

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
PHONE: 503-588-6173
FAX: 503-588-6005



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503-588-6173*

DECISION OF THE HISTORIC PRESERVATION OFFICER

MINOR HISTORIC DESIGN REVIEW CASE NO.: HIS22-19

APPLICATION NO.: 22-112083-DR

NOTICE OF DECISION DATE: June 16, 2022

SUMMARY: A proposal to replace an existing window on the south facade of the Kappahn House (c. 1925).

REQUEST: Class 1 Minor Historic Design Review of a proposal to replace an existing window with in kind materials and design on the south facade of the Kappahn House (c. 1925), a contributing resource within the Court-Chemeketa Residential Historic District, on property zoned RD (Duplex Residential) and located at 1498 Court St NE, (Marion County Tax Assessor Map and Tax Lot Number: 073W26BD03100).

APPLICANT: John Cisar

LOCATION: 1498 Court St NE

CRITERIA: Salem Revised Code (SRC) Chapters 230.025(b) - Windows

FINDINGS: The findings are in the attached Decision dated June 16, 2022.

DECISION: The **Historic Preservation Officer (a Planning Administrator designee)** **APPROVED** Minor Historic Design Review Case No. HIS22-19 based upon the application materials deemed complete on June 16, 2022 and the findings as presented in this report.

The rights granted by the attached decision must be exercised, or an extension granted, by June 17, 2024, or this approval shall be null and void.

Application Deemed Complete:	<u>June 15, 2022</u>
Notice of Decision Mailing Date:	June 16, 2022
Decision Effective Date:	June 17, 2022
State Mandate Date:	<u>October 13, 2022</u>

Case Manager: Kimberli Fitzgerald, kfitzgerald@cityofsalem.net, 503-540-2397

This decision is final.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review by contacting the case manager, or at the Planning Desk in the Permit Application Center, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

<http://www.cityofsalem.net/planning>

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BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

**IN THE MATTER OF APPROVAL OF) MINOR HISTORIC DESIGN REVIEW
HISTORIC DESIGN REVIEW)
CASE NO. HIS22-19)
1498 COURT STREET NE) June 16, 2022**

In the matter of the application for a Minor Historic Design Review submitted by John Cisar, the Historic Preservation Officer (a Planning Administrator Designee), having received and reviewed evidence and the application materials, makes the following findings and adopts the following order as set forth herein.

REQUEST

SUMMARY: A proposal to replace an existing window on the south facade of the Kappahn House (c. 1925).

REQUEST: Class 1 Minor Historic Design Review of a proposal to replace an existing window with in-kind materials and design on the south facade of the Kappahn House (c. 1925), a contributing resource within the Court-Chemeketa Residential Historic District, on property zoned RD (Duplex Residential) and located at 1498 Court St NE, (Marion County Tax Assessor Map and Tax Lot Number: 073W26BD03100).

A vicinity map illustrating the location of the property is attached hereto, and made a part of this decision (**Attachment A**).

FINDINGS

Minor Historic Design Review Applicability

SRC230.020(f) requires Historic Design Review approval for any alterations to historic resources as those terms and procedures are defined in SRC 230. The Planning Administrator shall render a decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

PROPOSAL

The applicant is proposing to replace the original window on the south facade of the Kappahn House. The repair will include removing the existing window and frame from the opening. The applicant and the contractor (Stayton Wood Windows) is proposing to manufacture a new window matching the original in material and design to replace the existing which is too deteriorated to repair.

SUMMARY OF RECORD

The following items are submitted to the record and are available upon request: All materials submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports; any materials and comments from public agencies, City departments, neighborhood associations, and the public; and all documents referenced in this report. All application materials are available on the City's online Permit Application Center at <https://permits.cityofsalem.net>. You may use the search function without registering and enter the permit number listed here: 22 112083 DR.

APPLICANT'S STATEMENT

A request for historic design review must be supported by proof that it conforms to all applicable criteria imposed by the Salem Revised Code. An excerpt of the applicants proposal is included as **Attachment B** in this staff report.

FACTS & FINDINGS

1. Historic Designation

Under Salem Revised Code (SRC) Chapter 230, no exterior portion of a local historic resource, contributing, non-contributing building or new construction in a historic district shall be erected, altered, restored, moved or demolished until historic design review approval has been granted on the basis of the project's conformity with the applicable criteria in SRC 230. Conditions of approval, if any, shall be limited to project modifications required to meet the applicable criteria.

According to SRC 230.020(f), historic design review approval shall be granted if the application satisfies the applicable standards set forth in Chapter 230. For Class 1 and Class 2 Minor Historic Design Review decisions HLC staff, the Historic Preservation Officer (a designee of the Planning Administrator), shall render their decision supported by findings that explain conformance or lack thereof with relevant design standards, state the facts relied upon in rendering the decision, and explain justification for the decision.

2. Historic Significance

The Kappahn House was originally constructed by Ernest and Lylles Kappahn in 1925 in the Colonial Bungalow architectural style. The Kappahn's had purchased the property to the north, the Holmes House in 1919. The Kappahn's owned the Peter Pan Confectionary in Salem.

3. Analysis of Minor Historic Design Review Approval Criteria

SRC 230.020, Table 230-1 states that in kind window replacement on a primary façade is a Class 1 Minor Review. Staff utilized the information from the applicant's statements to evaluate the applicant's proposal and to compose the facts and findings within the staff report. Staff determined that the following standards from 230.025 (b) *Standards for Historic Contributing Resources in Residential Historic Districts, Windows* are applicable to the project on the south

(secondary) façade of the resource.

FINDINGS:

230.025 (b) Standards for Historic Contributing Resources in Residential Historic Districts, Windows

(1) Materials. *All features of the window, including the window frame, sash, stiles, rails, muntins, lamb's tongues and glass, are replaced with materials that duplicate, to the greatest degree possible, the appearance and structural qualities of the original.*

Findings: The applicant is proposing to replace the existing four panel, four over one fixed window band on the south façade of the resource. This is a secondary façade abutting the driveway located to the south of the resource. The applicant is proposing to replace the existing window band of four, four over one fixed window with a new band of wood windows matching the original in material and design to the greatest degree feasible. The proposed new window will fit within the existing 9' by 3' opening, and the existing trim will be retained. Overall, the applicant will ensure that any replacement materials will duplicate to the greatest degree feasible the appearance and structural qualities of the material being replaced, therefore staff finds that SRC 230.060(b)(1) has been met for the proposal.

(2) Design. *Overall design of the window profile of all parts of the window shall reproduce the appearance of the original window.*

Findings: The applicant is not proposing to alter the size of the window opening or change the style, finish or trim elements. Any replacement components of the window will be manufactured to match the design of the original to the greatest degree feasible. Overall, the replacement of the window sash, muntins and the replacement glass will ensure that the appearance and design of the original window will be retained and restored. Staff finds that SRC 230.060(b)(2) has been met for the proposal.

(3) Energy efficiency.

(A) The use of weather-stripping, insulation, or materials to either repair or improve the energy efficiency of shall be evaluated as means to achieve the desired energy efficiency objectives prior to seeking authorization to replace a window.

(B) If an owner wishes to improve the energy efficiency of windows in a non-contributing resource, this is allowed provided the proposed improvements are compatible and do not permanently alter any historic contributing features of the resource.

(C) If an owner wishes to improve the energy efficiency of windows located on a facade other than the primary facade, measures that are removable and do not permanently alter the resource shall be used. This includes, but is not limited to, exterior storm windows, weather-stripping. Reuse of the original window frame and sash with replacement glass that maintains the overall design and appearance of the window is allowed. Example: Replacement of single-pane glass with new energy efficient double-paned glass is permissible, so long as the window is in satisfactory condition, muntins are wide enough to hold the double-paned glass, the double-paned glass can be

inserted into the original window sash, there are only minor alterations to the overall design of the window, and the double-paned glass is not visibly tinted or reflective.

Findings: The applicant is not proposing any improvements to improve energy efficiency therefore staff finds that SRC 230.060(b)(3) is not applicable to the evaluation of this proposal.

DECISION

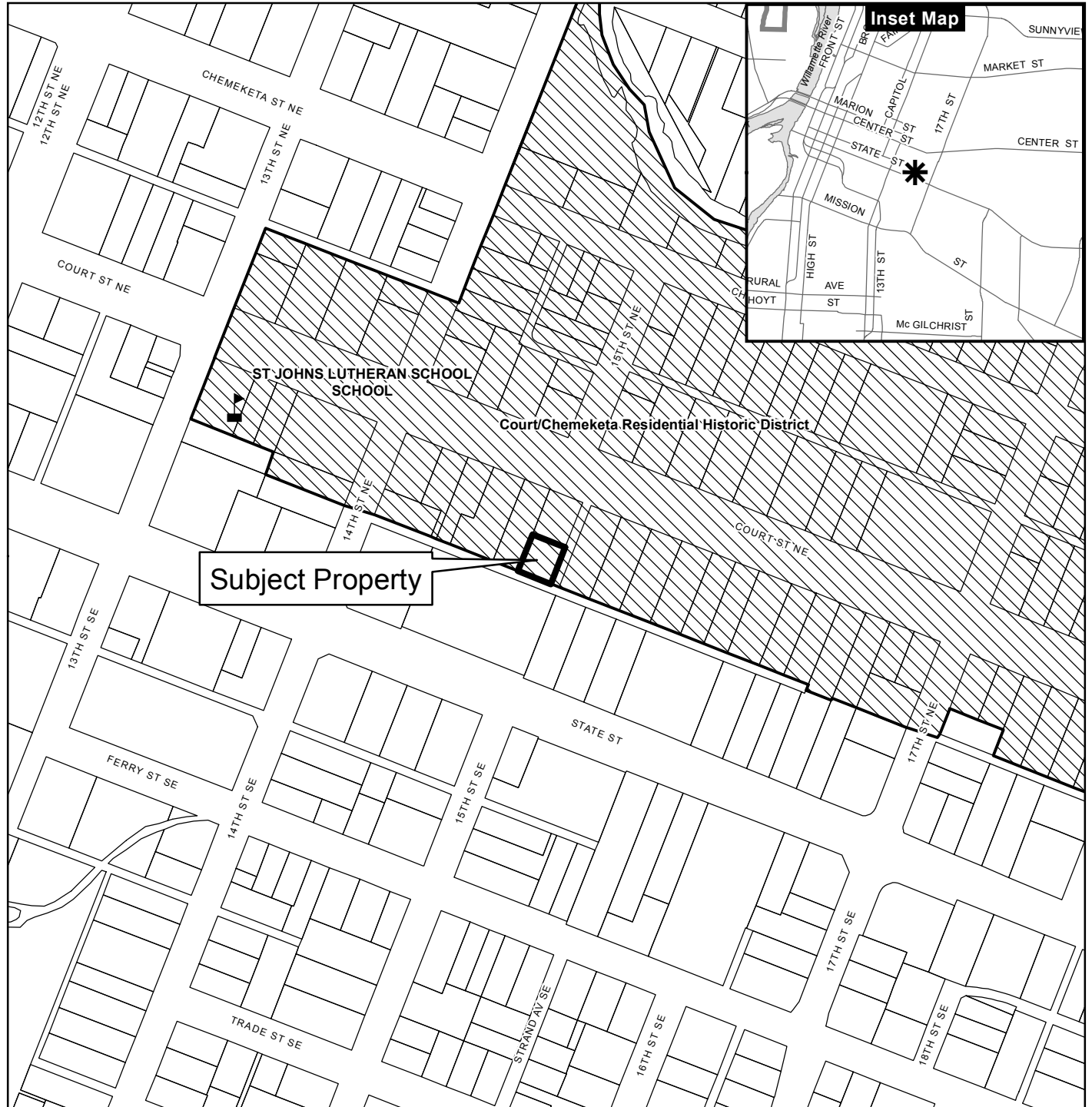
Based upon the application materials deemed complete on June 15, 2022 and the findings as presented in this report, the application for HIS22-19 is **APPROVED**.



Kimberli Fitzgerald, AICP
Historic Preservation Officer
Planning Administrator Designee

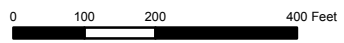
Attachments: A. Vicinity Map
B. Applicant's Submittal Materials- Excerpt

Vicinity Map 1498 Court Street NE



Legend

- Taxlots
- Urban Growth Boundary
- City Limits
- Outside Salem City Limits
- Historic District
- Schools
- Parks



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Case No. _____

Historic Alteration Review Worksheet

Site Address: 1498 COURT ST NE, SALEM OR 97301

Resource Status: Contributing Non-Contributing Individual Landmark

Type of Work Activity Proposed: Major Minor

Chose One: Commercial District Individual Resource Public District
Residential District Sign

Replacement, Alteration, Restoration or Addition of

Architectural Feature:

- Awning
- Door
- Exterior Trim, Lintel
- Other architectural feature
- Roof/Cornice
- Masonry/Siding
- Storefront
- Window(s) Number of windows: 1

Landscape Feature:

- Fence
- Streetscape
- Other Site feature (describe) _____

New:

- Addition
- Accessory Structure
- Sign
- Mural
- Accessibility Ramp
- Energy Improvements
- Mechanical Equipment
- Primary Structure

Will the proposed alteration be visible from any public right-of-way? Yes No

Project's Existing Material: WOOD, GLASS Project's New Material: WOOD, GLASS

Project Description

Briefly provide an overview of the type of work proposed. Describe how it meets the applicable design criteria in SRC Chapter 230. Please attach any additional information (i.e., product specification sheets) that will help staff and the HLC clearly understand the proposed work.

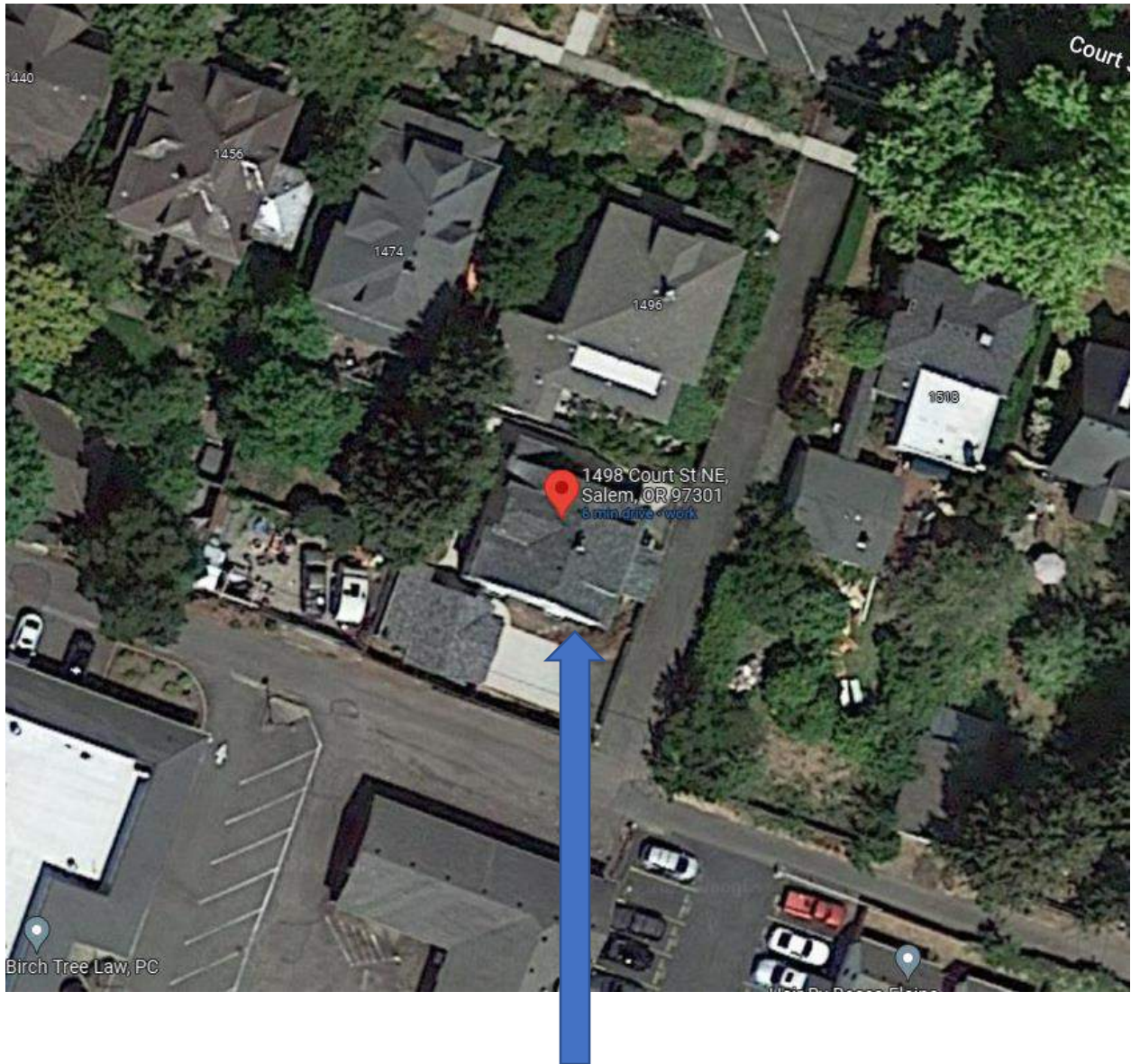
DETERIORATED LIVING ROOM PICTURE WINDOW TO BE REPLACED WITH AN EXACT REPRODUCTION WINDOW. JOB WILL BE DONE BY STAYTON WOOD WINDOW CO.

John Cooper
Signature of Applicant

JUNE 6, 2022
Date Submitted/Signed

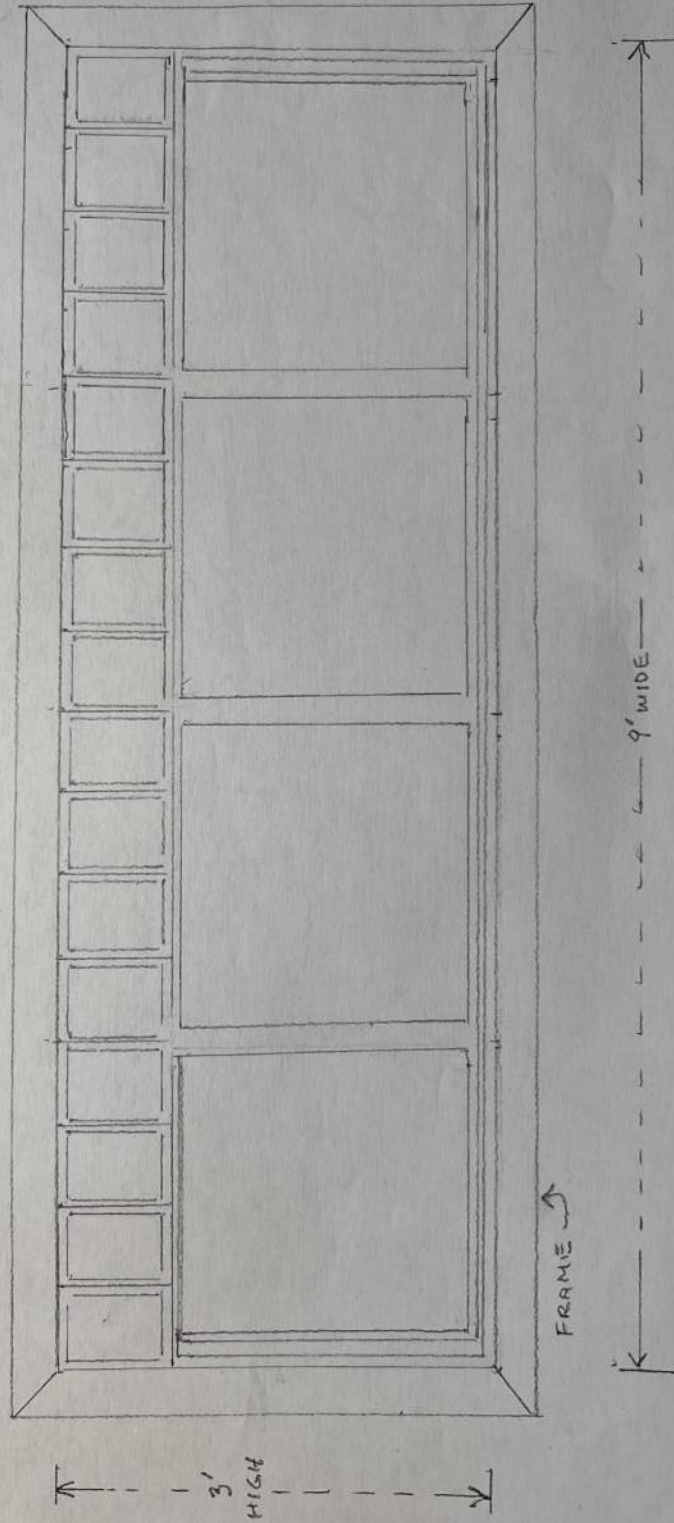


Proposed Window Replacement



Location of proposed window replacement

ORIGINAL WOOD PICTURE WINDOW TO BE REPLACED WITH WOOD REPRODUCTION WINDOW



SCALE: 1" = 1'