exist in 1895 when the home was built.

The applicant would like to replace this sliding door with a like door of the same color scheme as the windows. A diagram of the door proposed is attached for reference (Exhibit I).

## **ZONING ORDINANCE AND DESIGN GUIDELINES**

### **21A.34.020 H Historic Preservation Overlay District**

#### **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:

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 Design Criteria for Standard 2:**

**4.4 When replacing a door, use a design that has an appearance similar to the original door or a door associated with the style of the house.**

**Discussion for Standard 2:** There is no way to determine if a doorway was ever originally in the home in this particular location; what the opening size may have been, or what any original door may have looked like, due to the fact that this was once an interior portion of the house. Therefore, it is impossible to make a determination of what a replacement door should be, based on what may have been there originally.

While Planning Staff concurs that the replacement of this door would perhaps be a visual improvement, Planning Staff asserts that a sliding glass door is inappropriate from a historic perspective. Planning Staff suggested the installation of a French door to replace the sliding door. A French door is more in keeping with the historic character and style of the home, and therefore more appropriate.

**Finding for Standard 2:** The replacement of the front façade sliding glass door with a like door is inappropriate, and does not retain, preserve, or contribute to the historic character of the property.

HLC Minutes 5/5/2010

Mr. Paterson noted that with a potential conflict of interest, as in the case of Commissioner Carter's public vote, the conflict could be declared at the time of the public hearing and then the Commission would vote to determine whether or not a conflict existed and if it was necessary to recuse oneself.

**APPROVAL OF THE MINUTES 5:53:21 PM**

Chairperson Lloyd noted that there were no minutes available to approve.

**REPORT OF THE CHAIR AND VICE CHAIR 5:53:51 PM**

Chairperson Lloyd noted that he had nothing to report.

Vice Chairperson Oliver noted that she had nothing to report either.

**PUBLIC COMMENTS 5:54:04 PM**

Cindy Cromer, 816 East 100 South, informed the Commission that the City Council had scheduled the second hearing for the Preservation Plan for June 1<sup>st</sup>, 2010 and hoped that more people would be in attendance.

Ms. Cromer noted that she was pleased with the comments she was receiving from staff regarding City Council's initiation of draft ordinance language from the City Attorneys Office granting the Commission the right to initiate legislation.

Ms. Cromer did state, however, that she had two concerns regarding the Preservation Plan. Firstly, she gave a handout (included with the record of the minutes, entitled *Incentives for Historic Preservation*) and noted that staff could further investigate and include these incentives within the plan. Secondly, Ms. Cromer noted that although the Preservation Plan referenced compatible infill there really were no concrete examples or illustrations regarding how compatible infill might be achieved. She stated that she felt it would be appropriate to insert examples from City documents as well as information from the Utah Heritage Foundation into the plan so that people might see, for example, that one could build an addition to their house while adhering to best practices.

**PUBLIC HEARING 5:56:59 PM**

**NEW BUSINESS**

**PLNHLC2010-00057, Trudell/Thompson Certificate of Appropriateness for Window Replacement** – A request by the property owners, Ruth Ann Trudell and Joan Thompson to retroactively request approval for several replacement windows and to request approval for the installation of additional new windows on the home located at 249 South 1100 East in the University Historic District. The property is zoned R-2 (Single and Two-Family Residential District) and is located in City Council District 4, represented by Council Member Luke Garrott. (Staff: Lex Traughber, 801-535-6184, [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)).

**Staff Presentation 5:57:19 PM**

Mr. Traughber gave an overview of the application noting that it began as an enforcement issue, where several windows were replaced without appropriate approvals or permits. He noted that the home was a contributory structure built in 1895 and that the home had undergone significant alterations over the years. He illustrated that the homeowners were seeking approval of the windows already replaced as well as the replacement of additional windows. Mr. Traughber noted that staff

felt approval of the proposed windows and replacement of a proposed sliding glass-door was not appropriate. He noted that based upon the staff analysis and findings, staff recommended denial of the petition, with the exception of the replacement windows on the rear façade.

**Questions for Staff from the Commission 6:00:27 PM**

Commissioner Carter inquired if staff felt the home had been heavily remodeled in the late 1960s.

Mr. Traugher noted that photographic evidence was sparse and therefore it was difficult to guess when the original windows were replaced.

Commissioner Bevins inquired if the internal grids on the replacement windows were removable.

Mr. Traugher believed that they were but noted that the contractor would know for sure.

**Applicant Presentation 6:02:35 PM**

Ruth Ann Trudell, 249 South 1100 East, represented herself as the homeowner. Ms. Trudell provided a PowerPoint slide show for the Commission and discussed the history of the home. She noted that they had never intended to side-step the permitting process. She stated they were unaware the contractor had not obtained the necessary permits. Ms. Trudell noted that they had simply wished to improve the appearance, energy efficiency and security of the home as well as take advantage of available federal tax credits.

Ms. Trudell indicated her disagreement with staff that her home should be considered a contributing structure. She reviewed a chronology of the alterations which had occurred to her home over time, noting that she felt there were a significant number of changes to defining characteristics of the home, which by definition should have rendered the primary structure non-contributory. She also noted that in her analysis of the Ordinance, she did not feel the home was significant in terms of any contribution to the University Historic District as a whole. She indicated that in her opinion, the home had been significantly and irreversibly altered to the point that it was barely recognizable in comparison to the original home and inquired if the standards could objectively be applied in light of these numerous alterations. Ms. Trudell also noted her confusion that staff had recommended, as substitutes, three separate types of windows for the home from three distinct periods.

**Questions for the Applicant from the Commission 6:24:42 PM**

The Commissioners all thanked Ms. Trudell for the thoroughness of her presentation.

Commissioner Funk inquired if Ms. Trudell had spoken with the contractor who had not obtained a permit.

Ms. Trudell indicated that the contractor was present and he came forward to speak.

Tony Flores, the production manager for Norton's Quality Exteriors, stated that he had assumed the property was not historical from a map. He had, however, miscalculated as one side of the street was historic and the other was not. He noted he took responsibility for this mistake and had not been trying to shirk his duties as a responsible contractor. Mr. Flores stated that his company would be willing to make any changes the Commission required and satisfy their client.

Commissioner Richards inquired if the contractor was proposing to mold the two jambs together on the double-hung windows with mullion width dividers.



Mr. Flores noted that there was a space between them.

Commissioner Richards inquired how large that space was.

Mr. Flores noted that the space was  $\frac{3}{4}$ " to 1".

Commissioner Carter requested clarification regarding the front façade ground floor replacement windows, inquiring if the grid would be six-over-six.

Mr. Flores noted that applicant had chosen a Prairie-style six-over-one grid pattern.

There were no further questions from the Commission.

**Public Hearing 6:30:03 PM**

Mr. Flores noted that he felt Ms. Trudell had done her due diligence and that, again, he had not intended for this problem to occur.

Chairperson Lloyd noted that there was no one else present to speak to the issue and closed the public hearing.

**Executive Session 6:31:12 PM**

Commissioner Hart inquired of Mr. Paterson if the Commission had the authority to consider the building non-contributory. She stated that she was not certain that the architect would recognize the home today, and that she did not feel the changes were reversible. She felt that if she were evaluating the home, she would personally consider it to be a non-contributory structure. She also queried of staff: if the Commission found the structure to be non-contributing what rules the Commission would follow to determine appropriate replacements for the windows and door.

Mr. Paterson noted that staff relied on City surveys when rating homes as contributory or non-contributory. He stated that the Commission could make findings based upon Ordinance Standards 21A.34.020 to refute contributory status. He noted that if the Commission determined that it was a non-contributing structure they would then review the application under Ordinance Standards 21A.34.020 (H).

Commissioner Hart inquired if Mr. Traughber had considered the structure as non-contributory at any point.

Mr. Traughber noted that he deferred to the survey in his analysis.

Commissioner Carter indicated his agreement with Commissioner Hart. He stated that windows were likely the most character defining features of a home and in this case, several of the windows had been significantly altered from the originals.

Vice Chairperson Oliver concurred with Commissioners Carter and Hart that the structure should be considered non-contributing and it should have been marked that way on the original survey. She did note that grids of any sort on the windows were probably inappropriate as the original home probably featured tall, narrow, one-over-one windows.

Commissioner Carter concurred with Vice Chairperson Oliver's assessment.

Commissioner Davis noted that he felt that the applicant had made a compelling case that the structure was non-contributing.

Commissioner Funk stated that the Commission was still faced with deciding what would be used as replacements. She inquired of Mr. Paterson if staff would need to reevaluate the application based upon the Commission finding the structure non-contributory.

Mr. Paterson stated that the Commission would need to make a motion stating whether they felt that the structure was contributory or not and that the review would be based upon 21A.34.020 (H), then staff would reevaluate the application and possibly bring it back to the Commission.

**Motion 6:41:30 PM**

**Commissioner Funk made a motion for staff to consider the structure as non-contributory and requested that the application be sent back to staff for further review of the window replacement under that classification. Commissioners Hart seconded the motion.**

**Discussion of the Motion 6:42:01 PM**

Vice Chairperson Oliver inquired if Commissioner Hart would accept an addition to the motion, that staff be allowed to review the application and approve a Certificate of Appropriateness without bringing it back to the Commission if possible, with the direction to staff that the windows be one over one rather than having any grid pattern.

Commissioner Funk noted she was unsure if that was under their purview.

Mr. Paterson noted that the Commission was united that the structure was non-contributory and therefore the Commission needed to make a specific finding based upon the standards in the Ordinance that the structure had lost its physical integrity. He stated that staff could look at the issue and make the determination if the Commission were comfortable with that option.

**Commissioner Funk withdrew her motion. Commissioner Hart seconded the withdrawal.**

**Second Motion 6:44:09 PM**

**Commissioner Funk made a motion based upon the information revealed in the public hearing through review of the standards under 21A.34.020, the Landmarks Commission determines the structure to be non-contributory and should be treated as such when replacement windows are reviewed, requesting that the application be sent back to staff for classification as non-contributory and analysis, noting that if it may be approved by staff if appropriate windows are found, but may come back to the Commission if necessary. Commissioner Hart seconded the motion.**

**Discussion of the Second Motion**

Chairperson Lloyd inquired if this would be a sufficient motion.

Mr. Paterson noted that the Commission had made the finding that the structure should be considered non-contributory and staff would review it as such.

Chairperson Lloyd clarified that the motion was, in effect, remanding the application back to staff for review.

Mr. Paterson concurred.

Commissioner Bevins inquired if anyone had ever challenged the classification of a home.

Mr. Paterson noted that several home owners had challenged the status indicated by City Surveys.

Commissioner Bevins inquired if Structure Site Information Forms had been prepared for every contributory structure in an intensive level survey.

Mr. Paterson noted that intensive level surveys were only done on selected samples of properties.

Ms. Lew noted that it was the reconnaissance level survey under which the determination had been made.

Vice Chairperson Oliver noted that she was not certain if the survey had been completed entirely by a professional firm in the University Historic District.

Chairperson Lloyd called for a vote on the second motion.

**All voted "Aye". The motion carries unanimously.**

**PLNHLC2009-01420, Hughes Certificate of Appropriateness for Major Alterations** – A request by Lynn Morgan, applicant and architect, representing the property owners Michael & Jennifer Hughes, for major alterations to the single-family home located at 704 E 5th Avenue in the Avenues Historic District. The request is for an addition to the home, as well as a new two car garage. The property is zoned SR-1A (Special Development Pattern Residential District) and is located in City Council District 3, represented by Council Member Stan Penfold. (Staff: Lex Traughber, 801- 535-6184, [lex.traughber@slcgov.com](mailto:lex.traughber@slcgov.com)).

**This item was postponed to May 19, 2010.**

**PLNHLC2010-00136 , 418 Elizabeth Street Certificate of Appropriateness for Major Alterations** – A request by Angela Dean, architect, for major alterations to a single family residence located at 418 South Elizabeth Street, Salt Lake City in the University Historic District. The request is for an addition to the rear of the property, extending the maximum roof height to the rear to create accommodation on two levels, including a new dormer window. The property is zoned SR-3 (Special Development Pattern Residential) and is located in City Council District 4, represented by Council Member Luke Garrott. (Staff contact: Carl Leith, 801-535-7758, [carl.leith@slcgov.com](mailto:carl.leith@slcgov.com))

**Staff Presentation 6:49:09 PM**

Mr. Leith reviewed the proposal was for new construction of a two-story addition on the rear of the home, involving extending the existing roof ridge line to create a centrally placed, gabled addition. He noted that the proposal also called for the extension of the roof on the north façade of the property to accommodate more internal space, a covered outdoor deck and the addition of a new dormer window to the north façade for a second floor bedroom space. Mr. Leith noted that proposed materials included the use of matching brickwork on the north façade, fiber-cement shingles for the rear addition and the use of roof shingles matching the original.

Mr. Leith noted that the rear proposed dormer would have a maximum height equivalent to the maximum roof ridge height and would be approximately 11'x10'.

Mr. Leith noted that the proposal complied with all applicable standards save one. He stated that this exception was the requirement that maximum exterior wall height should be 20', placed at the building setback line established by the minimum required yard. He noted that an exception could be made for dormer walls, which were exempt if the dormer were 10' or less. Mr. Leith noted that the proposed dormer wall slightly exceeded that standard.

Mr. Leith reviewed the remaining standards, noting staff's concerns regarding the extension of the roof ridge line on the rear addition, creating the appearance of a continuous structure instead of separating the primary structure and the addition.

Mr. Leith stated that the project conformed to the majority of applicable standards but not to retention of building scale, roof form and character and the scale of dormers. Mr. Leith noted that staff recommended approval with modifications to address the aforementioned conflicts with current design guidelines. He also indicated that the addition of desired future solar panels would require a separate approval.

**Questions for Staff from the Commission 6:59:34 PM**

Chairperson Lloyd inquired if staff analysis indicated that under standard 8.9, the form of the hipped peak of the roof was a significant feature. He noted that the extension of the roofline would be problematic.

Mr. Leith noted that this was so.

Chairperson Lloyd stated that the proposal was to extend the masonry of the wall-line by matching the original brick.

Mr. Leith concurred.

Commissioner Carter inquired if the Commission approved the request with modifications in size and design the staff would then determine appropriate levels and materials.

Mr. Leith noted that the Commission could determine this or send to staff to review.

There were no further questions for staff.

**Applicant Presentation 7:01:43 PM**

Chairperson Lloyd invited the applicant forward to speak

Angela Dean, project architect, noted that the addition was to create space for a growing family with a minimal addition. She noted that they were attempting to respect the existing scale of the home. Ms. Dean stated that the applicant was fine with narrowing the north dormer as understood as a zoning issue and with modifying the expression of the rear hip of the roof. She noted that allowing the continuation of the ridge of the roof allowed for future installation of solar panels.

**Questions for the Applicant from the Commission 7:03:12 PM**

Chairperson Lloyd inquired if the width of the dormer had been calculated from the width of the wall plane or if it did include the eaves.

Ms. Dean noted that the dormer could be narrowed to 10' wide, but the height would be difficult to diminish.

Ms. Dean noted that the windows shown on the west elevation were a head height of 6'8".

Vice Chairperson Oliver inquired if it would be difficult to decrease the height of the dormer slightly, even just six inches and decrease the pitch of the dormer roof.

Commissioner Richards noted his concern regarding the continuation of brick as a material on the new addition. He inquired of Ms. Dean if they might consider an inset on the addition to the home.

Ms. Dean inquired how large an inset would be required.

Commissioner Richards suggested a minimum inset of 12".

Chairperson Lloyd suggested the possibility of changing the material from brick to an approved siding and inquired if Commissioner Richards felt that would indicate a significant change between the two structures.

Commissioner Richards noted that a material change could also satisfactorily differentiate the old from the new.

Commissioner Carter stated that he appreciated the more contemporary aspects of the addition, and concurred with Commissioner Richards that a different material could help define this new transition.

Vice Chairperson Oliver noted that stepping down the ridgeline and north dormer just a token amount might also accomplish this differentiation yet still allow for solar panels in the future.

**Public Hearing 7:12:07 PM**

Chairperson Lloyd opened the public hearing at 7:12 p.m.

Seeing no one present to comment on the item, Commissioner Lloyd closed the public hearing.

**Executive Session 7:12:46 PM**

Chairperson Lloyd stated that he felt the staff report to be thorough and that it allowed the Commission to focus on the pertinent issues facing the application.

Commissioner Funk noted her concerns regarding the increase in size of the structure, noting that other structures in the surrounding neighborhood were significantly smaller.

Commissioner Richards noted that his general feeling was that scale drawings tended to make things look bigger than they actually were.

Vice Chairperson Oliver inquired if Chairperson Lloyd felt the west ridgeline to not be as important as it would be obscured by the dormer.