



Staff Report

PLANNING DIVISION

DEPARTMENT of COMMUNITY and NEIGHBORHOODS

To: Salt Lake City Historic Landmark Commission
From: Grant Amann, Principal Planner, grant.amann@slcgov.com, 801-535-6171
Date: February 1, 2024
Re: PLNHLC2022-01202 – Window Replacement Minor Alteration

Minor Alteration - Enforcement

PROPERTY ADDRESS: 182 North N St
PARCEL ID: 09-32-335-002-0000
HISTORIC DISTRICT: Avenues Local Historic District
MASTER PLAN: Avenues Master Plan
ZONING DISTRICT: SR-1A

REQUEST:

Rodrigo Schmeil and Jason Bresley, property owners, are requesting a Certificate of Appropriateness for the replacement of 18 windows. This alteration to the exterior of the home requires approval by the Historic Landmark Commission. The proposed windows, which replaced historic windows located on the North, East, and South façades of the house, would be approved retroactively as the windows have already been installed. The subject property is located at 182 North N Street and is a contributing structure within the Avenues Local Historic District. The subject property is located in the SR-1A (Special Development Pattern Residential) zoning district.

RECOMMENDATION:

As outlined in the analysis and findings in this staff report, it is Planning Staff's opinion that the requested replacement of all 18 windows generally meets the applicable standards of approval and staff recommends the Historic Landmark Commission approve the request.

ATTACHMENTS:

- A. [ATTACHMENT A: Vicinity Map](#)
- B. [ATTACHMENT B: Applicant Materials](#)
- C. [ATTACHMENT C: Property and Vicinity Photos](#)
- D. [ATTACHMENT D: Historic Survey Information](#)
- E. [ATTACHMENT E: Analysis of Standards for Minor Alterations in a Historic District](#)
- F. [ATTACHMENT F: Applicable Design Guidelines](#)

G. [ATTACHMENT G: Public Process & Comments](#)

BACKGROUND

The property located at 182 N Street is a triplex located in the Avenues. The home was built in 1898 and is considered a contributing structure in the Avenues Local Historic District. The applicants and owners, Rodrigo Schmeil and Jason Bresley, purchased the structure in April of 2019. After purchasing, the owners performed several alterations to the building in 2020, including replacement of the windows on the north, south and east elevations and painting of the exterior without a Certificate of Appropriateness and building permit. The building was placed under civil enforcement in 2022, when it came to light that the alterations had not received a Certificate of Appropriateness authorizing the work. This application is necessary to rectify the enforcement case.

PROPERTY DESCRIPTION AND CONTEXT

History of the Property

182 N N St. was built ca. 1898 and is considered Victorian eclectic. The Structure/Site Information Form was written in 1979 and it documents the following about the house:

This two-story Victorian home is composed of a main hip roofed block and a projecting gabled front bay. The gable has clapboard siding and returns, and a simple wooden cornice runs under the eaves around the house. The bay is rectangular on the second story, and segmental on the first. Walls of the house are finished in tongue-and-groove "novelty" siding. A window above the front door has been boarded up, and the original front porch has been replaced with a small canopy.



Subject Property in May of 1977

The Victorian Style, materials and massing of this home contribute to the architectural character of the Avenues. The house was built ca. 1898 as an investment property for Carl O. Johnson. He owned the Salt Lake Monument Company, which still serves as a gravestone maker for the cemetery, next door at 186 N Street. Johnson lived at and operated his business at 186 N street, until about 1915 when he moved his residence from it to this house at 182 N St. He lived in the house until his death in 1940, when ownership passed to his son, Gus H. Johnson. Gus lived in the house until 1945, then sold it to Leslie Simmonds. A year later,

Simmonds sold it to Robert J. Lien. According to Salt Lake City Directories, he was a superintendent at Cudahay Packing Company. In 1949, Lien sold it to W. G. Howell.

In the years since 1949, the structure has had a few minor alterations. The largest alteration was a conversion from a single-family unit to a 3-unit multi-family structure. According to a 2003 report, the triplex conversion possibly occurred in 1953, with the addition of the “sleeping room + two bathrooms.” This 2003 document also confirms the existence of 3 approved hard surface parking stalls.

The County Assessor’s file indicates that previous screened porches were changed to "household area" in 1953. It is believed that this is when the conversion to a triplex took place.

Location in Context

The subject property is located near the corner of N St. and 4th Ave, which is the pedestrian entrance to the Salt Lake City Cemetery. Directly North, neighboring the property and in between the property and the cemetery is Salt Lake Monument, a headstone crafter for the cemetery. Due to the small scale of the Salt Lake Monument building and the inclined grade, the secondary elevations (north and south) are both readily visible from the public way.

DESCRIPTION OF ALTERATION

The property owners replaced all windows on the north, east, and south elevations of the structure, totaling 18 windows. The windows on the west elevation (primary/street facing) were not replaced. The prior windows were wood and original to the structure. The replacement windows are vinyl in material. According to the applicant, the previous windows were painted shut and considered “inefficient” due to the single pane. None of the window openings were enlarged or modified.



Western (Front) Elevation

The windows on the west/primary street facing elevation are original to the structure. The applicant is not seeking replacement of any windows on this elevation.



2016



2022

Eastern (Rear) Elevation

The applicant has replaced 5 windows on the rear addition of the structure. This elevation is not visible from the public way and the alterations took place on a non-historic addition.



Northern Elevation

The applicant replaced 6 windows on this elevation, which is readily visible from the public way. The applicant did not modify any openings or alter the style of the window. While these windows are readily visible from the public way, staff finds that they are not character defining due to the interior location of this secondary elevation.



2017



2022

Southern Elevation

The applicant replaced 7 windows on this elevation, which is readily visible from the public way. The applicant did not modify any openings or alter the style of the window. While these windows are readily visible from the public way, staff finds that they are not character defining due to the interior location of this secondary elevation.



2017 (West looking East)



2022 (East looking West)

KEY CONSIDERATIONS

Section 21A.34.020(G) outlines the standards which need to be met for the issuance of a Certificate of Appropriateness for the alteration of a contributing structure in a local historic district. These standards have also been listed and evaluated in Attachment E.

1. Appropriate Replacement Windows
2. Alterations to Secondary Elevations
3. Minor Alteration and Building Permit Process

Consideration 1: Appropriate Replacement Windows

Staff evaluates window replacements on elevations visible from the public way on a case-by-case basis. If an original window is considered to be beyond repair, staff will work with a property owner on an appropriate replacement window. Replacement considerations include the design, profile of the sash, size and proportion of the opening, as well as the material. Because this Certificate of Appropriateness is being sought after alterations were already performed, Staff was not able to evaluate the original windows.

The replacement windows installed on the subject property generally meet these considerations. While vinyl in material, the windows did not modify the opening and were recessed in a fashion to comply with the historic nature of the property.

Consideration 2: Alterations to Secondary Elevations

Features designed to be visible from the public way are generally considered character defining. While these windows are visible from the public way, they were not designed to be character defining. The windows are primarily visible due to the low scale of the structure to the north and the steep grade from the south. With that said, staff applies flexibility to alterations located on secondary elevations. After careful and professional analysis, Staff is of the opinion that the replacement windows are acceptable based on the location and relief of the windows. These side windows, although visible from the right of way, are not as significant with this architectural type. As quoted in the *Preservation Handbook for Historic Residential Properties & Districts in Salt Lake City*,

“[In determining the window’s architectural significance,] typically, windows on the front of the building, and on sides designed to be visible from the street, are key character-defining elements. A window in an obscure location, or on the rear of a structure, may not be. Greater flexibility in the treatment or replacement of such secondary windows may be appropriate.”

Consideration 3: Minor Alteration Elevations

Section 21A.34.020.E indicates that all exterior building work should receive a Certificate of Appropriateness before alteration of the exterior. The alterations discussed in this document have already been performed.

21A.34.020.E. “Certificate Of Appropriateness Required: After the establishment of an H Historic Preservation Overlay District, or the designation of a landmark site, no alteration in the exterior appearance of a structure, site, object or work of art affecting the landmark site or a property within the H Historic Preservation Overlay District shall be made or permitted to be made unless or until the application for a certificate of appropriateness has been submitted to, and approved by, the Historic Landmark Commission, or administratively by the Planning Director, as applicable, pursuant to subsection F of this section. Certificates of appropriateness shall be required for: 6. Alterations to windows and doors, including replacement or changes in fenestration patterns.”

Because this Certificate of Appropriateness is sought after alterations were already performed, several key factors of the analysis that would have occurred are lost, namely the original historic windows. Had the City been given an application prior to the removal of windows, staff could have worked with the applicant potentially rehabilitating the existing windows.

Performing alterations without a required permit or certificate of appropriateness is prohibited and measures should be taken to ensure that alterations are being made to preserve existing historic features and materials. For example, when windows need repair in the future, it is important for the

owner and applicant to prioritize repair over replacement. Staff evaluated the windows on the front façade and determined that the windows possess a considerable degree of durability and are expected to endure for an extended period with proper maintenance. These character defining features should be restored and repaired to maintain their historical character. By requesting a certificate of appropriateness before alterations, staff can ensure that these windows are restored properly according to required guidelines.

STAFF DISCUSSION

Staff generally encourage repair over replacement of existing historic windows, the windows on these two elevations are lost and have been replaced. The replacement windows are considered acceptable due to the installation which preserves the historic profile. The important factors in installation that were maintained include the original window style, window opening and approximate recession. With that said, the original windows on the primary elevation are considered character defining and will be required to remain.

COMMISSION AUTHORITY AND NEXT STEPS

The applicant has submitted an application for a Minor Alteration in the Avenues Local Historic District. Staff does have authority to review minor alterations administratively, however, this particular application has been forwarded to the Commission due to the complexity of the proposal. The Historic Landmark Commission has decision-making authority in said matters. The Historic Landmark Commission may approve, approve with conditions, or deny the requested Minor Alteration.

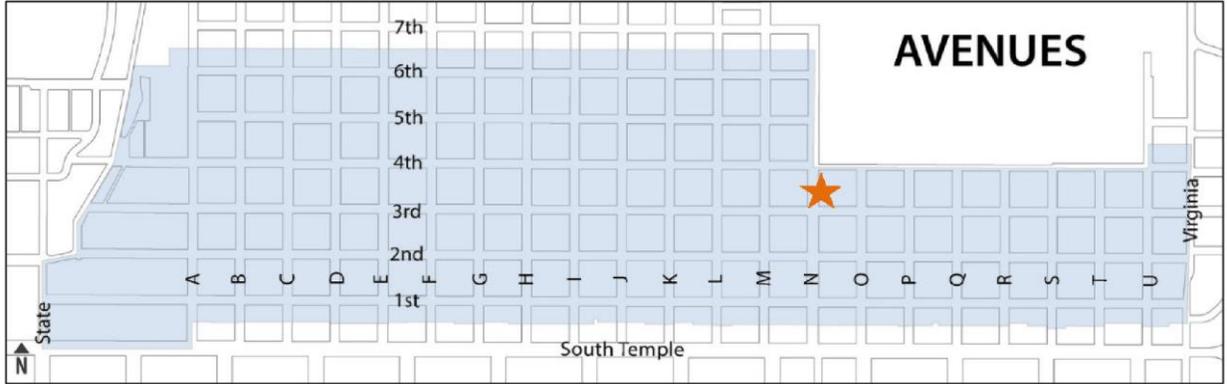
Approval of the Request

If approved, the Certificate of Appropriateness will be issued for all requested windows.

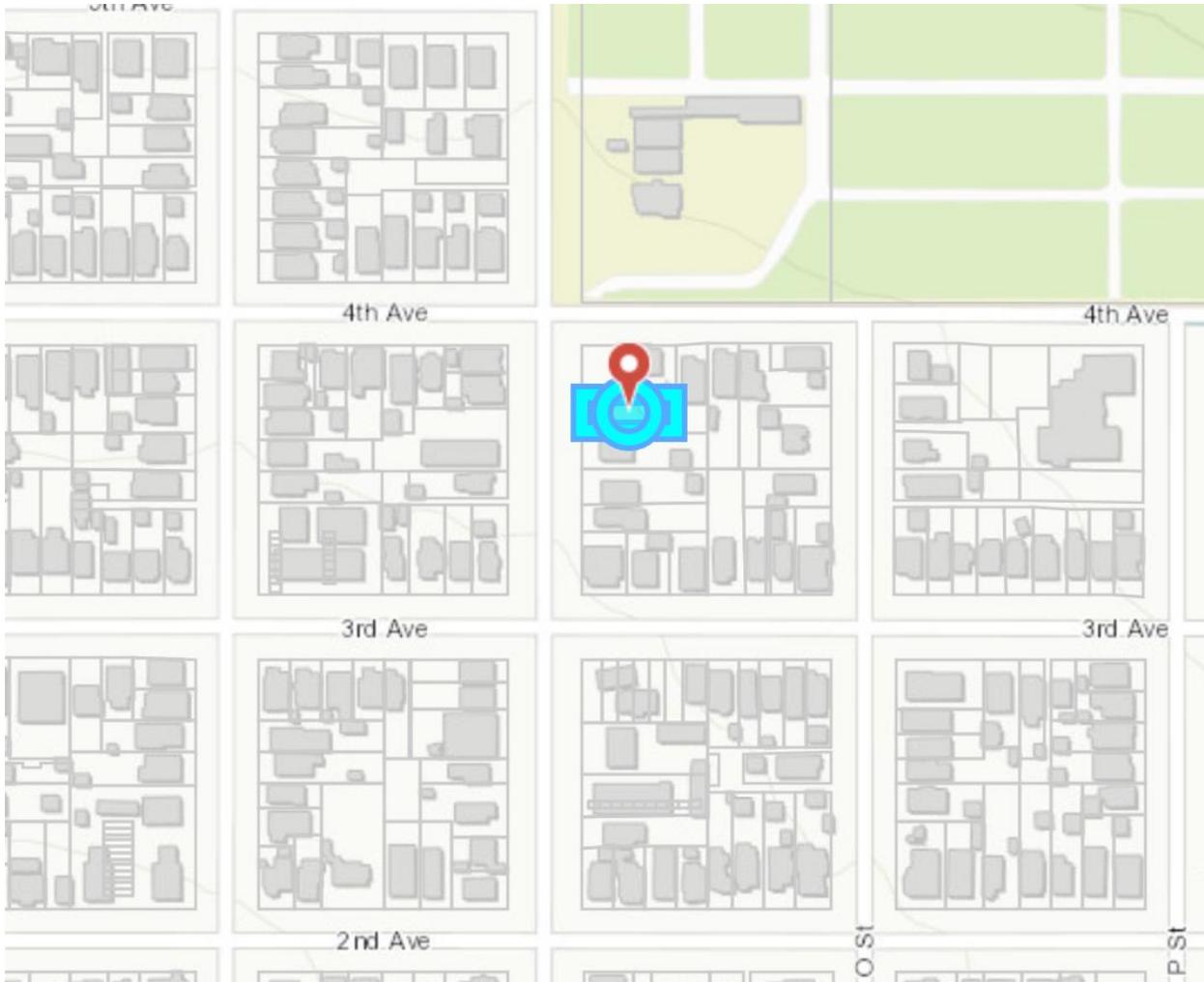
Denial of the Request

If the Commission denies the proposal for replacement of the windows identified in the request, a Certificate of Appropriateness will not be issued. A new application would need to be submitted that meets the standards and guidelines to obtain a Certificate of Appropriateness in order to resolve the active enforcement case.

ATTACHMENT A: Vicinity Map



★ - Property Location



Property Aerial – South Looking North



Property Aerial – North Looking South



Property Aerial – West Looking East



ATTACHMENT B: Applicant Materials

PROJECT DESCRIPTION:

The property located on 182 N Street, SLC, UT 84103 is a triplex located in the Lower Avenues. In 2019, the side and rear windows that are not visible from N street were replaced since they were non-operable due years of neglect and layers of paint, which had in effect, painted them shut. This combined with the fact that they were all single paned-windows, made the windows very inefficient and a big fire hazard to the tenants. The front façade windows (street facing) have been preserved as the original wood windows; they remain non-operable. This Minor Alteration Application is to bring the non-permitted windows that are located along the North and South elevations of the building up to regulation. The new windows match the fenestration pattern of the house, and they are not visible from the street perspective. The openings sizes are exactly as they were, the only difference is the material of vinyl and the double glazing.

Please see attached pictures and respective window dimensions.

New Windows Sizing

	NORTH ELEVATION	SOUTH ELEVATION	WEST ELEVATION
1 ST LEVEL	- 26" x 65" (4 Windows) -	- 20" x 53" - 24" x 70" (3 Windows)	- All Original Windows
2 ND LEVEL	- 30" x 65" - 24" x 65"	- 30" x 65" (3 Windows)	- All Original Windows



Street View ("N" street Front of the house, original windows kept, West View)



South Elevation from N street.



North View From N street



North Elevation from Back of property.



South Elevation from back of property

ATTACHMENT C: Property and Vicinity Photos



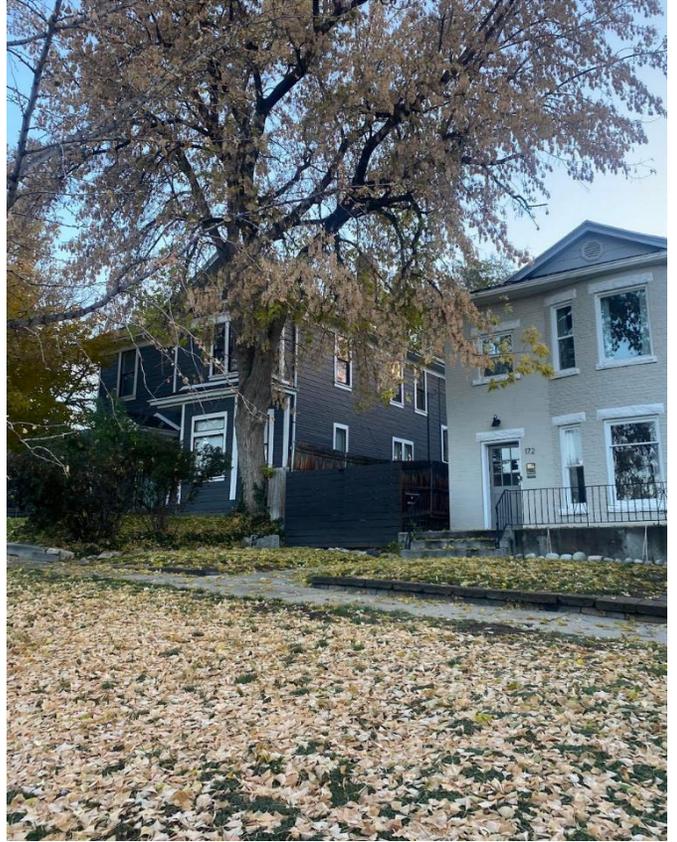
Subject Property in May of 1977



2023 West Elevation



Northern Elevation



Southern Elevation





2023 East Elevation Rear



128 N "N" Street
B



135-133 N "N" Street
B



149 N "N" Street
B



164 N "N" Street
B



166 N "N" Street
B



166 N "N" Street
(garage)



167 N "N" Street
B



172 N "N" Street
B



173-175 N "N" Street
D



181 N "N" Street
B



182 N "N" Street
B



186 N "N" Street
B



182 N "N" Street
B

ATTACHMENT D: Historic Survey Information

[Click here for Utah State History File](#) – Structure/Site Information Form

Architectural Survey Data for SALT LAKE CITY Utah State Historic Preservation Office

“N” Street — Avenues Historic District (SLC Landmark District)

RLS 2007-2008, PAGE 3

Address/ Property Name	Eval/ Ht	OutB N/C	Yr.(s) Built	Materials	Styles	Plan (Type)/ Orig. Use	Survey Year RLS/ILS/Gen	Comments/ NR Status
128 N N STREET	B	1/0 2	1955	STRIATED BRICK	POST-WWII: OTHER	OTHER APT./HOTEL MULTIPLE DWELLING	07	N04
135 N N STREET	B	0/0 1.5	1900	REGULAR BRICK STUCCO/PLASTER	VICTORIAN ECLECTIC	CENTRAL BLK W/ PROJ SINGLE DWELLING	07	N04
149 N N STREET	B	0/0 1.5	1896	REGULAR BRICK SHINGLE SIDING	VICTORIAN ECLECTIC	CENTRAL BLK W/ PROJ SINGLE DWELLING	07	N04
164 N N STREET WILLIAMS, HELEN B., HOUSE	B	0/0 1	1918	REGULAR BRICK SHINGLE SIDING	BUNGALOW	BUNGALOW SINGLE DWELLING	07	N04
166 N N STREET WILLIAMS, WALTER W., HOUSE	B	0/1 2	1898 c. 1940	ASBESTOS SIDING	VICTORIAN: OTHER	SIDE PASSAGE/ENTRY SINGLE DWELLING	07	N04
167 N N STREET	B	0/0 1.5	1902	DROP/NOVELTY SIDING SHINGLE SIDING	VICTORIAN ECLECTIC	CENTRAL BLK W/ PROJ SINGLE DWELLING	07	UHF EASEMENT N04
172 N N STREET JOHNSTON, HANNAH, HOUSE	B	1/0 2	1906	REGULAR BRICK ROCK-FACED BRICK	VICTORIAN ECLECTIC	FOURSQUARE (BOX) SINGLE DWELLING	07	N04
173 N N STREET	D	1/0 3	1968	BRICK:OTHER/UNDEF. SHINGLE SIDING	MANSARD	OTHER APT./HOTEL MULTIPLE DWELLING	07	VICTORIA APTS 173-175 N04
181 N N STREET	B	0/1 1	1891	STUCCO/PLASTER SHINGLE SIDING	VICTORIAN ECLECTIC BUNGALOW	CENTRAL BLK W/ PROJ SINGLE DWELLING	07	N04
182 N N STREET	B	1/0 2	1898	DROP/NOVELTY SIDING TONGUE & GROOVE	VICTORIAN: OTHER	CENTRAL BLK W/ PROJ SINGLE DWELLING	07	N04
186 N N STREET	B	0/1 1	1914	CONCRETE BLOCK ROCK-FACED CONC. BLK	PERIOD REVIVAL: OTHER	OTHER MULTIPLE USES	07	SALT LAKE MONUMENT N04

?=approximate address

Evaluation Codes: A=eligible/architecturally significant B=eligible C=ineligible/alterd D=ineligible/out of period U=undetermined/lack of info X=demolished

ATTACHMENT E: Analysis of Standards for Minor Alterations in a Historic District

Purpose Statement: In order 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 individual 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.

The Design Objectives and related design guidelines are referenced in the following review where they relate to the corresponding Historic Design Standards for Alteration of a Contributing Structure (21A.34.020.G).

Standard	Analysis	Finding
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.	The use of the property will remain the same. This standard is met. This use was established in 1953 as a 3-unit multifamily building. No change of use is proposed.	Complies

<p>2. The historic character of the property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.</p>	<p>North and South Elevations (Visible Windows) Windows play a crucial role in defining the character of historic structures by providing scale and contributing to the architectural composition of facades. Their distinct designs and fenestration patterns are integral to various historic building styles. Historic windows differ from contemporary ones in terms of their relationship to the building's wall plane, often being inset into deep openings with intricate casings and sash components, casting shadows that contribute to the overall facade's complexity and style-defining features. With that said, the replacement windows were installed in a manner that preserved the historic profile and opening. The loss of the historic material is significant; however, these windows were not considered character defining due to the location on secondary elevations.</p> <p>East Elevation (Rear Windows) This elevation is not visible from the public way. These windows are not considered character defining due to the location on secondary elevation. The alterations also took place on a non-historic addition.</p>	<p>Complies</p> <p>Complies</p>
<p>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.</p>	<p>North and South Elevations (Visible Windows) Staff asserts that it wasn't the intent of the applicant to create a false sense of history with the installation of vinyl windows. While the vinyl is contemporary in material, the installation preserves the historic profile and opening. Staff finds that the manner in which the windows were installed complies with this standard.</p> <p>East Elevation (Rear Windows) This elevation is not visible from the public way. These windows are not considered character defining due to the location on a secondary elevation. The alterations also took place on a non-historic addition.</p>	<p>Complies</p> <p>Complies</p>

<p>4. Alterations or additions that have acquired historic significance in their own right shall be retained and preserved.</p>	<p>This alteration does not impact a historic alteration or addition.</p>	<p>NA</p>
<p>5. Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.</p>	<p>North and South Elevations (Visible Windows) Preserving distinctive features, finishes, and construction techniques, or examples of craftsmanship that characterize a historic property is a fundamental principle. While it is acknowledged that vinyl is notably inferior to that of wood, it is positive that the preservation of window openings remained unaffected during the replacement process. Preserving the subtle recess and profile of the windows is a favorable element. Staff has measured and confirmed this recess as a contributing factor, diminishing the visibility of the windows from the right of way. Replacement considerations include the design, profile of the sash, size and proportion of the opening, as well as the material. The replacement windows installed on the subject property generally meet these considerations.</p> <p>East Elevation (Rear Windows) These windows are not visible from the public right of way. The replacement windows comply with this standard.</p>	<p>Complies</p> <p>Complies</p>

<p>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.</p>	<p>There are no signs associated with this proposal. This standard does not apply.</p>	<p>Not Applicable</p>
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ATTACHMENT F: Applicable Design Guidelines

The following are applicable historic design guidelines related to this request. The following applicable design guidelines can be found in A Preservation Handbook for Historic Residential Properties & Districts in Salt Lake City.

<http://www.slcdocs.com/historicpreservation/GuideRes/Ch3.pdf>

Guideline
<p>3.1 The functional and decorative features of a historic window should be preserved.</p> <ul style="list-style-type: none"> • Features important to the character of a window include its frame, sash, muntin, mullions, glazing, sills, heads, jambs, moldings, operation, and the groupings of windows. • Frames and sashes should be repaired rather than replaced whenever conditions permit.
<p>3.2 The position, number, and arrangement of historic windows in a building wall should be preserved.</p> <ul style="list-style-type: none"> • Enclosing a historic window opening in a key character-defining facade would be inappropriate, as would adding a new window opening. • This is especially important on primary facades, where the historic ratio of solid-to void is a character-defining feature. Greater flexibility in installing new windows may be appropriate on rear walls or areas not visible from the public way.
<p>3.3 To enhance energy efficiency, a storm window should be used to supplement rather than replace a historic window.</p> <ul style="list-style-type: none"> • Install a storm window on the interior where feasible. This will allow the character of the original window to be seen from the public way. • If a storm window is to be installed on the exterior, match the sash design of the original windows. • A metal storm window may be appropriate. • The storm window should fit tightly within the window opening without the need for sub frames around the perimeter. • Match the color of the storm window sash with the color of the window frame; avoid a milled (a silver metallic) aluminum finish if possible.

- Finally, set the sash of the storm window back from the plane of the wall surface as far as possible.

3.4 The historic ratio of window openings to solid wall on a primary façade should be preserved.

- Significantly increasing the amount of glass on a character-defining façade will negatively affect the integrity of the structure

3.5 The size and proportion of a historic window opening should be retained.

- An original opening should not be reduced to accommodate a smaller window, nor increased to receive a larger window, since either is likely to disrupt the design composition.

3.6 A replacement window should match the original in its design.

- If the original window is double-hung, then the replacement window should also be double-hung, or at a minimum appear to be so.
- Match the replacement also in the number and position of glass panes.
- Matching the original design is particularly important on key character-defining facades.

3.7 Match the profile of the sash and its components, as closely as possible to that of the original window.

- A historic wood window has a complex profile within its casing. The sash steps back to the plane of the glazing (glass) in several increments (see illustrations of frame sections on page 3:9).
- These increments, which individually are measured in fractions of an inch, are important details.
- They distinguish the actual window from the surrounding plane of the wall.
- The profiles of wood windows allow a double hung window, for example, to bring a rich texture to the simplest structure.
- These profiles provide accentuated shadow details and depth to the facades of the building. Framing sections, profiles and materials define the type of window and add considerable detail to the facade.

PART II 3 : 11

Chapter 3. Windows

A Preservation Handbook for Historic Residential Properties & Districts

- In general, it is best to replace wood windows with wood on contributing structures, especially on the primary facades.
- Non-wood materials, such as vinyl or aluminum, will be reviewed on a case-by-case basis. The following will be considered:
- Will the original casing be preserved?
- Will the glazing be substantially diminished?
- What finish is proposed?
- Most importantly, what is the profile?

3.8 In a replacement window, use materials that appear similar to the original.

- Using the same material as the original is preferred, especially on key character-defining facades.
- A substitute material may be appropriate in secondary locations if the appearance of the window components will match those of the original in dimension, profile, and finish.
- Installing a non-wood replacement window usually removes the ability to coordinate the windows with an overall color scheme for the house.

ATTACHMENT G: Public Process & Comments

The following is a list of public input opportunities related to the proposal:

Notice of the public hearing for the proposal included:

- Public hearing notice mailed.
- Public notice posted on City and State websites and Planning Division list-serve.
- Public hearing notice sign posted on the property.

Public Input:

As of the publication of this Staff Report, Staff have not received any public comments or questions about the request. If Staff receives any future comments on the proposal, they will be included in the public record and forwarded to the commission.