

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
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## DECISION OF THE HISTORIC LANDMARKS COMMISSION

**CLASS 3 MAJOR HISTORIC DESIGN REVIEW CASE NO.: HIS23-04**

**APPLICATION NO.: 23-106370-PLN**

**NOTICE OF DECISION DATE:** April 21, 2023

**SUMMARY:** A proposal to add a new side dormer, window, skylights and door on the exterior of the Haag House(1929) garage.

**REQUEST:** A Class 3 Major Historic Design review of a proposal to add a new side dormer, window, skylights and door on the exterior of the Haag House(1929) garage, a historic contributing accessory structure in the Court Chemeketa Historic District in the RS (Single Family Residential) zone, and located at 1889 Court Street NE- 97301 (Marion County Assessor Map and Tax Lot Number: 073W26AC04800).

**APPLICANT:** Josh Edelman

**LOCATION:** 1889 Court St NE, Salem OR 97301

**CRITERIA:** Salem Revised Code (SRC) Chapters 230.025(g) - Alterations and Additions; and 230.025(e)(3) - Skylights

**FINDINGS:** The findings are in the attached Decision dated April 21, 2023.

**DECISION:** The **Historic Landmarks Commission APPROVED** Class 3 Major Historic Design Review Case No. HIS23-04 based upon the application materials deemed complete on March 29, 2023 and the findings as presented in this report.

### VOTE:

**Yes 6      No 0      Absent 2 (Curteman, Zimmerman)**

Jennifer Maglante-Timbrook  
Vice-Chair, Historic Landmarks Commission

The rights granted by the attached decision must be exercised, or an extension granted, by May 9, 2025, or this approval shall be null and void.

Application Deemed Complete:	<u>March 29, 2023</u>
Public Hearing Date:	<u>April 20, 2023</u>
Notice of Decision Mailing Date:	<u>April 21, 2023</u>
Decision Effective Date:	<u>May 9, 2023</u>
State Mandate Date:	<u>July 27, 2023</u>

Case Manager: Kimberli Fitzgerald, [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net), 5035402397

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](mailto:planning@cityofsalem.net), no later than 5:00 p.m. Monday, April 8, 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. HIS23-04

**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 the April 20, 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) 230.025 as follows:

### **FINDINGS**

#### ***Criteria:***

#### **230.025(g) Alterations and Additions**

##### ***(1) Materials.***

*(A) Building materials shall be of traditional dimensions.*

**Findings:** The applicant is proposing to add cedar shake shingles to the exterior of the new dormer with in-kind cedar shake shingles, and painted to match the existing. The proposed new window will be wood clad with dimensions similar to the existing double hung windows on the Haag House. The proposed sliding glass door will be of wood composite material and the door frame has similar dimensions to existing doors on the Haag House. The HLC finds that the proposed building materials have traditional dimensions and that SRC 230.025(g)(1)(A) has been met.

*(B) Material shall be of the same type, quality and finish as original material in the building.*

**Findings:** The applicant is proposing to add cedar shake shingles to the exterior of the new dormer with in-kind cedar shake shingles which are the same type, quality and finish as the existing shingles on the exterior of the garage. The proposed new window will be wood clad which is similar to the wood material of the existing double hung windows on the exterior of the Haag House. The proposed sliding glass door will be of wood composite material which is similar to the material of the existing exterior doors on the Haag House. The HLC finds that SRC 230.025(g)(1)(B) has been met.

*(C) New masonry added to a building shall, to the greatest degree possible, match the color, texture and bonding pattern of the original masonry.*

**Findings:** The applicant is not proposing to add any new masonry to the exterior of the existing garage; therefore, The HLC finds that SRC 230.025(g)(1)(C) is not applicable to the evaluation of this proposal.

*(D) For those areas where original material must be disturbed, original material shall be retained to the maximum extent possible.*

**Findings:** The applicant has proposed to convert the existing garage to an ADU and as part of this conversion is proposing to install two new skylights on the existing roof, a new projecting dormer with a window and a new door opening on the eastern interior façade of the existing garage. While these proposed alterations will result in the loss of original material

from the existing roof and siding on the eastern façade, these alterations are proposed on the interior secondary facades of the resource, and are obscured, minimizing the visual adverse effect of these changes. The HLC finds that original material has been retained to the maximum degree feasible and that SRC 230.025(g)(1)(D) has been met for this proposal.

**(2) Design.**

*(A) Additions shall be located at the rear, or on an inconspicuous side, of the building.*

**Findings:** The proposed alterations will be located on the western and eastern (secondary) side facades of the Haag House garage and will not be easily visible from the right of way. The HLC finds that SRC 230.025(g)(2)(A) has been met.

*(B) Be designed and constructed to minimize changes to the building.*

**Findings:** The applicant has designed the proposed alterations to ensure that the primary façade of the garage, and the garage door will be retained. All alterations are proposed along secondary facades of the Haag garage building. The HLC finds that SRC 230.025(g)(2)(B) has been met.

*(C) Be limited in size and scale such that a harmonious relationship is created in relationship to the original building.*

**Findings:** The proposed alterations are limited in size and scale compared to the existing garage and the primary two-story Haag Building on the site. The HLC finds that SRC 230.025(g)(2)(C) has been met.

*(D) Be designed and constructed in a manner that significant historical, architectural or cultural features of the building are not obscured, damaged, or destroyed.*

**Findings:** While the proposed alterations will result in a minimal amount of original material being removed, and the proposed roof dormer will have a visual impact, the overall footprint and form of the garage will be retained. The proposed new door opening will result in the loss of original siding material; however, this new opening and the addition of the proposed projecting awning will not result in any loss of significant architectural features. The proposed location of these new alterations on the interior secondary façade will minimize the adverse visual impact of these alterations. There are no significant historical, architectural or cultural features on the exterior of the resource which will be obscured, damaged or destroyed by these proposed alterations. The HLC finds that SRC 230.025(g)(2)(D) has been met.

*(E) Be designed to be compatible with the size, scale, material, and character of the building, and the district generally.*

**Findings:** The proposed alterations are limited in size and scale with the Haag House garage. The proposed alterations are designed to be compatible with this residential resource and the surrounding Court Chemeketa Historic District. The HLC finds that SRC 230.025(g)(2)(E) has been met.

*(F) Not destroy or adversely impact existing distinctive materials, features, finishes and construction techniques or examples of craftsmanship that are part of the building.*

**Findings:** While the proposed alterations will result in the loss of some original material due to the creation of the new dormer, projecting awning and new window and door openings, these proposed alterations will be located on secondary facades of the Haag garage and obscured from view. Further, there are no distinctive materials, features, finishes and construction techniques or examples of craftsmanship in this area on the exterior of the resource which will be obscured, damaged or destroyed by the proposed alterations. The HLC finds that SRC 230.025(g)(2)(F) has been met.

*(G) Be constructed with the least possible loss of historic materials.*

**Findings:** The applicant has proposed to create a new side dormer, projecting awning and new window and door openings on the exterior of the Haag House garage. While original material will be removed from the existing western and eastern slopes of the garage roof, the wood shingles on this roof are not original to this structure. While original material will be removed to create the new sliding glass door opening on the eastern façade of the garage, the first story of the building where the alteration is proposed is facing an interior side yard and obscured from view. The primary façade of the garage, fronting Court Street, has been retained. The HLC finds that the addition has been constructed with the least possible loss of historic materials and that SRC 230.025(g)(2)(G) has been met for this proposal.

*(H) Not create a false sense of historical development by including features that would appear to have been part of the building during the period of significance but whose existence is not supported by historical evidence.*

**Findings:** The applicant has not introduced features that would appear to have been part of the original garage during the period of significance. The design and materials of this addition are clearly new while being compatible with the Haag House garage. The HLC finds that SRC 230.025(g)(2)(H) has been met.

*(I) Be designed in a manner that makes it clear what is original to the building and what is new.*

**Findings:** The applicant has designed the proposed alterations in a manner that clearly differentiates the new portion of the garage building from the original. The material and design of the proposed new door and windows are comprised of wood composite, which is a compatible material, but clearly new. The HLC finds that SRC 230.025(g)(2)(I) has been met.

*(J) Be designed to reflect, but not replicate, the architectural styles of the period of significance.*

**Findings:** The proposed garage alterations do not replicate the residential architectural design of the Haag House; however, it does reflect the architectural style, with the design of the sloped roof projecting dormer and awning. The exterior cladding and trim will match these materials on the existing garage and house. The HLC finds that SRC 230.025(g)(2)(J) has been met.

(K) *Preserve features of the building that has occurred over time and has attained significance in its own right.*

**Findings:** There are no features impacted by the proposal that have acquired significance in their own right, therefore The HLC finds that this criterion is not applicable to the evaluation of this proposal.

(L) *Preserve distinguishing original qualities of the building and its site.*

**Findings:** The distinguishing original qualities of the Haag House garage have been retained. Any potential adverse effects due to the proposed alterations resulting from the conversion of use to an ADU have been minimized due to the location on the interior side(s) of the resource, and the minimal impact to original materials. The HLC finds that SRC 230.025(g)(2)(L) has been met.

### **230.025 (e)(3) Solar Panels, Rooftop Mechanical Devices, and Skylights**

#### **(A) Materials.**

- (i) *Non-reflective glass and metal panels are allowed.*
- (ii) *Reflective glass and plastic frames are prohibited.*

**Findings:** The applicant is proposing to install two new skylights (Velux Fixed curb style skylight with tempered low E3 glass). The proposed skylights are 22.5"x46.5" in size to fit between existing roof rafters. The proposed skylights will be made of aluminum with a neutral gray finish with glass that is non-reflective. The HLC finds that SRC 230.025(e)(3) has been met.

#### **(B) Design.**

- (iii) *Skylights shall be flat and shall not alter the existing profile of the roof. Bubble-type skylights are prohibited.*

**Findings:** The proposed skylights are not of the bubble type, but are low profile, parallel to the roof. While the frame of the installed skylights will be visible roughly 1 ¾" from finished roof, overall, the existing form and profile of the roof will not be altered. The HLC finds that SRC 230.025(e)(3) has been met.

The Historic Landmarks Commission **APPROVES** HIS23-04.

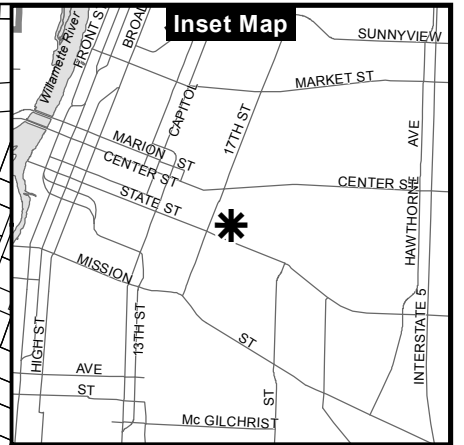
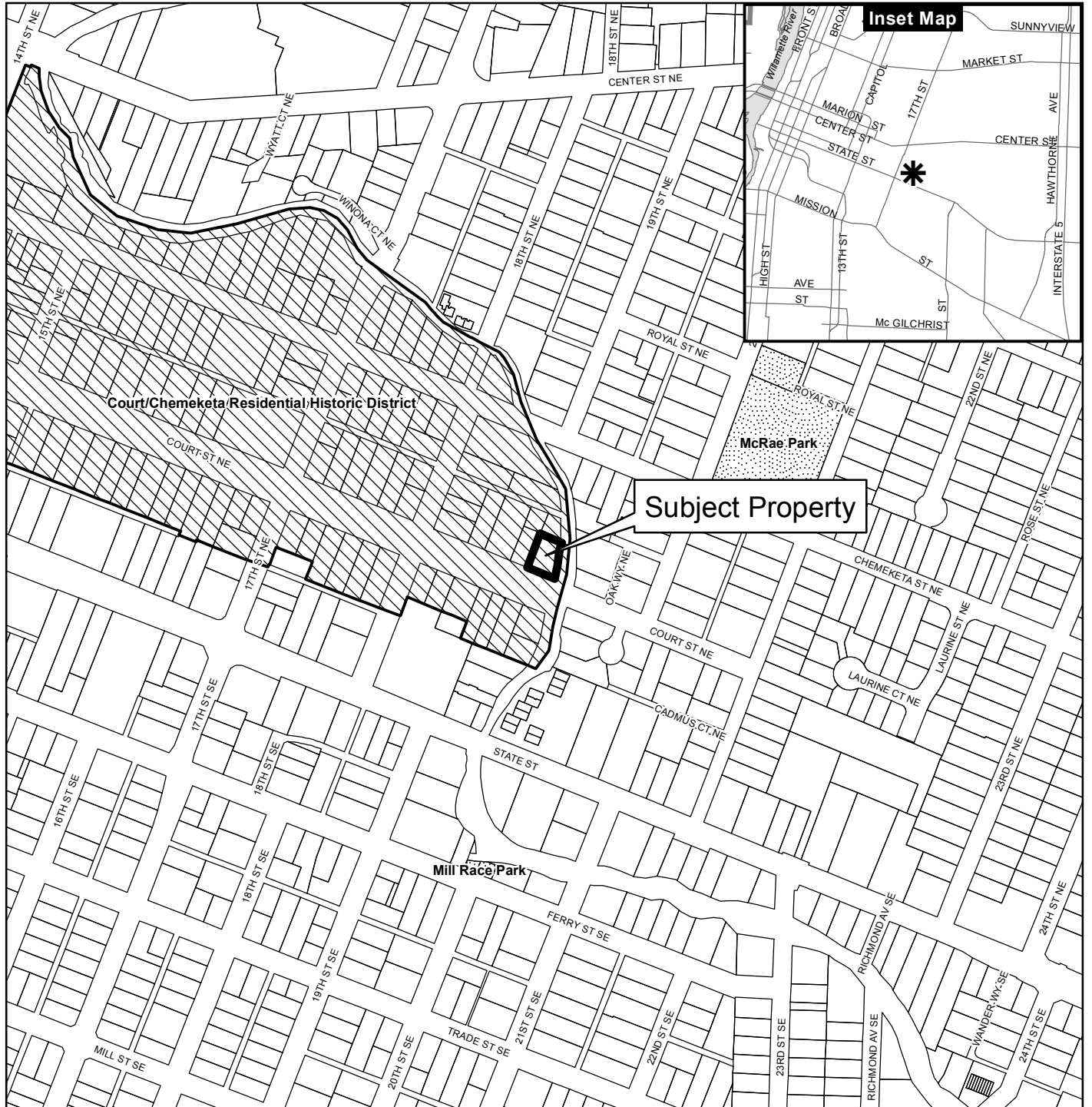
**VOTE: Yes 6 No 0 Absent 0 Abstain 2 (Curteman, Zimmerman)**

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








Prepared by Kimberli Fitzgerald, Historic Preservation Officer

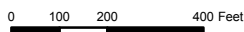
# Vicinity Map

## 1889 Court Street NE (073W26AC04800)



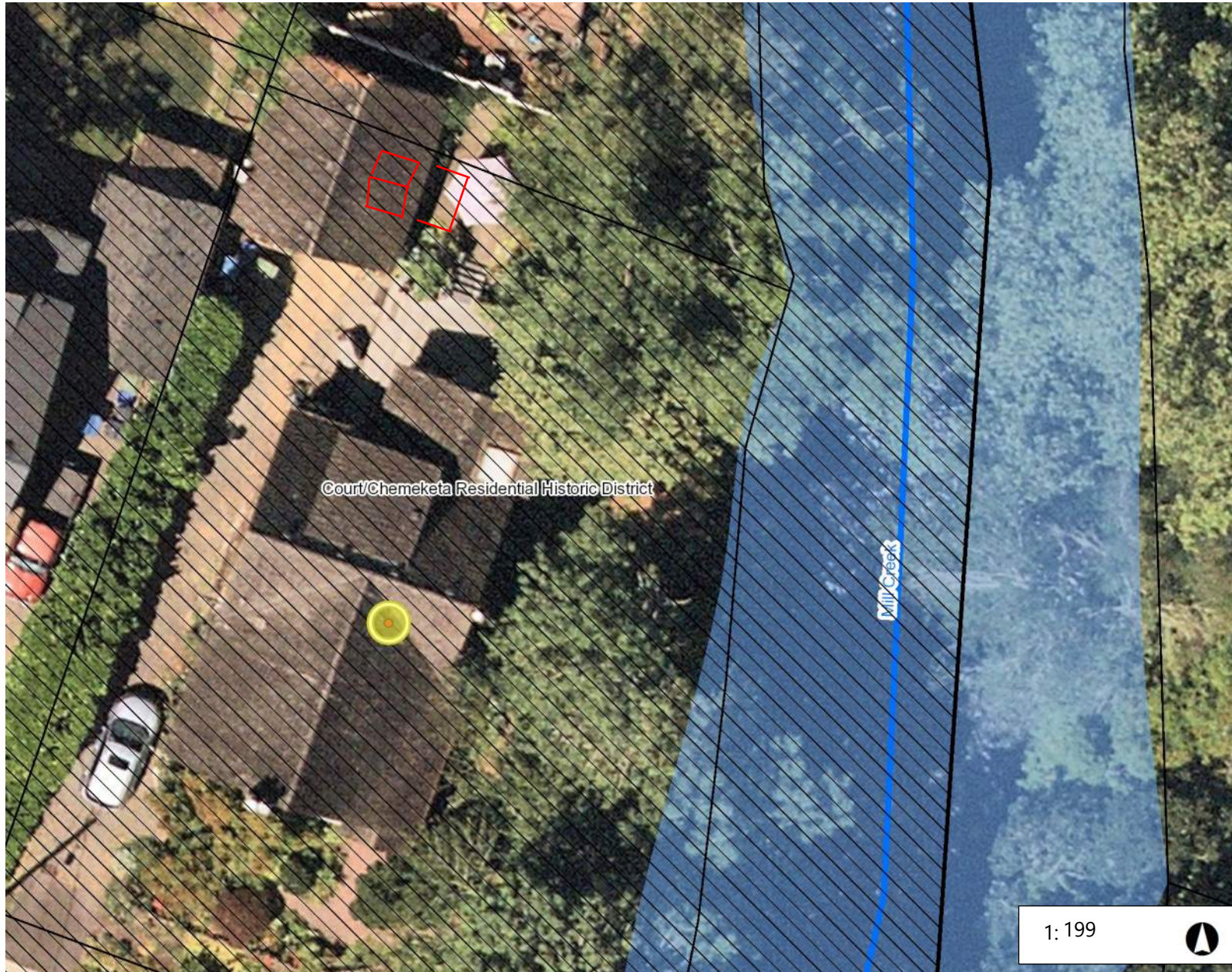
**Legend**

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



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Proposal:  
New porch,  
Porch awning and  
dormer



Legend

- Centerline (Labels)
- Historic Buildings
- ▨ Historic Districts
- ▭ 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
- Overlay Zones
  - ▨ Overlay Zones
  - ▨ Compact Development Overlay Zor
  - ▨ Mixed-Use Overlay Zone
  - ▭ Urban Growth Boundary
  - ▭ City Limit

1:199



0.01 0 0.00 0.01 Miles

WGS\_1984\_Web\_Mercator\_Auxiliary\_Sphere  
City of Salem, Oregon

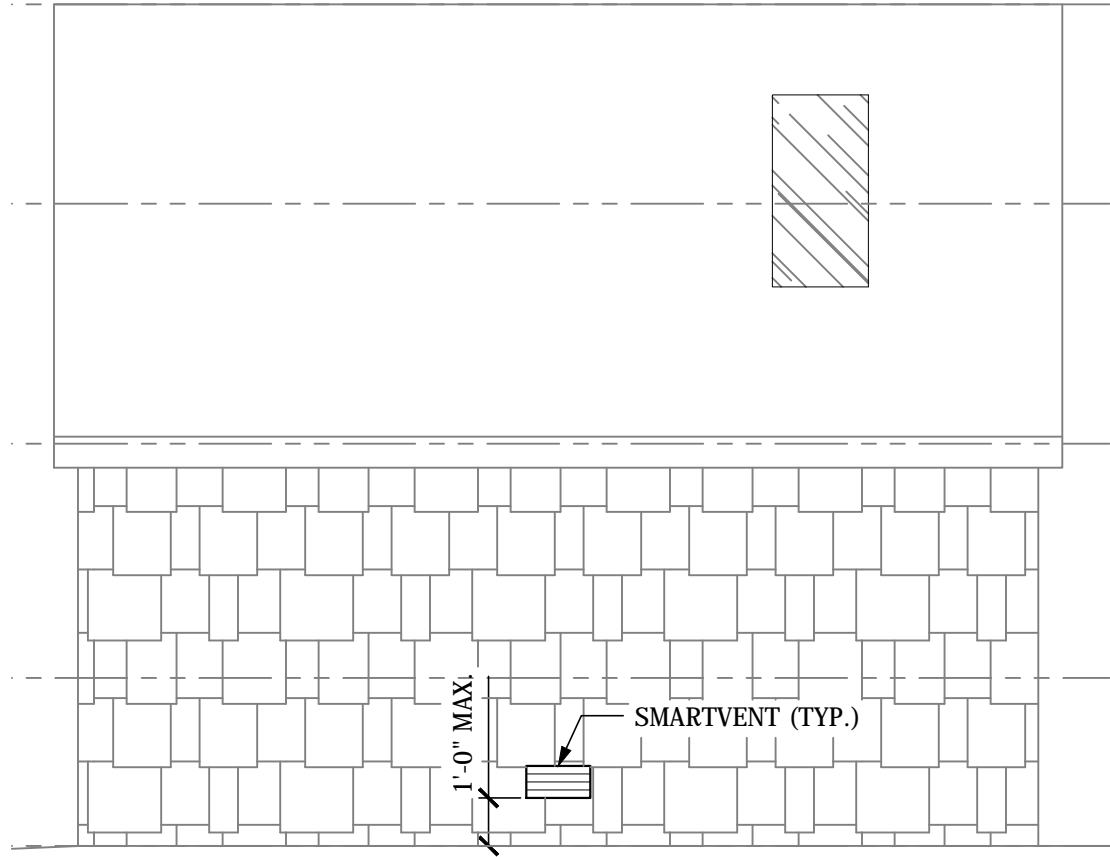
This map is a user generated static output from an Internet mapping site and is for reference only. Data layers that appear on this map may or may not be accurate, current, or otherwise reliable.

THIS MAP IS NOT TO BE USED FOR NAVIGATION

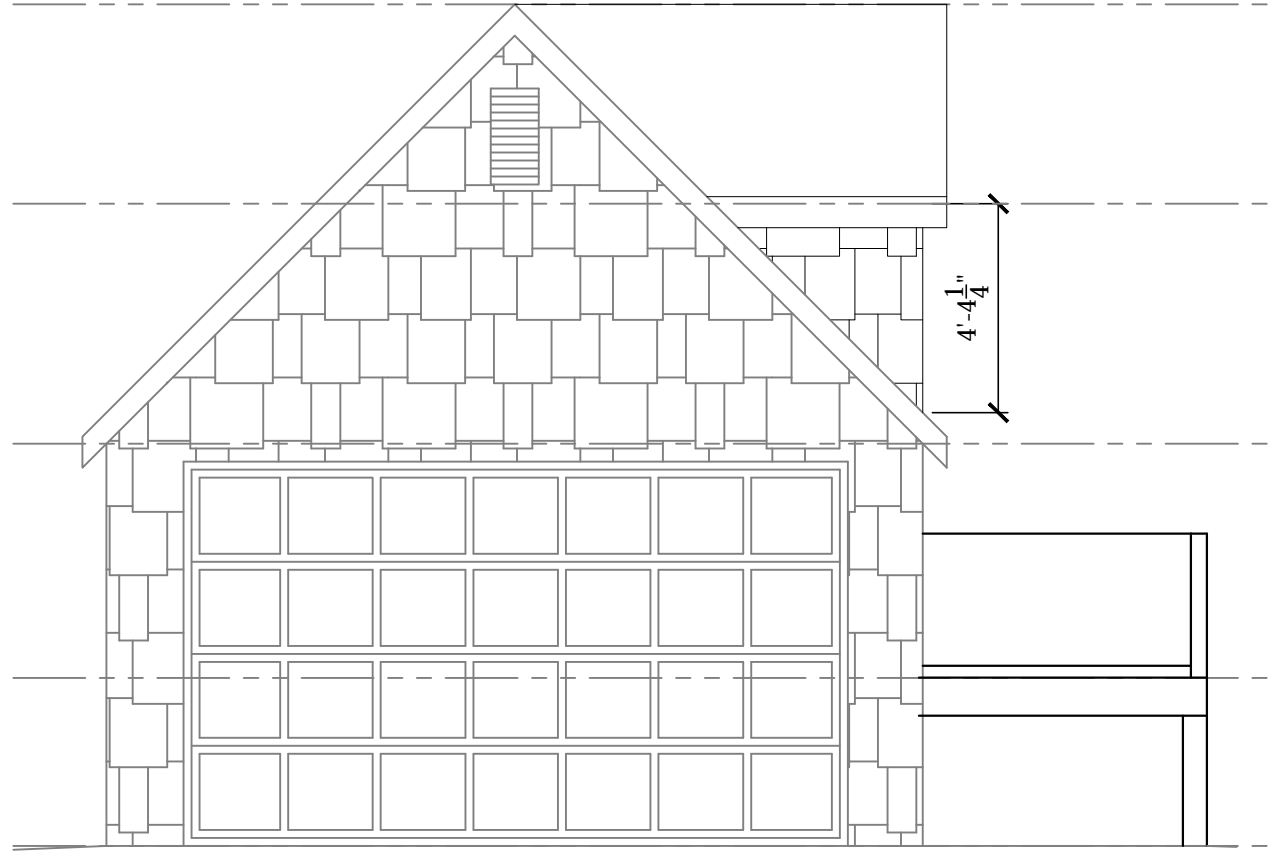
Notes

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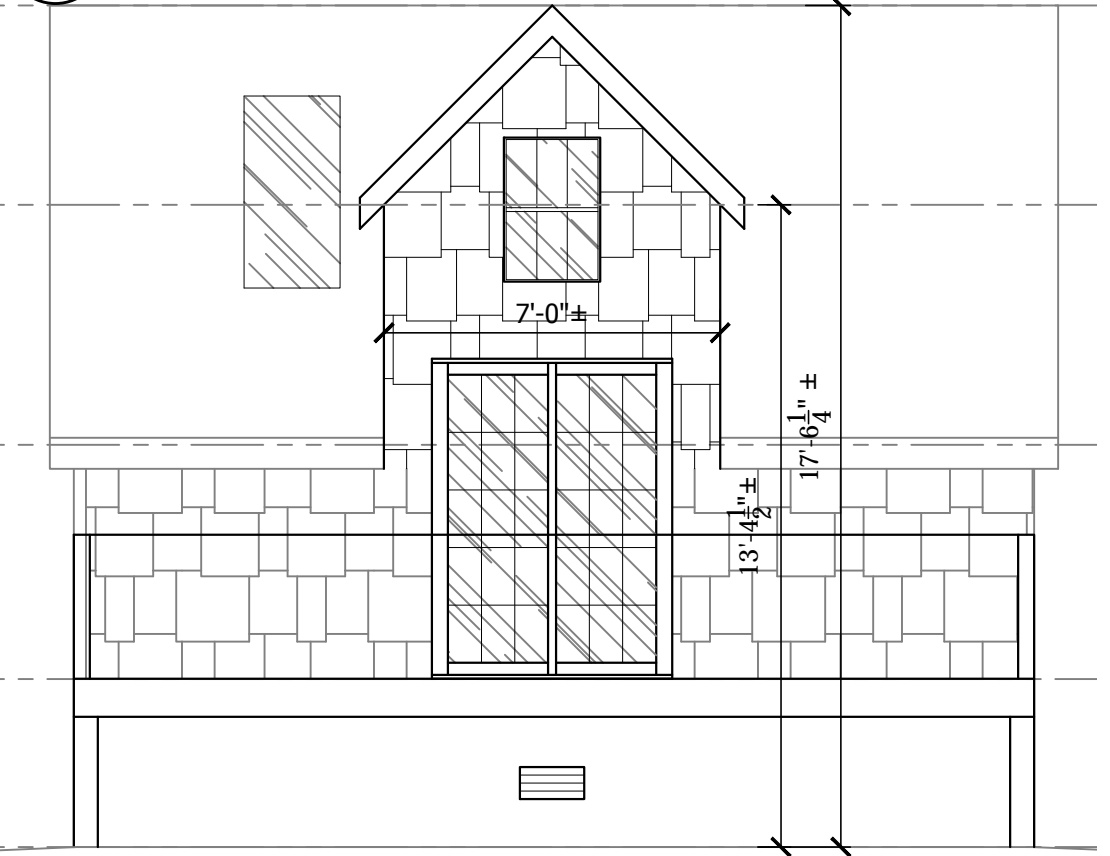




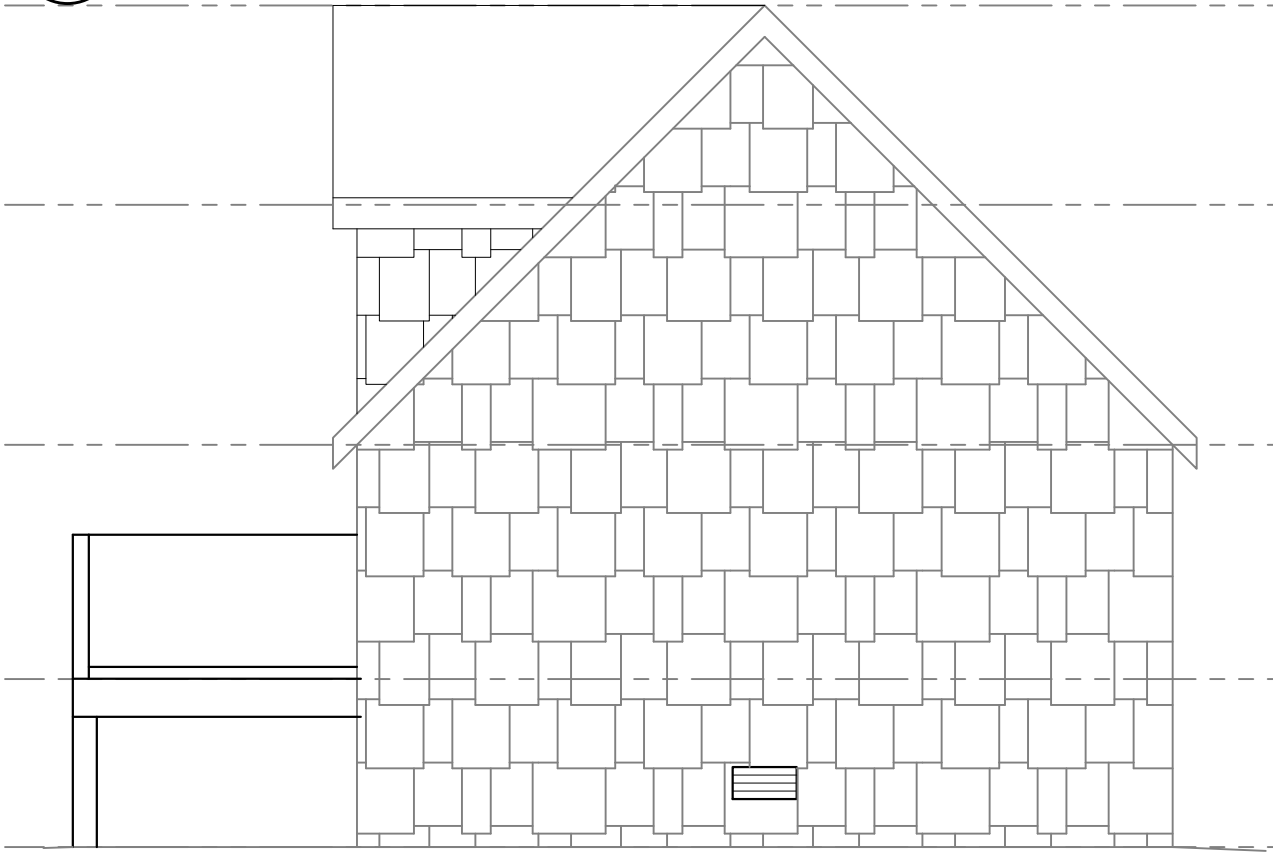
1 LEFT ELEVATION  
 1 SCALE 1/4" = 1'-0"



2 FRONT ELEVATION  
 1 SCALE 1/4" = 1'-0"

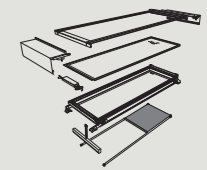


3 RIGHT ELEVATION  
 1 SCALE 1/4" = 1'-0"



4 REAR ELEVATION  
 1 SCALE 1/4" = 1'-0"

1889 Court Street NE ADU Conversion  
 Elevations



## Frame & Sash

The main structural profiles of VELUX modular skylights consist of pultruded composite, containing approximately 80% continuous fibreglass threads and 20% two-component polyurethane resin.

The composite guarantees high heat insulating performance (graph 1) and thermal stability (graph 2) as well as excellent profile stiffness (graph 3) and strength (graph 4). In combination, the characteristics of the VELUX composite gives the slim profiles self-supporting strength and an ability to support installations of considerable size.

In addition the material is maintenance-free, non-corrosive and electrical non-conductive.

In combination with low-energy glazing units the VELUX modular skylights are able to achieve one of the lowest overall U-values for frame and glazing assembly within the skylight market. The inner surface is treated with white paint as standard. Other colours are available to special order.



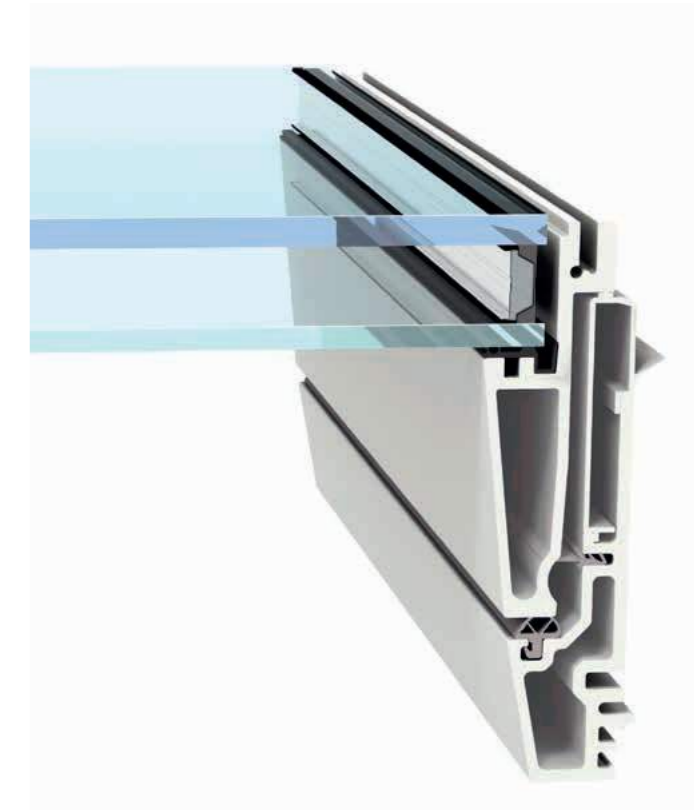
Frame and sash assembled

## Frame & Sash



**HFC**

Frame for fixed skylight module



**HVC**

Frame and sash for venting skylight module



[MP Doors](#)

## 72 in. x 80 in. Smooth White Left-Hand Composite Sliding Patio Door with 15-Lite GBG

★★★★★ (1683) [Questions & Answers \(1796\)](#)



Details

Exterior Color/ Finish	Hartford Green	Exterior Color/Finish Family	Green
Features	Argon Gas Filled, Egress, Insect Screen, Integrated Nail Fin, Paintable/Stainable	Frame Material	Wood Clad
Frame Type	Nail Fin	Glass Type	Energy Efficient Glass, Insulated Glass, Low-E Glass
Glazing Type	Double-Pane	Grid Pattern	Colonial
Grille Type	Grille Between Glass	Hardware Color/Finish Family	Bronze
Included	Grid, Screen	Interior Color/Finish Family	Unfinished Wood
Lock Type	Cam Action	Number of Grids	3 Wide 2 High
Number of Locks	1	Product Weight (lb.)	53.43 lb
Returnable	90-Day	Solar Heat Gain Coefficient	0.19
U-Factor	0.25	Window Type	Other
Window Use Type	New Construction, Replacement		

JELD-WEN

**33.375 in. x 60 in. W-2500 Series Green Painted Clad Wood Double Hung Window w/ Natural Interior and Screen**

★★★★★ (14) Questions & Answers (33)



Hover Image to Zoom