



## Planning & Development Services

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# 6

## Planning Division Staff Report

<b>File Number</b>	DRH08-00102
<b>Applicant</b>	Jill Dietz
<b>Property Address</b>	2109 North 8 <sup>th</sup> Street
<b>Public Hearing Date</b>	April 28, 2008
<b>Heard by</b>	Historic Preservation Commission
<b>Analyst</b>	Julie Archambeault
<b>Checked By</b>	Sarah Schafer

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### Public Notification

Radius notices mailed to adjacent properties: **March 12, 2008**  
Staff posted notice on site on: **March 9, 2008**

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## 1. Project Data and Facts

<b>Applicant/Status</b>	Jill Dietz / Owner
<b>Architect/Representative</b>	N/A
<b>Location of Property</b>	2109 North 8 <sup>th</sup> Street
<b>Size of Property</b>	6,975 sq. ft.
<b>Present Zoning and Land Use</b>	R-1CH
<b>Historic District</b>	North End
<b>Date of Construction</b>	1948
<b>Style</b>	Modern-Traditional
<b>Status</b>	Non-contributing
<b>Square Footage of Existing House</b>	1,554 sq. ft.

### Description of Applicant's Request

The applicant is seeking a Certificate of Appropriateness to construct a two-car garage with ADU above.

## 2. Land Use

### Description and Character of Surrounding Area

The site is at the end of the historic district. Surrounding structures vary in ages and levels of integrity. The street is sloped, as well as the properties.

### Site Characteristics

The site is steeply sloped and is approximately 10' lower at the rear of the property than at the front.

### Special Considerations

The property is sloped.

### History of Previous Actions

1948-Construct house  
1965-Enclose and extend patio

### 3. Project Proposal

#### Site Design

Land Use	Existing	Proposed
Percentage of the site devoted to building coverage:	16.5%	26%
Percentage of the site devoted to paving:	1%	6%
Percentage of the site devoted to landscaping:	82.5%	68%
TOTAL	100%	100%

#### Setbacks

Yard	Required	Proposed for Building	Proposed for Garage
Front (southwest)	15' (bldg.) 20' (garage)	No change	124'
Side (southeast)	5' (bldg.) 5' (garage)	No change	5'
Side (northwest)	5' (bldg.) 5' (garage)	No change	5'
Rear (northeast)	15' (bldg.) 9' (garage)	No change	9'

#### Fencing

Wrought iron and chain link fencing enclose the yard.

#### Structure(s) Design

Number and Proposed Use of Buildings	Two buildings presently exist-a single-story house and a small shed.
Maximum Building Height	23'
Number of Stories	1 ½ - garage; 1-house

## 4. Ordinance / Standards

Section	
11-04-04.01	General Standards
2-18-09	Historic Preservation Ordinance
4.1	Guidelines for Residential Historic Districts
	Secretary of the Interior's Standards for the Treatment of Historic Structures

## 5. Analysis/Findings

### Section 2-18-9 (A) (1) (c) Confirmation of Classification

*As part of the application process for a Certificate of Appropriateness, the Planning Staff shall confirm the contributing or non-contributing classification of the property based on the criteria set forth in the definitions of Section 2-18-02.*

- A. A property is contributing if
  - 1. it was present during the period of significance, AND
  - 2. it possesses historic integrity reflecting its character at that time
    - i. Location
    - ii. Design
    - iii. Setting
    - iv. Materials
    - v. Workmanship
    - vi. Feeling
    - vii. Association
  - 3. it is capable of yielding important information about the period OR
  - 4. it individually meets the National Register eligibility criteria
- B. A property is noncontributing if
  - 1. it was not present during the period of significance,
  - 2. due to alterations, disturbances, additions, or other changes, it no longer possesses historic integrity reflecting its character at that time OR
  - 3. it is incapable of yielding important information about the period OR
  - 4. it does not individually meet the National Register eligibility criteria

The house has been altered with the enclosed rear patio. However, changes to the house have occurred since the survey was completed. Instead of horizontal sliders the windows are now single hung. However, their muntin pattern is not compatible with the house's style. Also, the door with its sidelights is not right for the house's style. Finally, the columns descending from the bracketed porch cover are incongruous. The house is non-contributing.

### **Discussion**

The property is sloped toward the alley. Although the garage is taller than the house, it will sit on a lower elevation, and the roofline will be lower than that of the house. Its materials and roof will be similar to those of the house and it will meet all other guidelines.

## **6. Conclusion and Recommended Conditions**

**Pursuant to Boise City Code 2-18-9 A and B of Boise Municipal Code, the request to construct a two-car garage with ADU above is congruous with the historical, architectural, archeological, educational or cultural aspects of the Historic District because:**

The Secretary of the Interior's Standards for the Treatment of Historic Properties (1995 Edition), the Boise City Design Guidelines for Residential Districts, the North End Plan and the Boise City Comprehensive Plan are references often utilized by the Historic Preservation Commission to determine whether a change is congruous with the historic and architectural qualities of the Historic District.

1. The Commission's decision in regard to Certificates of Appropriateness for alterations, as described in 2-18-09 (A), shall be based on six findings as applicable to that property. (2-18-11 01)
  1. BCC Section 2-18-11.01 A states that the request shall be consistent with the Design Guidelines for Boise City's Historic Districts. This application is not located in a commercial district. This Finding is not applicable.
  2. BCC Section 2-18-11.01 B states the request shall be consistent with the Boise City Design Guidelines for Residential Historic Districts. This application complies with the following guidelines.
    - i. "Use similar architectural characteristics as seen throughout the District." (6.1.1) "maintain a proportional mass, size, and height to ensure the accessory building or dwelling unit is not taller than the primary building on the lot or does not occupy the entire backyard." (6.1.2) Because of the steep slope of the yard, the garage will be 1' shorter than the house. It will not take up the entire rear yard.
    - ii. "Subordinate the accessory dwelling unit, accessory building, or garage to the primary residential building on the site by placing the structure to the rear of the lot. Otherwise, consider locating the accessory building, dwelling unit, or garage to the side as long as it is set back substantially." (6.1.3) The garage will be placed at the rear of the yard.
    - iii. "Use similar materials used on the primary existing building." (6.1.5) The garage will use materials similar to those used on the house such as wood siding and vinyl windows.
    - iv. "Match rooflines; vary rooflines as long as the variation is not significant." (6.1.6)

- v. “Design garages so they are alley loaded.” (6.1.7) The garage will use a side gabled roofline, similar to the one used on the house.
  - vi. “Maintain proportional lot coverage as found on the neighboring properties of the same block. Maximum lot coverage of all buildings should not exceed 30% of the total lot area. Minimum open space should be 40% of the total lot area.” (6.1.8.) The garage will bring the lot coverage up to 26%.
- 3. BCC Section 2-18-11.01 C states the request shall be consistent with The Secretary of the Interior’s Standards for Rehabilitation, or other standards as applicable (preservation, restoration or reconstruction.) This application is consistent with the Secretary of Interior’s Standards for the Treatment of Historic Properties. This application complies with the following requirements.
  - i. “Designing new exterior additions to historic buildings or adjacent new construction which is compatible with the historic character of the site and which preserves the historic relationship between the building or buildings and the landscape.” (pg.105) The garage is compatible with the historic character of the site because of its traditional shape and materials.
  - ii. “Designing and constructing a new feature of a building or site when the historic feature is completely missing, such as an outbuilding, terrace, or driveway. It may be based on historical, pictorial, and physical documentation; or be a new design that is compatible with the historic character of the building or site.” (pg. 105) The garage is a new design that is compatible with the historic character of the site because of its traditional shape and materials.
  - iii. “Designing required new parking so that it is as unobtrusive as possible, thus minimizing the effect on the historic character of the setting.” (pg. 108) The new garage will not be taller than the house and will be located on the alley, making it as unobtrusive as possible.
- 4. BCC Section 2-18-11.01 D states the request shall support the goals, objectives and policies of the Boise City Comprehensive Plan and the plans referenced therein. The application is in compliance with the following goals and objectives of the Comprehensive Plan and the North End Plan.
  - i. The proposed use or design of the property should reflect the character of the adjacent neighborhood and be compatible with it. (p. 17) The design of the garage reflects the character of the adjacent neighborhood with its compatible materials and forms and is compatible with the neighborhood.
  - ii. The unique character of the neighborhood should be maintained, including architectural style, sitting on the lots, orientation of the units and landscaping characteristics. (p. 18) The new garage maintains the character of the neighborhood through its compatible materials and design.

5. BCC Section 2-18-11.01 E states that based on the adopted design guidelines the request will not be incongruous with the historical, architectural, archaeological, educational or cultural aspects of the district. The project is congruous with the historical, architectural, archaeological, education or cultural aspects of the district because it complies with the Secretary of the Interior's Standards for Rehabilitation, the Design Guidelines for Residential Historic Districts and the North End Plan.
  6. BCC Section 2-18-11.01 F states that the request must comply with the dimensional standards and other applicable requirements of Title XI (Zoning Ordinance) including, but not limited to setbacks, height restricts and parking requirements unless the Commission finds that modifying the standards is necessary to protect the overall characteristics of the district and to comply with the adopted design guidelines. With the condition of approval, this application complies with all of the dimensional requirements of the underlying zone as laid out in Title XI without the request for any variances.
2. A contributing building, site, structure or object adds to the historic architectural qualities, historic associations, or archeological values for which a property is significant because (a) it was present during the period of significance, and possesses historic integrity reflecting its character at that time or is capable of yielding important information about the period, or (b) it individually meets the National Register eligibility criteria. Because of the elements that are incompatible with the house including the porch cover posts, the muntin pattern and the sidelights, the site is non-contributing.

### **Site Specific Conditions of Approval**

1. Compliance with plans and specifications submitted to and on file in the Planning and Development Services Department dated received March 31, 2008.
  - a. The garage will be placed 15 ft. from the rear property line.

### **Standard Conditions of Approval**

2. The applicant shall comply with the Boise City Fire Code.
3. Prior to a Building Permit and prior to any construction on the site, an Erosion and Sediment Control Permit must be obtained from the Building Division of the Planning and Development Services Department.
4. No change in the planned use of the property by the applicant shall be valid unless in writing and signed by the applicant or his authorized representative and an authorized representative of the City of Boise. The burden shall be upon the applicant to obtain the written confirmation of any change and not upon the City of Boise.

5. Any change in the planned use of the property by the applicant shall require the applicant to comply with all rules, regulations, ordinances, plans or other regulatory and legal restrictions in force at the time the applicant or successors in interest advise the City of intent to change the planned use of the property described herein unless a variance in said requirements or other legal relief is granted pursuant to the law in effect at the time the change in use is sought.
6. If the applicant does not act on the Certificate of Appropriateness through the commencement of construction, or extended pursuant to the Boise City Code, within eighteen months, it will become null and void without further notification from this department.
7. The applicant shall be required to obtain a Building Permit prior to the start of construction.

### **Construction Site Requirements**

8. The practices required below are intended to mitigate the impact and disturbance of residential property owners during the construction of adjacent buildings or structures. The following conditions apply to all construction-related activities ranging from grading and demolition activities to final occupancy on any land or parcel falling under the proprietary ownership of the permit applicant.
  - a) Prior to the issuance of a building permit and prior to the commencement of any construction on-site, an Erosion and Sediment Control (ESC) permit must be obtained from the Planning and Development Services Department. No grading, demolition or earth disturbing activities may start until an approved ESC permit and the associated site work or grading permits have been issued.
  - b) Measures shall be taken to manage construction debris and trash on the construction site and efforts shall also be made to provide reasonable controls to minimize fugitive dust on the construction site. Such measures shall include, but are not limited to:
    - Provide suitable containers for solid waste generated by construction activity;
    - Wet demolition of existing buildings;
    - Watering of driving surfaces and earth moving activities;
    - Installation of wind screening around property and each open floor above grade; and
    - Daily broom cleaning of above grade floors, adjacent streets and sidewalks.
  - c) To reduce the noise impact of construction on nearby residential properties, all exterior construction activities shall be limited to the hours between 7:00 a.m. and 7:00 p.m. Monday through Friday and 8:00 a.m. to 6:00 p.m. for Saturday and Sunday. Low noise impact activities such as surveying, layout and weather protection may be performed at any time. After each floor of the structure or building is enclosed with exterior walls and windows, interior construction of the enclosed floors can be performed at any time.



- d) A minimum height of six foot (6') rigid security fencing, either wood or metal, shall be installed around the construction site within 30 days of the date when the first city permit is issued on projects where construction activity shall exceed 90 days.
- e) Exterior lighting and other illuminating equipment or materials shall be positioned, shielded, directed and located to not reflect or impact adjacent residential property and streets.
- f) Applicant shall comply with Boise City Fire Department requirements for water, access, and/or other requirements as determined by the Fire Marshal.
- g) Any conditions to be enforced during construction shall remain posted at each street abutting the construction site for the duration of the project. In addition to the posted conditions the permit holder shall also post an 11"x 17" laminated sign containing a project contact phone number, name of project contact and the Boise City contact number, 384-3845, to address issues as they arise. Failure to abide by any conditions set forth shall be grounds for revocation of Conditional Use Permit and/or Building Permits and may be subject the owner or owner's agents to fines and criminal citations.