

SALT LAKE CITY HISTORIC LANDMARK COMMISSION
Meeting Minutes
451 South State Street, Room 326
May 4, 2017

A roll is kept of all who attended the Historic Landmark Commission Meeting. The meeting was called to order at [5:45:27 PM](#). Audio recordings of the Historic Landmark Commission meetings are retained in the Planning Office for an indefinite period of time.

Present for the Historic Landmark Commission meeting were: Chairperson Charles Shepherd, Vice Chairperson Kenton Peters; Commissioners Stanley Adams, Thomas Brennan, Sheleigh Harding, Robert Hyde, David Richardson, Paul Svendsen and Rachel Quist.

Planning Staff members present at the meeting were: Cheri Coffey, Assistant Planning Director; Michaela Oktay, Planning Manager; Carl Leith, Senior Planner; Lauren Parisi, Associate Planner; Michelle Poland, Administrative Secretary and Paul Nielson, Senior City Attorney.

FIELD TRIP NOTES:

A field trip was held prior to the meeting. Historic Landmark Commissioners present were Rachel Quist, Paul Svendsen and Charles Shepherd. Staff members in attendance were Michaela Oktay, Carl Leith, and Lauren Parisi.

The following sites were visited:

- **378 Quince Street** - Staff gave an overview of the proposals.
- **524 Arctic Court** - Staff gave an overview of the proposals.

APPROVAL OF THE APRIL 20, 2017 MINUTES. [5:47:15 PM](#)

MOTION [5:47:16 PM](#)

Commissioner Brennan moved to approve the minutes from the April 20, 2017, meeting. Commissioner Svendsen seconded the motion. Commissioners Peters, Adams, Brennan, Harding, Hyde, Svendsen and Quist voted “aye”. Commissioner Richardson abstained from voting as he was not present at the subject meeting. The motion passed unanimously.

REPORT OF THE CHAIR OR VICE CHAIR [5:48:14 PM](#)

Chairperson Shepherd stated he had nothing to report.

Vice Chairperson Peters stated he had nothing to report.

DIRECTOR’S REPORT [5:48:23 PM](#)

Ms. Cheri Coffey, Assistant Planning Director, stated she had nothing to report.

Ms. Michaela Oktay, Planning Manager, stated she had nothing to report.

PUBLIC COMMENT PERIOD [5:49:30 PM](#)

Chairperson Shepherd opened the Public Comment Period.

Mr. Elliot Mott expressed his concern over the possible removal of the Jordan River trestle at 900 South. He asked the Commission to help preserve the trestle as it was historic and beautiful.

The Commission, Staff and Mr. Mott discussed the following.

- The City departments had been contacted about the issue to help address the concern.
- The comments Staff forwarded to other City Divisions in favor of preserving the bridge.

Chairperson Shepherd closed the Public Comment Period.

[5:52:52 PM](#)

Solar Panel Installation at approximately 1351 E. Normandie Circle - Mike Basquez of Auric Solar, representing the property owner Kathy Biele, is requesting approval from the City to install solar panels on the front roof plane of a single-family residence located in the Yalecrest – Normandie Circle Local Historic District. Because 2 of the 14 solar panels are located on the front facade of the home, this project must be reviewed as Minor Alteration by the Historic Landmark Commission. This property is zoned R-1-7,000 single-family residential. It is located within Council District 6, represented by Charlie Luke. (Staff contact: Lauren Parisi at lauren.parisi@slcgov.com or (801)535-7932.) Case number **PLNHLC2017-00202**

Ms. Lauren Parisi, Associate Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending that the Historic Landmark Commission approve the petition as presented.

PUBLIC HEARING [5:57:15 PM](#)

Chairperson Shepherd opened the Public Hearing, seeing no one wished to speak; Chairperson Shepherd closed the Public Hearing.

The Commission discussed and stated the following:

- This was a little neighborhood if the public had an issue they would have stepped forward.
- If roof color was darker the panels would blend in better.

MOTION [5:58:34 PM](#)

Commissioner Harding stated regarding PLNHLC2017-00202 - Solar Panel Installation at 1351 East Normandie Circle - based on the analysis and findings listed in the Staff Report, testimony and the proposal presented, she moved that the Historic Landmark Commission approve the petition for a minor alteration for

the installation of a small solar energy collection system as proposed on the front-facing roof plane, visible from the public right-of-way for the residence at 1351 East Normandie Circle. She specifically moved the Commission find that the proposed project complies with the standards of review. Commissioner Hyde seconded the motion. Commissioners Peters, Adams, Brennan, Harding, Hyde, Richardson, Svendsen and Quist voted "aye". The motion passed unanimously.

[6:00:47 PM](#)

Special Exception and Minor Alteration for Over Height Fence at approximately 378 Quince Street - Jyllanna Sweet is requesting approval for an over height fence at the above listed address. Currently the land is used for a single-family dwelling and is zoned SR-1A (Special Development Pattern Residential) and lies within the Capitol Hill Historic District and the H Historic Preservation Overlay. This type of project requires minor alteration and special exception review. The subject property is within Council District 3, represented by Stan Penfold. (Staff contact: Michael Maloy at (801) 535-7118 or michael.maloy@slcgov.com.

- a. **Minor Alteration for Over Height Fence** - The applicant constructed an over height fence without a permit within the rear yard to improve privacy and security. Fence height varies from approximately 6'-4" to 11'-0". Case number PLNHLC2016-00716
- b. **Special Exception for Over Height Fence** – A special exception is required for a rear yard fence taller than 6'-0". If approved, portions of the fence would exceed the maximum height by approximately 5'-0". Case number PLNPCM2016-00717

Ms. Lauren Parisi, Associate Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). She stated Staff was recommending that the Historic Landmark Commission approve the petition as presented.

The Commission and Staff discussed the following:

- The height of the tallest section of the fence.
- How the height of the fence was measured.
- The height of the fence from the paving to the top of the fence.
- The property line in relation to the fence.

Ms. Jyllanna Sweet, gave the history of the fence and the reasoning for the height. She stated the fence was for safety and security of her property and her family. Ms. Sweet reviewed the neighboring properties and that shade was not an issue as there were large trees located on the property. She asked the Commission to approve the fence.

The Commission, Staff and Applicant discussed the following:

- If the Applicant was willing to comply with Staff's recommendation.
 - Yes, except on the south side of the property.

- Why a permit was not obtained for the fence prior to construction.
- If a final inspection was done on the fence.
- The process the proposal had gone through and the misunderstanding with the fence permit.

PUBLIC HEARING [6:22:32 PM](#)

Chairperson Shepherd opened the Public Comment Period.

The following individuals spoke: Ms. Marie Daigleish, Mr. Gordon Crofts, Mr. Bob White. Ms. Cindy Cromer and Ms. Polly Hart.

The following comments were made:

- The apartments neighboring the subject property house unsavory people.
- The fence helped to keep the criminals out of Ms. Sweet's property.
- Opposed to the height of the subject fence as it was too tall for the area.
- Staff's recommendation for adding lattice to the top of the fence was reasonable.
- There may be crime in the area but the fence height was not the solution.
- The safety issues would be addressed by Staff's recommendation.
- The height was actually taller than stated.
- The neighbors view and light were blocked by the fence.
- The materials, maintenance, and look of the fence were a concern.
- In favor of a fence but not the proposed height.
- The fence was appropriate for community oriented policing and the good landlord program terms of enforcement.
- The fence was not cheap and modifications would be pricy.
- It was a shame that any amount of money had gone into the fence and not the house itself.
- The maxim height of fences in the city was six feet and the ordinance should be followed.
- The issue was the fence not the historic nature of the area.
- The lattice panels would also block light and be a loss to the neighbors on the east.
- The gate and section facing 400 North needed to be addressed immediately.
- The interior fence was not the issue and the lattice would not improve it.

Chairperson Shepherd closed the Public Comment Period.

Ms. Sweet stated the fence was beautiful and there were other obstructions to the view not just the height of the fence. She stated she was willing to comply with Staff's recommendation as discussed, neighboring apartment residents were a concern and she did not want the criminals in her yard.

The Commission discussed and stated the following:

- Staff's recommendation of a six foot fence with two additional feet of lattice was appropriate and reasonable based on the historic stone wall in the neighborhood.
- The neighbors had a right to enjoy their property and a six foot solid fence impacted the enjoyment of their yards.
- The appropriate height for the fence.
- The allowable fence height, per the ordinance, and how it was measured.
- The view from the neighbor's rear yard was impeded by the fence.
- Staff's recommendation and how it applied to the property.
- The motion for the proposal.

MOTION [6:48:15 PM](#)

Commissioner Richardson stated regarding PLNHLC2016-00716 Minor Alteration for Over Height Fence at 378 North Quince Street and PLNPCM2016-00717 Special Exception for Over Height Fence at 378 N Quince Street - based on the information in the Staff Report, the information presented, and the input received during the public hearing, he moved that the Historic Landmark Commission deny PLNHLC2016-00716 and PLNPCM2016-00717 for an over height fence located primarily with the rear yard of 378 North Quince Street, because evidence had not been presented that demonstrated that the proposal complied with the underlying city zoning with the exception of the south east corner of the property moving twelve feet westerly, in the case of this section be allowed to be engineered to a height of up to nine feet. Commissioner Quist seconded the motion.

The Commission discussed and stated the following:

- If they would consider leaving the fence as is to spare the applicant the cost of changing the fence.
 - Yes if it were engineered.
- If the motion was for height or length.
- The height of the existing fence and the language in the motion.
- Preferred the fence remain the same.
- It was astonishing that the Commission was looking at approving a fence twice as high as was allowed.
- Preferred the solution to plant trees and a long term solution.
- Needed to stay with the fence regulations as per the ordinance.
- Neighborhoods have issues and can be dealt with in other ways not with the fence.
- The fence would be permanent but the residents would not be.

Commissioners Adams and Richardson voted "aye". Commissioner Svendsen, Peters, Brennan, Harding, Hyde and Quist voted "nay". The motion failed 2-6.

MOTION [6:55:39 PM](#)

Commissioner Harding stated regarding PLNHLC2016-00716 Minor Alteration for Over Height Fence at 378 North Quince Street and PLNPCM2016-00717 Special

Exception for Over Height Fence at 378 N Quince Street - based on the information in the Staff Report, the information presented, and the input received during the public hearing, she moved that the Historic Landmark Commission deny PLNHLC2016-00716 and PLNPCM2016-00717 for an over height fence located primarily with the rear yard of 378 N Quince Street, because evidence had not been presented that persuades the Commission that there is a reason to depart from the standard limits on fence heights. Commissioner Richardson seconded the motion. Commissioners Richardson, Peters, Brennan, Harding, Hyde and Quist voted “aye”. Commissioner Adams and Svendsen voted “nay”. The motion passed 6-2.

The Commission took a short break. [6:57:56 PM](#)

The Commission reconvened. [7:02:30 PM](#)

[7:02:36 PM](#)

Commissioner Richardson stated he had done a significant amount of work on the neighboring property of the next petition. He stated he would like to be part of the discussion but abstain from voting on the proposal.

The Commission stated it was not an issue with them but they wanted to know if it was allowed.

Mr. Neilson reviewed the policies and procedure for recusal.

Commissioner Richardson stated he would participate in the discussion.

New Single Family Dwelling at approximately 524 Arctic Court – Seth Striefel, Sparano + Mooney Architecture, representing owner Salt Lake City Redevelopment Agency, is requesting approval from the City to construct a single family residence at the above address. The lot is currently zoned SR-1A (Special Development Pattern Residential) and lies within the Capitol Hill Historic District and the H Historic Preservation Overlay. The proposed development requires approval from the Historic Landmark Commission for new construction in an historic district. It also requires Special Exception approval of proposed front setback and for an extended window well. The subject property is within Council District 3 represented by Stan Penfold. (Staff contact: Carl Leith at (801) 535 7758 or carl.leith@slcgov.com)

- a. **New Construction – Single Family Residence.** In order to construct the proposed residential building a Certificate of Appropriateness for new construction must be approved by the Historic Landmark Commission. Case number PLNHLC2017-00200
- b. **Special Exception Approval -** In order to construct the new single family residence as proposed special exception approval is sought for

**the following departures from the base zoning dimensional standards.
Case number PLNHLC2017-00201**

- i. Construction of the building to a reduced front setback to match the adjacent historic building.**
- ii. Construction of the building with an extended window well within the side yard setback area.**
- iii. Construction of an accessory building in the back yard in excess of the maximum 480 SF.**

Mr. Carl Leith, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission approve the petition as presented.

The Commission and Staff discussed the following:

- The front porch design.
- If there was a railing on the front porch.
- The required Special Exceptions.
- The proposed setbacks for the proposal.

Mr. Seth Striefel, Sparano + Mooney Architecture, reviewed the design of the proposal and how it fit with the neighborhood.

The Commission, Staff and Applicant discussed the following:

- The design of the front porch.
- The railing for the porch.
- The setbacks for the proposal
- How the garage would be addressed in the future.
- The square footage of the lot.

PUBLIC HEARING [7:17:42 PM](#)

Chairperson Shepherd opened the Public Comment Period.

The following individuals spoke: Mr. Lynn Bybe.

The following comments were made:

- If the garage was under consideration for this proposal.
- Why the proposal was for a flat roof as it did not match the neighborhood.

Chairperson Shepherd closed the Public Comment Period.

Mr. Striefel reviewed the reasoning for the flat roof design.

The Commission and Applicant discussed the following

- If mechanical equipment would be on the roof.
 - Mechanical equipment would not be located on the roof.

The Commission discussed and stated the following:

- The design had progressed skillfully and would fit wonderfully with the urban fabric of the neighborhood.
- The front yard Special Exception was appropriate as it matched the neighborhood and the previous home.
- How the design fit the neighborhood and the lot.
- The porch, windows and minimizing the height was a great asset to the neighborhood.
- This was a home that respected the scale of the neighborhood and the nature of the area.

MOTION [7:27:39 PM](#)

Commissioner Brennan stated regarding PLNHLC2017-00200 and PLNHLC2007-00201 - based on the information in the Staff Report, the information presented, and the input received during the public hearing, he moved that the Historic Landmark Commission approve PLNHLC2017-00200 Single Family Residence at approximately 524 North Arctic Court and approve PLNHLC2007-00201 Special Exception Approval, with the condition that the detail design be delegated to Staff for final approval. Commissioner Peters seconded the motion. Commissioners Peters, Adams, Brennan, Harding, Hyde, Svendsen and Quist voted “aye”. Commissioner Richardson abstained from voting. The motion passed unanimously.

[7:28:44 PM](#)

New Single Family Dwelling at approximately 165 West 600 North - Angela Dean, AMD Architecture, representing owner Jack Rhinehart, is requesting approval from the City to construct a single family residence at the above address. The project was previously reviewed by the Historic Landmark Commission on March 16, 2017 and tabled by the Commission. The lot is currently zoned SR-1A (Special Development Pattern Residential) and lies within the Capitol Hill Historic District and the H Historic Preservation Overlay. The proposed development requires Certificate of Appropriateness approval from the Historic Landmark Commission for new construction in an historic district. It also requires Special Exception approval for height in excess of the SR-1A maximum, projection of the upper floor and window well dimension within the rear and corner side yard setbacks, and projection of the front canopy into the front yard setback area. The subject property is within Council District 3 represented by Stan Penfold. (Staff contact: Carl Leith at (801) 535 7758 or carl.leith@slcgov.com)

- c. **New Construction – Single Family Residence. In order to construct the proposed residential building a Certificate of Appropriateness for new construction must be approved by the Historic Landmark Commission. Case number PLNHLC2017-00033**
- d. **Special Exception Approval - In order to construct the new single family residence as proposed within the area and configuration of this lot special exception approval is sought for the following departures from the base zoning dimensional standards. Case number PLNHLC2017-00111**
 - i. **Construction of the building to a maximum height of 20 feet which is 4 feet in excess of the SR-1A requirement for a flat roof building.**
 - ii. **Construction of the building with a projection of up to 2 feet at the south west corner into the rear and corner side yard setback area.**
 - iii. **Construction of the building to include window wells in side yard setback areas in excess of maximum dimensions.**
 - iv. **Construction of the building to include a projection of the front canopy into the front yard setback area.**

Mr. Carl Leith, Senior Planner, gave an overview of the proposal as outlined in the Staff Report (located in the case file). He stated Staff was recommending that the Historic Landmark Commission approve the petition as presented.

Ms. Angela Dean, AMD Architecture, reviewed the proposal and the changes made.

The Commission, Staff and Applicant discussed the following:

- The roof overhang on the front facade.
- The location of the trees.

PUBLIC HEARING [7:47:59 PM](#)

Chairperson Shepherd opened the Public Comment Period.

The following individuals spoke: Mr. Brian Hutchinson and Ms. Polly Hart

The following comments were made:

- The houses in the proposal were not in the immediate neighborhood.
- The house would be great but in the context of the neighborhood it needed more review.
- The fenestration still had a huge blank wall and should be changed.
- This was a standout property and raw wood materials did not fit with the area.

- It did not relate to the neighborhood due to the scale, materials, massing and dark windows.
- There were modern style homes in the neighborhood and this design fit with the area.

Chairperson Shepherd closed the Public Comment Period.

Ms. Dean stated this was the home the owner wanted to build and had a right to not replicate the historic nature of the neighborhood.

The Commission and Applicant discussed the following

- The flat roof design.
- The reason for the flat roof.
- The building materials.
 - The architect confirmed treatment of the wood siding was still to be determined but did not need to be as variegated as presented in the rendering.

The Commission and Staff discussed the following:

- The original hearing for the petition.
- The requested Special Exceptions.
- The window wells and why a Special Exception was needed.
- If mechanical equipment was planned for the roof.

The Commission discussed and stated the following:

- The requested Special Exceptions and design were appropriate.

MOTION [8:02:30 PM](#)

Commissioner Peters stated regarding PLNHLC2007-00111 and PLNHLC2017-00033 Single Family Residence at approximately 165 West 600 North - based on the information in the Staff Report, the information presented, and the input received during the public hearing, he moved that the Historic Landmark Commission approve PLNHLC2017-00033 Single Family Residence at approximately 165 West 600 North and approve PLNHLC2007-00111 Special Exception Approval, with the condition listed in the Staff Report. Commissioner Richardson seconded the motion. Commissioners Peters, Adams, Brennan, Harding, Hyde, Richardson, Svendsen and Quist voted “aye”. The motion passed unanimously.

[8:03:41 PM](#)

The Commission discussed the following:

- The agenda for the May 18, meeting and the Commissioners that would be present at the meeting.
- The demolition ordinance and the possibility of an appeal of the Administrative Interpretation.
- When the Bishop Place petition should return to the Commission.

The meeting adjourned at [8:23:19 PM](#)