



# Staff Report

PLANNING DIVISION  
COMMUNITY & ECONOMIC DEVELOPMENT

To: Salt Lake City Historic Landmark Commission  
From: Kelsey Lindquist  
(801) 535-7930 or Kelsey.lindquist@slcgov.com  
Date: June 2, 2016  
Re: **PLNPCM2016-00284** – Special Exception for 316 N. Almond Street

## SPECIAL EXCEPTION

**PROPERTY ADDRESS:** 316 N. Almond Street  
**PARCEL ID:** 08-36-428-005-0000  
**HISTORIC DISTRICT:** Capitol Hill Local Historic District  
**ZONING DISTRICT:** SR-1A (Special Development Pattern Residential District)  
**MASTER PLAN:** Capitol Hill Master Plan

**REQUEST:** Jack Rhinehart is requesting a certificate of appropriateness for a special exception approval to modify the minimum lot size (5,000 square feet) and width (50 feet) in the SR-1A (Special Development Pattern Residential) District. The subject parcel is located at approximately 316 North Almond Street in the Capitol Hill Local Historic District. The parcel was illegally subdivided in 1979 and has since been utilized as open space and a driveway access. The parcel is undersized by approximately (1,603) square feet and short on lot width by approximately 5.5 feet to the west and 17 feet to the east.

Through a special exception process, the commission has the authority to make findings using the special exception standards to allow this to become a legal lot. Additionally, various standards relating to subdivisions are also analyzed for the convenience and thorough review of this request.

**STAFF RECOMMENDATION:**  
Staff recommends based on the analysis and findings in this report, that the request for the certificate of appropriateness and special exception to modify the lot size and width of the parcel located at 316 N. Almond Street be **approved with conditions**.

**MOTION:**  
Based on the analysis and findings listed in this staff report, testimony and the proposal presented, I move that the Commission **approve** the request for a certificate of appropriateness and special exception for the



modification of the lot size and lot width at 316 N. Almond as presented.

Specifically, the Commission finds that the proposed project complies with the review standards and subject to the following conditions:

1. A Minor Subdivision Application is submitted and recorded.

**BACKGROUND AND PROJECT DESCRIPTION:**

The subject parcel is located on a .0788 of an acre, which is approximately 3,397 square feet in size. The parcel is zoned SR-1A and is located within the Capitol Hill Local Historic District. Capitol Hill Local Historic District was designated in 1984.

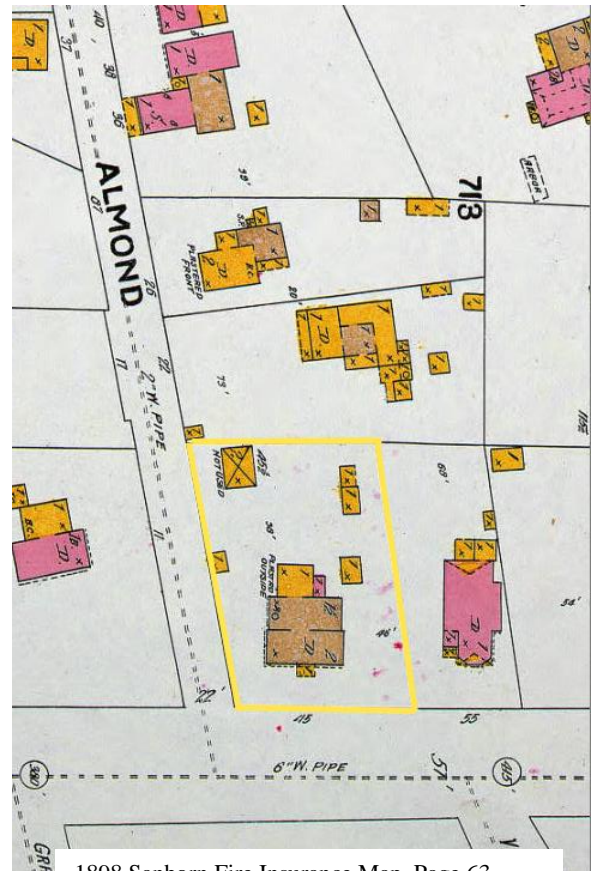
The subject parcel located at 316 N. Almond Street was originally part of 80 W. 300 N., which is the abutting lot to the south. Historically, the lot contained two principal dwellings; one located where the present home at 80 W. 300 N. remains and the other was situated to the north, now 316 N. Almond.

The original lot configuration is highlighted in yellow on the Sanborn Fire Insurance Map from 1898, to the right. The first principal and remaining dwelling faces south. The second home had yet to be constructed.

The two homes are initially illustrated in the 1911, Sanborn Fire Insurance Map; the lot is highlighted in yellow. As evidenced, the second home faced west and was situated to the north.

The Sanborn Fire Insurance Map from 1950 still illustrates a second dwelling located on the northern portion of 80 W. 300 N. Although there are no city records of the demolition, the second home located to the north was eventually demolished. After the second home was demolished, the parcel was subdivided with the recording of a warrantee deed with the Salt Lake County Recorder's Office on February 1, 1979.

In 1979, when the parcel was created, it did not meet the minimum zoning requirements for the R-6 Zone, which required a minimum of 4,000 square feet for the "main structure, plus 500 square feet for every three boarders, lodgers, roomers or patients." Additionally, the parcel did not meet the established subdivision standards in 1979. Eventually, the parcel was rezoned in 1987 to R-2, which required a minimum of 5,000 square feet for a single family dwelling and 6,000 square feet for a two-family dwelling.



1898 Sanborn Fire Insurance Map, Page 63



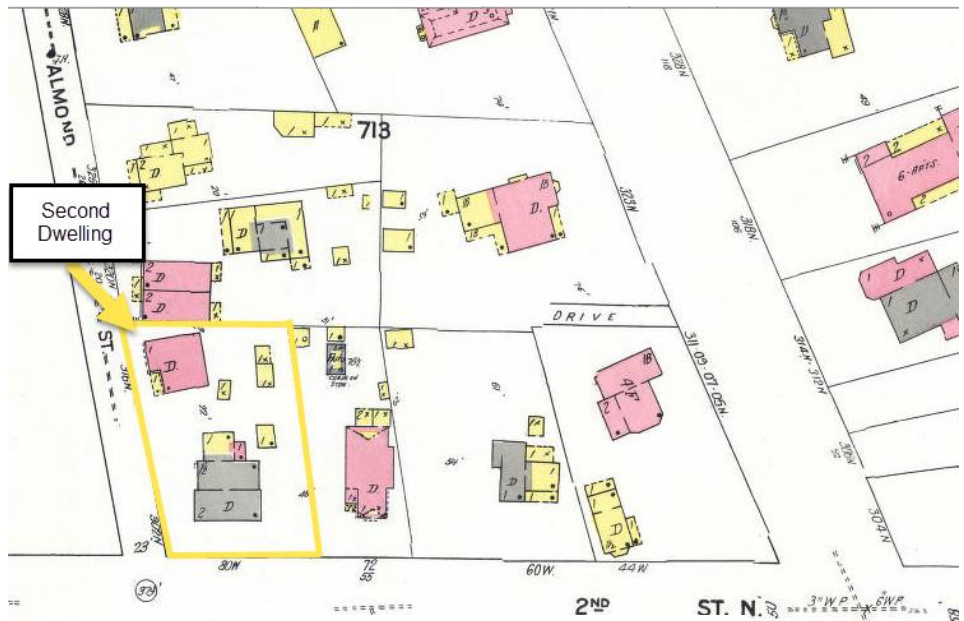
1911 Sanborn Fire Insurance Map, Page 38



Currently, the parcel is zoned SR-1A, which requires a minimum of 5,000 square feet and a minimum of 50 feet of lot width for a single family structure. This research and determination was made through a previous Administrative Interpretation (PLNZAD2016-00169), please refer to Attachment D.

Although the parcel was illegally subdivided in 1979 and is currently considered unbuildable, due to being undersized; the applicant can pursue a special

exception to request the modification of the minimum lot requirements for the SR-1A Zoning District. The Historic Landmark Commission has the authority to modify the base zoning requirements for properties located within local historic districts. Historically, the original parcel contained two principal structures. Although the parcel is undersized, it is not out of character to the surrounding properties on Almond Street. The lots are unusual sizes with little to no consistency along the block face to the east and the west.



1950 Sanborn Fire Insurance Map, Page 38

**KEY ISSUES:**

The key issues listed below have been identified through the analysis of the project, neighbor input and department review comments.

**Issue 1: Purpose Statement of the Historic Preservation Overlay District**

The purpose of the H Historic Preservation Overlay District is to contribute to the welfare, prosperity and education of the people of Salt Lake City, the purpose of the H historic preservation overlay district is to:

1. Provide the means to protect and preserve areas of the city and individual structures and sites having historic, architectural or cultural significance;
2. Encourage new development, redevelopment and the subdivision of lots in historic districts that is compatible with the character of existing development of historic districts or individuals landmarks;
3. Abate the destruction and demolition of historic structures;
4. Implement adopted plans of the city related to historic preservation;
5. Foster civic pride in the history of Salt Lake City;
6. Protect and enhance the attraction of the city’s historic landmarks and districts for tourists and visitors;
7. Foster economic development consistent with historic preservation; and
8. Encourage social, economic and environmental sustainability.

Statement 2 of the Historic Preservation Overlay District, specifies the encouragement of new development and redevelopment of lots in local historic districts. The proposed special exception involves the redevelopment of a parcel that historically contained a single family home. The subject parcel is compatible with the block face in regards to lot width and lot size. Even though this is not currently an application for new construction, the subject parcel, if approved, would eventually be proposed for redevelopment. This is a particularly unique situation, since the historic home was demolished, the subject property was illegally subdivided and the remaining structure (Beesley Residence) was landmarked. While subdividing a property with a landmark would not be consistent with the above purpose statements, the subject parcel was not included in the boundary description, nor was it mentioned in the nomination.

**Issue 2: Development Pattern and Compatibility**

Due to the development and the historic nature of Almond Street, the lot sizes and widths vary from approximately 2,178 square feet to 7,104.6 square feet. Almond Street was not part of an original subdivision, but was rather recorded as part of a ten acre plat in 1880, utilizing metes and bounds.

The current size of the parcel is compatible with the surrounding properties on Almond Street. The parcel is approximately 3,397 square feet and approximately 45.5 feet in width to the west and 34.5 feet in width to the east. To illustrate the lack of pattern concerning lot size and width, the following lots are located on the west side of Almond Street:

1. 80 N. 300 W. is approximately .1603 acres (6,982 square feet) in size and approximately 76.79 feet in lot width.
2. 318 N. Almond Street is approximately .05 acres (2,178 square feet) in size and approximately 17.50 feet in width.
3. 320 N. Almond Street is approximately .0568 acres (2,474 square feet) in size and approximately 16.85 feet in width.
4. 322 N. Almond Street is approximately .1135 acres (4,944 square feet) in size and approximately 24.61 feet in width.
5. 326 N. Almond Street is approximately .1631 acres (7,104 square feet) in size and approximately 57 feet in width.
6. 328 N. Almond Street is approximately .2281 acres (9,936 square feet) in size and approximately 71 feet in width.
7. 334 N. Almond Street is approximately .0554 acres (2,413 square feet) in size and approximately 29 feet in width.
8. 350 N. Almond Street is approximately .1969 acres (8,576 square feet) in size and approximately 73 feet in width.
9. 352 N. Almond Street is approximately .0613 acres (2,670 square feet) in size and approximately 40 feet in width.



The east side of Almond Street:

10. 301 N. Almond is approximately .0901 acres (3,924 square feet) in size and approximately 50 feet in lot width.
11. 309 N. Almond Street is approximately .0754 acres (3,284 square feet) in size and approximately 51.24 in lot width.
12. 311 N. Almond Street is approximately .0021 acres (91 square feet) in size and approximately 4 feet in lot width.
13. 311 N. Almond Street is approximately .0384 acres (1,672 square feet) in size and approximately 17 feet in lot width.
14. 319 N. Almond Street is approximately .0631 acres (2,748 square feet) in size and approximately 28 feet in lot width.
15. 321 N. Almond Street is approximately .0377 acres (1,642 square feet) in size and approximately 29 feet in lot width.
16. 323 N. Almond Street is approximately .092 acres (4,007 square feet) in size and approximately 36 feet in lot width.
17. 329 N. Almond Street is approximately .118 acres (5,140 square feet) in size and approximately 43 feet in lot width.
18. 337 N. Almond Street (parking lot) is approximately .0995 acres (4,334 square feet) in size and approximately 55 feet in lot width.
19. 343 N. Almond Street is approximately .1712 acres (7,457 square feet) in size and approximately 115 feet in lot width.
20. 349 N. Almond Street is approximately .0984 acres (4,286 square feet) in size and approximately 64.8 feet in lot width.

The aerial and the figures above, demonstrate that there is no consistent development pattern that exists on Almond Street. A rather large portion of the lot sizes and widths do not meet the current zoning standards for the SR-1A. While the existing parcel is undersized, it will not deter from the established character of Almond Street. Additionally, if approved and a new building proposed, compatibility and design review would be required to go to the Historic Landmark Commission for a Certificate of Appropriateness.

Additionally, the parcel located at 80 W. 300 N., could not be adjusted to assist 316 N. Almond to become a complying lot. If the lot lines were adjusted, 80 W. 300 N. would become a noncomplying lot due to rear yard setback requirements.

### **Issue 3: Loss of Open Space**

The subject parcel is privately owned by the individuals who own 80 W. 300 N (lot to the south). The property owner is not subject to keep this area as an open space, community garden or community orchard. Additionally, the Planning Division cannot require a privately owned parcel to be kept as “open space” or a community garden for the neighborhood, and it is not a standard that applies to this petition.

### **Issue 4: Access Restrictions for Abutting Property**

The subject parcel is privately owned by 80 W. 300 N., which includes an existing driveway that is primarily utilized by 318 N. Almond (lot to the north) for parking and to access the rear of the property. Currently, there are no recorded easements for access. Both property owners should work to address the issue of prescriptive rights for access regardless of the special exception outcome. The access for 318 N. Almond Street is a civil issue. The applicant and the property owner of 318 N. Almond Street will need to work out an access agreement.

### **Issue 5: Impact on Almond Street**

Concerns have been raised regarding the potential impact the new construction would have on the existing structures and properties along Almond Street. Currently, this is not an application for new construction. However, if the lot is able to become established as a legal buildable lot, the applicant would be required to submit a new construction proposal, which would be reviewed at the Historic Landmark Commission. Impact on surrounding structures would be addressed at that time and any potential impact would be mitigated.

## **Issue 6: New Construction Compatibility**

As stated previously, this is not an application for new construction. If the lot is able to become established as a legal buildable lot, the applicant would be required to submit a new construction proposal. The proposal would be reviewed against the established standards and guidelines for new construction in local historic districts. The new construction would need to meet the standards and guidelines, in order to be considered compatible with the neighborhood and the district, and to gain approval from the Historic Landmark Commission.

## **Issue 7: Beesley House Local and National Landmark**

The original property located at 80 W. 300 N, known as the Ebenezer Beesley House, is designated as a local and national landmark site. The designation occurred in July 1979, please see attachment E. The Beesley House was designated due to architectural significance. The Nomination states, "The Ebenezer Beesley house is of architectural importance based on its being one of relatively few I-form adobes left in the larger cities of state, while history associated with Ebenezer Beesley illuminates the development of music and culture in a pioneer society..." The history of Ebenezer Beesley, in addition to the uniqueness of the structure, are both noted to be significant to the designation of the property, the surrounding site features were not mentioned in the Nomination. The home owner of 80 W. 300 N. had already "subdivided" the northern portion of the lot by this time. The designation and the legal boundaries which switch between rods and feet are not accurate to the description of 80 W. 300 N., and the description does not include the northern portion of the original lot, now 316 N. Almond. While 316 N. Almond was originally part of 80 W. 300 N., currently a local and national landmark, it was never included in the designation or the description and therefore is not considered a local or national landmark.

## **Issue 8: Capitol Hill Master Plan**

The Capitol Hill Master Plan, amended in 2001, designates the parcel located at 316 N. Almond as, "Low Density Residential 5-15 dwelling units per acre." The master plan does stipulate that vacant land is sparse and typically unbuildable due to slope. However, the master plan does address density, which has been an issue proposed regarding this petition, with the following statement:

Most of the Marmalade Neighborhood developed prior to the implementation of zoning in Salt Lake City in 1927. Therefore, the development pattern consists of irregular shaped lots with buildings, in many cases, built close to property lines. This situation has created a very densely populated area. In addition, in the 1940s and 1950s many of the structures, originally built as single family dwellings were converted to apartments. Two major down zonings, the first in the mid 1980s and the 1995 City-wide Zoning Rewrite Process, have left the neighborhood zoned low-density with most properties zoned SR-1 (allowing single family and duplex dwellings) except for the few existing medium and high density multi-family structures zoned multi-family. The down zoning of this area has resulted in many non-conforming converted single-family dwellings which house three or more units. Therefore, as homes are converted back to single-family ownership and structures lose their legal non-conforming status, the density of the area should decrease. Most of the vacant parcels of land in the neighborhood are zoned SR-1. Therefore, any increase in density in the Marmalade Neighborhood will be minimal.

In regards to the proposal, it is in support of the Capitol Hill Master Plan. Historically, there was a principal structure located at 316 N. Almond Street. The density will increase with the addition of a single family home, but it will be consistent with the projected minimal increase in density.

## **DISCUSSION:**

Currently, the special exception request is to modify the lot size and width. The majority of the issues raised by this request can be mitigated with a future new construction application.

**NEXT STEPS:**

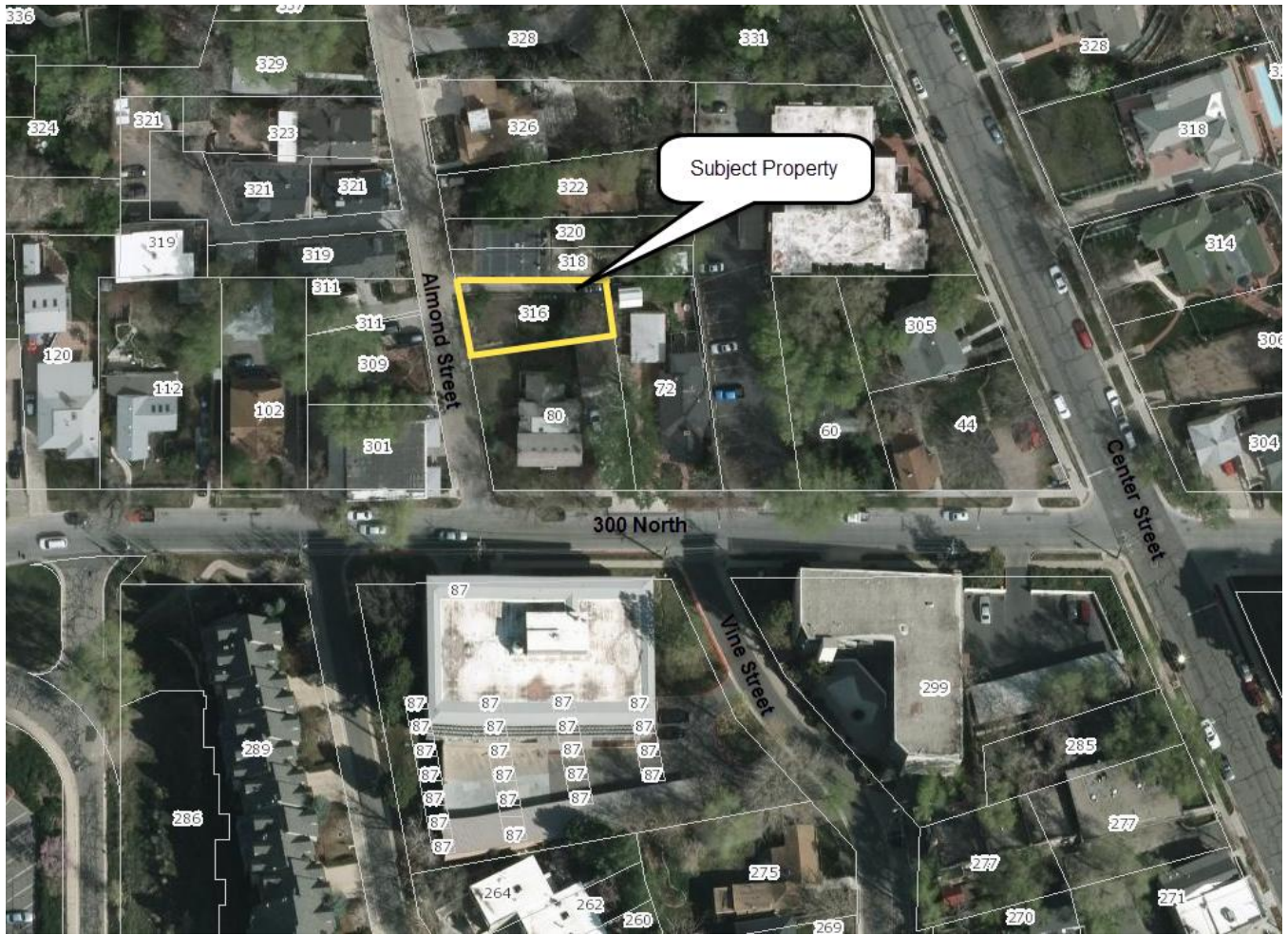
If approved, the applicant may precede with a Minor Subdivision Application, in order to legalize the lot and upon approval an HP: New Construction Application would be required for the development of the parcel. If the special exception is denied the lot would not be legalized/denied and the applicant would not be allowed to proceed with the subdivision and the new construction proposal.

**ATTACHMENTS:**

- A. Vicinity Map
- B. Historic District Map
- C. Development Plan Set
- D. Administrative Interpretation
- E. National Register of Historic Places Nomination Form
- F. Current Photos
- G. Applicant Information
- H. Existing Conditions
- I. Analysis of Standards
- J. Analysis of Historic Preservation Standards
- K. Special Exception Standards
- L. Applicable Design Guidelines
- M. Public Process and Comments
- N. Motions



# ATTACHMENT A: VICINITY MAP





**ATTACHMENT B: HISTORIC DISTRICT MAP**



**★** *Approximate project location*

# ATTACHMENT C: SITE PLAN



# **ATTACHMENT D: ADMINISTRATIVE INTERPRETATION**

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JACKIE BISKUPSKI  
MAYOR

DEPARTMENT of COMMUNITY AND ECONOMIC DEVELOPMENT  
MARY DELAMARE-SCHAEFER  
ACTING DIRECTOR

March 29, 2016

Jack Rhinehart  
524 North Main Street  
Salt Lake City, UT 84104

Re: PLNZAD2016-00169 – Administrative Interpretation regarding whether the property at 316 N. Almond Street is considered to be a legal noncomplying lot.

Mr. Rhinehart,

This letter serves as my determination regarding your request for an Administrative Interpretation concerning the status of the lot at 316 N. Almond Street. The following findings were made as they relate to the property:

- The parcel identification number of the subject property is: 08-36-428-005.
- The property is located within the SR-1A (Special Development Pattern Residential District): The purpose of the SR-1A Special Development Pattern Residential District is to maintain the unique character of older predominantly single-family and two-family dwelling neighborhoods that display a variety of yards, lot sizes and bulk characteristics. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.
- The parcel is approximately .078 acres (3,397.68 square feet).
- The parcel was originally part of 80 West 300 North.
- According to historic Sanborn Insurance Maps, the portion of 80 West 300 North that became 316 North Almond had a dwelling.
- Sanborn Fire Insurance Maps for 1911 and 1950 show 316 N. Almond and 80 W. 300 N. as one parcel. The parcel shows two homes, one facing Almond Street, currently 316 N. Almond and the other facing 300 N (80 West 300 North).
- There are no city records of when the demolition of the structure that faced Almond Street took place.
- According to the information associated with the application, the parcel at 316 N Almond Street was created by a warranty deed recorded on February 1, 1979 with Salt Lake County.
- There is no record of any City approval associated with the recording of the warranty deed.
- According to the Salt Lake City Zoning Map for 1927, the parcel was zoned as B-2. Zoning maps for the following years: 1941-1955 established the parcel as B-2, 1958 established the parcel as R-6, 1963-1977 established the parcel as R-6, 1986 and 1987 established the parcel as R-2.
- The zones that were applied to this parcel in 1927 didn't indicate a specific lot area. However, in subsequent years there are specific lot areas for new lots created in each zoning district.



- The following list specifies required lot areas for each applied zone: (1955) R-6 required a minimum of 4,000 square feet for a single family dwelling and an additional 500 square feet for each additional dwelling unit, (1964) R-6 required a minimum of 4,000 square feet for the “main structure plus 500 square feet for every three boarders, lodgers, roomers or patients”, (1987) R-2 required a minimum of 5,000 square feet for a single family dwelling or 6,000 square feet for a two-family dwelling.
- There are no city records indicating the existence of 316 N. Almond.

Dividing any parcel of land in Salt Lake City into additional parcels or lots requires review and approval through an applicable city subdivision process. The recording of a deed outside of this process does not by itself create a legal parcel/lot.

LOT: A piece of land identified on a plat of record or in a deed of record of Salt Lake County and of sufficient area and dimensions to meet district requirements for width, area, use and coverage, and to provide such yards and open space as are required and has been approved as a lot through the subdivision process. A lot may consist of combinations of adjacent individual lots and/or portions of lots so recorded; except that no division or combination of any residual lot, portion of lot, or parcel shall be created which does not meet the requirements of this title and the subdivision regulations of the city.

Based on the above research and as a legal noncomplying lot, staff has determined that the City does not recognize the subject parcel located at 316 N. Almond, due to when the parcel at 316 N. Almond was created in 1979, it did not meet the minimum requirements for a new conforming lot during the dates listed above.

If you have any questions regarding this interpretation please contact Kelsey Lindquist at (801) 535-7930 or by email at [kelsey.lindquist@slcgov.com](mailto:kelsey.lindquist@slcgov.com).

NOTICE:

Please be advised that a determination finding a particular use to be a permitted use a conditional use shall not authorize the establishment of such use nor the development, construction, reconstruction, alteration, or moving of any building or structure. It shall merely authorize the preparation, filing, and ordinances of the City including, but not limited to, a zoning certificate, a building permit, and a certificate of occupancy, subdivision approval, and a site plan approval.

An applicant or any other person or entity adversely affected by a decision administering or interpreting this Title may appeal to the Appeals Hearing Officer. Notice of appeal shall be filed within ten (10) days of the administrative decision. The appeal shall be filed with the Planning Division and shall specify the decision appealed and the reasons the appellant claims the decision to be in error. Applications for appeals are located on the Planning Division Website along with information about the applicable fee. Appeals may be filed in person at the Planning Counter, 451 South State Street, Room 215 or by mail at Planning counter PO Box 145471, Salt Lake City, Utah 84114.

Sincerely,



Joel Paterson  
Zoning Administrator  
Salt Lake City Planning

Cc: Mike Reberg, Director, Community and Economic Development  
Nora Shepard, Director, Planning  
Orion Goff, Director, Building Services and Licensing  
DEPARTMENT OF COMMUNITY & ECONOMIC DEVELOPMENT

P.O. BOX 145480  
451 SOUTH STATE STREET, ROOM 406  
SALT LAKE CITY, UT 84114-5480

[WWW.SLCGOV.COM/CEd](http://WWW.SLCGOV.COM/CEd)  
TEL: 801-535-7757 FAX: 801-535-6174

# ATTACHMENT E: NATIONAL REGISTER OF HISTORIC PLACES NOMINATION FORM

Form No. 10-300 REV. (9/77)

UNITED STATES DEPARTMENT OF THE INTERIOR  
NATIONAL PARK SERVICE

FOR NPS USE ONLY  
RECEIVED MAY 22 1979  
DATE ENTERED JUL 16 1979

## NATIONAL REGISTER OF HISTORIC PLACES INVENTORY -- NOMINATION FORM

SEE INSTRUCTIONS IN *HOW TO COMPLETE NATIONAL REGISTER FORMS*  
TYPE ALL ENTRIES -- COMPLETE APPLICABLE SECTIONS

### 1 NAME

HISTORIC EBENEZER BEESLEY HOUSE

AND/OR COMMON

### 2 LOCATION

STREET & NUMBER

80 West 200 North

CITY, TOWN

Salt Lake City VICINITY OF

NOT FOR PUBLICATION  
CONGRESSIONAL DISTRICT

02

STATE

Utah

CODE  
049

COUNTY  
Salt Lake

CODE  
035

### 3 CLASSIFICATION

CATEGORY	OWNERSHIP	STATUS	PRESENT USE
<input type="checkbox"/> DISTRICT	<input type="checkbox"/> PUBLIC	<input type="checkbox"/> OCCUPIED	<input type="checkbox"/> AGRICULTURE <input type="checkbox"/> MUSEUM
<input checked="" type="checkbox"/> BUILDING(S)	<input checked="" type="checkbox"/> PRIVATE	<input checked="" type="checkbox"/> UNOCCUPIED	<input type="checkbox"/> COMMERCIAL <input type="checkbox"/> PARK
<input type="checkbox"/> STRUCTURE	<input type="checkbox"/> BOTH	<input type="checkbox"/> WORK IN PROGRESS	<input type="checkbox"/> EDUCATIONAL <input checked="" type="checkbox"/> PRIVATE RESIDENCE
<input type="checkbox"/> SITE	<b>PUBLIC ACQUISITION</b>	<b>ACCESSIBLE</b>	<input type="checkbox"/> ENTERTAINMENT <input type="checkbox"/> RELIGIOUS
<input type="checkbox"/> OBJECT	<input type="checkbox"/> IN PROCESS	<input checked="" type="checkbox"/> YES: RESTRICTED	<input type="checkbox"/> GOVERNMENT <input type="checkbox"/> SCIENTIFIC
	<input type="checkbox"/> BEING CONSIDERED	<input type="checkbox"/> YES: UNRESTRICTED	<input type="checkbox"/> INDUSTRIAL <input type="checkbox"/> TRANSPORTATION
		<input type="checkbox"/> NO	<input type="checkbox"/> MILITARY <input type="checkbox"/> OTHER:

### 4 OWNER OF PROPERTY

NAME Ute Knowlton

STREET & NUMBER

669 East Oak Lane

CITY, TOWN

Kaysville VICINITY OF

STATE

Utah 84037

### 5 LOCATION OF LEGAL DESCRIPTION

COURTHOUSE,  
REGISTRY OF DEEDS, ETC.

County Recorder's Office

STREET & NUMBER

Salt Lake City and County Building

CITY, TOWN

Salt Lake City

STATE  
Utah

### 6 REPRESENTATION IN EXISTING SURVEYS

TITLE

Utah State Register of Historic Sites

DATE

October 1971

FEDERAL  STATE  COUNTY  LOCAL

DEPOSITORY FOR  
SURVEY RECORDS

Utah State Historical Society

CITY, TOWN

Salt Lake City

STATE  
Utah



## 7 DESCRIPTION

CONDITION		CHECK ONE	CHECK ONE
<input type="checkbox"/> EXCELLENT	<input type="checkbox"/> DETERIORATED	<input type="checkbox"/> UNALTERED	<input type="checkbox"/> ORIGINAL SITE
<input type="checkbox"/> GOOD	<input type="checkbox"/> RUINS	<input type="checkbox"/> ALTERED	<input type="checkbox"/> MOVED DATE _____
<input type="checkbox"/> FAIR	<input type="checkbox"/> UNEXPOSED		

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DESCRIBE THE PRESENT AND ORIGINAL (IF KNOWN) PHYSICAL APPEARANCE

The Beesley house is one of the few remaining examples in Salt Lake City of the I-form stuccoed adobe house, and reflects the strength in the mid-nineteenth century of the vernacular building traditions brought to Utah from the East by Mormon settlers. Although this house type is common in some rural Utah towns, it has almost vanished from the larger cities.

A simple two-story house with almost no ornament, the Beesley house three-over-three opening facade includes a second floor center door, the origin of which has never been successfully explained or documented.<sup>1</sup>

Two additions have been added to the rear. The first is hip roofed, one and a half stories, and includes wall dormers with elaborate wood trim detailing. The second addition, which projects from the first is one story with a gable roof. The windows (except for the one-story addition) are two-over-two double hung sash.

<sup>1</sup>Goss, Peter L. "The Architectural History of Utah," Utah Historical Quarterly 43:3 (Summer 1975), 215.

## 8 SIGNIFICANCE

PERIOD	AREAS OF SIGNIFICANCE -- CHECK AND JUSTIFY BELOW				
___PREHISTORIC	___ARCHEOLOGY-PREHISTORIC	___COMMUNITY PLANNING	___LANDSCAPE ARCHITECTURE	___RELIGION	
___1400-1499	___ARCHEOLOGY-HISTORIC	___CONSERVATION	___LAW	___SCIENCE	
___1500-1599	___AGRICULTURE	___ECONOMICS	___LITERATURE	___SCULPTURE	
___1600-1699	<input checked="" type="checkbox"/> ARCHITECTURE	___EDUCATION	___MILITARY	___SOCIAL/HUMANITARIAN	
___1700-1799	___ART	___ENGINEERING	___MUSIC	___THEATER	
___1800-1899	___COMMERCE	___EXPLORATION/SETTLEMENT	___PHILOSOPHY	___TRANSPORTATION	
___1900-	___COMMUNICATIONS	___INDUSTRY	___POLITICS/GOVERNMENT	___OTHER (SPECIFY)	
		___INVENTION			

SPECIFIC DATES

BUILDER/ARCHITECT

STATEMENT OF SIGNIFICANCE

The Ebenezer Beesley house is of architectural importance based on its being one of relatively few I-form adobes left in the larger cities of the state, while history associated with Ebenezer Beesley illuminates the development of music and culture in a pioneer society.

The disappearance of the I-form stuccoed adobe house from Utah's metropolitan areas, while remaining quite common in some of the rural areas, records the inevitability of the decline of vernacular structures in areas of vigorous economic growth and burgeoning population. The area of the Ebenezer Beesley house has always been a neighborhood that has gradually declined from the exclusivity it once possessed in the mid-nineteenth century and the survival of the Beesley house as a larger-than-average vernacular housing style among replacement and newer structures representing more recent but less affluent families, makes it particularly interesting to the student of the material aspects of urban demographic change.

Mormonism has always been noted for its enthusiastic promotion of music as part of the worship experience. Ebenezer Beesley is one of those who helped shape the institutionalization of this musical fervor through his compilation and publication of the Sunday School Union Song Book, his book of songs used by early youth organizations of the Mormon Church, and his writing and compiling a book of hymns and anthems for use by the Tabernacle Choir. In addition to his editorial work, Beesley was actively involved in many other efforts to promote music in the church and in the community. He led the 19th Ward choir for many years, worked with choirs in the towns of Tooele and Lehi, and from 1880 to 1889 was director of the Mormon Tabernacle Choir. In addition, Beesley, an accomplished violinist, was a leading member of the Salt Lake Theatre Orchestra. The Salt Lake Theatre itself was a major cultural institution in pioneer Utah, offering a range of cultural fare from Shakespeare to musical comedy to eager audiences. In a church that fostered music of all kinds, and in a community that respected and admired musicians, Beesley was a noted figure. In 1904 he founded the Beesley Music Company, still owned and operated by the Beesley family.

Beesley's musical career spanned many decades and two continents. Born in 1840 at Bicester, Oxfordshire, England, Beesley had impressed many when he became an outstanding member of a local Wesleyan Methodist choir at age six. His parents declined an opportunity for their son to become a member of the choir that sang for the royal family in St. George's Chapel, Windsor. Shortly thereafter the family joined the Church of Jesus Christ of Latter-day Saints and migrated to Utah.

The Beesley house, an excellent example of vernacular stuccoed adobe, and Ebenezer Beesley, pioneer musician, are good exemplars of the cultural climate of pioneer Utah and thus deserving of National Register recognition.

**9 MAJOR BIBLIOGRAPHICAL REFERENCES**

The Instructor, December 1949, Volume 84, p. 662.  
 Deseret News, March 21, 1906, p. 1; May 26, 1921, p. 1, Section 2.  
 Salt Lake Tribune, July 22, 1945.  
 LDS Biographical Encyclopedia, Volume I, P. 739.  
 Salt Lake County Plat Abstract Records 1870-1978.  
 Salt Lake City Directory 1885-1953.

**10 GEOGRAPHICAL DATA**

ACREAGE OF NOMINATED PROPERTY less than one acre.

QUADRANGLE NAME Salt Lake City North

QUADRANGLE SCALE \_\_\_\_\_

UTM REFERENCES

A	12	424650	4514100	B			
	ZONE	EASTING	NORTHING		ZONE	EASTING	NORTHING
C				D			
E				F			
G				H			

VERBAL BOUNDARY DESCRIPTION

Com. SW cor lot 3, E 5 1/2 rds, N 89 1/2 rds. S w 1/4 5.8 rds to Almond Street, S 77 1/2 ft to beg.

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

STATE	CODE	COUNTY	CODE
STATE	CODE	COUNTY	CODE

**11 FORM PREPARED BY**

NAME / TITLE

Lois Harris

ORGANIZATION

Utah State Historical Society

DATE

December 21, 1978

STREET & NUMBER

307 West 200 South, Suite 1000

TELEPHONE

(801) 533-6017

CITY OR TOWN

Salt Lake City

STATE

Utah

**12 STATE HISTORIC PRESERVATION OFFICER CERTIFICATION**

THE EVALUATED SIGNIFICANCE OF THIS PROPERTY WITHIN THE STATE IS:

NATIONAL \_\_\_\_\_

STATE \_\_\_\_\_

LOCAL X

*K. Powell*

As the designated State Historic Preservation Officer for the National Historic Preservation Act of 1966 [Public Law 89-665], I hereby nominate this property for inclusion in the National Register and certify that it has been evaluated according to the criteria and procedures set forth by the National Park Service.

STATE HISTORIC PRESERVATION OFFICER SIGNATURE

TITLE J. Philip Keene III, State Historic Preservation Officer

DATE May 11, 1979

FOR NPS USE ONLY

I HEREBY CERTIFY THAT THIS PROPERTY IS INCLUDED IN THE NATIONAL REGISTER

*Bob Labovich*  
 KEEPER OF THE NATIONAL REGISTER  
 ATTEST: W. Ray Luce  
 CHIEF OF REGISTRATION

DATE July 16, 1979

DATE July 6, 1979



## **ATTACHMENT F: CURRENT PHOTOGRAPHS**

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Image of the subject property looking North West



Image of the subject property looking North East



# ATTACHMENT G: APPLICANT INFORMATION



## Special Exception NOTICE OF APPLICATION

SALT LAKE CITY PLANNING

Planning Commission       Historic Landmark Commission

**OFFICE USE ONLY**

Project #: <i>PLNHLC2016-00284</i>	Received By: <i>[Signature]</i>	Date Received: <i>4/20/16</i>	Zoning: <i>SR-1A</i>
Project Name: <i>316 NORTH ALMOND ST.</i>			

**PLEASE PROVIDE THE FOLLOWING INFORMATION**

Type of Special Exception Requested: *Non Complying Lot Legalization*

Address of Subject Property: *316 NORTH ALMOND ST.*

Name of Applicant: *John Rhinehart*      Phone: *[Redacted]*

Address of Applicant: *524 NORTH MAIN ST. SLC UT 84103*

E-mail of Applicant: *[Redacted]*      Cell/Fa: *[Redacted]*

Applicant's Interest in Subject Property:  
 Owner     Contractor     Architect     Other: *Potential Buyer*

Name of Property Owner (if different from applicant):  
*UTE KNOWLTON*

E-mail of Property Owner: \_\_\_\_\_      Phone: \_\_\_\_\_

→ Please note that additional information may be required by the project planner to ensure adequate information is provided for staff analysis. All information required for staff analysis will be copied and made public, including professional architectural or engineering drawings, for the purposes of public review by any interested party.

**WHERE TO FILE THE COMPLETE APPLICATION**

Mailing Address: Planning Counter PO Box 145471 Salt Lake City, UT 84114	In Person: Planning Counter 451 South State Street, Room 215 Telephone: (801) 535-7700
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**REQUIRED FEE**

→ Filing fee of \$243, plus cost of postage for mailing notice to abutting property owners and tenants

**SIGNATURE**

→ If applicable, a notarized statement of consent authorizing applicant to act as an agent will be required.

Signature of Owner or Agent: *[Signature]*      Date: *4-20-16*

Updated 7/8/15

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**SUBMITTAL REQUIREMENTS**

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Staff Review

- 1. Project Description** (please attach additional sheet)  
Written description of your proposal
- 2. Minimum Plan Requirements**
  - One paper copy (24" x 36") of each plan and elevation drawing
  - A digital (PDF) copy of the each plan and elevation drawing
  - One 11 x 17 inch reduced copy of each plan and elevation drawing
- 3. Site Plan**  
Site plan (see *Site Plan Requirements* flyer for further details)
- 4. Elevation Drawing** (if applicable)
  - Detailed elevation, sections and profile drawings with dimensions drawn to scale
  - Type of construction and list the primary exterior construction materials
  - Number, size, and type of dwelling units in each building, and the overall dwelling unit density

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**AVAILABLE CONSULTATION**

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- ➔ Planners are available for consultation prior to submitting this application. Please call (801) 535-7700 if you have any questions regarding the requirements of this application.

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**INCOMPLETE APPLICATIONS WILL NOT BE ACCEPTED**

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\_\_\_\_\_ I acknowledge that Salt Lake City requires the items above to be submitted before my application can be processed. I understand that Planning will not accept my application unless all of the following items are included in the submittal package.

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Updated 7/8/15



# **ATTACHMENT H: ZONING ORDINANCE STANDARDS**

**Existing Conditions:**

The site is currently undeveloped and is surrounded in all four directions with other single-family and multi-family residences with the same zoning classification.

**SR-1A (Special Development Pattern Residential District)**

The purpose of the SR-1 Special Development Pattern Residential District is to maintain the unique character of older predominantly single-family and two-family dwelling neighborhoods that display a variety of yards, lot sizes and bulk characteristics. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.

**Zoning Ordinance Standards for SR-1A (21A.24.080)**

Zoning Standard	Finding	Rationale
Minimum Lot Area for single-family detached dwellings is 5,000 square feet	<b>Does not comply unless granted a Special Exception</b>	The subject parcel is approximately 3,397 square feet.
Minimum lot width is 50 feet	<b>Does not comply unless granted a special exception</b>	The subject parcel is approximately 45.5 feet wide on the west lot line and approximately 34.5 feet wide on the east lot line.
Minimum front yard requirement is the minimum depth of the front yard for all principal buildings, shall be equal to the average of the front yards of existing buildings within the block face. Where there are four (4) or more SR-1 principal buildings with front yards on a block face, the average shall be calculated excluding one property with the smallest front yard setback and excluding the one property with the largest front yard setback. Where there are no existing buildings within the block face, the minimum depth shall be twenty feet (20'). Where the minimum front yard depth is specified in the recorded subdivision plat, the requirement specified therein shall prevail. For buildings legally existing on April 12, 1995, the required front yard depth shall be no greater than the established setback line of the existing building.	Not Applicable	This standard does not relate to this proposal.
Minimum interior side yard requirement ten feet (10')	Not Applicable	This standard does not relate to this proposal.
Corner side yard requirement is ten feet (10'). For buildings legally existing on April 12, 1995, the required corner side yard shall be no greater than the established setback line of the existing building.	Not Applicable	This standard does not relate to this proposal.
Minimum rear yard requirement is twenty-five percent (25%) of the lot depth, but not less than fifteen feet (15') and need not exceed thirty feet (30').	Not Applicable	This standard does not relate to this proposal.
Maximum building height for pitched roofs is twenty-three feet (23') measured to the ridge of the roof, or the average height of other principal buildings on the block face. For flat roof the maximum height is sixteen feet (16').	Not Applicable	This standard does not relate to this proposal.
Maximum building coverage is forty percent (40%) of the lot area. For lots with buildings legally existing on April 12, 1995, the coverage of existing buildings shall be considered legal conforming.	Not Applicable	This standard does not relate to this proposal.

# **ATTACHMENT I: HISTORIC PRESERVATION STANDARDS**

## **H Historic Preservation Overlay District – Standards for Certificate of Appropriateness for Altering of a Landmark Site or Contributing Structure (21A.34.020.G)**

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.

<b>Standard</b>	<b>Finding</b>	<b>Rationale</b>
<b>Standard 1:</b> 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;	<b>Complies</b>	The parcel, if approved as a legal lot, will eventually be utilized for the new construction of a single family home. Historically, the lot contained two homes; the second was oriented towards the northern portion of the lot, now 316 N. Almond.
<b>Standard 2:</b> 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;	<b>Complies</b>	The parcel historically contained a dwelling. No removal of historic materials is proposed. Development on the lot would not negatively alter nor deter from the principal dwelling located on 80 W. 300 N.
<b>Standard 3:</b> All sites, structure 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.	<b>Complies</b>	The property, if approved as a legal lot, will not conflict with the surrounding properties and will be a product of its time.
<b>Standard 4:</b> Alterations or additions that have acquired historic significance in their own right shall be retained and preserved.	Not Applicable	The proposal does not include alterations or additions. This standard does not relate to this proposal.
<b>Standard 5:</b> Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.	Not Applicable	The proposal does not include any type of alterations to distinctive features. This standard does not relate to this proposal.
<b>Standard 6:</b> 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.	Not Applicable	The proposal does not include any repair or replacement of architectural features. This standard does not relate to this proposal.
<b>Standard 7:</b> 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.	Not Applicable	The proposal does not include any treatments of existing historic materials. This standard does not relate to this proposal.
<b>Standard 8:</b> Contemporary designs 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.	Not Applicable	The proposal does not include contemporary designs for alterations or additions. This standard does not relate to this proposal.

<p><b>Standard 9:</b> Additions or alterations to structures and objects shall be done in such a manner that if such additions or alteration were to be removed in the future, the essential form and integrity of the structure would be unimpaired. The new work shall be differentiate 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.</p>	<p>Not Applicable</p>	<p>The proposal does not include any additions or alterations. This standard does not relate to this proposal.</p>
<p><b>Standard 10:</b> Certain building materials are prohibited including the following: vinyl, asbestos, or aluminum cladding when applied directly to an original or historic material.</p>	<p>Not Applicable</p>	<p>The proposal does not include prohibited materials. This standard does not relate to this proposal.</p>
<p><b>Standard 11:</b> 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.</p>	<p>Not Applicable</p>	<p>The proposal does not include any signage. This standard does not relate to this proposal.</p>

# **ATTACHMENT J: HISTORIC PRESERVATION STANDARDS**

## **H Historic Preservation Overlay District – Standards for Certificate of Appropriateness Involving New Construction or Alteration of a Noncontributing Structure (21A.34.020.H)**

In considering an application for a certificate of appropriateness involving new construction, or alterations of noncontributing structures, the historic landmark commission, or planning director when the application involves the alteration of a noncontributing structure, shall determine whether the project substantially complies with all of the following standards that pertain to the application, is visually compatible with surrounding structures and streetscape and is in the best interest of the city:

<b>Standard</b>	<b>Finding</b>	<b>Rationale</b>
<p><b>Standard 1: Scale and Form:</b></p> <ul style="list-style-type: none"> <li>A) Height and Width: The proposed height and width shall be visually compatible with surrounding structures and streetscape;</li> <li>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;</li> <li>C) Roof shape: The roof shape of a structure shall be visually compatible with the surrounding structures and streetscape; and</li> <li>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.</li> </ul>	Not Applicable	The proposal does not include new construction at this time. This standard does not relate to this proposal.
<p><b>Standard 2: Composition of Principal Facades:</b></p> <ul style="list-style-type: none"> <li>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;</li> <li>B) Rhythm of solids to Voids in Facades: The relationship of solids to voids in the façade of the structure shall be visually compatible with surrounding structures and streetscape;</li> <li>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</li> <li>D) Relationship of Materials: The relationship of the color and texture of materials (other than paint color) of the façade shall be visually compatible with the predominant materials used in surrounding structures and streetscape.</li> </ul>	Not Applicable	The proposal does not include new construction at this time. This standard does not relate to this proposal.



<p><b>Standard 3: Relationship to Street:</b></p> <p>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;</p> <p>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;</p> <p>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</p> <p>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.</p>	<p>Not Applicable</p>	<p>The proposal does not include new construction at this time. This standard does not relate to this proposal.</p>
<p><b>Standard 4: Subdivision of Lots:</b> 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).</p>	<p><b>Complies with conditions</b></p>	<p>This standard is applicable. The subject parcel located at 316 N. Almond is compatible with the size and width of the surrounding lots. The subject parcel will be undersized for the base zone, SR-1A, but will be compatible with the block face. The lot sizes and widths, as evidence in Issue 1, vary greatly with little to no pattern. The subject property was utilized with a principal dwelling until sometime after 1950. Although the parcel was illegally subdivided in 1979 and did not meet the base zone or the subdivision standards, it does follow the historic lot sizes and widths found along Almond Street. The legalization of the parcel would be compatible with the historic character of the district and site.</p>

## **ATTACHMENT K: SPECIAL EXCEPTION STANDARDS**

**21a.52.060: General Standards and Considerations for Special Exceptions:** No application for a special exception shall be approved unless the planning commission or the planning director determines that the proposed special exception is appropriate in the location proposed based upon its consideration of the general standards set forth below and, where applicable, the specific conditions for certain special exceptions.

<b>Standard</b>	<b>Finding</b>	<b>Rationale</b>
<p><b>A. Compliance With Zoning Ordinance And District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.</b></p>	<p><b>Complies</b></p>	<p>The purpose statement of the SR-1A, states:                      “The purpose of the SR-1 special development pattern residential district is to maintain the unique character of older predominantly single-family and two-family dwelling neighborhoods that display a variety of yards, lot sizes and bulk characteristics. Uses are intended to be compatible with the existing scale and intensity of the neighborhood. The standards for the district are intended to provide for safe and comfortable places to live and play, promote sustainable and compatible development patterns and to preserve the existing character of the neighborhood.”</p> <p>A variety of lot sizes and lot widths can be found on both the east and west sides of Almond Street. Almond Street, due to the unusual sizes of lots, does not have an established development pattern for particular lot sizes and widths. The proposal is compatible with the district purposes, due to the parcel historically containing a principal dwelling and the compatibility of the lot size.</p>
<p><b>B. No Substantial Impairment Of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.</b></p>	<p><b>Complies with conditions</b></p>	<p>The proposal to modify the base zoning requirements will not have a substantial impairment on property value. Additionally, the development of the parcel will not adversely impair the value of the surrounding properties.</p>
<p><b>C. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.</b></p>	<p><b>Complies</b></p>	<p>The proposal to modify the lot size and width in order to legalize the parcel will not have a material adverse effect upon the character of the area. The parcel is compatible in lot size and width with the surrounding properties. The legalization will not adversely affect the public health, safety and general welfare of the neighborhood.</p>
<p><b>D. Compatible With Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.</b></p>	<p><b>Complies with conditions</b></p>	<p>The proposal will be compatible with the development of the surrounding area. Almond Street was not part of an original subdivision, but was rather recorded with metes and bounds on an 1880 plat. The parcels are unusually shaped and sized, with varying lot widths and square footage. The parcel originally had a principal structure located towards the north. The parcel size and width is not unusual for this area and the legalization of the subject parcel is compatible with the development of the neighborhood.</p>

<p><b>E. No Destruction Of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.</b></p>	<p><b>Complies</b></p>	<p>The current parcel has been utilized as a community garden and open space. There are some mature fruit trees located on the parcel. If the parcel is developed the fruit trees will most likely be lost. However, the parcel is privately owned, and this standard does not apply.</p>
<p><b>F. No Material Pollution Of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.</b></p>	<p><b>Complies</b></p>	<p>The proposal will not cause material pollution of the environment.</p>
<p><b>G. Compliance With Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.</b></p>	<p><b>Complies with conditions</b></p>	<p>The proposal complies with the standards found in ( 21A.34.020.G&amp;H). The subject parcel located at 316 N. Almond is compatible with the size and width of the surrounding lots. The subject parcel will be undersized for the base zone, SR-1A, but will be compatible with the block face. The lot sizes and widths, as evidenced in Issue 1, vary greatly with little to no pattern. The subject property was utilized with a principal dwelling until sometime after 1950. Although the parcel was illegally subdivided in 1979 and did not meet the base zone or the subdivision standards, it does follow the historic lot size and width along Almond Street. The legalization of the parcel, through the special exception process, would be compatible with the historic character of the district and site.</p>

# **ATTACHMENT L: APPLICABLE DESIGN GUIDELINES**

The following are applicable historic design guidelines related to this request. On the left are the applicable design guidelines and on the right, a list of the corresponding Zoning Ordinance standards for which the design guidelines are applicable. The following applicable design guidelines can be found in *A Preservation Handbook for Historic Residential Properties & Districts in Salt Lake City*.

Applicable Design Guidelines	Corresponding Standards for a Certificate of Appropriateness
<p><b>Design Objective 12.1 The plan of alleys and streets in a historic district is essential to its historic character and should be preserved.</b></p> <ul style="list-style-type: none"> <li>• Most historic parts of the city developed in traditional grid patterns, with the exception of Capitol Hill, which has more irregular street pattern.</li> <li>• In Capitol Hill, the street system initially followed the steep topography, and later a grid system was overlaid with limited regard for the topography.</li> <li>• The grid plan also takes different forms, with for example the much <b>tighter pattern of urban blocks</b> in the Avenues being one its distinctive characteristics and attractions.</li> <li>• Closing streets or alleys and aggregating lots into larger properties would adversely affect the integrity of the historic street pattern.</li> </ul>	<p><b>City Code 21A.34.020.H Standards for Certificate of Appropriateness Involving New Construction or Alteration of a Noncontributing Structure</b></p> <ul style="list-style-type: none"> <li>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 sites.</li> </ul>
<p><b>Design Objective 14.1 The traditional rectilinear grid pattern of streets found on the western edge of the district should be maintained.</b></p>	<p><b>City Code 21A.34.020.H Standards for Certificate of Appropriateness Involving New Construction or Alteration of a Noncontributing Structure</b></p> <ul style="list-style-type: none"> <li>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 sites.</li> </ul>
<p><b>Design Objection 14.2 The angular, irregular street pattern found in the Marmalade portion of the district should be maintained.</b></p> <ul style="list-style-type: none"> <li>• <b>Marmalade District</b> In this area of the district, the orientation of a building to the street varies, depending on the angle of the street itself. This irregular organization developed because many buildings were constructed to the points of the compass rather than at right angles to the street. <b>The result is a wider variety in setback and orientation of buildings to street. Because distinct differences in street pattern exist, the setback and orientation of the primary structure to the street should continue to be based on the established character of the subdistrict.</b></li> </ul>	<p><b>City Code 21A.34.020.H Standards for Certificate of Appropriateness Involving New Construction or Alteration of a Noncontributing Structure</b></p> <ul style="list-style-type: none"> <li>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 sites.</li> </ul>



## **ATTACHMENT M: PUBLIC PROCESS AND COMMENTS**

### **Public Notice, Meetings and Comments**

The following is a list of public meetings that have been held, and other public input opportunities, related to the proposed project.

#### **Notice of the Application for a Special Exception:**

- Notice mailed on April 22, 2016

#### **Notice of the public hearing for the proposal includes:**

- Notice mailed on May 19, 2016
- Agenda posted on the Planning Division and Utah Public Meeting Notice websites on May 19, 2016

Three telephone calls were received as a result of the notice for this application. The first caller called three times, in order to gain additional information and submit written comments, and a neighborhood petition.

The second caller provided comments for a negative recommendation, due to the narrowness of Almond Street, parking and density concerns.

The third called requested additional information on the standards and had concerns regarding parking, setbacks, and density.

The following attachments are emailed letters and comments concerning this petition.

Any other correspondence received after the publication of this staff report will be forwarded to the Historic Landmark Commission.



**NOTICE OF APPLICATION**  
**PLNPCM2016-00284**  
**April 22, 2016**

**APPLICATION:**

This is a request by John Rhinehart, the contracted buyer of 316 N. Almond, for a special exception to modify the minimum lot width and area requirement for the SR-1A Special Purpose Zoning District for a single family home. The request is to recognize the current configuration of 316 N. Almond, which is approximately 45 feet in width and .078 acres (3,397 square feet) in lot area. The SR-1A Zone requires 50 feet of lot width and 5,000 square feet of lot area for single family homes. The subject parcel was illegally subdivided in 1979 by the recording of a deed. The parcel did not meet the minimum lot standards or subdivision standards when it was created. The Salt Lake City Historic Landmark Commission has the authority to modify the base zoning requirements through the special exception process.



This application is being reviewed by the Planning Division. A decision concerning this project will be made on **May 5, 2016**.

**STANDARDS OF REVIEW (21A.34.020.H)** Standards for Certification of Appropriateness Involving New Construction or Alteration of a Noncontributing Structure: In considering an application for a certificate of appropriateness involving new construction, or alterations of noncontributing structures, the historic landmark commission, or planning director when the application involves the alteration of a noncontributing structure, shall determine whether the project substantially complies with all of the following standards that pertain to the application, is visually compatible with surrounding structures and streetscape and is in the best interest of the city:

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.
2. 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 façade 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 façade shall be visually compatible with the predominant materials used in surrounding structures and streetscape.
3. 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.
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).

**21A.52.060: GENERAL STANDARDS AND CONSIDERATIONS FOR SPECIAL EXCEPTIONS:**

- a. Compliance with Zoning Ordinance and District Purposes: The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.

- b. No Substantial Impairment of Property Value: The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.
- c. No Undue Adverse Impact: The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.
- d. Compatible with Surrounding Development: The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.
- e. No Destruction of Significant Features: The proposed use and development will not result in the destruction, loss or damage of natural , scenic or historic features of significant importance.
- f. No Material Pollution of Environment: The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.
- g. Compliance with Standards: The proposed use and development complies with all additional standards imposed on it pursuant to this chapter.

**ADDITIONAL INFORMATION AND CONTACT:**

The details of the application can be accessed at <https://aca.slcgov.com/citizen>, by selecting the planning tab, and enter petition number PLNPCM2016-00284. If you have any questions, comments or concerns please contact: Kelsey Lindquist at (801)535-7930 or via e-mail at [Kelsey.lindquist@slcgov.com](mailto:Kelsey.lindquist@slcgov.com).

**CONDITIONS:**

If the special exception is administratively approved it will be granted subject to the following conditions:

- Any aggrieved party may appeal an administrative decision within 10 days to the Historic Landmark Commission pursuant to Chapter 21A.34.020 of the Zoning Ordinance.
- Construction plans must conform to the requirements of the adopted Building Code.
- The special exception will expire if a permit has not been taken out or extensions granted within 12 months from the date of approval.

Salt Lake City Corporation complies with all ADA guidelines. People with disabilities may make requests for reasonable accommodation no later than 48 hours in advance in order to inspect aforementioned application. Accommodations may include: alternative formats, interpreters, and other auxiliary aids. This is an accessible facility. For questions, or additional information, please contact the Planning Office at 801-535-1157; TDD 535-6220.

**From:** [Polly Hart](#)  
**To:** [Lindquist, Kelsey](#)  
**Subject:** PLNPCM2016-00284  
**Date:** Thursday, April 28, 2016 10:55:34 PM

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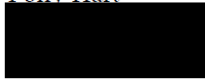
Hello Kelsey-

The staff report states that this case (316 N Almond St) is to be heard at the May 5th HLC meeting, though it is not on the agenda. I would like to give my public comment via email. I live two short blocks from the parcel.

I would like to recommend denial of the application. This lot was illegally subdivided in 1979, and now the current owner is trying to make it legal. I served on the Historic Landmarks Commission for six years, and one of the things Cheri Coffey often talked about was that it is easier to ask forgiveness than permission. She always impressed upon us that we shouldn't grant forgiveness for anything that we wouldn't have granted approval of in the first place. This is such a case. This lot is substandard, and it did not meet the City's legal standards when it was subdivided. The owner of the property failed on two accounts- He/she didn't meet the City's minimum lot size requirement, and he/she didn't file the subdivision with the City. Zoning laws had existed for a long time when this was done. Ignorance can not be claimed.

Given that the lot is not legal, I don't feel that it would be appropriate to consider it as a buildable lot. I could go into the whole saga of our neighborhood's endless struggle against development pressure, but I won't. Really, the issue at hand is that someone skirted the law in a way that had a negative impact on the neighborhood, and forgiveness should not be granted. It wouldn't be approved if the owner were asking permission.


Thank you,  
Polly Hart



"I don't make trouble. I'm just really good at finding it." Zephyr



## Feedback on 316 N Almond Street 84103

Emily Gassmann 

You replied on 5/2/2016 8:43 AM.

[Click here to download pictures.](#) To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Sent: Fri 4/29/2016 11:04 AM

To: Lindquist, Kelsey

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Hi Kelsey,

Thank you for the opportunity to share my feedback on the proposed build at 316 N Almond Street (Petition #PLNPCM2016-00284).

I have been a resident of this neighborhood for over 320 years, and previously owned the property adjacent to the lot in question. The lot has over 20 years of work by community members, and has three very healthy fruit trees which I planted that reflect the name and personality of the Marmalade District. An Italian plum, apricot, and cherry tree all stand on that lot and have been thriving for nearly two decades. They provide fruit for local residents and bring together an open space that helps

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### 316 N Almond Street Feedback

Emily Gassmann [REDACTED]

You replied on 5/3/2016 8:30 AM.

[Click here to download pictures.](#) To help protect your privacy, Outlook prevented automatic download of some pictures in this message.

Sent: Fri 4/29/2016 11:26 AM

To: Lindquist, Kelsey

Hi Kelsey,

Thank you for the opportunity to share my feedback on the proposed build at 316 N Almond Street (Petition #PLNPCM2016-00284).

I have been a resident of this neighborhood for 25 years, and previously owned the property adjacent to the lot in question. With the property owner's permission, I started gardening this lot 20 years ago. An apricot and cherry tree grew on the lot – and still thrive to this day. I planted an Italian plum tree which is also thriving. These trees are part of the charm of Almond street, and add to the meaning of this being Marmalade District.

I feel that building on this lot would constitute the destruction of significant features of this neighborhood (21A.562.060 e and c) and would take a valuable and rare open space away from the people who call this area home. With the rise in popularity of Marmalade District, I think the few open space areas we have should be diligently protected.

If you have any questions, please feel free to contact me anytime.

Regards,  
Emily Gassmann  
Chef/Owner Em's Restaurant in Marmalade District

### 316 N. Almond property rezoning

suzanne brack [REDACTED]

Sent: Sat 4/30/2016 7:31 PM

To: Lindquist, Kelsey

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Kelsey - I am responding to the letter I received last week regarding the rezoning of the property at 316 N. Almond so that a single family home can be built on this property. As a neighbor whose property this piece of land backs up to I wish to state that I strongly object to a home being built on this very small piece of property. This neighborhood is already very highly populated with very little if any open green area. I would like to see this piece of land kept open with the possibility of turning it into perhaps a community garden or open green area dedicated to the owner of said property. It would be nice to have this space be productive and aesthetically pleasing thus adding value to the surrounding properties. Building a new home in this historical area is not in keeping with this wonderful historic street - most all of these homes are over 100 years old.

Thank you - Suzanne Brack  
[REDACTED]

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**Petition #PLNPCM2016-00284**

Katie [REDACTED]

You replied on 5/4/2016 4:14 PM.

Sent: Wed 5/4/2016 1:56 PM

To: Lindquist, Kelsey

Cc: Katie McCormack

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Hi Kelsey,

As a resident and homeowner of 326 N. Almond St., I am writing to share my concerns with this petition to add a single family home on a piece of property that does not meet the size requirements. Including the multi-family dwellings, there are 30 families living on this one block between Apricot and 300 N. There is no street parking available on Almond and in my estimation, it must be the narrowest two-way street in the valley. We have a small parking lot (~10 cars) available to us by permit. Allowing this home to be built has a high potential of putting the current home owners directly to the North out of their off street parking (currently 3 vehicles). The parking lot is already maxed out each evening forcing homeowners to find parking on other streets.

While I am fortunate to have room for three vehicles in my driveway, I still pay for a permit every year to allow for visitor parking in the lot. The potential that this would no longer be an option for me and my visitors due to capacity issues is very concerning. I love my street and my neighbors, but we are maxed out.

I appreciate your review and consideration of my concerns.

Respectfully,  
Kathryn McCormack  
[REDACTED]

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**Public Comment**

Chet Cannon [REDACTED]

You replied on 5/4/2016 4:12 PM.

Sent: Wed 5/4/2016 4:03 PM

To: Lindquist, Kelsey

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Dear Kelsey,

Thank you for taking the time to meet with me briefly this morning, and for accepting the petition from our neighbors.

As an adjacent home owner of 316 N Almond, I wish to offer public comment regarding the requested exception to change the minimum lot size and area requirement to allow construction of a single family home.

This parcel was subdivided illegally and should not be granted an exception. The property is minuscule. Developing it will have numerous negative impacts for the adjoining properties and the neighborhood.

I look forward to offering additional comments at the public hearing next month.

Sincerely,

Chet Cannon  
[REDACTED]



Mark P. Arrington

4 May 2016

Kelsey Lindquist, Associate Planner  
451 S. State St. Room 406  
Salt Lake City, UT

Dear Ms. Lindquist,

I write to comment on the request by John Rhinehart, the contracted buyer of 316 N. Almond, for a special exception to modify the minimum lot width and area requirement for the SR-1A Special Purpose Zoning District for a single family home, application # PLNPCM2016-00284. My fiancé and I reside close to the subject property and are strongly opposed to the City granting a special exception in this case.

There are multiple potential issues with a new build in the neighborhood. Indeed, Almond Street is perhaps the narrowest and most densely packed of the Capitol Hill/Marmalade historic district. Issues such as impact on the character of the neighborhood, parking difficulties, disruption during building, intent of the developer, size and aspect of the proposed home, loss of green space, etc. would certainly be discussed at length if a project were allowed to progress to that stage. And the discussion might well be different if there were an existing structure for which a variance were sought. That is not the case here.

By far the most important issue is simply that the parcel in question is not a legal, buildable lot. The subject parcel is *tiny*. It is barely 3400sf. Not only is it 5ft too narrow, but it is >30% smaller in area than zoning requires for building. Further, as you are aware, the parcel was illegal *when created*. The owner of the parcel knew, or should have known of its status for 35 years, and had options to cure the deficiencies up until the sale of the adjoining property earlier this year. It is entirely inappropriate that the property owner benefit from an illegal property division simply by waiting a period of time and then asking permission of the City. To do so would set a dangerous precedent at odds with the purposes of zoning and more particularly with the purposes of historic district planning. All to the detriment of the neighbors.

Thank you for your thoughtful attention to this matter, and please feel free to contact me if you wish further discussion.

Best Regards,

Mark P. Arrington, Ph.D., JD

May 4, 2016

Ms. Kelsey Lindquist, Associate Planner

451 S. State St. Room 406

Salt Lake City, Utah 84103

Dear Ms. Lindquist,

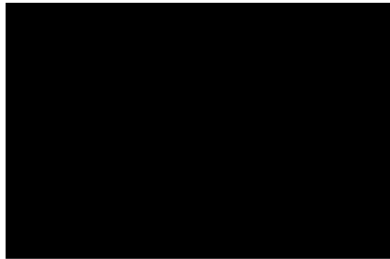
I am writing you with concern over the proposed development of a land parcel located at 316 N. Almond Street. I understand that there is an exception being requested for SR-1A Special Purpose Zoning District for a single family home, application #PLNPCM2016-00284.

I live very close to this parcel and construction, let alone another building would impact our neighborhood in many ways. My fiancé, Mark Arrington stated those reasons in his letter to you. I find it disheartening that someone wants to cram another small home in this neighborhood, on a lot that doesn't meet requirements in the first place. Historically, homes in Marmalade were built very close to each other, which is part of the charm for current and past residents. I know my neighbors and I share the same concerns and agree this request by Mr. John Rhinehart should not be granted.

It is the history that we enjoy, let's leave it as it is.

Best,




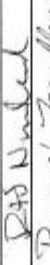
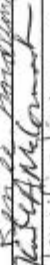

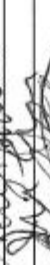



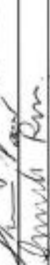









Rebecca M. Bourne RN



## Petition to Salt Lake City Planning Division, Historic Landmark Commission

**Petition summary and background**  
 John Rhinehart, contracted buyer of 316 N. Almond Street is requesting a special exception to modify the minimum lot width and area requirement for SR-1A Special Purpose Zoning District for a single family home. PLNPCM2016-00284

**Action petitioned for**  
 We, the undersigned, are concerned citizens who urge the Planning Division and Historic Landmark Commission to deny the request for special exception to modify the minimum lot width and area requirement. The illegal action of subdividing this lot in 1979 should not be validated by granting a special exception. Adding a single family home on this lot will negatively impact immediate neighbors and those along Almond Street and 300 North. Further, we encourage the Planning Division and HLC to reflect on the current Capitol Hill Master Plan goals when deciding this matter; particularly in regards to sanctioning compatible infill and the impact such development has on the historic nature of the neighborhood, along with general welfare of current residents.

Printed Name	Signature	Address	Phone	Date
Jeffrey Bernhard		318 Almond St. SL, UT 8408		5/3/2016
Spencer Elliott		322 N. Almond St. SL, UT 8408		5-3-2016
Broccia Bourne		319 1/2 N. Almond St. 84083		5-3-2016
Brandon Collier		321 N. Almond Street 84083		5-3-2016
Bithorn Nordwald		328 N. Almond Street 84083		5-3-2016
Kerice Nordwald		328 N. Almond Street 84083		5-3-2016
Kathryn McCormick		326 N. Almond St. SL, UT 84083		5/3/16
Janet Hulse		320 N. Almond St. SL, UT 84083		5/3/16
Kelly Fowler		321 N. Almond St. SL, UT 84083		5/3/16
James Fowler		321 N. Almond St. SL, UT 84083		5/3/16
Andrew Fowler		321 N. Almond St. SL, UT 84083		5/3/16
Mark Arrington		319 1/2 N. Almond St		5/3/16
1918 Gibbons		323 N. Almond St		5/3/16
Mike McCormick		326 N. Almond St		5/3/16
Megan Pook		300 W. 300 N		5/3/16
Sharon Pook		300 W. 300 N		5/3/16
Amanda Roman		323 N. Almond St.		5/3/16
Chet Cannon		318 W. Almond St.		5/3/16
Elizabeth Hanna		309 N. Almond St.		5/3/16
Drew Carlson		309 N. Almond St.		5/3/16

Printed Name	Signature	Address	Phone	Date
QUEBEC TRAVEL	Andrew J. Turner	523 1/2 N Almond St	[REDACTED]	MAY 3, 2016
Walter Noyes	[REDACTED]	319 N. Almond St	[REDACTED]	MAY 3, 2016
Amy Noyes	[REDACTED]	319 N. Almond St	[REDACTED]	MAY 3, 2016
Joel Gibbs	[REDACTED]	327 N Almond St	[REDACTED]	MAY 3, 2016
Patricia C Hart	Ramona C. Hart	350 N Almond St	[REDACTED]	MAY 4, 2016
George Smith	George Smith	120 W Apple St	[REDACTED]	MAY 4, 2016
Dee Beach	Dee Beach		[REDACTED]	MAY 4, 2016

## **ATTACHMENT N: MOTIONS**

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### **MOTION (Staff Recommendation):**

Based on the analysis and findings listed in this staff report, testimony and the proposal presented, I move that the Commission **approve** the request for certificate of appropriateness and special exception for the modification of the lot size and lot width at 316 N. Almond as presented.

Specifically, the Commission finds that the proposed project complies with the review standards and subject to the following conditions:

1. A Minor Subdivision Application is submitted and recorded.

### **Not Consistent with Staff Recommendation:**

Based on the analysis and findings listed in this staff report, testimony and the proposal presented, I move that the Commission deny the request for a special exception for the modification of the minimum lot size and lot width at 316 N. Almond. Specifically, the Commission finds that the proposed project complies with the review standards based on the following findings (Commissioner then states findings based on the Standards to support the motion):

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;**
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;**
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;**
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;
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;
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;
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;
10. Certain building materials are prohibited including the following:
  - a. Aluminum, asbestos, or vinyl cladding when applied directly to an original or historic material.
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 chapter 21A.46 of this title.



**General Standards and Considerations for Special Exceptions (21A.52.060):**

- A. Compliance with Zoning Ordinance and District Purposes:** The proposed use and development will be in harmony with the general and specific purposes for which this title was enacted and for which the regulations of the district were established.
- B. No Substantial Impairment of Property Value:** The proposed use and development will not substantially diminish or impair the value of the property within the neighborhood in which it is located.
- C. No Undue Adverse Impact:** The proposed use and development will not have a material adverse effect upon the character of the area or the public health, safety and general welfare.
- D. Compatible With Surrounding Development:** The proposed special exception will be constructed, arranged and operated so as to be compatible with the use and development of neighboring property in accordance with the applicable district regulations.
- E. No Destruction Of Significant Features:** The proposed use and development will not result in the destruction, loss or damage of natural, scenic or historic features of significant importance.
- F. No Material Pollution Of Environment:** The proposed use and development will not cause material air, water, soil or noise pollution or other types of pollution.
- G. Compliance With Standards:** The proposed use and development complies with all additional standards imposed on it pursuant to this chapter. (Ord. 73-11, 2011).

The Historic Landmark Commission shall make findings on the H Historic Preservation Overlay zone standards and specifically state which standard or standards are not being complied with.