



Planning & Development Services

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Planning Division Staff Report

File Number	DRH08-00281
Applicant	Henry Woodley
Property Address	1319 North 16 th Street
Public Hearing Date	8 September 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:	22 August 2008
Staff posted notice on site on:	22 August 2008

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1. Project Data and Facts

Applicant/Status	Henry Woodley <i>owner</i>
Architect/Representative	Thomas Brown
Location of Property	1319 North 16 th Street
Size of Property	6,534 square feet
Present Zoning and Land Use	R-1CH <i>Single Family Residential with Historic Overlay</i>
Historic District	North End
Date of Construction	c. 1910
Style	Queen Anne
Status	Contributing
Square Footage of Existing House	2,796 square feet

Description of Applicant's Request

The applicant is proposing to remove the rear deck, exposing the cement steps and stoop leading to the back entrance underneath.

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

The subject property is located on the southwest corner of 16th and Brumback Streets. A detached garage is located at the rear of the property, and accessed off of Brumback. The site is landscaped with mature trees and shrubs. The home is quite large for the size of the lot.

Special Considerations

The property is considered an original substandard lot of record.

History of Previous Actions

CAA08-00224 Construction of a wood fence. *Approved*

3. Project Proposal

Site Design

Land Use	Existing	Proposed
Percentage of the site devoted to building coverage:	36%	32%
Percentage of the site devoted to paving:	4%	4%
Percentage of the site devoted to landscaping:	60%	64%
TOTAL	100%	100%

Based on Data from the Ada County Assessor's Office

Setbacks

Yard	Required	Proposed for Building	Proposed for Garage
Front (east)	15' (bldg.) 20' (garage)	No Change	No Change
Side Street (north)	15' (bldg.) 15' (garage)	No Change	No Change
Side (south)	5' (bldg.) 5' (garage)	No Change	No Change
Rear (west)	15' (bldg.) 15' (garage)	45'	No Change

Fencing

A wood fence was recently approved to enclose the rear yard.

Structure(s) Design

Number and Proposed Use of Buildings	One Single-family Dwelling One Detached Garage
Maximum Building Height	No Change
Number of Stories	1 ½

4. Ordinance / Standards

Section	
11-04-04.01	General Standards
11-04-14	Standards for Development of Substandard Original Lots of Record
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 subject home is estimated to have been constructed sometime around 1910 per the Ada County Assessor, during the period of significance for the North End. The home appears on the 1912 Sanborn Fire Insurance Maps, and was deemed contributing in a survey conducted in 1998. The structure remains intact and has retained its historic integrity. The massing of the house is the same, and it retains its character defining features such as the front porch, decorative wood cut shingles and the overall roof form. The property 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 contributes to the District. 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.

The historic home does not possess the 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 rear deck is clearly a contemporary addition to the home. Its removal will not adversely affect the home, as it is not original to the structure. The removal of the deck will neither negatively impact adjacent properties nor the neighborhood as a whole. Correspondence has been received from adjacent neighbors in favor of the application.

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.

The applicant intends to remove the rear wood deck and expose the cement steps and stoop underneath, utilizing those for access to the back of the home. The removal of the deck and the restoration of the rear of the home are positive changes to the structure, which meet the residential design guidelines and Secretary of the Interior's Standards regarding the retention and preservation of a property's historic character. By removing the rear deck and restoring the rear of the home to its historic appearance, the character of the property and neighborhood will be maintained.

2. The applicant has met three out of five findings.

6. Conclusion and Recommended Conditions

Pursuant to Boise City Code 2-18-9 A and B of Boise Municipal Code, the request to demolish a rear deck 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 must be met. (2-18-9C) Three of the five Findings have been met. The home cannot meet landmark status, the demolition of the rear deck will not adversely affect the District or the adjacent properties, and the submitted plans will 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. The application 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. The proposal 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. The proposal promotes redevelopment while retaining the historic integrity of the property and character of the neighborhood.
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. 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 11 August 2008.

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.