

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
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503-588-6173*

DECISION OF THE HISTORIC LANDMARKS COMMISSION

CLASS 3 MAJOR HISTORIC DESIGN REVIEW CASE NO.: HIS23-03

APPLICATION NO.: 23-104234-PLN

NOTICE OF DECISION DATE: March 21, 2023

SUMMARY: A proposal to replace eight windows and siding on the Bishop House (c.1938).

REQUEST: A Class 3 Major Historic Design review of a proposal to replace eight windows and siding on the exterior of the Bishop House(1938), a historic contributing building in the Gaiety Hill/Bush's Pasture Park Historic District in the RS (Single Family Residential) zone, and located at 460 Leslie Street - 97301 (Marion County Assessor Map and Tax Lot Number: 073W27CA00500).

APPLICANT: Rich Bontrager, Kaufman's Home Maintenance

LOCATION: 460 Leslie St SE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 230.065 – General Guidelines for Historic Contributing Resources

FINDINGS: The findings are in the attached Decision dated March 16, 2023.

DECISION: The **Historic Landmarks Commission APPROVED** Class 3 Major Historic Design Review Case No. HIS23-03 based upon the application materials deemed complete on February 22, 2023 and the findings as presented in this report.

VOTE:

Yes 6 No 0 Absent 2 (Morris, Zimmerman)

Jennifer Maglinte-Timbrook
Vice-Chair, Historic Landmarks Commission

The rights granted by the attached decision must be exercised, or an extension granted, by April 6, 2025, or this approval shall be null and void.

Application Deemed Complete:	<u>February 22, 2023</u>
Public Hearing Date:	<u>March 16, 2023</u>
Notice of Decision Mailing Date:	<u>March 21, 2023</u>
Decision Effective Date:	<u>April 6, 2023</u>
State Mandate Date:	<u>June 22, 2023</u>

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

This decision is final unless written appeal and associated fee (if applicable) from an aggrieved party is filed with the City of Salem Planning Division, Room 320, 555 Liberty Street SE, Salem OR 97301, or by email at planning@cityofsalem.net, no later than 5:00 p.m. Wednesday, April 5, 2023. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter(s) 230. The appeal fee must be paid at the time of filing. If the appeal is untimely and/or lacks the proper fee, the appeal will be rejected. The Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

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>

DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION

CASE NO.: Historic Design Review Case No. HIS22-23

FINDINGS: Based upon the application materials, the facts and findings in the Staff Report incorporated herein by reference, and testimony provided at the Public Hearing of 15, 2022 the March 16, 2023 Historic Landmarks Commission (HLC) finds that the applicant adequately demonstrated that their proposal complies with the applicable provisions of the Salem Revised Code (SRC) 230.065 as follows:

FINDINGS

Criteria:

230.065. GENERAL GUIDELINES FOR HISTORIC CONTRIBUTING RESOURCES

(a) Except as otherwise provided in this Chapter, the property shall be used for its historic purpose, or for a similar purpose that will not alter street access, landscape design, entrance(s), height, footprint, fenestration, or massing.

Finding: The HLC finds that the applicant is not proposing to alter the use of the resource or the site as a single-family residence. The HLC finds that the proposed siding and window replacement on the primary façade is an 'in-kind' replacement, matching material and design of the original double hung windows, and the siding on the dormers, thereby meeting SRC 230.065(a). The HLC finds that while a change in material is proposed for the windows on secondary facades, the fenestration pattern, and window openings will be retained and that SRC 230.065(a) has been met.

(b) Historic materials, finishes and distinctive features shall, when possible, be preserved and repaired according to historic preservation methods, rather than restored.

Finding: After some discussion regarding whether this Guideline is applicable to the evaluation of this proposal- in particular for the windows on the primary facade, the HLC finds that given the poor condition of the existing original windows and the siding on the second story of the resource, it is not feasible for the applicant to repair or preserve any original historic materials as part of this proposal; therefore, the HLC finds this guideline has been met.

(c) Distinctive stylistic features or examples of skilled craftsmanship significance shall be treated with sensitivity.

Finding: The HLC finds that while it is not feasible to retain the original windows on the second floor of the resource due to their poor condition, the proposed siding and window replacement on the primary façade is an 'in-kind' replacement, matching material and design of the original double hung windows, and the siding on the dormers, thereby meeting SRC 230.065 (c). While a change in material is proposed for the windows on secondary facades, the proposed windows on these facades match the design of the original and the fenestration patterns will be retained and the HLC finds that SRC 230.065 (c) has been met.

(d) Historic features shall be restored or reconstructed only when supported by physical or photographic evidence.

Finding: The HLC finds that while the applicant is not proposing to restore or reconstruct any missing historic features, the applicant is proposing to replace the existing original windows and dormer siding with windows and siding that match these original features, based upon physical evidence. Therefore, the HLC finds that SRC 230.065(d) has been met.

(e) Changes that have taken place to a historic resource over the course of time are evidence of the history and development of a historic resource and its environment and should be recognized and respected. These changes may have acquired significance in their own right, and this significance should be recognized and respected.

Finding: The HLC finds that there are no alterations proposed to historic features that have acquired significance, therefore the HLC finds that this guideline is not applicable to the evaluation of this proposal.

(f) Additions and alterations to a historic resource shall be designed and constructed to minimize changes to the historic resource.

Finding: The HLC finds that the proposed new double hung wooden replacement windows and cedar shake siding on the primary façade match the design and material of the original windows to the greatest degree feasible, while improving both functionality and energy efficiency. The HLC finds that the proposed new double hung fiberglass windows are paintable and match the design of the original windows and are proposed to be installed within the existing window openings, to retain the original fenestration pattern. The HLC finds that their location on the side and rear facades of the resource minimizes any adverse visual impacts due to the change in material and the HLC finds that SRC 230.065(f) has been met.

(g) Additions and alterations shall be constructed with the least possible loss of historic materials and so that significant features are not obscured, damaged, or destroyed.

Finding: The HLC finds that while the proposed window and siding replacement will result in the loss of some original historic material, the adverse effects of this loss have been minimized because the applicant is proposing to match the original material and design on the primary façade, and the character defining fenestration pattern and double hung window design features will be retained throughout. The HLC finds that SRC 230.065(g) has been met.

(h) Structural deficiencies in a historic resource shall be corrected without visually changing the composition, design, texture or other visual qualities.

Finding: The applicant is not proposing to correct any structural deficiencies as part of this proposal, therefore the HLC finds that this guideline is not applicable to the evaluation of this proposal.

(i) Excavation or re-grading shall not be allowed adjacent to or within the site of a historic resource which could cause the foundation to settle, shift, or fail, or have a similar effect on adjacent historic resources.

Finding: The applicant is not proposing to any excavation or regrading as part of this proposal,

therefore the HLC finds that this guideline is not applicable to the evaluation of this proposal.

The Historic Landmarks Commission **APPROVES** HIS23-03.

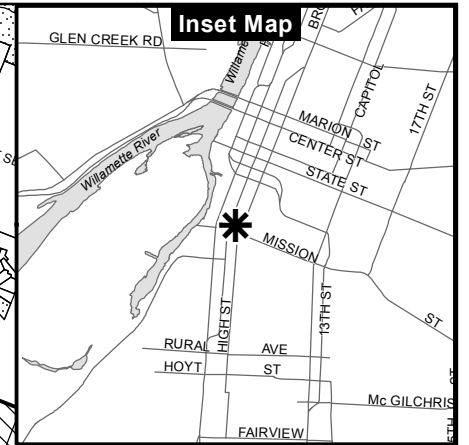
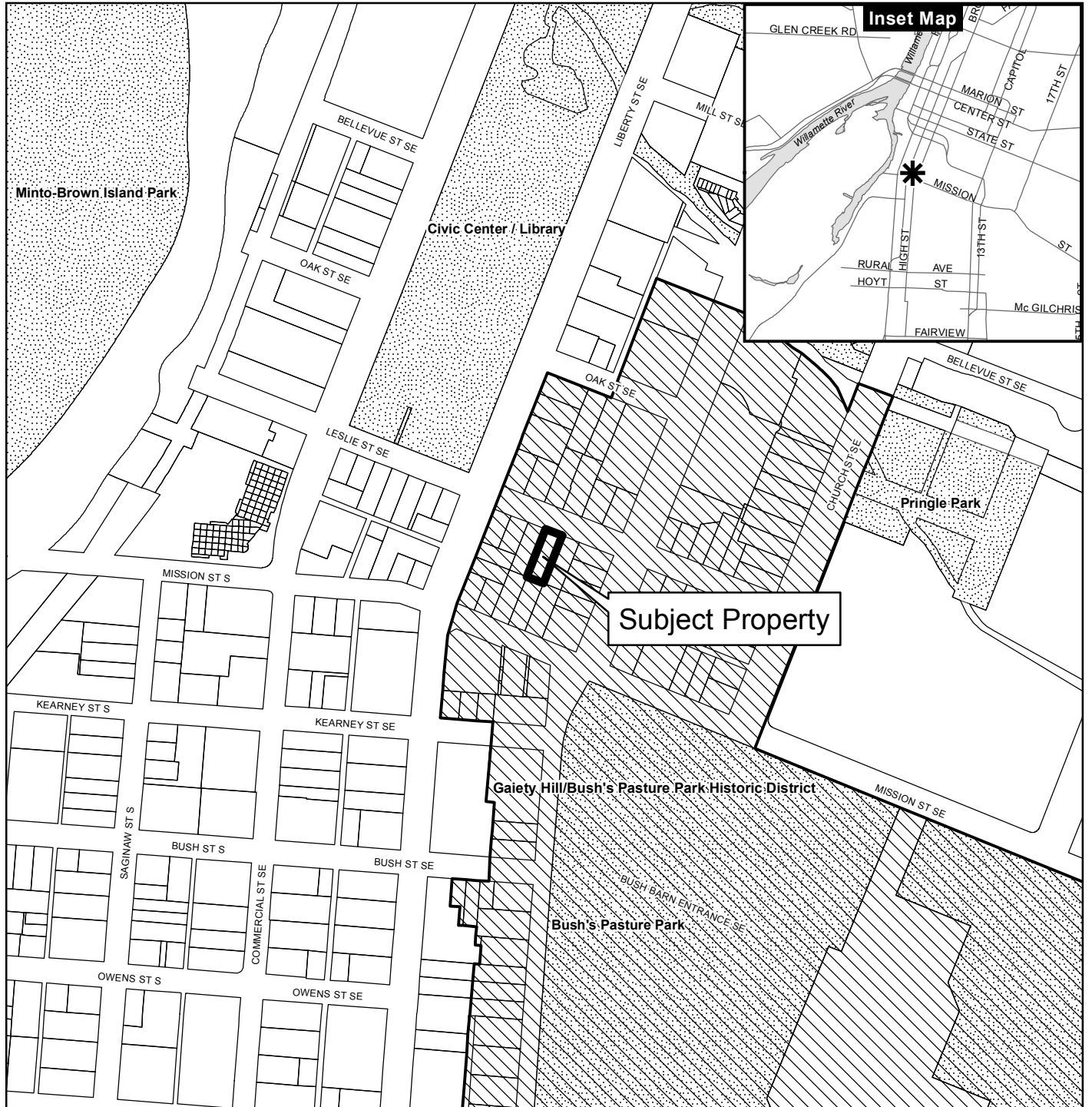
VOTE: Yes 6 No 0 Absent 2 (Morris, Zimmerman) Abstain 0

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








Prepared by Kimberli Fitzgerald, Historic Preservation Officer

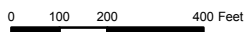
Vicinity Map

460 Leslie Street SE (073W27CA00500)



Legend

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



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Legend

- Centerline (Labels)
- Historic Buildings
- Annexations (delayed)
- Taxlots
- Creeks
 - 50 - 200
 - 200 - 640
 - 640 - 6400
 - GT 6400
- Hydrology
- Street Class
 - Future Minor Arterial
 - Future Collector
 - Major Arterial
 - Minor Arterial
 - Parkway
 - Collector
 - Highway/Freeway
- Urban Growth Boundary
- City Limit

1:399



0.01 0 0.01 0.01 Miles

WGS_1984_Web_Mercator_Auxiliary_Sphere
City of Salem, Oregon

This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

Notes

Enter notes here...

Kaufman Home Maintenance – 460 Leslie Street, Salem Oregon 97301 – Cheryl Randall

We are looking to replace the windows on the 2nd level of Cheryl Randall’s home. The current windows do not function properly, some have been painted shut over the years and the sash counter weight cords have been cut. The windows are all single pane letting the cold and heat in.

There are 2 windows that face the street, located in the dormers. There is one on the east side of the home that is not really visible from the street. There are three on the west side of the home that are somewhat visible from the street, and lastly 2 that face south into the back yard.

When we replace the windows, we will also be replacing the cedar shake shingles on the dormers. I have put pictures below for your reference.

If there are questions, please feel free to contact me at the number or email address below.

Rich Bontrager / Project Manager

Rich Bontrager | Project Manager | Cell 503.949.4566

Kaufman’s Home Maintenance | Office 503.798.4357

5797 State St. | Salem, OR 97317



These two windows we propose using Stayton Windows to make new double hung sashes only and preserve the existing window frame and trim if possible.

SPECIFICATION

Proposed for the Front

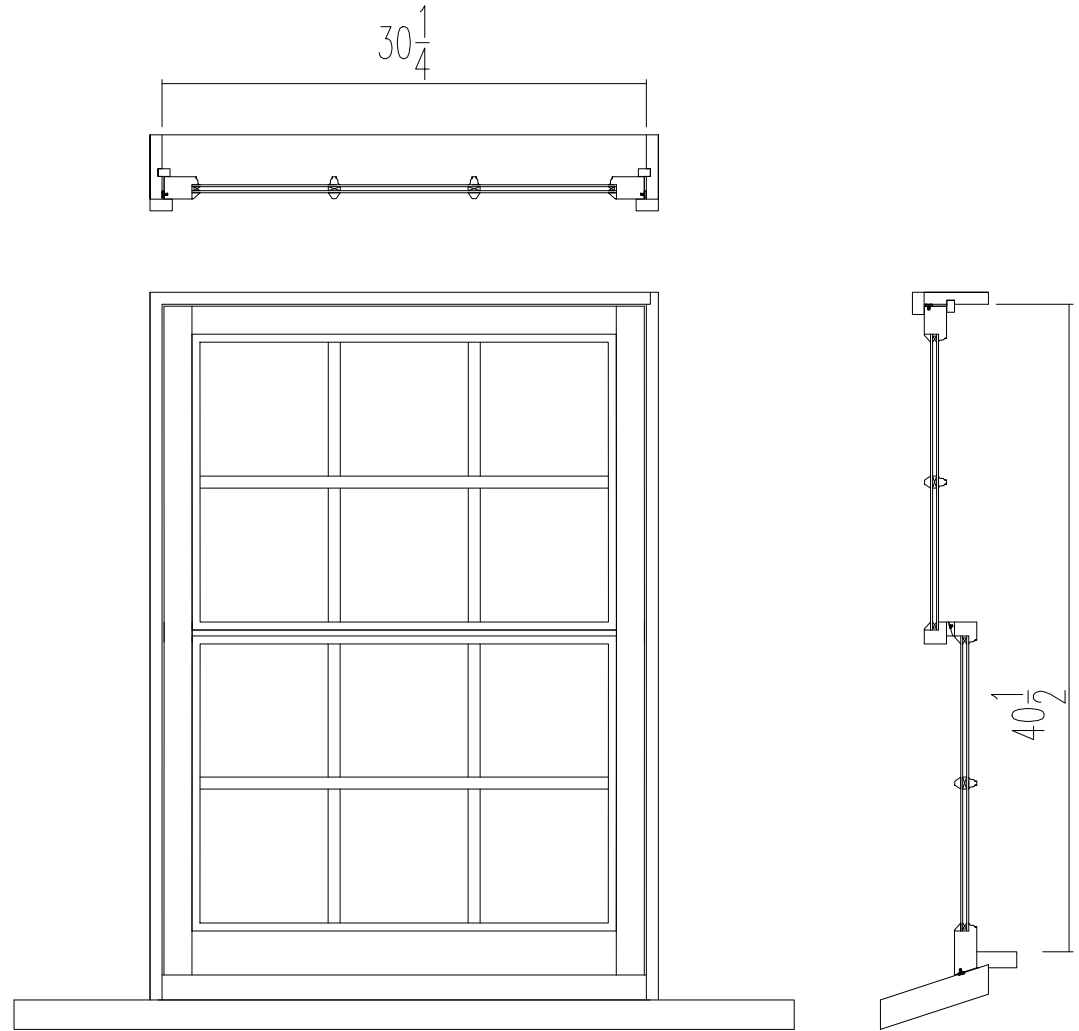
OVERALL JAMB DIMENSIONS: $31 \frac{3}{4}$ " X $45 \frac{1}{2}$ " X $4 \frac{3}{4}$ "
(VIF BEFORE CONSTRUCTION)

GLASS SIZE: $18 \frac{1}{4}$ " X $26 \frac{1}{4}$ " X $\frac{1}{2}$ " (WHITE SPACERS AND BARS)

VISIBLE GLASS SPACE $25 \frac{1}{2}$ " X $17 \frac{1}{2}$ " PER SASH

SASH WEIGHT 17.75 LBS

*TEMPERED CLEAR
INVISIBLE BALANCE



STAYTON
WOOD WINDOWS

Very Good Windows & Doors

CUSTOMER : KAUFMAN

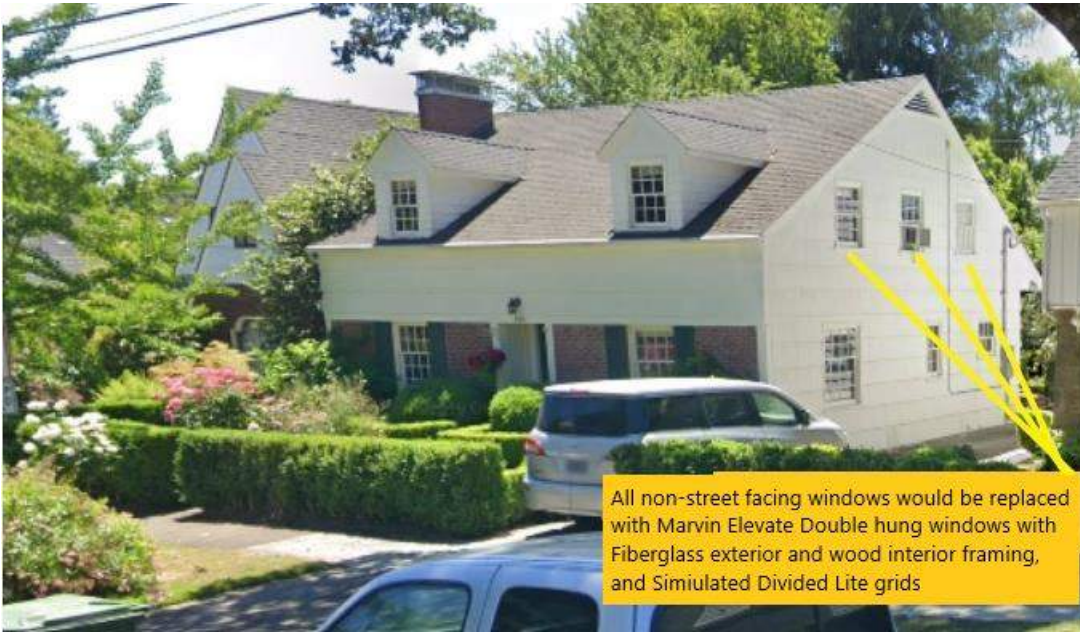
LOCATION : SALEM

SPECIES : DOUGLAS FIR

SERIES : DOUBLE HUNG

SCALE : 1=12

DATE : 2 20 23



All non-street facing windows would be replaced with Marvin Elevate Double hung windows with Fiberglass exterior and wood interior framing, and Simulated Divided Lite grids

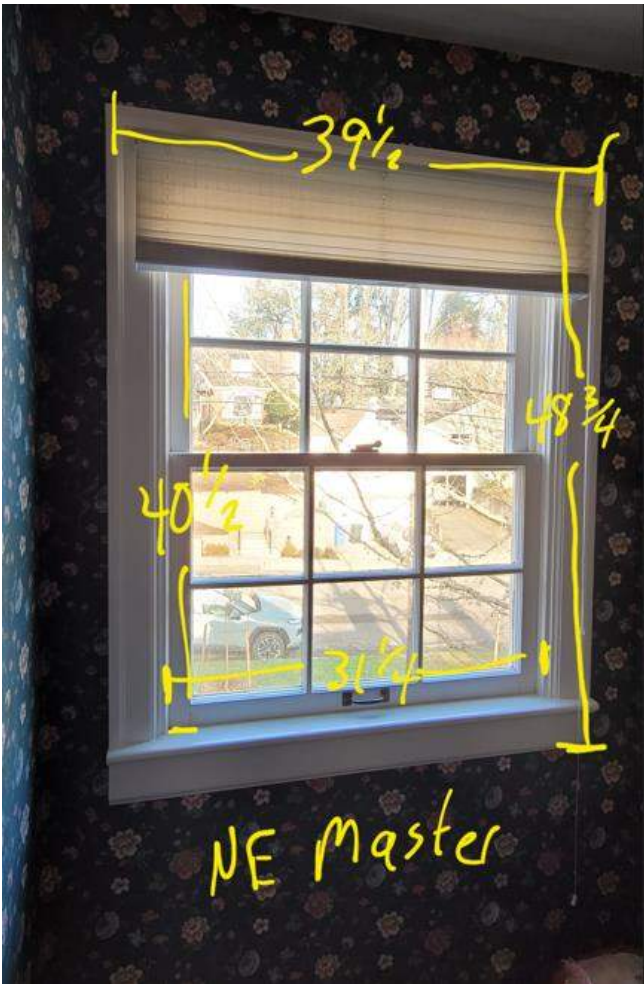


All non-street facing windows will be replaced with Marvin Elevate Double hung windows with Fiberglass exterior and wood interior framing and Simulated Divided Lite grids



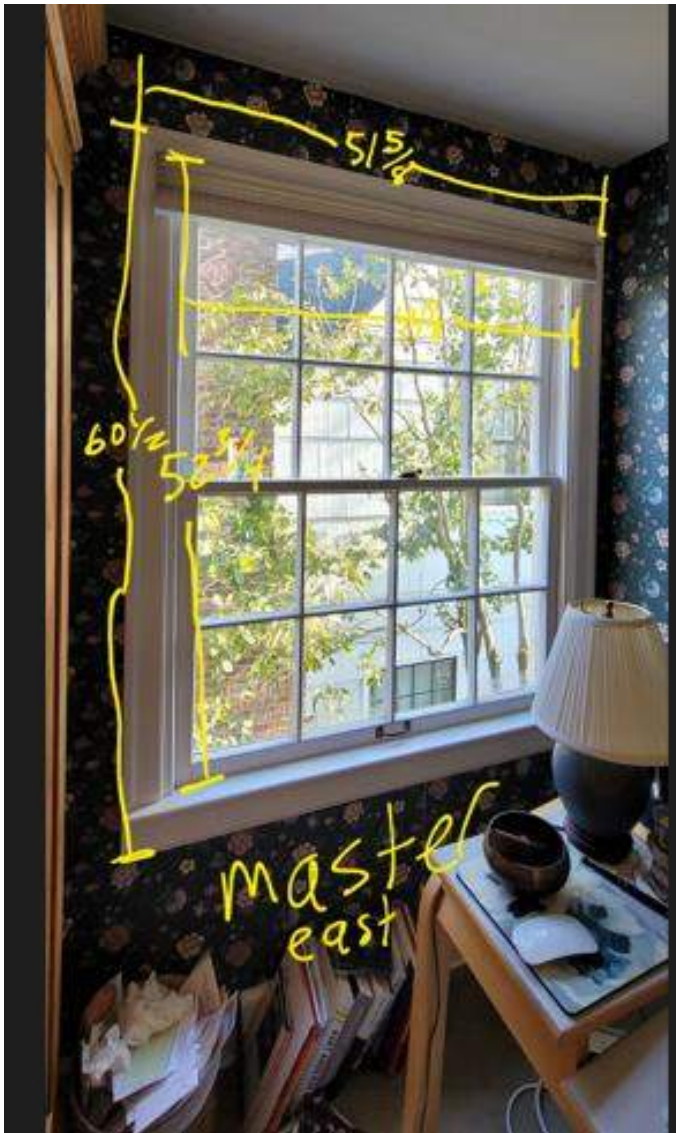
All non-street facing windows will be replaced with Marvin Elevate Double hung windows with Fiberglass exterior and wood interior framing and Simulated Divided Lite grids.

This is one of the two windows facing the street, all 7 match the style but will vary in size a little.



NE master

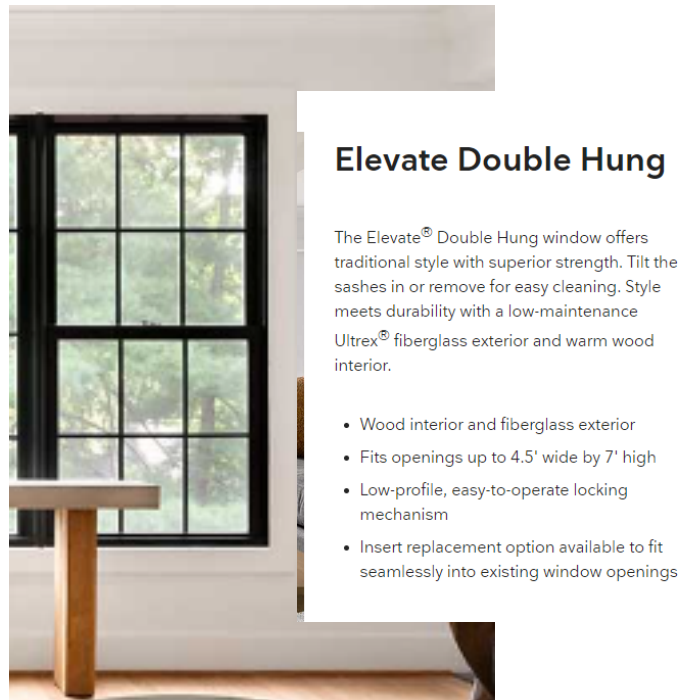
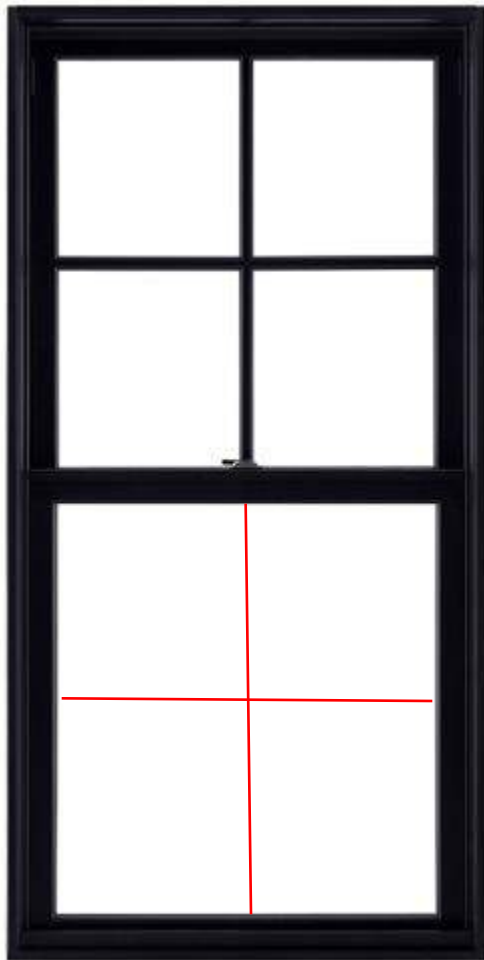
This is the east window that I could not get a picture of due to the trees:



Marvin Elevate Double Hung Window

- Paintable fiberglass clad exterior
- Wood clad interior
- Tilt sash
- Dual pane glass with LowE coating and Argon insulating gas
- Simulated Divided Lite (SDL) – Wood bars permanently adhered to both interior and exterior glass.
- Match grid to existing windows

Sample below is from manufacture's website, windows ordered would be white to match current windows.



Proposed New Windows to match divided light design on existing.

This window would be used at the east, west and south sides of the home.