



## Planning & Development Services

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## Planning Division Staff Report

<b>File Number</b>	DRH08-00109
<b>Applicant</b>	Phil Gerhardson
<b>Property Address</b>	1511 North 11 <sup>th</sup> Street
<b>Public Hearing Date</b>	May 12, 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>	Phil Gerhardson / Owner
<b>Architect/Representative</b>	N/A
<b>Location of Property</b>	1511 North 11 <sup>th</sup> Street
<b>Size of Property</b>	4,945 sq. ft.
<b>Present Zoning and Land Use</b>	R-1CH (Vacant land)
<b>Historic District</b>	North End
<b>Date of Construction</b>	No construction
<b>Style</b>	N/A
<b>Status</b>	N/A
<b>Square Footage of Existing House</b>	N/A

### Description of Applicant's Request

The applicant is seeking a Certificate of Appropriateness to construct a one and a half story, single-family dwelling with detached garage.

## 2. Land Use

### Description and Character of Surrounding Area

The surrounding block has a mix of house sizes and types. However, the predominant style is the Craftsman Bungalow, and most of the lots have under 35% lot coverage.

### Site Characteristics

The site is 43' x 115' and has no structures. The ground is fairly level. There is one tree toward the front of the lot.

### Special Considerations

It is a substandard lot.

### History of Previous Actions

1900-Construct house  
 1968-Replace four windows and increase roof pitch  
 1999-Survey property; property determined to be non-contributing  
 2003-Historic Commission permission gained to demolish house and to construct a new 3,600 sq. ft. house with the condition that three mature trees were not removed.  
 2005-Approval of a 1,000 sq. ft. garage with an accessory dwelling unit above  
 2005-Approval of a 1,592 sq. ft. basement addition to the 2,450 sq. ft. house plans  
 2005-Demolition of original house

### 3. Project Proposal

#### Site Design

Land Use	Existing	Proposed
Percentage of the site devoted to building coverage:	0%	40%
Percentage of the site devoted to paving:	0%	6%
Percentage of the site devoted to landscaping:	0%	55%
TOTAL	0%	100%

#### Setbacks

Yard	Required	Proposed for Building	Proposed for Garage
Front (southwest)	15' (bldg.) 20' (garage)	20'	79'
Side Street (southeast)	15' (bldg.) 15' (garage)	5' 6"	8'
Side (northwest)	5' (bldg.) 5' (garage)	5' 6"	8'
Rear (northeast)	15' (bldg.) 9' (garage)	55'	12'

Fencing
None

Structure(s) Design	
Number and Proposed Use of Buildings	Two buildings are proposed-a single-family residence and a two-car garage.
Maximum Building Height	Peak-24' 6" Eaves-13' 6"
Number of Stories	1 ½ stories

## 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.*

**The property has no structures on it. The structures were demolished in 2003. The parcel is non-contributing.**

### **Section 11-04-14.03 Development Standards for Substandard Original Lots of Record**

#### A. Setbacks

1. Front Setbacks: The front yard setback for livable space and porches shall be within five (5) feet of the average of the front yard setbacks of adjoining properties. However, in no case shall the front setback be less than 10 feet or more than 20 feet. The front setback for parking is 20 feet. Maximum setbacks are required in order to provide a visual and physical relationship to the street and retain room for an open back yard area. If the applicant has multiple contiguous lots, the front setbacks should provide modulation in order to avoid a uniform line of dwellings with identical front setbacks.
2. Side Setbacks: Interior side setbacks shall be in accordance with the applicable zone; street side yard setbacks shall be 15 feet for livable space and porches and 20 feet for parking, unless one of the following is applied:
  - a. Common Lot Line Attached Units – Up to three (3) units may be attached at the common lot line, provided that the exterior setbacks (unattached side setbacks) adhere to those required by the zone.

- b. Detached Units on Contiguous Lots – When two (2) or more single family units are proposed on contiguous lots, the interior side yard setbacks may be reduced to three (3) feet provided that the exterior setbacks to the development adhere to the setbacks that are required by the zone.
3. Rear Setbacks: Rear yard setbacks shall be as required by the zoning district in which the substandard lot is located.
4. Garage: A single story detached garage accessed off of an alley may have a three (3) foot interior side setback.
5. The first story of a two story attached building shall be setback a minimum of five (5) feet from the side property line. The second story of a two story attached building shall be setback a minimum of eight (8) feet from the side property line; provided, bay windows, pop-outs or other architectural appurtenances may be allowed at the five (5) foot setback line in the R-1C zone. All other zones must meet their side yard setback requirements. (See also Section 11-05-05 Boise Municipal Code)

As can be seen from the above chart, the project meets all setbacks.

**This Finding has been met.**

- B. Building height shall not exceed the width of the lot or the maximum height allowed by the zone, whichever is most restrictive.

The width of the lot is 43'. The maximum height allowed by the zone is 35'. The maximum height of the structure will be 24' 6".

**This Finding has been met.**

- C. Building Size: Residential floor area shall not exceed 55% of the effective lot area on lots with less than 5,000 square feet. "Effective Lot Area" is the gross horizontal area of a lot minus any portion of the lot encumbered by a recorded driveway or road easement. "Residential Floor Area" is the amount of all livable space including basements and bonus rooms.

The residential floor area of the building is 1,883 sq. ft. The effective lot area is 4,945 sq. ft. The residential floor area is only 38% of the effective lot area.

**This Finding has been met.**

- D. Private Open Space: All substandard lots must provide a minimum of 375 square feet of private open space in the rear yard. This open space must be configured as a 15 foot by 25 foot rectangle and must have a minimum rectangular dimension of 10 feet by 15 feet that is open to the sky. Covered rear porches are allowed to be calculated as part of the private open space area.

The private open space has been provided between the house and garage in an area open to the sky that measures 18' 7" x 43' and includes a small rear porch.

**This Finding has been met.**

E. Landscaping: A landscape plan shall be required. All areas that are not developed with structures, driveways, parking lots, streets, pathways, patios and similar useable areas shall be landscaped. The landscaping shall accomplish the following objectives:

- shading of parking areas and walkways;
- ground cover consisting of predominantly live planted materials shall be used;
- erosion control;
- and attractive streetscapes and common areas.

Some useable hard scape features (such as pavers, planters, stonework, decks, etc) may be allowed up to 25% of the entire landscaped areas. Plastic or other artificial materials are not allowed. The landscape plan shall include an irrigation system. Xeriscape plans that are consistent with Public Works standards shall be considered acceptable.

The landscape plan includes ground cover of thyme, three trees and six small shrubs in the front 30' of the yard. However, the remainder of the lot will be covered with non-organic materials. The side yards will be covered with black permabark rock mulch while the driveway and the space between the buildings will be paved with concrete. Using non-organic materials for the majority of the landscaping and planting trees and shrubs only in the front is not congruous with the District and does not meet this Finding.

**This Finding has not been met.**

F. Parking

1. Each dwelling shall be provided with two (2) off street parking spaces.
2. Vehicular access and parking shall be provided according to the following standards:
  - a. Access to an alley:
    1. All access shall be taken from the alley. Two spaces shall be provided with 22 feet of backup space in accordance with Section 11-10-04.04, Table 12, Boise City Code.
  - b. No access to an alley:
    1. Interior lots with no alley access shall be required to provide a two (2) car attached garage. The applicant shall include design elements that will provide varied rooflines, dormers within the roofline or other architectural treatments that will avoid the appearance of garage domination. The setback of the garage face shall be 20 feet. Driveways for a two car attached garage may not exceed 20 feet in width.

2. The use of a 10 foot wide shared driveway providing access to rear yard garages that are attached with a common wall on the property line is allowed.

The project includes a two car garage, accessed off of the alley with a paved driveway.

**This Finding has been met.**

G. Right-of-Way Improvement

1. All developments shall provide curb, gutter and sidewalk on the adjacent roadway(s) and, if applicable, the applicant shall provide a paved driveway apron that extends to the edge of the pavement. Waivers or variations to some or this requirement may be granted by the Planning Director based upon local conditions such as the lack of adjacent improvements and/or documented drainage problems that may result from the improvement of the roadway. Any alternative granted through a waiver shall include a curb line or physical barrier to prevent parking adjacent to the right-of-way. If a waiver is granted, the value of the improvements, as estimated by the City of Boise, shall be placed in a Public Rights-of-Way Road Trust deposit for up to ten (10) years to be held by the City of Boise for later improvement of the curb, gutter and sidewalk abutting the site.
2. Dirt or gravel strips in the front yard or undeveloped street right-of-way shall not be permitted. Irrigated landscaping shall be provided in these areas through license agreements with the ACHD. Bonding for landscape improvements may be allowed based on weather related constraints. If ACHD denies the necessary license agreement, the requirement for landscaping shall be waived.
3. If full right-of-way improvement is not feasible and ACHD determines that there is insufficient pavement width for travel lanes with on-street parking, a non-landscaped ACHD-approved shoulder shall be installed that is the minimum width necessary to accommodate parallel parking. Landscaping shall still be required to the edge of the parking shoulder.
4. All right-of-way improvements, license agreements and bonding shall be completed prior to issuance of a Residential Certificate of Occupancy permit for the structure.

11<sup>th</sup> Street is already improved with curb, gutter and sidewalk.

**This Finding has been met.**

H. Alternative Building Arrangements

1. Attaching single family units in multiples of two (2) or three (3) on common lot lines is encouraged as a means of creating more substantial structures that will be imitative of standard width single-family homes. Such units remain subject to the general design criteria stated in this Chapter and do not require a planned unit development application.

2. Additional requirements for attached buildings:
  - a. Attached buildings shall be constructed to comply with townhouse construction standards in accordance with the Boise City Building Code.
  - b. The Office of the City Attorney shall review and approve all easement agreements an applicant or builder seeks to obtain for the use and maintenance of common facilities such as driveways, parking sites and common party walls. All such easements shall be recorded in the records of Ada County prior to an applicant or builder seeking a building permit under this ordinance.
  - c. Adjustments to lot lines and reduction in the number of lots within the same parcel are subject to review and approval pursuant to all applicable Boise City subdivision and zoning regulations. The applicant shall obtain approval from Boise City and record any lot line adjustments or reduction in lots with the Ada County Recorder prior to submission for a building permit.

No alternative building arrangements are proposed.

**This Finding is not applicable.**

#### Section 11-04-14.04 Design Guidelines for Substandard Lots

- A. In addition to the development standards described in Section 11-04-14.03 of Boise City Code, the following general design guidelines shall apply to substandard lots. The Design Review Committee and Design Review staff shall take into account the location and design of adjacent buildings, landscaping and right-of-way improvements, and shall apply the following criteria as appropriate:
  1. Full-length two story structures are not allowed;
  2. One and a half story structures are the preferred form of development on substandard lots. One and a half story structures will be required when the existing structures adjacent to the proposed development are one story in height.

A one and a half story structure can be defined as:

- a. A structure that has a maximum building height of 18 feet (to the midline of the roof) and includes a daylight basement that is sunk into the ground a minimum of four (4) feet.
- b. A structure that has a maximum building height of 18 feet (to the midline of the roof) and contains the second story within the pitched roofline.

3. Partial two story structures may be allowed when the surrounding properties will not be adversely impacted by such height. The circumstances to be considered shall include: the size and height of the adjacent dwelling units; privacy impacts on adjacent properties; the height, mass, window placement and roofline pitch of the proposed structure; and the overall design of the upper story of the proposed structure. Upper story limitations or setbacks on the new building may be an acceptable means of ensuring compatibility with adjacent structures of smaller size.
4. Front Façade Design Requirements.
  - a. Homes shall have a front door that faces the street. When a unit is built on a corner lot, the door shall face the dominant street.
  - b. In lieu of a street facing front door, the applicant may construct a prominent front porch that is a minimum of six (6) feet in depth and the dwelling shall have a minimum of 25% of the front facade comprised of windows and/or door openings. For homes with front-loaded garages, a garage door shall not count toward the window opening requirements. The garage door shall include design elements such as: panels, windows, trim features, cross members, or other architectural features as determined by the Design Review Committee or Design Review staff.
  - c. Detached dwelling units shall provide a façade that substantially differs from the façade of adjacent structures. Variations in materials alone will not be considered sufficient. The unique façade may be obtained through the use of structural changes or through the use of substantial design elements. In addition to complying with the preceding design guidelines, the front façade shall include multiple design elements such as: multi-paned windows, varied roof lines, dormers, bay windows, wainscoting, a covered front door, a usable front porch or other elements as approved by the Design Review Committee or staff that create a unique façade. Articulated designs may repeat on non-contiguous lots.
  - d. Attached units shall provide modulation and architectural design features to prevent flat façade wall planes.
  - e. Building design shall incorporate quality materials such as brick, stone, stucco, tile, and wood for a significant (35% or more) portion of the façade and second story elements. The presence of such materials on nearby homes shall be reviewed as a guide for appropriate materials to be used on the new dwelling.

5. All buildings shall be oriented toward a public street. When buildings cannot be oriented toward a public street due to inadequate street frontage or similar circumstances, the buildings shall be oriented toward a private street or lane that conforms to City standards.
6. Where front yard driveways are permitted for access, the driveway may be designed with concrete wheel strips or grass pavers that are separated by vegetation.

**As the subject parcel is located within a recognized historic district, the Design Guidelines for Residential Historic Districts supersede §11-04-14.04 of the Boise City Code, outlined above.**

#### **Section 2-18-11.01 Alteration - Findings**

*The Commission's decision in regard to Certificates of Appropriateness for alterations, as described in 2-18-09 (A), shall be based on the following findings as applicable to that property:*

#### **Discussion**

The proposal includes the construction of a new 2,091 sq. ft. house and a 688 sq. ft. garage. The architecture proposed is congruous with the District. It is in the Craftsman style and is only 1 ½ stories tall.

The lot coverage square footage for the property will be 1,088 sq. ft. on the first floor, 209 sq. ft. on the porch and 688 sq. ft. of garage. This is 40% of the lot. The lots on this block vary in size and lot coverage. Seven of the twelve lots are over 5,000 sq. ft. However, because three of those lots are on corners, eight of the twelve lots are substandard. The smaller lots have higher coverage, as can be seen from the attached chart. Of the twelve lots on the block, four exceed the recommended 30% lot coverage. Of those four, three are on the smallest lots and only one of the two smallest lots on the block is over 40%. Although the subject lot, at 4,945 sq. ft. is 55 sq. ft. shy of being a standard lot, it is not small enough to require a 40% lot coverage for a viable project.

## **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 one and a half story, single-family dwelling with detached garage is not 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 not 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)
  - A. 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 in a commercial district.
  - B. 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 does not comply with the guidelines.
    - i. 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. Any exceptions to these percentages will be closely scrutinized. (5.3.4.) The project will require a lot coverage of 40%.
    - ii. Not appropriate to develop a building, which does not maintain or suggest building-to-lot proportions of adjacent sites. (5.3.9.) The 40% lot coverage does not maintain the lower lot coverage that is prevalent in the neighborhood and throughout the District.
  - C. 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 not consistent with the Secretary of Interior's Standards for the Treatment of Historic Properties.
    - i. Introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color and texture; which destroys historic relationships on the site; or which damages or destroys important landscape features is not recommended. (pg. 105) The project is incompatible in terms of size. It covers 40% of the lot and only allows an 18' long rear yard.
    - ii. 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 is recommended. (pg.105) The lot coverage and small rear yard is not compatible with the historic character of the site.
  - D. 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 not in compliance with the following goals and objectives of the Comprehensive Plan and the North End Plan.

- i. New development within the North End/East End shall be designed to reflect elements of the historic architecture and design that exist in the area. Policy 7, pg 8-33 The heavy lot coverage does not reflect the lot coverage that exists in the area.
    - ii. The proposed use or design of the property should reflect the character of the adjacent neighborhood and be compatible with it. (p. 17) The lot coverage, which is a part of the design of the property, does not reflect the character of the adjacent neighborhood and is not compatible with it.
    - iii. 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 heavy lot coverage and small amount of open space is not in keeping with the unique character of the neighborhood.
  - E. 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 not congruous with the historical, architectural, archaeological, education or cultural aspects of the District because it does not comply with the Secretary of the Interior's Standards for Rehabilitation, the Design Guidelines for Residential Historic Districts or the North End Plan.
  - F. 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. 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. The structures were removed in 2005. The property is non-contributing.