



Planning & Development Services

Boise City Hall, 2nd Floor
150 N. Capitol Boulevard
P. O. Box 500
Boise, Idaho 83701-0500

Phone: 208/384-3830
Fax: 208/384-3753
TDD/TTY: 800/377-3529
Website: www.cityofboise.org/pds

5

Planning Division Staff Report

File Number	DRH08-00182
Applicant	S. Scott Huerd
Property Address	1410 & 1414 North 18 th Street
Public Hearing Date	23 June 2008
Heard by	Historic Preservation Commission
Analyst	Matt Halitsky, AICP
Checked By	Sarah Schafer, Historic Preservation Manager

Public Notification

Radius notices mailed to adjacent properties:	6 June 2008
Staff posted notice on site on:	5 June 2008

Table of Contents

1. Project Data and Facts	2
2. Land Use	2
3. Project Proposal	3
4. Ordinance / Standards	4
5. Analysis / Findings	4
6. Conclusion and Recommended Conditions	7

1. Project Data and Facts

Applicant/Status	S. Scott Huerd / owner
Architect/Representative	Ken Reed / architect
Location of Property	1410 & 1414 North 18 th Street
Size of Property	7,125 & 7,500 square feet respectively
Present Zoning and Land Use	R-1CH
Historic District	North End
Date of Construction	1410 constructed in 1927, 1414 constructed in 2005
Style	None
Status	Contributing and individually eligible
Square Footage of Existing House	1,500 & 3,916 square feet respectively

Description of Applicant's Request
The applicant is proposing to remodel the exterior of 1410 North 18 th Street to include replacement of metal windows with wood, demolish an existing garage on the same property and replace it with a new 440 square foot accessory structure, and remove and relocate fencing and remove landscaping at both properties. An expansion of the rear patio at 1414 North 18 th Street is also proposed. The applicant owns both properties.

2. Land Use

Description and Character of Surrounding Area
The surrounding neighborhood is a mixture of single and one and one-half story homes, with single-story garages accessed off of a rear alley.

Site Characteristics
1410 and 1414 North 18 th Street are two adjacent parcels located on the east side of the road. 1414 North 18 th Street is a relatively new home built within the past few years. Mature landscaping graces the front yard of the 1410 address.
Special Considerations
The applicant owns both parcels, and the intent is to provide a large rear yard to be shared by both properties.
History of Previous Actions
DRH05-00161 Demolish contributing structure and construct a new 2,200 square foot home <i>approved</i>
DRH05-00245 Construct a new 2,290 square foot dwelling with detached garage <i>approved</i>
DRH05-00322 Construct a new 2,420 square foot home with a 440 square foot garage <i>approved</i>

3. Project Proposal

Site Design

Land Use	Existing	Proposed
Percentage of the site devoted to building coverage:	20%	23%
Percentage of the site devoted to paving:	2%	5%
Percentage of the site devoted to landscaping:	78%	72%
TOTAL	100%	100%

* Figures for 1410 North 18th Street. No Change to 1414 North 18th Street.

Setbacks

Yard	Required	Proposed for Building	Proposed for Garage
Front (west)	15' (bldg.) 20' (garage)	No Change	138'
Side (north)	5' (bldg.) 5' (garage)	No Change	22'
Side (south)	5' (bldg.) 5' (garage)	No Change	5'
Rear (east)	15' (bldg.) 10' (garage)	No Change	10'

* Figures for 1410 North 18th Street. No Change to 1414 North 18th Street.

Fencing

The applicant is proposing to remove the fence running between the two properties, and replace the existing front wood fencing with wrought iron. The application indicates the possibility of electric fencing, however staff recommends against such an addition.

Structure(s) Design

Number and Proposed Use of Buildings	A single-family dwelling and a detached garage will exist on each lot.
Maximum Building Height	16' to the ridgeline of proposed garage.
Number of Stories	One

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

Contributing Analysis

B.C.C Section 2-18-09 (A) (1) (c) states: *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 building was constructed circa 1927, which is during the period of significance for the North End. The home was deemed contributing in a survey conducted in 2001, and has remained relatively unchanged since its original construction. The massing of the house remains the same, and it retains its character defining features including the front entry and stucco finish. As the property has retained its historic integrity, it is still contributing.

Section 2-18-9 C Demolition or Relocation.

After the designation by ordinance of an historical district, or historical district - residential, no building or structure which is a part of such district shall be demolished or moved until after an application for Certificate of Appropriateness relating to the demolition or moving of such building or structure has been submitted to and approved by the Commission. A Certificate of Appropriateness must be issued prior to the issuance of any building or other permit required by the City for the demolition or moving of any building or structure which is part of an historical district or historical district - residential. A Certificate of Appropriateness shall be required regardless of whether other licenses or permits are required for the moving or demolition of such building or structure.

1. Findings. In order for the Commission to approve a demolition or relocation request at least three (3) out of the five (5) following findings must be met:

a. That the building, project, site or structure is not classified as contributory to the district.

The site, which includes the garage, is considered contributing to the North End.

The applicant has **not** met this Finding.

b. That the building, object, site or structure cannot reasonably meet National, State or Local criteria for designation as an historical or architectural landmark.

Neither the site as a whole nor the garage individually have enough architectural or historical significance to reasonably meet National, State or Local criteria for designation as an historical or architectural landmark.

The applicant has met this Finding.

c. That demolition of the building, object, site or structure would not adversely affect the character of the District and/or the adjacent properties.

The garage sits at the back of the property. It is not readily visible from the road. Because of its location and the condition of the alley, its demolition will not adversely affect the character of the District or the adjacent properties.

The applicant has met this Finding.

d. That the owner has reasonably demonstrated that rehabilitation of the building, object, site or structure would not be economically feasible.

This alternative has not been explored.

The applicant has **not** met this Finding.

e. That plans have been submitted to redevelop the property if the demolition proceeds, and such plans will have a positive effect on the District and/or adjacent properties.

Plans have been submitted to replace the existing garage with a new, larger 440 square foot garage. The proposed single-story garage features wood siding, wood windows and exposed rafter tails, all materials appropriate for new development within the North End. As proposed the new garage would not be as tall, and is generally less substantial and clearly accessory to the primary dwelling on site, thus meeting the adopted residential design guidelines for historic districts. Furthermore, the lot coverage ratio taking into account the proposed garage would remain under 30-percent, retaining the historic relationship between lot and home sizes within the North End. Generally the proposal is a modest structure,

appropriate both in design and scale to the neighborhood, and will thus have a positive effect on the District.

Thus, the applicant has met this Finding.

The applicant has met three out of five findings.

Design Guidelines for Residential Historic Districts, Secretary of the Interior's Standards for the Treatment of Historic Structures

The applicant's proposal includes work for two adjacent homes, both under the same ownership. As mentioned above, a proposed demolition of an existing accessory structure at 1410 North 18th Street would not be detrimental to the historic integrity of the neighborhood or site, and the plans are generally found to have a positive effect on the District. Other changes to the 1410 address include the addition of wood lap siding to the exterior, the replacement of existing metal windows with wood and the addition of a 10' by 15' cement patio at the rear of the home. The patio, which is at grade, would not be visible from the street and have no impact to the historic integrity of the home. Similarly, removing the existing metal windows and replacing them with wood is an appropriate change supported by both the adopted Design Guidelines for Residential Historic Districts as well as the Secretary of the Interior's Standards for the Treatment of Historic Properties. However, as the home is considered contributing, and staff is unaware of any evidence to suggest that the exterior was ever anything but stucco, the addition of wood lap siding would be considered an inappropriate change, and incongruous with the adopted standards and guidelines of the City of Boise. The Boise City Design Guidelines for Residential Historic Districts states that it is generally appropriate to "*use similar materials as found on the original building*" (4.1.6). In addition, the Secretary of the Interior's Standards for the Treatment of Historic Properties recommend that "*the historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided*" (pg. 62). For the subject property, the stucco finish is a character defining feature, and its removal or alteration would be incongruous with the historical and architectural aspects of the District. Furthermore, the Secretary of the Interior's Standards for the Treatment of Historic Properties also recommend that "*distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved*" (pg. 62). As mentioned above, the alteration of the exterior finish of the home would thus be an inappropriate change and staff recommends as a condition of approval that the stucco finish be retained.

Moving to the 1414 address, the applicant is proposing to extend an existing rear patio to cover much of the back yard. The intent is to provide one large common rear yard between the two homes to be used by family members living at both properties. As the common lot line is not indicated on the submitted site plan, staff recommends as a condition of approval the proposed patio terminate at or before the side property line, for the sake of responsible planning and to retain the historic character of private rear yards in the North End.

Common to both properties the applicant is proposing to remove a wood fence currently separating the two yards, and to replace the front portion of the fence, which is also wood, with wrought iron. Although the use of wrought iron would be an appropriate material, the design of the fence has not been submitted at this time. Staff recommends an additional condition of approval that the applicant provide details of the fence design to staff for review and approval prior to application for any construction permits.

Furthermore, the owner has indicated in the application that mature trees and landscaping shall be removed throughout the site, however this landscaping is not indicated on the attached site plan and replacement landscaping has not been proposed in any detail. Staff recommends as a condition of approval the landscaping portion of this project be deferred to a future hearing to allow the applicant time to provide a proper landscaping plan, indicating trees and vegetation to be removed, and the locations, sizes and species to be planted in the future.

6. Conclusion and Recommended Conditions

Pursuant to Boise City Code 2-18-9 A and B of Boise Municipal Code, the proposed development 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. In order for the Commission to approve a demolition or relocation request at least three out of the five Findings found under Boise City Code §2-18-9C must be met. As described above, three of these five Findings have been met. The garage does not possess the historic significance necessary to meet landmark status; the proposed demolition will neither adversely affect the District as a whole, nor adjacent properties; and the project developed under the submitted plans will generally have a positive effect on the District and the adjacent properties.
2. 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 within one of the Commercial Districts therefore this finding does not apply to this application.
3. BCC Section 2-18-11.01 B states the request shall be consistent with the Boise City Design Guidelines for Residential Historic Districts. Per the above analysis and with the attached conditions of approval, the application as submitted will comply with the requirements of this finding.

4. 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. It neither creates a false sense of history, nor detracts from the historic neighborhood as a whole.
5. 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 goals, objectives and policies of the Boise City Comprehensive Plan.
6. 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. Based on the above sections of the adopted guidelines, this application is congruous with the historical, architectural, archaeological, education and cultural aspects of the district.
7. 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 need for a waiver or variance.

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 23 May 2008, except as expressly modified by the following conditions:
 - a. Electric fencing shall not be allowed.
 - b. The proposed patio for 1414 North 18th Street shall terminate at or before the side property boundary.
 - c. The stucco finish of 1410 North 18th Street shall be maintained.
 - d. The applicant shall submit details regarding the wrought iron fence design for review and approval by staff prior to application for any construction permits.

- e. The applicant shall return to the Historic Preservation Commission with a proper landscaping plan indicating mature trees to be removed and the locations, sizes and species used for replacement.

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.