

TO: Historic Landmarks Commission

THROUGH: Lisa Anderson-Ogilvie, AICP, Deputy Community Development Director and Planning Administrator

FROM: Kimberli Fitzgerald, Historic Preservation Officer

HEARING DATE: October 19, 2023

CASE NO.: Historic Design Review Case No. HIS23-19

APPLICATION SUMMARY: A proposal to install new ~~wrought iron~~ metal fencing on the site of the Daniel B Jarman House (c.1929).

LOCATION: 567 High Street SE

REQUEST: Class 3 Major Historic Design Review of a proposal to install 6ft high ~~wrought iron~~ metal fencing fronting both Oak Street and High Street SE on the site of the Daniel B. Jarman House (c 1929), a historic contributing building in the Gaiety Hill/Bush's Pasture Park Historic District, on property .63 acres in size, in the RS (Single Family Residential) zone and located at 567 High Street SE - 97301 (Marion County Assessor Map and Tax Lot Number: 073W27AC04500).

APPLICANT: Derek Sadowski

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

Condition 1: The applicant shall obtain a Class 2 Adjustment, authorizing an adjustment to the land use requirements within the underlying zone which limit the height of residential fencing to four (4') in the front yard prior to installing the 6' high fencing in the front yard.

Condition 2: The applicant shall obtain a Revokable License to Encroach into the Right of Way prior to construction; and once the fence is constructed, the applicant shall ensure that the vegetation remains clear within the 10' x 50' vision clearance area at the northwest corner High Street SE and Oak Street SE.

BACKGROUND

The applicant originally submitted for a Class 2 Minor Historic Design Review (HIS23-11), requesting approval for a 4ft fence along the front yard, and a 6ft fence along the rear yard. However, given the challenges the owner has had with security, he withdrew this application prior to a Decision being issued, and instead submitted a new application requesting approval

for a 6ft fence for the entire perimeter of the property. On September 25, 2023, the applicant submitted materials for a Major Historic Design Review for a proposal to install 6ft high metal fencing fronting both Oak Street and High Street SE on the site of the Daniel B. Jarman House (c 1929) (**Attachment A**). The application was deemed complete for processing on September 28, 2023.

Notice of public hearing was sent by mail to surrounding property owners and tenants pursuant to Salem Revised Code (SRC) requirements on September 29, 2023 with a revised notice correcting an inadvertent typo sent on October 4, 2023. Public hearing notice was also posted on the property in accordance with the posting provision outlined in SRC 300.620. The City of Salem Historic Landmarks Commission will hold a public hearing for the case on October 19, 2023 at 5:30 p.m. in Council Chambers, Civic Center at 555 Liberty Street SE, Room 240. (<https://bit.ly/planningpublicmeetings>).

The state-mandated 120-day deadline to issue a final local decision, including any local appeals in this case is January 26, 2024, unless an extension is granted by the applicant.

PROPOSAL

The applicant is requesting approval to install 6ft high metal fencing which conveys the appearance of picketed wrought iron fencing fronting both Oak Street and High Street SE on the site of the Daniel B. Jarman House (c 1929).

SUMMARY OF RECORD

The following items are submitted to the record and are available: 1) all materials and testimony submitted by the applicant, including any applicable professional studies such as traffic impact analysis, geologic assessments, stormwater reports, and; 2) materials, testimony, and comments from public agencies, City Departments, neighborhood associations, and the public. 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: 23 119252.

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. The applicants submitted a written statement, which is included in its entirety as **Attachment C** in this staff report.

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. Salem Revised Code (SRC) 230.065 General Guidelines for Historic Contributing Resources are the applicable criteria for evaluation of this proposal.

FACTS & FINDINGS

1. Historic Designation

Under Salem Revised Code (SRC) Chapter 230, no development permit for a designated historic resource shall be issued without the approval of the Historic Landmarks Commission (HLC). The HLC shall approve, conditionally approve, or deny the application on the basis of the project's conformity with the criteria. 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. The HLC shall render its 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

According to nomination documents the Jarman House was constructed in 1929 in the Spanish Colonial architectural style. The gardens and landscape plan for the house were designed by Elisabeth Lord and Edith Schryver, with intact gardens on the west characterized by formal parterres edged with boxwood and outlined by flagstone paths and an octagonal fountain pool at its center. The perimeter of the property inside the sidewalk(s) along High and Oak Streets is lined by a low, stepped brick wall with domed posts, all painted white to reflect the stucco appearance of the main house. The driveway entrance is located along the south wall along Oak Street SE, and it is marked by taller posts topped by wrought iron lanterns. This resource was individually listed on the National Register of Historic Places in 1979 and is also historic contributing to Salem's Gaiety Hill/Bush's Pasture Park Historic District.

3. Neighborhood and Citizen Comments

The subject property is located within the South Central Association of Neighbors (SCAN). Property owners and tenants within 250 feet of the subject property were mailed notification of the proposal on September 29, 2023 pursuant to SRC requirements. Signs were also posted on the subject property pursuant to SRC 300.800. Jon Christenson, Chair of the SCAN Historic Preservation, Parks & Gardens Committee submitted testimony (**Attachment D**) with the following concerns identified:

1. *West Wall & Pilasters are within the public right of way.*

Staff Response: A portion of the property is within the public right of way. Public Works has recommended a Condition of Approval stating that the applicant shall obtain a Revokable License to Encroach into the Right of Way (see City Department comments).

2. *Materials are inconsistently described. The hearing notice states that the materials are wrought iron, and the Ameristar drawing shows welded-steel panels.*

Staff Response: The proposed Ameristar fencing are comprised of extended black pickets topped with arrow pointed spears which convey the appearance of wrought iron fencing. The methodology for assembling this fencing involves welding together steel panels using a "Profusion" welding process which ensures that no exposed welds are visible. The fence rails

are then topped with a uniform Zinc coating on top of the base material, which is then topped with an epoxy primer, and lastly with an acrylic topcoat.

3. *Inconsistent with Period of Significance. No historical documentation of design has been presented to support a 6 ft front fence.*

Staff Response: The applicant is not proposing to reconstruct a fence based upon historical evidence but proposing to construct a new perimeter fence. New residential fencing comprised of traditional materials (such as metal or wood) and common new additions throughout the Gaiety Hill/Bush's Pasture Park Historic District.

4. *Appropriate Design Review before the Historic Landmarks Commission.*

Staff Response: The applicant's proposal will be reviewed as a Class 3 Historic Design Review. While SRC 230.025(j) establishes design standards for fences, in lieu of the standards for historic contributing buildings, an applicant may make a proposal for preservation, restoration, or rehabilitation activity, regardless of type of work, demonstrating compliance with the Guidelines in SRC 230.065.

5. *Coordination with other Land Use Reviews.*

Staff Response: SRC 230.020(a)(4) requires that land use reviews be held concurrently or prior to historic design review. The applicant has submitted an application for a Class 2 Adjustment (23 119473 PLN), which is being processed concurrently with the historic design review. Further, Planning has recommended a Condition of Approval be added to ensure compliance prior to construction (see City Department comments).

4. City Department and Public Agency Comments

Building and Safety Division and Fire Department indicated that they have no concerns with the proposal. The Planning Division indicated that the six (6') fence is not allowed in the front yard of the lot unless a Class 2 Adjustment to these standards is obtained. While the applicant has applied for a Class 2 Adjustment (23 119473 PLN), a Decision has not been issued yet. The applicant must obtain an adjustment or the fence, at the requested height, is not allowed. Nothing in this decision shall be construed to have approved the proposed height or the requested adjustment. Staff recommends the HLC adopt a Condition of Approval to ensure compliance prior to construction:

Condition 1: The applicant shall obtain a Class 2 Adjustment, authorizing an adjustment to the land use requirements within the underlying zone which limit the height of residential fencing to four (4') in the front yard prior to installing the 6' high fencing in the front yard.

Public Works has stated that the proposed fencing meets their criteria as 'not sight obscuring'. However, a portion of the existing historic wall as well as a portion of the proposed fence are within the right of way as well as within the vision clearance area on the northwest corner of High and Oak Streets SE. Therefore, they recommend the following Condition of Approval to ensure compliance:

Condition 2: The applicant shall obtain a Revokable License to Encroach into the Right of Way prior to construction; and once the fence is constructed, the applicant shall ensure that the vegetation remains clear within the 10' x 50' vision clearance area at the northwest corner High Street SE and Oak Street SE.

5. Historic Design Review

Salem Revised Code (SRC) 230.065 **General Guidelines for Historic Contributing Resources** are the criteria applicable to the evaluation of this proposal. Historic Landmarks Commission staff reviewed the project proposal and has the following findings for the applicable standards.

FINDINGS

230.065. GENERAL GUIDELINES FOR HISTORIC CONTRIBUTING RESOURCES. *In lieu of the standards for historic contributing buildings set forth in SRC 230.025 and SRC 230.040, an applicant may make a proposal for preservation, restoration, or rehabilitation activity, regardless of type of work, which shall conform to the following guidelines:*

(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.*

Findings: The applicant is proposing to continue to use the resource as a residence, its historic purpose. While the applicant is proposing to install new metal picket fencing abutting the perimeter of Oak Street SE and High Street SE, this fencing will be placed on the interior of the existing perimeter wall, and will not adversely impact street access, landscape design or any aspect of the main resource itself. Staff recommends that the HLC find that the proposed use will not alter street access, landscape design, footprint or massing of the Jarman House 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.*

Findings: The applicant is not proposing to restore or repair any original historic materials as part of this proposal; therefore staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

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

Findings: The applicant is not proposing to alter any original distinctive stylistic features or examples of skilled craftsmanship as part of this proposal; therefore staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

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

Findings: The applicant is not proposing to restore or reconstruct any historic features as part of this proposal; therefore staff recommends that the HLC find that this guideline is not applicable to the evaluation of this proposal.

(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.

Findings: The applicant is not proposing to alter any features that have acquired significance over time as part of this proposal; therefore staff recommends that the HLC find 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.

Findings: In order to increase security on his property, the applicant is proposing to construct a 6-foot metal fence on the perimeter of the property on the interior of the wall abutting the sidewalk. The fencing will be located in the front yard abutting High Street SE and the side yard (south of the resource) fronting Oak Street SE. The fencing will not be attached to any historic features on the site nor to any part of the primary building. While the fencing will impose a new feature in the front yard that was not historically part of the site, the primary house and the site can be seen through the fence, minimizing the impact of this new addition to the site. Staff recommends that the HLC find 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.

Findings: The proposed fencing will not result in any loss of historic materials and no significant features will be damaged or destroyed by the proposal. While the fencing may obscure a minimal amount of the view of the primary façade of the house on the site, the nature of the building slope and the visibility through the fence will ensure that overall no significant features will be obscured. Staff recommends that the HLC find that SRC 230.065(g) has been met for the proposal.

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

Findings: The applicant is not proposing to correct any structural deficiencies as part of this proposal; therefore staff recommends that the HLC find 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.

Findings: A minimal amount of ground disturbance is necessary to install the posts for the new fencing which could have the potential to impact the adjacent historic low brick wall.

However, the applicant will be utilizing a mechanical, narrow post hole digger to install the posts, ensuring the least amount of ground disturbance will be used in order to install the fence posts, reducing the potential for impacting the adjacent historic wall. No major excavation or regrading is proposed as part of this proposal. Staff recommends that the HLC find that SRC 230.065(i) has been met for the proposal.

Based upon the information presented in the application, plans submitted for review, and findings as presented in this staff report, staff recommends that the Historic Landmarks Commission **APPROVE** the proposal with the following Conditions:

- Condition 1:** The applicant shall obtain a Class 2 Adjustment, authorizing an adjustment to the land use requirements within the underlying zone which limit the height of residential fencing to four (4') in the front yard prior to installing the 6' high fencing in the front yard.
- Condition 2:** The applicant shall obtain a Revokable License to Encroach into the Right of Way prior to construction; and once the fence is constructed, the applicant shall ensure that the vegetation remains clear within the 10' x 50' vision clearance area at the northwest corner High Street SE and Oak Street SE.

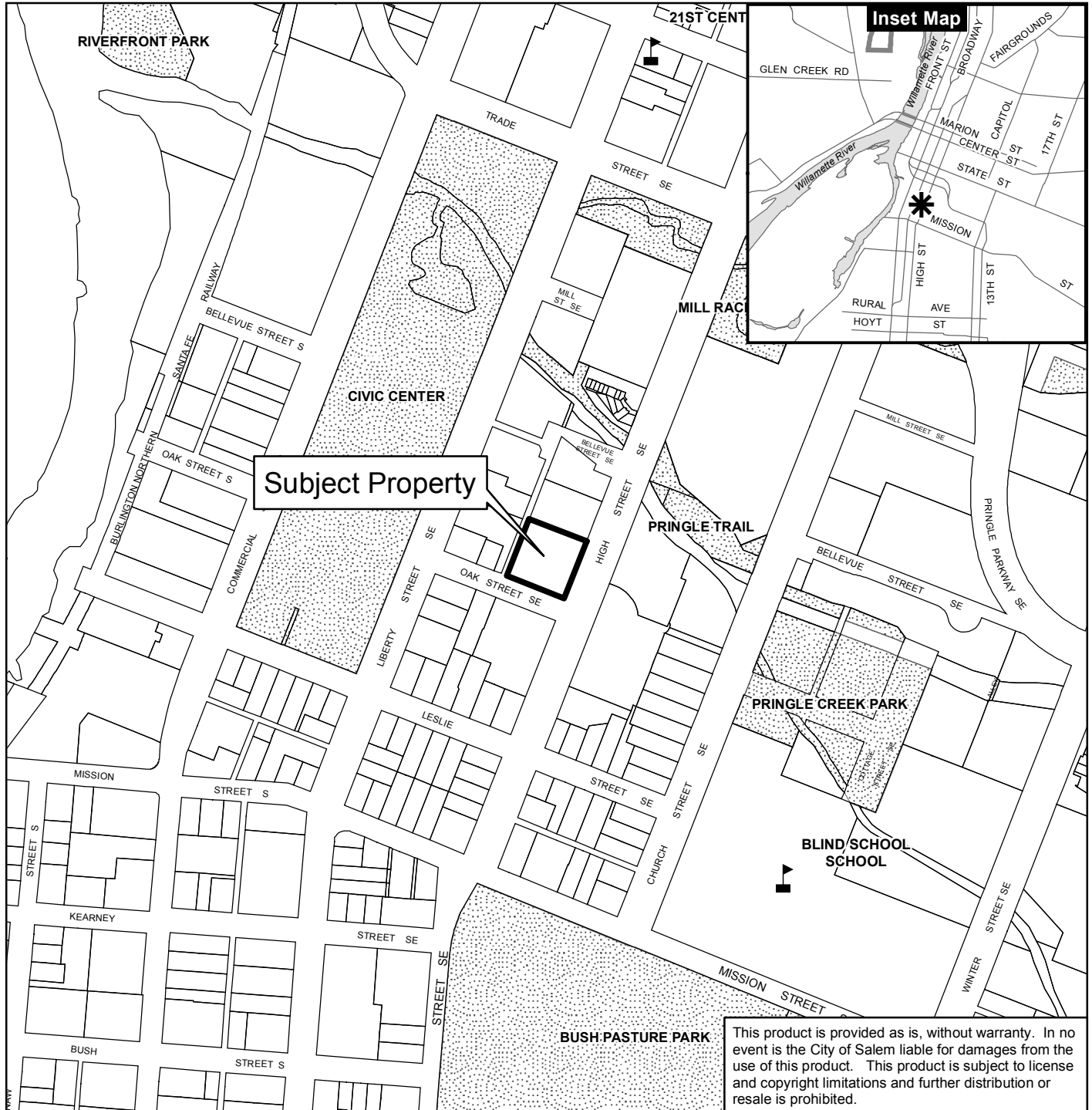
DECISION ALTERNATIVES

1. APPROVE the proposal as submitted by the applicant and indicated on the drawings.
2. APPROVE the proposal with conditions to satisfy specific guideline(s).
3. DENY the proposal based on noncompliance with identified guidelines in SRC 230, indicating which guideline(s) is not met and the reason(s) the guideline is not met.

- Attachments: A. Vicinity Map
B. National Register Nomination
C. Applicant's Submittal Materials
D. SCAN Testimony – emails 10-10-23 and 10-11-23






Prepared by Kimberli Fitzgerald, Historic Preservation Officer

Vicinity Map 567 High Street SE



This product is provided as is, without warranty. In no event is the City of Salem liable for damages from the use of this product. This product is subject to license and copyright limitations and further distribution or resale is prohibited.

Legend

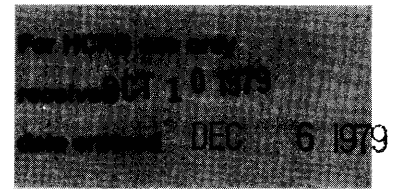
-  Outside Salem City Limits
-  Urban Growth Boundary
-  Taxlots
-  Schools
-  Parks

0 100 200 400 Feet



**United States Department of the Interior
Heritage Conservation and Recreation Service**

**National Register of Historic Places
Inventory—Nomination Form**



See instructions in *How to Complete National Register Forms*
Type all entries—complete applicable sections

1. Name

historic Jarman, (Daniel B.) House and Garden

and/or common

2. Location

street & number 567 High Street SE not for publication

city, town Salem vicinity of congressional district 2nd

state Oregon code 41 county Marion code 047

3. Classification

Category	Ownership	Status	Present Use
<input type="checkbox"/> district	<input type="checkbox"/> public	<input checked="" type="checkbox"/> occupied	<input type="checkbox"/> agriculture
<input checked="" type="checkbox"/> building(s)	<input checked="" type="checkbox"/> private	<input type="checkbox"/> unoccupied	<input type="checkbox"/> commercial
<input type="checkbox"/> structure	<input type="checkbox"/> both	<input type="checkbox"/> work in progress	<input type="checkbox"/> educational
<input type="checkbox"/> site	Public Acquisition	Accessible	<input type="checkbox"/> entertainment
<input type="checkbox"/> object	<input type="checkbox"/> in process	<input checked="" type="checkbox"/> yes: restricted	<input type="checkbox"/> government
	<input type="checkbox"/> being considered	<input type="checkbox"/> yes: unrestricted	<input type="checkbox"/> industrial
		<input type="checkbox"/> no	<input type="checkbox"/> military
			<input type="checkbox"/> museum
			<input type="checkbox"/> park
			<input checked="" type="checkbox"/> private residence
			<input type="checkbox"/> religious
			<input type="checkbox"/> scientific
			<input type="checkbox"/> transportation
			<input type="checkbox"/> other:

4. Owner of Property

name Bernard F. and Miriam Bednarz

street & number 567 High Street SE

city, town Salem vicinity of state Oregon 97301

5. Location of Legal Description

courthouse, registry of deeds, etc. Marion County Clerk (Recorder)

street & number Marion County Courthouse

city, town Salem state Oregon 97301

6. Representation in Existing Surveys

title -- has this property been determined eligible? yes no

date federal state county local

depository for survey records

city, town state

7. Description

Condition		Check one	Check one	
<input type="checkbox"/> excellent	<input type="checkbox"/> deteriorated	<input checked="" type="checkbox"/> unaltered	<input checked="" type="checkbox"/> original site	
<input checked="" type="checkbox"/> good	<input type="checkbox"/> ruins	<input type="checkbox"/> altered	<input type="checkbox"/> moved	date _____
<input type="checkbox"/> fair	<input type="checkbox"/> unexposed			

Describe the present and original (if known) physical appearance

The Spanish Colonial house built for Daniel B. Jarman in 1929 occupies two lots sloping north and east at the crest of Gaiety Hill and is located at the corner of Oak and South High Streets within a block of downtown Salem. It commands a view of the business area to the north and the Cascade Mountains to the east in the winter when trees are bare. It forms the northwest corner of a six-block enclave of choice homes predating the Second World War. The area to the west--half a block from this property--is bordered by a new Civic Center which cut into the hillside residential area between two major arterials--Liberty and Commercial Streets. The area to the south is bordered by Bush's Pasture Park, and to the east by the tree-lined campus of Oregon State School for the Blind and Salem Memorial Hospital.

The Daniel B. Jarman House is a stuccoed frame construction with mission tile roof completed in the Spanish Colonial Style in 1929 from plans drawn by Beverly Hills architect G.C. McAlister. The main two-story block, essentially rectangular in plan, is oriented laterally on its two lots, with the more public entrance elevation oriented toward the east, overlooking High Street. The west elevation fronts on a private garden secluded from view from street and alley by a high brick wall. On the east elevation, projecting single-story wings form a forecourt for the entrance with its parabolic-arched opening. The massing of gable and hipped-roof forms on this elevation is further varied by a circular stair tower with double-tiered conical roof surmounted by a weathervane in bull-and-matador motif.

The west, or garden elevation is characterized by second-story overhangs and solid wood balconies on wood corbels. Four massive, straight-sided or tapered stuccoed chimney stacks break the roofline, their vaulted red brick caps enhancing the effect of picturesque variety. In character with the Spanish Colonial style, which is meant to recall the thick adobe walls of California missions, etc., wall openings are unframed and unembellished and typically fitted with casement windows or fixed panes with strong horizontal wood membering contrasting effectively with the white wall plane.

The perimeter of the property inside the parking strip and sidewalk is lined by a low, stepped brick wall with domed posts--all painted white except for neckings of the posts, which are left unpainted to provide an accent of red matching the chimney caps and roof tiles. The driveway entrance in the south wall is marked by taller posts surmounted by wrought iron lanterns. The narrow driveway of flagstone pavers circumscribes the east entrance and north face of the house and terminates at the garage on the west side. The outer lawn is dotted with oaks and somewhat more shrubbery than was laid out in the original landscape plan, a noteworthy example of the work of the local firm of Lord and Schryver. A concrete fountain pool in keeping with the theme of the house situated on the south lawn was removed in later years, for example, and replaced by shrubbery. The private garden on the west is characterized by formal parterres edged with boxwood and outlined by flagstone paths. A concrete and tile-trimmed octagonal fountain pool is the centerpiece of the garden, and a small pergola-shaded tile-paved terrace is the focal point at the far west wall.

The interior is finished somewhat lavishly with materials and motifs appropriate to the theme and includes use of light plaster walls, solid wood ceiling rafters and trusses, wrought iron railings and gates, flooring of hardwood and "Padre Quarry" tile, and colorful ceramic tile borders, bases and accents. The first floor still contains many of the original furnishings acquired by the Jarmans in Los Angeles in September and October of 1929, when the house was built. Upholstered chairs and couches, for example, have dated labels from the Los Angeles firm of Davis Upholstering and Furniture Company, 103 E. 8th Street. The large 57x20' living room on the south has a gallery on the west end for an organ which has been removed. The living room, den and breakfast room, all on the south, and the dining room and billiards (now music) room on the north all have oak floors. There are fireplaces in the reception hall and living room, and corner fireplaces in the den and billiards room. The

FHR-8-300A
(11/78)

UNITED STATES DEPARTMENT OF THE INTERIOR
HERITAGE CONSERVATION AND RECREATION SERVICE

FOR HCRS USE ONLY	
RECEIVED	OCT 10 1979
DATE ENTERED	DEC 6 1979

**NATIONAL REGISTER OF HISTORIC PLACES
INVENTORY -- NOMINATION FORM**

Jarman (Daniel B.) House and Garden

CONTINUATION SHEET

ITEM NUMBER 7 PAGE 1

kitchen, butler's pantry and servants' dinette are to the west, or behind the reception hall. Behind the dining room to the west are two maid's rooms with baths and a garage. Upstairs to the west, off the staircase and reception hall balconies, are three bedrooms, two of which have dressing rooms and full baths. The master bedroom on the northwest has two dressing rooms and full baths. Downstairs there is an extra full bath next to the billiards room, and a half bath next to the breakfast room.

8. Significance

Period	Areas of Significance—Check and justify below			
<input type="checkbox"/> prehistoric	<input type="checkbox"/> archeology-prehistoric	<input type="checkbox"/> community planning	<input checked="" type="checkbox"/> landscape architecture	<input type="checkbox"/> religion
<input type="checkbox"/> 1400–1499	<input type="checkbox"/> archeology-historic	<input type="checkbox"/> conservation	<input type="checkbox"/> law	<input type="checkbox"/> science
<input type="checkbox"/> 1500–1599	<input type="checkbox"/> agriculture	<input type="checkbox"/> economics	<input type="checkbox"/> literature	<input type="checkbox"/> sculpture
<input type="checkbox"/> 1600–1699	<input checked="" type="checkbox"/> architecture	<input type="checkbox"/> education	<input type="checkbox"/> military	<input type="checkbox"/> social/ humanitarian
<input type="checkbox"/> 1700–1799	<input type="checkbox"/> art	<input type="checkbox"/> engineering	<input type="checkbox"/> music	<input type="checkbox"/> theater
<input type="checkbox"/> 1800–1899	<input checked="" type="checkbox"/> commerce	<input type="checkbox"/> exploration/settlement	<input type="checkbox"/> philosophy	<input type="checkbox"/> transportation
<input checked="" type="checkbox"/> 1900–	<input type="checkbox"/> communications	<input type="checkbox"/> industry	<input checked="" type="checkbox"/> politics/government	<input type="checkbox"/> other (specify)
		<input type="checkbox"/> invention		

Specific dates 1929

Builder/Architect G.C. McAlister, architect/Wm. F. Wyatt,
contractor

Statement of Significance (in one paragraph)

The somewhat conspicuous Spanish Colonial house built for retired J.C. Penney branch manager Daniel B. Jarman in 1929 is significant as Salem's penultimate example of the 20th century period style so widely employed in California and the Southwest but which was used comparatively infrequently in Western Oregon outside of Portland. Understood to be a duplicate of a plan drawn by Beverly Hills architect G.C. McAlister for a "widow of one of the Dodge brothers," the design was carried out in Salem by William F. Wyatt of Santa Monica, who supervised construction and interior finish work. Fittings and furnishings were designed and shipped from Los Angeles. Reflecting the influence of Hollywood fashion at the height of motion-picture popularity, the exotic and rambling house was successfully related to its foreign setting under a landscape plan developed by the local firm of Lord and Schryver which buffered the inner precincts with intimately-scaled courtyards and private garden. Since the time of its development 50 years ago, the property has enjoyed the highest level of maintenance and remains in unaltered condition. In its location at the crest of High Street (Gaiety) Hill, it forms--with its neighbor across the street, the Smith Fry House--the front line of defense against commercial encroachment from the downtown core on the north upon a distinctive, intact residential neighborhood surrounding Bush's Pasture Park.

Architecture

Glenn Charles McAlister, architect of the house, was born in Missouri on November 2, 1873, and died in Los Angeles on January 11, 1961. He had been a registered architect in California for 40 years, according to his death certificate on file with the California State Registrar of Vital Statistics.

In 1929, when the Jarman House was built, McAlister designed eight other houses in Beverly Hills: one 14-room, one 11-room, three 10-room, and one 7-room house. From building permits examined, it is evident that he used stucco and frame construction with tile roofs in at least seven of the projects. He also designed a two-room addition to a bank building which he owned. This information is on file with the Beverly Hills Department of Building and Safety.

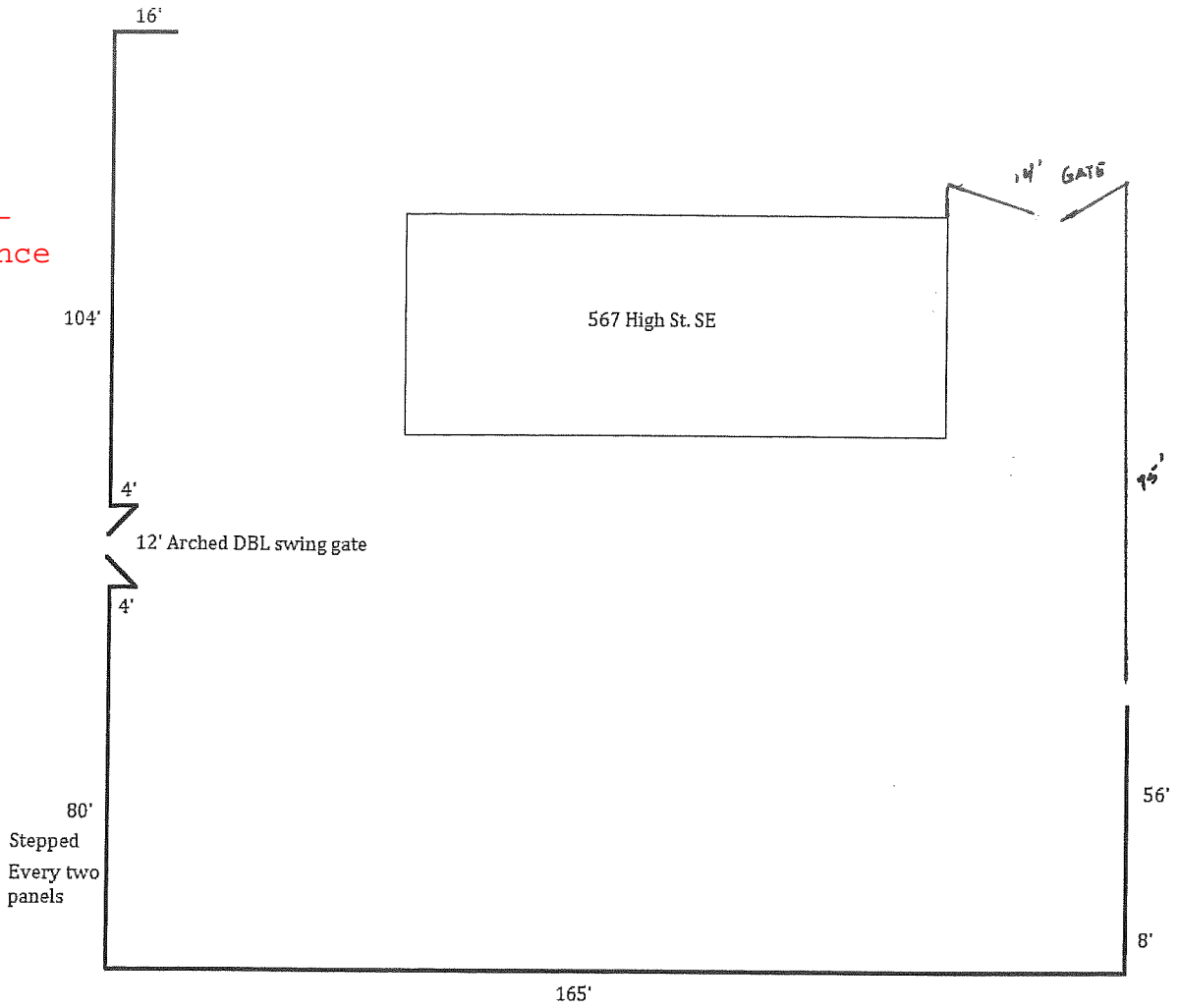
W. F. Wyatt, contractor for the Jarman House, and designer of much of its finish detail, was in business in Santa Monica for over 50 years. The firm of W.F. Wyatt and Sons is still in business and is headed by his son James. Wyatt's daughter, Jessie Wyatt Green of Lincoln City, Oregon, says that Mr. Jarman had seen a house built by her father in Brentwood, California for another J.C. Penney manager/partner. Wyatt brought his own crew to Salem to build the Jarman House. He died in 1969.

Commerce

Daniel B. Jarman, who occupied the house with his wife until 1938, was born in Wales and came to the United States as a youth. He operated mercantile stores at Milton-Freewater, Weston and Athena in Eastern Oregon. In 1915, he opened a Golden Rule Store for J.C. Penney at Dallas, Oregon. J.C. Penney opened his first Golden Rule Store in Kemmerer, Wyoming in 1902, and was developing a successful merchandizing chain of cash-and-carry dry goods stores based upon a partner relationship with the manager of each store. In 1917, the J.C. Penney Company was incorporated, and in April of that year, at the outbreak of the First World War, Mr. Jarman became a partner/manager and opened Penney's 132nd store in Salem. In 1926 he

SITE PLAN

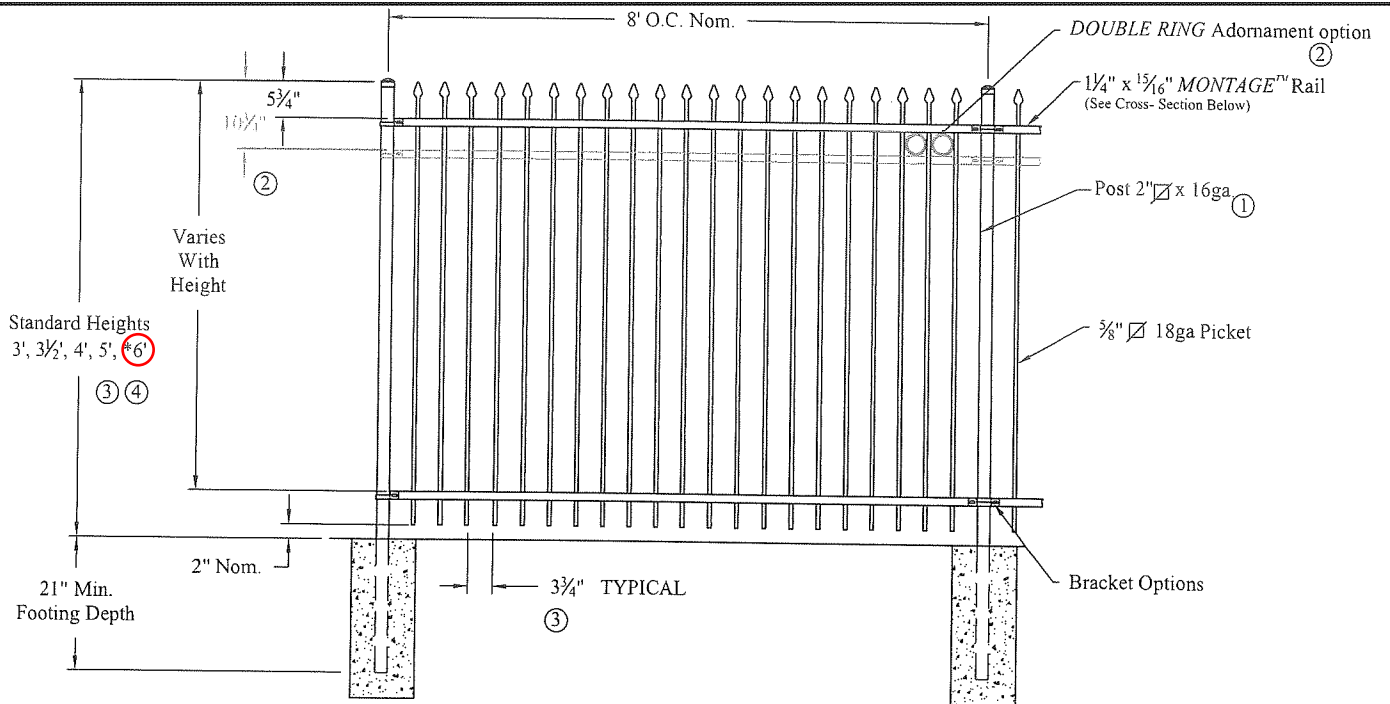
JOB LAYOUT



(Drawing not to scale)

High Street - 6' High Wrought Iron Fence

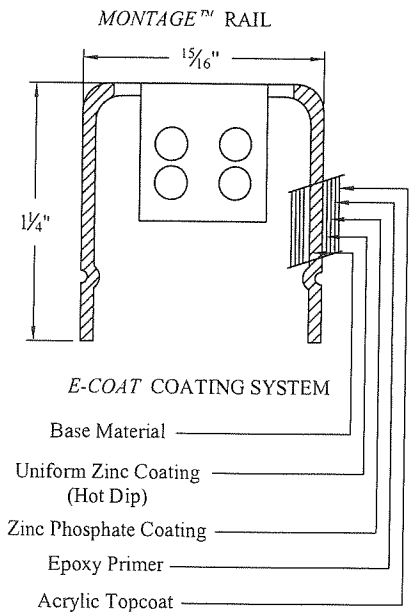




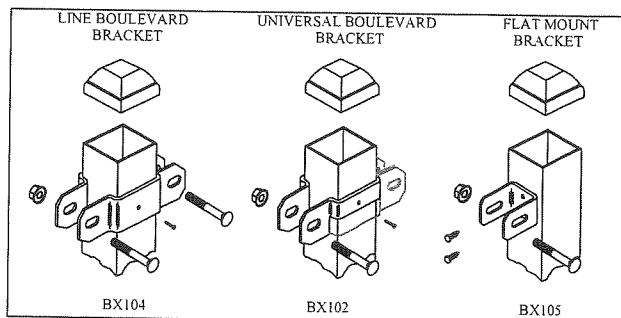
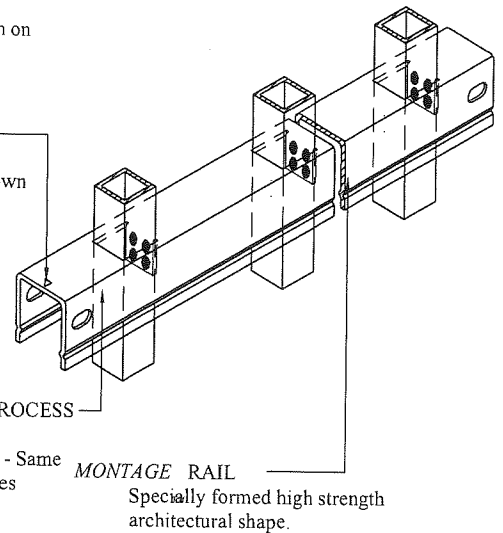
NOTES:

- 1.) Post size depends on fence height and wind loads. See *MONTAGE™* specifications for post sizing chart.
- 2.) Third rail required for *Double Rings*.
- 3.) Available in 3" air space and/or Flush Bottom on most heights.
- 4.) Three rails required for 6' tall.

RAKING DIRECTIONAL ARROW
Welded panel can be raked 45° over 8' with arrow pointing down grade.



PROFUSION™ WELDING PROCESS
No exposed welds,
Good Neighbor profile - Same appearance on both sides



RESIDENTIAL WELDED STEEL PANEL
PRE-ASSEMBLED

Title: **MONTAGE CLASSIC 2/3-RAIL**

DR: CI	SH. 1 of 1	SCALE: DO NOT SCALE
CK: ME	Date 7-19-11	REV: c



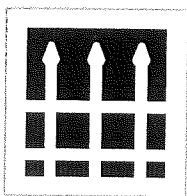
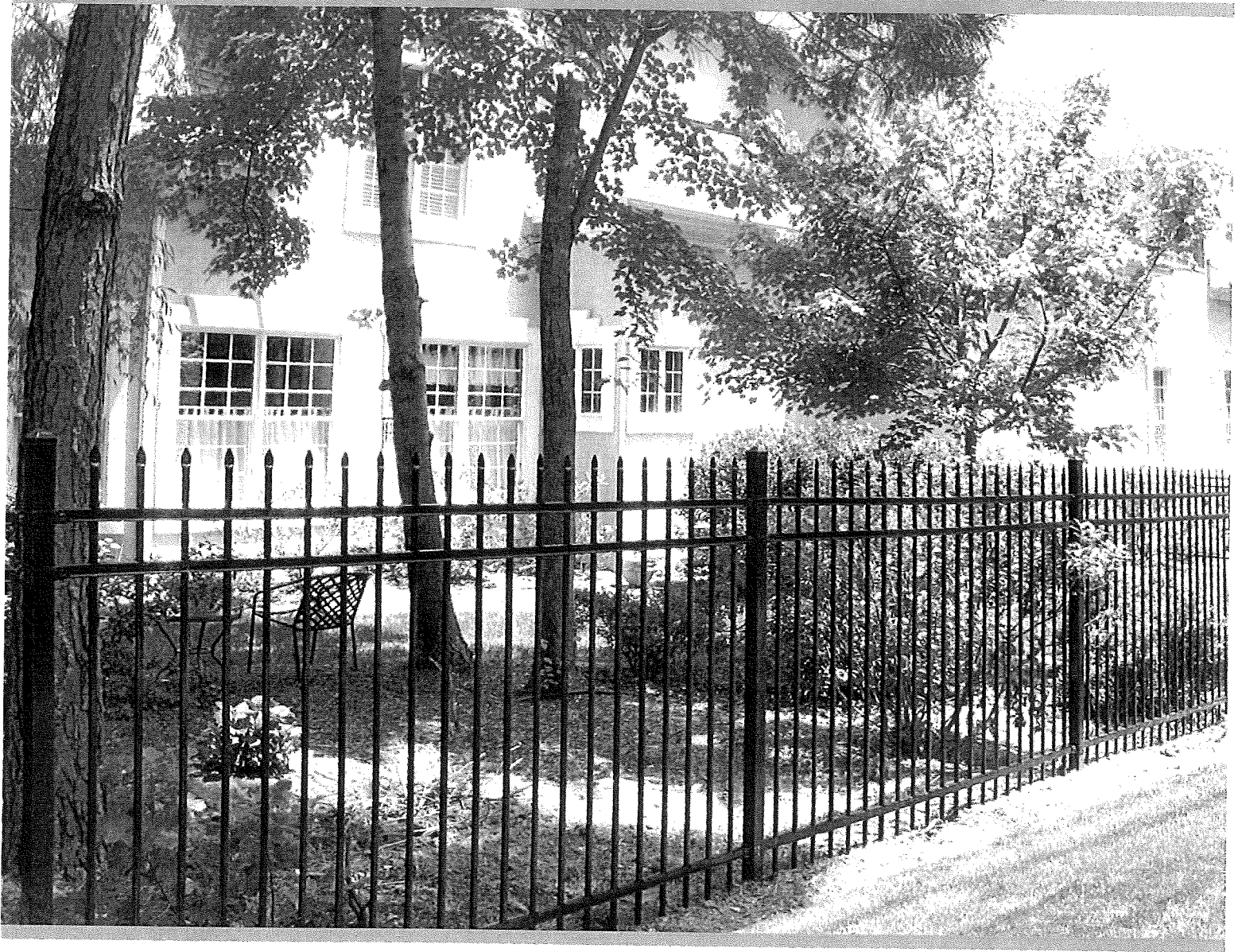
AMERISTAR®

1555 N. Mingo
Tulsa, OK 74116
1-888-333-3422
www.ameristarfence.com

Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.

RCISO

CLASSIC™

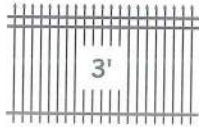


Experience traditional grace.

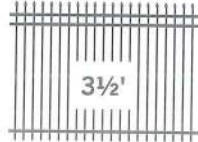
The extended pickets — topped with arrow-pointed spears — of this classic style capture the look of traditional wrought iron fencing. Single, double and arched walk gates are also available to match this style.

Oak Street

HEIGHTS



3'



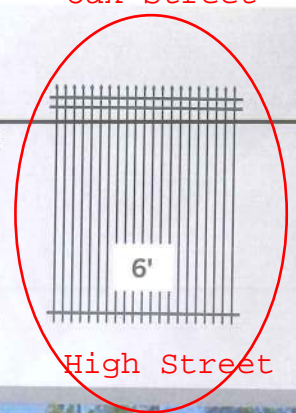
3½'



4'



5'



6'

High Street



PANELS



3-RAIL PANELS
Available in
3' to 6' heights

2-RAIL PANELS
Available in
3' to 5' heights

BOTTOM OPTION



**STANDARD
BOTTOM RAIL**



**FLUSH
BOTTOM RAIL**

PICKET SPACING



4" GAP
Standard



3" GAP
Not available in
2-rail Classic



567 HIGH ST. SE

VEHICLE GATE

Oak St. 6' Tall

HIGH ST. SE

PROPOSED 6'-0" TALL
WELDED STEEL SECURITY
FENCE
EXISTING PERIMETER
WALL & PLASTER



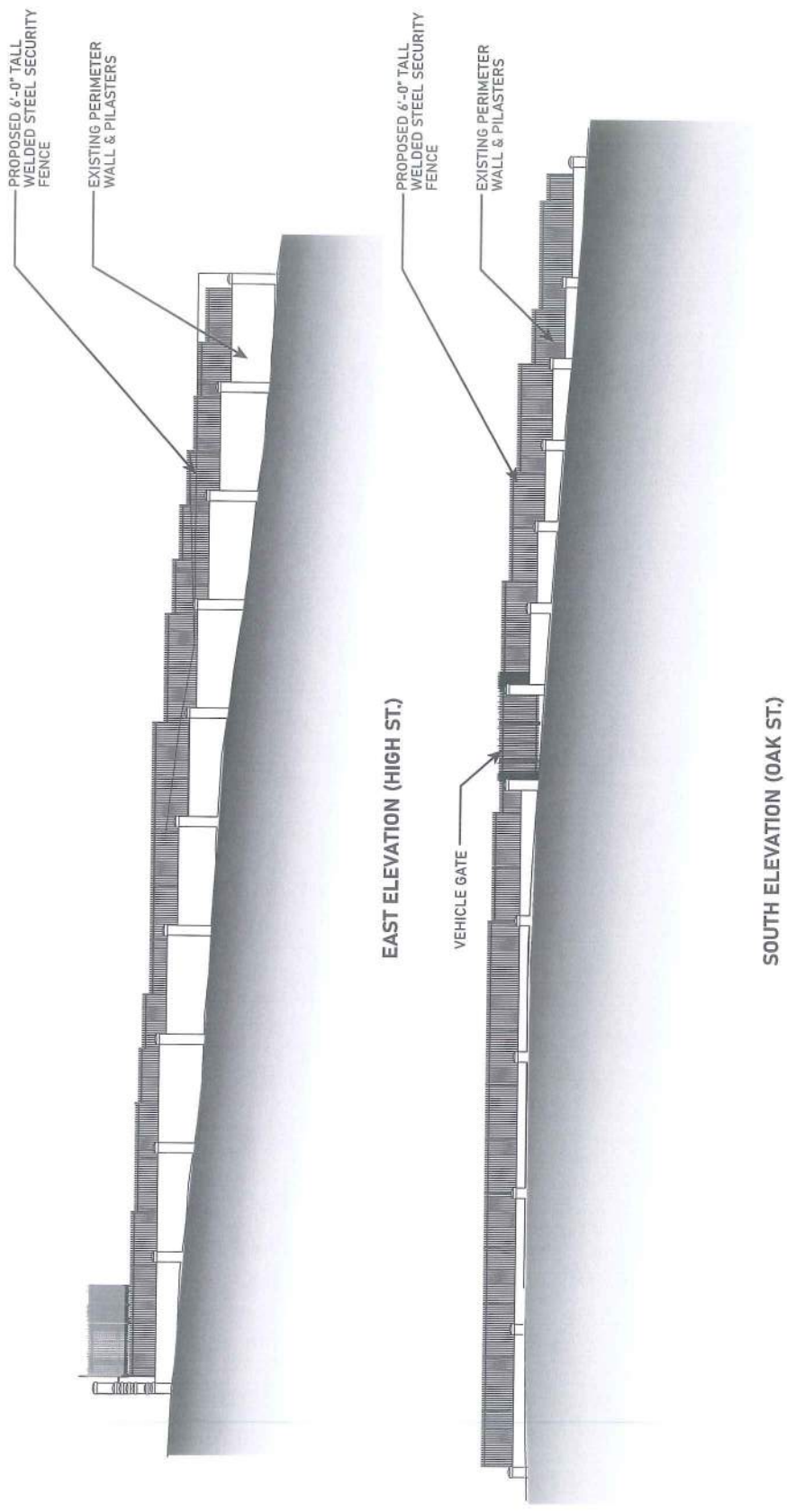
SITE PLAN

1

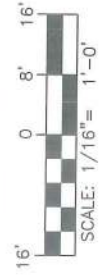


FRAMEWORK
STUDIO
architecture llc

SADOWSKI RESIDENCE - PROPOSED SECURITY FENCE
567 HIGH ST., SALEM OR
2023.03.27



ELEVATIONS





EXISTING VIEW

PROPOSED 6'-0" TALL
WELDED STEEL SECURITY
FENCE

EXISTING PERIMETER
WALL & PILASTERS

CONCEPTUAL RENDERING - VIEW FROM CORNER OF OAK ST. and HIGH ST.

230.065. GENERAL GUIDELINES FOR HISTORIC CONTRIBUTING RESOURCES. *In lieu of the standards for historic contributing buildings set forth in SRC 230.025 and SRC 230.040, an applicant may make a proposal for preservation, restoration, or rehabilitation activity, regardless of type of work, which shall conform to the following guidelines:*

(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.*

Applicant RESPONSE:

The proposed new fence will not alter the residential use of this property.

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

Applicant RESPONSE:

The proposal does not include any alterations to historic materials.

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

Applicant RESPONSE:

The proposal does not include any alterations to distinctive character defining features of the property.

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

Applicant RESPONSE:

The proposal does not include reconstruction of any historic features.

(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.*

Applicant RESPONSE:

The proposal will not alter any historic materials or features that have acquired significance over time.

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

Applicant RESPONSE:

The proposed new wrought iron metal fence will be installed on the interior of the existing

masonry wall, and no historic materials will be altered or impacted by the installation.

(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.*

Applicant RESPONSE:

The proposed new fencing will not obscure the existing masonry wall at the perimeter of the site, and the wrought iron fencing while visible, continues to ensure that the building and grounds are not obscured from the right of way.

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

Applicant RESPONSE:

There are no plans to correct structural deficiencies as part 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.*

Applicant RESPONSE:

While a minimal amount of excavation will be required in order to install the fence and gate posts, this work will occur well away from the foundation of the house, so no impacts are anticipated to the building foundations.

Please attach a [SITE PLAN](#) showing the overall tax lot with the location of the proposed alterations clearly identified, as well as any relevant current or historic photos of the existing historic resource.

Please note any additional submittal materials:

1. **Photos**
2. **Specification sheet(s) for fencing/gate**

Please submit to Kimberli Fitzgerald at kfitzgerald@cityofsalem.net

Kimberli Fitzgerald

From: HPPG <scanparks2023@gmail.com>
Sent: Tuesday, October 10, 2023 2:52 PM
To: Kimberli Fitzgerald
Subject: SCAN Historic Preservation, Parks & Gardens Committee Review: HLC CASE No.HIS23-19 FACTS AND FINDINGS

HISTORIC LANDMARKS COMMISSION

City of Salem
 555 Liberty Street SE
 Salem, Oregon 97301

CLASS 3 MAJOR DESIGN REVIEW CASE REVIEW: No. HIS23-19 - PROPOSED 6 ft FRONT FENCING AT 567 HIGH STREET SE - NEAR THE SITE OF THE DANIEL B. JARMAN HOUSE (c. 1929)

Chair, Members of the Historic Landmarks Commission:

Thank you for the opportunity to comment. We have looked at this proposal in detail.

We received the most recent proposal for fencing and copies were distributed to our HPPG review committee members. A straw poll found 8 of 9 members of the Committee opposed to the deviation from the common practice and standard norm in the City for front fences to not exceed 4 feet. On Monday, an unanimous vote of the Committee in meeting to formally review the proposed Class 3 Historic Design Review Case # HIS23-19 voted 5-0 in opposition.

An earlier proposal of a 4 ft height front fence was reported to the City Historic Preservation Officer as no objections. Our Committee supports a 4 ft fence in compliance with standard code and common practice. The requested fence height is more than 20% higher from the City norm.

With the height of the existing perimeter wall and pilasters along the front, sidewalk, in some sections, up to 10 feet, a reasonable argument would be, -- not for 6 ft front wall, but for a 4 ft front fence in standard compliance with Salem Revised Code, not only in the Historic District but citywide.

A 4 ft fence -- "topped with arrow-pointed spears" AMERISTARPERIMETER.COM -- appears to suffice -- given the elevation on High Street. On-site.

The HEARING NOTICE narrative and the *FRAMEWORK STUDIO architecture llc* illustrations 01, 02, 03, 04 do not give or inform the footage of the already existing EAST ELEVATION (HIGH ST.) (eg illustration 02).

FACTS AND FINDINGS

1. OWNER(S): page 2 of the HEARING NOTICE lists Derek Sadowski. Tax records indicate the wall and pilasters are within the public right-of-way of HIGH STREET.

Ownership of Derek Sadowski is shown as west of the wall and pilasters and at significant distance from the wall (Taxlot number 073W27ACO4500 Marion County Assessor Map).

2. MATERIALS: Materials description is inconsistent. HEARING NOTICE states to install new fencing (p 1) and "to install a 6ft high wrought iron fencing" (page 2). The AMERISTAR drawing shows a pre-assembled welded steel panel. "FRAMEWORK STUDIO illustrations (01, 02, 03, 04) also show a 6'-0" tall welded steel panels.

3. INCONSISTENT WITH THE PERIOD OF SIGNIFICANCE

A 6ft fence in the front of 567 High Street is not consistent with the historical design of the Period of Significance (1878 to 1938) of the National Historic District or the general standard of the City for the front of properties. SRC 230.065 states "Except as otherwise provided..property shall be used that will not alter..landscape design.."

The standard City wide is "4 feet with the top 18 inches of the fence is see-through when the fence is located within 10 feet of the front property line abutting the street."

There is no historical record for a welded steel fence on the property.

No historical documentation of design has been presented to support a 6 ft front fence.

4. APPROPRIATE DESIGN REVIEW: Any fence "above 4 feet in height within the front yard" is required to be reviewed and approved by the Historic Landmarks Commission SRC 230.020 (a) (2) (F). SRC 230.020 (1) (E) requires approval of "Construction of new walks, fences...on the site of a local historic resource when adjacent to within view of the public right-of way."

5. COMPLIANCE WITH SRC 230.020 (a)(4) has not been demonstrated.

Chapter 230 requires "if other land use reviews are requirements for development, such reviews shall be held prior to or concurrently with historic design review."

(a) a Class 2 Adjustment review under SRC 250.005 (D)(2). A Class 2 Adjustment is required for more than a 20% deviation from a numerical standard. And a Type II review under SRC 300 is required: Notice and RFC to the neighborhood association, property owners within 250 ft., all addresses within 250 ft. a 14 day comment period.

(b) approval to place a 6 ft fence in a public right of way. Marion County Assessor tax lot map 073W27ACO4500 show Sadowski property to be west of the proposed 6ft high wrought iron or welded steel panels fence installation. Not "on property" (page 2 of the HEARING NOTICE) of the owner. Unclear is if application has been made to Public Works for use/occupation of City right-of-way/property.

Our view, SUMMARY FINDING. is a 4 ft frontal fence, facing High Street on the elevated terrain, originally proposed by the applicant, is compatible, consistent with standard City measurements, SRC 230.020(a)(2)(F) and the reasonable intent of 230.065, and we encourage compliance with SRC 230.020 (a)(4).

Respectfully,

Jon Christenson MURP
Chair, SCAN Historic Preservation, Parks & Gardens Committee

Kimberli Fitzgerald

From: HPPG <scanparks2023@gmail.com>
Sent: Wednesday, October 11, 2023 9:09 AM
To: Kimberli Fitzgerald
Subject: EXHIBIT A: SCAN Historic Preservation, Parks & Gardens Committee Review: HLC CASE NO,HIS23-19 FACTS AND FINDINGS: please see AttachmentHISTFwd: Notice of Filing / Request for Comments - Case No. HIS23-11 for 567 High St SE
Attachments: HIS23-11 NOF-RFC.pdf

HISTORIC LANDMARKS COMMISSION
City of Salem
555 Liberty Street SE
Salem, Oregon 97301

EXHIBIT A: THE ORIGINAL DESIGN PROPOSAL FOR A 4 FT HEIGHT FRONT FENCE ALONG HIGH STREET REFERENCED IN OUR COMMENTS: INITIALLY SUBMITTED BY THE APPLICANT - NOTICE OF FILING AUGUST 30, 2023

Chair, Members of the Historic Landmarks Commission:

Referenced in our 10-10-2023 comments is an earlier - original - proposal (Case No.HIS23-11 NOF-RFC) for a 4 ft. height front fence along High Street. Below, we submit as EXHIBIT A, is the communication we received and attached is the NOTICE OF FILING design documentation sent for a Class 2 Minor Historic Design Review (in August 2023).

We did a detailed review of the most recent proposed 6 ft fencing proposal (September 2023) and Notice of Public Hearing, and references, applicable code, SRC 230 compliance, and researched the actual boundaries of the Tax lot..

We find no rationale or criteria in the code, SRC Chapter 230 Historic Preservation, -- in the August 2023 Notice of Filing or the September 2023 NOTICE OF PUBLIC HEARING document - that makes a 4 ft. height front fence unacceptable.

Our Committee found no objections to the 4 ft. height design front fence design. A 6ft height front fence design is not the norm of record on the property or city wide.

Thank you for the opportunity to comment. We submit the original 4 ft height front fencing design along High Street into the record.

Sincerely,

Jon Christenson MURP
Chair, SCAN Historic Preservation, Parks & Gardens Committee

----- Forwarded message -----

From: Zachery Cardoso <ZCardoso@cityofsalem.net>
Date: Wed, Aug 30, 2023 at 8:03 AM
Subject: Notice of Filing / Request for Comments - Case No. HIS23-11 for 567 High St SE



NOTICE of FILING

LAND USE REQUEST AFFECTING THIS AREA

There is a development proposal for the property listed in this notice and shown on the attached map. The City is seeking input from neighbors on the proposal. If you have questions or comments about the proposal, contact the case manager.

Esta carta es un aviso sobre una propuesta de desarrollo para la propiedad enumerada y que se muestra en el mapa adjunto. La ciudad está buscando la opinión de los vecinos sobre la propuesta. Si tiene preguntas o comentarios sobre la propuesta, póngase en contacto con nosotros al 503-588-6213.

CASE NUMBER:	Class 2 Minor Historic Design Review Case No. HIS23-11
PROPERTY LOCATION:	567 High St SE, Salem OR 97301
NOTICE MAILING DATE:	August 30, 2023
PROPOSAL SUMMARY:	A proposal to install new wrought iron fencing on the site of the Daniel B Jarman House (c.1929).
COMMENT PERIOD:	All written comments must be submitted to City Staff no later than 5:00 p.m., September 13, 2023. Please direct any questions and/or comments to the Case Manager listed below. Comments received after the close of the comment period will not be considered. Note: Comments submitted are <u>public record</u>. This includes any personal information provided in your comment such as name, email, physical address and phone number.
CASE MANAGER:	Kimberli Fitzgerald, Historic Preservation Officer , City of Salem Planning Division, 555 Liberty Street SE, Room 305, Salem, Oregon 97301. Telephone: 503-540-2397; E-mail: kfitzgerald@cityofsalem.net
NEIGHBORHOOD ASSOCIATION:	<i>Neighborhood associations are volunteer organizations of neighbors coming together to make neighborhoods the best they can be. They receive notice of land use applications within their boundaries, and they often submit comments on the applications to the City. Neighborhood association meetings are open to everyone. Contact your neighborhood association to get involved:</i> South Central Association of Neighbors (SCAN), Roz Shirack, Land Use Chair; Email: rozshirack7@gmail.com . Jon Christenson, Historic Preservation, Parks & Gardens, Chair, Email: scanparks2023@gmail.com .
ACCESS:	The Americans with Disabilities Act (ADA) accommodations will be provided on request.
CRITERIA TO BE CONSIDERED:	Salem Revised Code (SRC) Chapter(s) 230.025(j) Fences Salem Revised Code (SRC) is available to view at this link: http://bit.ly/salemorcode . Type in the chapter number(s) listed above to view the applicable criteria.

PROPERTY OWNER(S):	Derek Sadowski
APPLICANT(S):	Derek Sadowski
PROPOSAL REQUEST:	<p>A proposal to install new wrought iron fencing on the site of the Daniel B Jarman House (c.1929).</p> <p>REQUEST: Class 2 Minor Historic Design Review of a proposal to install 6' high wrought iron fencing fronting Oak Street and 4' high wrought iron fencing fronting High Street SE on the site of the Daniel B. Jarman House (c 1929,) a historic contributing building in the Gaiety Hill/Bush's Pasture Park Historic District, on property .63 acres in size, in the RS (Single Family Residential) zone and located at 567 High Street SE - 97301 (Marion County Assessor Map and Tax Lot Number: 073W27AC04500).</p>
APPLICATION PROCESS:	<p>Following the close of the Public Comment Period, a decision will be issued and mailed to the applicant, property owner, affected neighborhood association, anyone who submitted written comments, and anyone who received notice of the land use request.</p> <p>Failure to raise an issue in writing prior to the close of the Public Comment Period with sufficient specificity to provide the opportunity to respond to the issue, precludes appeal to the Land Use Board of Appeals (LUBA) on this issue. A similar failure to raise constitutional issues relating to proposed conditions of approval precludes an action for damages in circuit court.</p>
MORE INFORMATION:	All documents and evidence submitted by the applicant are available on the City's online Permit Application Center at https://permits.cityofsalem.net . You can use the search function without registering and enter the permit number listed here: 23 113456. Paper copies can be obtained for a reasonable cost.

PLEASE PROMPTLY FORWARD A COPY OF THIS NOTICE TO ANY OTHER OWNER, TENANT OR LESSEE
For more information about Planning in Salem:
<http://www.cityofsalem.net/planning>

It is the City of Salem's policy to assure that no person shall be discriminated against on the grounds of race, religion, color, sex, marital status, familial status, national origin, age, mental or physical disability, sexual orientation, gender identity and source of income, as provided by Salem Revised Code Chapter 97. The City of Salem also fully complies with Title VI of the Civil Rights Act of 1964, and related statutes and regulations, in all programs and activities. Disability-related modification or accommodation, including auxiliary aids or services, in order to participate in this meeting or event, are available upon request. Sign language and interpreters for languages other than English are also available upon request. To request such an accommodation or interpretation, contact the Community Development Department at 503-588-6173 at least three business days before this meeting or event.

TTD/TTY telephone 503-588-6439 is also available 24/7

REQUEST FOR COMMENTS

Si necesita ayuda para comprender esta información, por favor llame 503-588-6173

REGARDING: Class 2 Minor Historic Design Review Case No. HIS23-11

PROJECT ADDRESS: 567 High St SE, Salem OR 97301

AMANDA Application No.: 23-113456-PLN

COMMENT PERIOD ENDS: September 13, 2023, at 5:00 p.m.

SUMMARY: A proposal to install new wrought iron fencing on the site of the Daniel B Jarman House (c.1929).

REQUEST: Class 2 Minor Historic Design Review of a proposal to install 6’ high wrought iron fencing fronting Oak Street and 4’ high wrought iron fencing fronting High Street SE on the site of the Daniel B. Jarman House (c 1929,) a historic contributing building in the Gaiety Hill/Bush’s Pasture Park Historic District, on property .63 acres in size, in the RS (Single Family Residential) zone and located at 567 High Street SE - 97301 (Marion County Assessor Map and Tax Lot Number: 073W27AC04500).

The Planning Division is interested in hearing from you about the attached proposal. Staff will prepare a Decision that includes consideration of comments received during this comment period. We are interested in receiving pertinent, factual information such as neighborhood association recommendations and comments of affected property owners or residents. The complete case file, including all materials submitted by the applicant and any applicable professional studies such as traffic impact analysis, geologic assessments, and stormwater reports, are available upon request.

Comments received by 5:00 p.m., WEDNESDAY, SEPTEMBER 13, 2023, will be considered in the decision process. Comments received after this date will be not considered. *Comments submitted are public record. This includes any personal information provided in your comment such as name, email, physical address and phone number. Mailed comments can take up to 7 calendar days to arrive at our office. To ensure that your comments are received by the deadline, we recommend that you e-mail your comments to the Case Manager listed below.*

CASE MANAGER: Kimberli Fitzgerald, Historic Preservation Officer, City of Salem, Planning Division; 555 Liberty St SE, Room 305, Salem, OR 97301; Phone: 503-540-2397; E-Mail: kfitzgerald@cityofsalem.net.

For information about Planning in Salem, please visit: <http://www.cityofsalem.net/planning>

PLEASE CHECK THE FOLLOWING THAT APPLY:

- 1. I have reviewed the proposal and have no objections to it.
- 2. I have reviewed the proposal and have the following comments: _____

Name/Agency: _____

Address: _____

Phone: _____

Email: _____

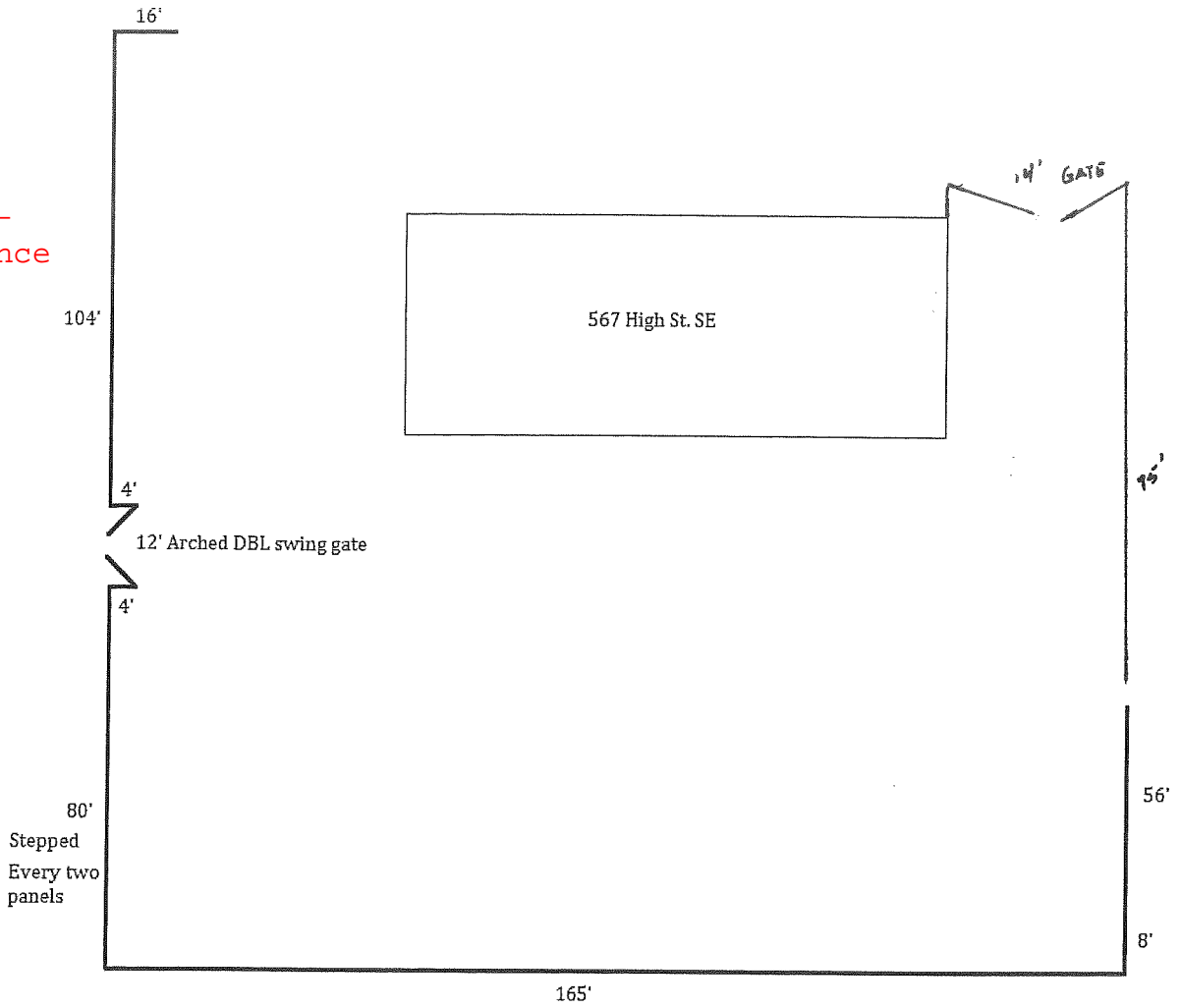
Date: _____

IMPORTANT: IF YOU MAIL COMMENTS, PLEASE FOLD AND RETURN THIS POSTAGE-PAID FORM

SITE PLAN

JOB LAYOUT

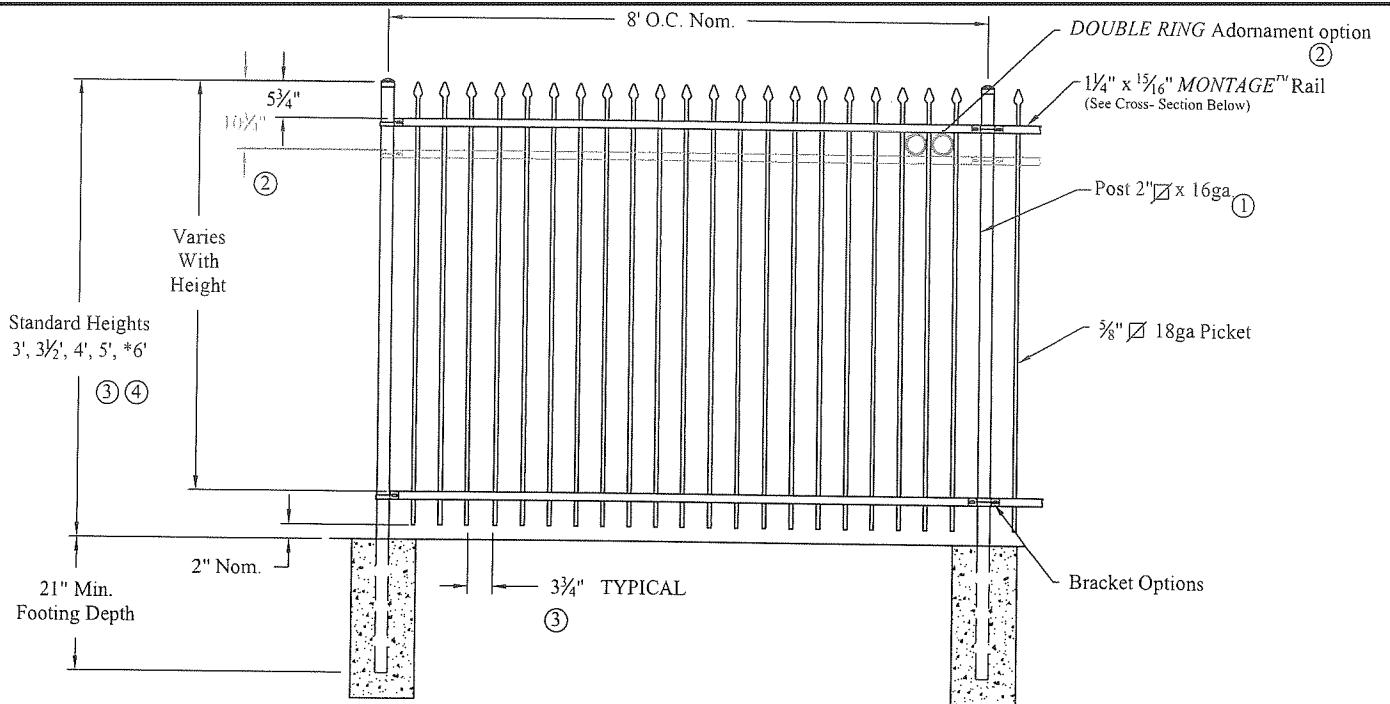
Oak Street -
6' High Fence



(Drawing not to scale)

High Street - 4' High Wrought Iron Fence

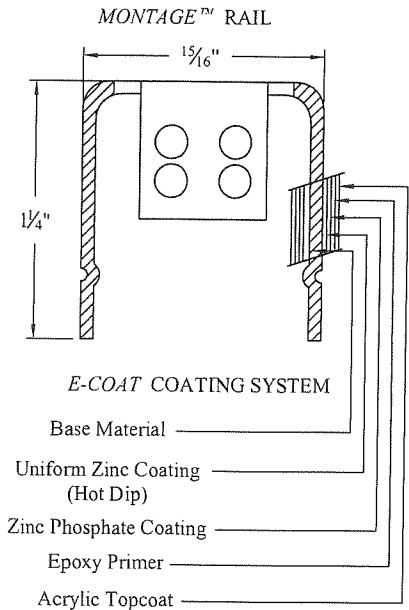




NOTES:

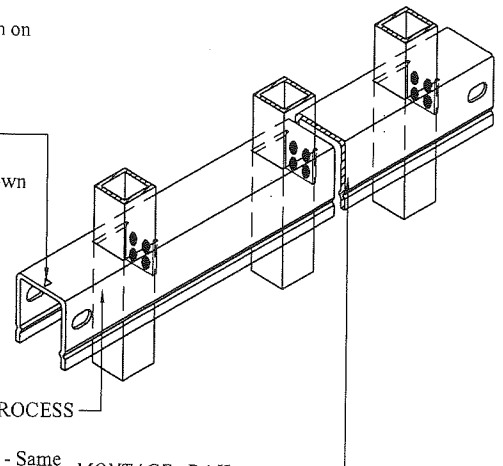
- 1.) Post size depends on fence height and wind loads. See *MONTAGE™* specifications for post sizing chart.
- 2.) Third rail required for *Double Rings*.
- 3.) Available in 3" air space and/or Flush Bottom on most heights.
- 4.) Three rails required for 6' tall.

RAKING DIRECTIONAL ARROW
Welded panel can be raked 45° over 8' with arrow pointing down grade.

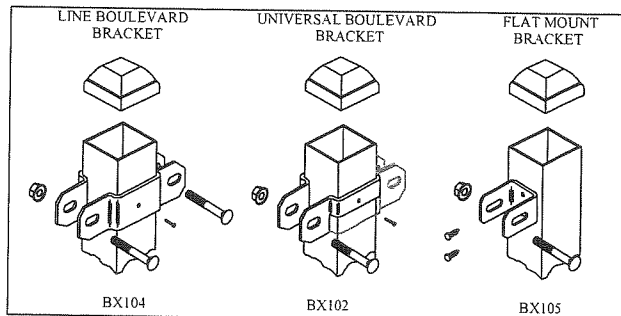


PROFUSION™ WELDING PROCESS

No exposed welds,
Good Neighbor profile - Same appearance on both sides



MONTAGE RAIL
Specially formed high strength architectural shape.



RESIDENTIAL WELDED STEEL PANEL
PRE-ASSEMBLED

Title: **MONTAGE CLASSIC 2/3-RAIL**

DR: CI	SH. 1 of 1	SCALE: DO NOT SCALE
CK: ME	Date 7-19-11	REV: c



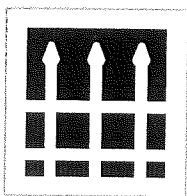
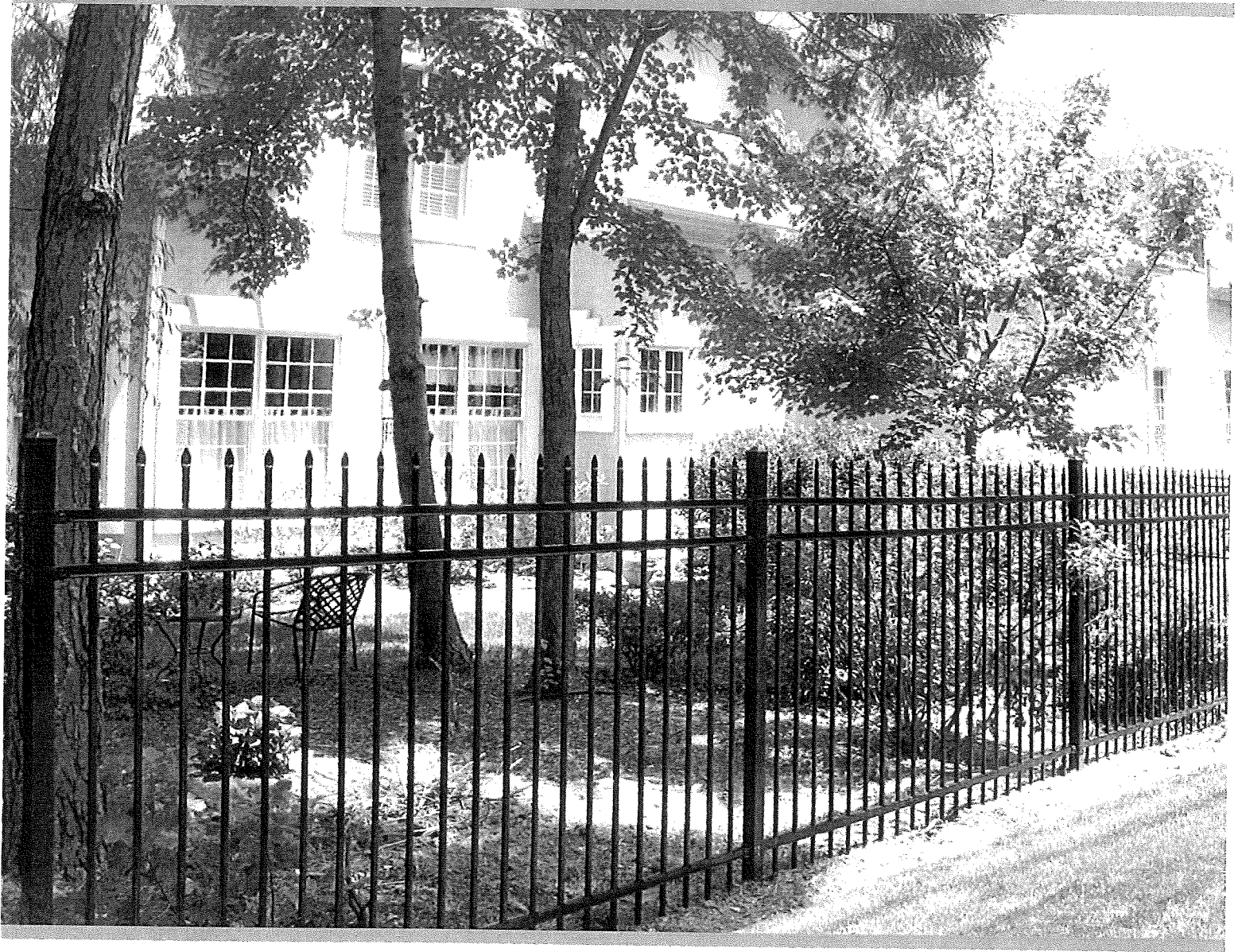
AMERISTAR®

1555 N. Mingo
Tulsa, OK 74116
1-888-333-3422
www.ameristarfence.com

Values shown are nominal and not to be used for installation purposes. See product specification for installation requirements.

RCISO

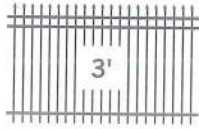
CLASSIC™



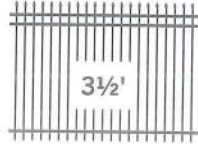
Experience traditional grace.

The extended pickets — topped with arrow-pointed spears — of this classic style capture the look of traditional wrought iron fencing. Single, double and arched walk gates are also available to match this style.

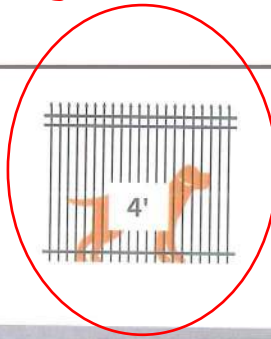
HEIGHTS



3'



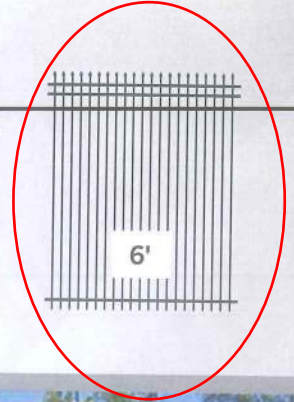
3½'



4'



5'



6'



PANELS



3-RAIL PANELS
Available in
3' to 6' heights

2-RAIL PANELS
Available in
3' to 5' heights

BOTTOM OPTION



**STANDARD
BOTTOM RAIL**



**FLUSH
BOTTOM RAIL**

PICKET SPACING



4" GAP
Standard



3" GAP
Not available in
2-rail Classic



FRAMEWORK
STUDIO
architecture llc

SADOWSKI RESIDENCE - PROPOSED SECURITY FENCE
567 HIGH ST., SALEM OR
2023.03.27



1
SITE PLAN



4' high

PROPOSED 4' TALL WELDED STEEL SECURITY FENCE
EXISTING PERIMETER WALL & PILASTERS

EXISTING VIEW

CONCEPTUAL RENDERING - VIEW FROM CORNER OF OAK ST. and HIGH ST.

