

NOTICE OF DECISION

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



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

DECISION OF THE HISTORIC PRESERVATION OFFICER

CLASS 2 HISTORIC DESIGN REVIEW CASE NO.: HIS23-16

APPLICATION NO.: 23-118053-PLN

NOTICE OF DECISION DATE: October 27, 2023

SUMMARY: A proposal to replace the rear porch on the rear of the Mills House (c.1909).

REQUEST: Class 2 Minor Historic Design Review of a proposal to replace the rear porch and siding, wall cap and half wall, on the rear of the Mill House (c 1909), a historic contributing building in the Court Chemeketa Historic District, in the RS (Single Family Residential) zone and located at 1474 Court Street NE - 97301 (Marion County Assessor Map and Tax Lot Number: 073W26BD03200).

APPLICANT: Leah McMillan

LOCATION: 1474 Court St NE, Salem OR 97301

CRITERIA: Salem Revised Code (SRC) Chapters 230.025(d) – Porches

FINDINGS: The findings are in the attached Decision dated October 27, 2023.

DECISION: The **Historic Preservation Officer (a Planning Administrator designee)** **APPROVED** Class 2 Minor Historic Design Review Case No. HIS23-16 based on the application deemed complete on September 28, 2023.

The rights granted by the attached decision must be exercised, or an extension granted, by November 14, 2023, or this approval shall be null and void.

Application Deemed Complete:	<u>September 28, 2023</u>
Notice of Decision Mailing Date:	<u>October 27, 2023</u>
Decision Effective Date:	<u>November 14, 2023</u>
State Mandate Date:	<u>January 26, 2024</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., Monday, November 13, 2023. 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 Historic Landmarks Commission will review the appeal at a public hearing. After the hearing, the Historic Landmarks

Commission 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>

BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM

DECISION

IN THE MATTER OF APPROVAL OF) MINOR HISTORIC DESIGN REVIEW
HISTORIC DESIGN REVIEW)
CASE NO. HIS23-16)
1474 COURT STREET NE) October 27, 2023

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

REQUEST

SUMMARY: A proposal to replace the rear porch on the rear of the Mills House (c.1909).

REQUEST: Class 2 Minor Historic Design Review of a proposal to replace the rear porch and siding, wall cap and half wall, on the rear of the Mills House (c 1909), a historic contributing building in the Court Chemeketa Historic District, in the RS (Single Family Residential) zone and located at 1474 Court Street NE - 97301 (Marion County Assessor Map and Tax Lot Number: 073W26BD03200).

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

FINDINGS

Minor Historic Design Review Applicability

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

PROPOSAL

The applicant is proposing to replace the existing wooden rear porch guardrail and porch roof support columns which are in poor condition as a result of the inappropriate insertion of windows which retained water and caused dry rot. The rear porch half wall guardrail will be replaced and resided with a wall cap and siding to match the house. The porch decking and roof will be retained, however any porch posts which need to be replaced due to their poor condition will be wrapped and painted to match.

230.025 (d) Standards for Contributing Resources in Residential Historic Districts, Porches are applicable to this project.

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 118053.

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; an excerpt is included as **Attachment B** 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) 230.025 (d) *Standards for Contributing Resources in Residential Historic Districts, Porches*, are the applicable criteria for evaluation of this proposal.

FACTS & FINDINGS

1. Historic Designation

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

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

2. Historic Significance

The one and ½ story Bungalow style residence was constructed by Jefferson Pooler in 1909. Pooler was the owner of Salem Sewer and Pipe and manager of Capitol Improvement, and built several houses in the Court-Chemeketa District. In 1910 Pooler sold this house to Charles Spaulding, the founder of the Spaulding Logging Co. in Newberg. Spaulding transferred the house to his daughter Beulah in 1910, who married Roy H. Mills that year. Roy Mills was the Deputy Banking Superintendent for the State of Oregon from 1932-1940, after which he was appointed Coordinator of Institutions for the State Board of Control, where he worked until his retirement in 1954.

3. City Department and Neighborhood/Citizen Comments

Building and Safety indicate that the applicant must obtain required building permits. Public Works, the Planning Division and the Fire Department have no concerns with the proposal. The subject property is located within the Northeast Neighbors Neighborhood Association (NEN). Property owners and tenants within 250 feet of the subject property were mailed notification of the proposal on September 28, 2023 pursuant to SRC requirements. No comments were received regarding the proposal.

4. Analysis of Minor Historic Design Review Approval Criteria

Staff determined that the following standards from *230.025 Standards for Contributing Resources in Residential Historic Districts*, are applicable to this project.

FINDINGS:

Sec. 230.025. - Standards for historic contributing buildings in residential historic districts

(d) Porches

(1) Materials. *All features of the porch shall be replaced with material that duplicate, to the greatest degree possible, the appearance and structural qualities of the original porch.*

Findings: The applicant is proposing to replace the existing wooden rear porch half wall guardrail which is in poor condition with a new wooden half wall, cap and siding to match the existing house. Should the porch posts need replacement due to their poor condition, they will be replaced with in kind material. Overall, the replacement materials will duplicate to the greatest degree feasible the appearance and structural qualities of the material being replaced, therefore staff finds that SRC 230.025(d)(1) has been met for the proposal.

(2) Design. *The overall design of the porch shall reproduce, to the greatest degree possible, the appearance of the original porch.*

Findings: The applicant is proposing to replace the existing wooden rear porch half wall guardrail which is in poor condition with a new wooden half wall, cap and siding to match the existing house. While windows were installed throughout creating a rear enclosed porch, these alterations were not original to the 1909 structure, and in fact their incorrect installation resulted in water damage to the porch half wall as well as the structural columns supporting the porch roof. Overall, the applicant's proposal will restore the original appearance of the rear porch, and further will serve to correct structural damage caused by a previous alteration. Staff finds that SRC 230.025(d)(2) has been met for the proposal.

DECISION

Based upon the application materials deemed complete on September 28, 2023 and the findings as presented in this report, the application for HIS23-16 is **APPROVED**.



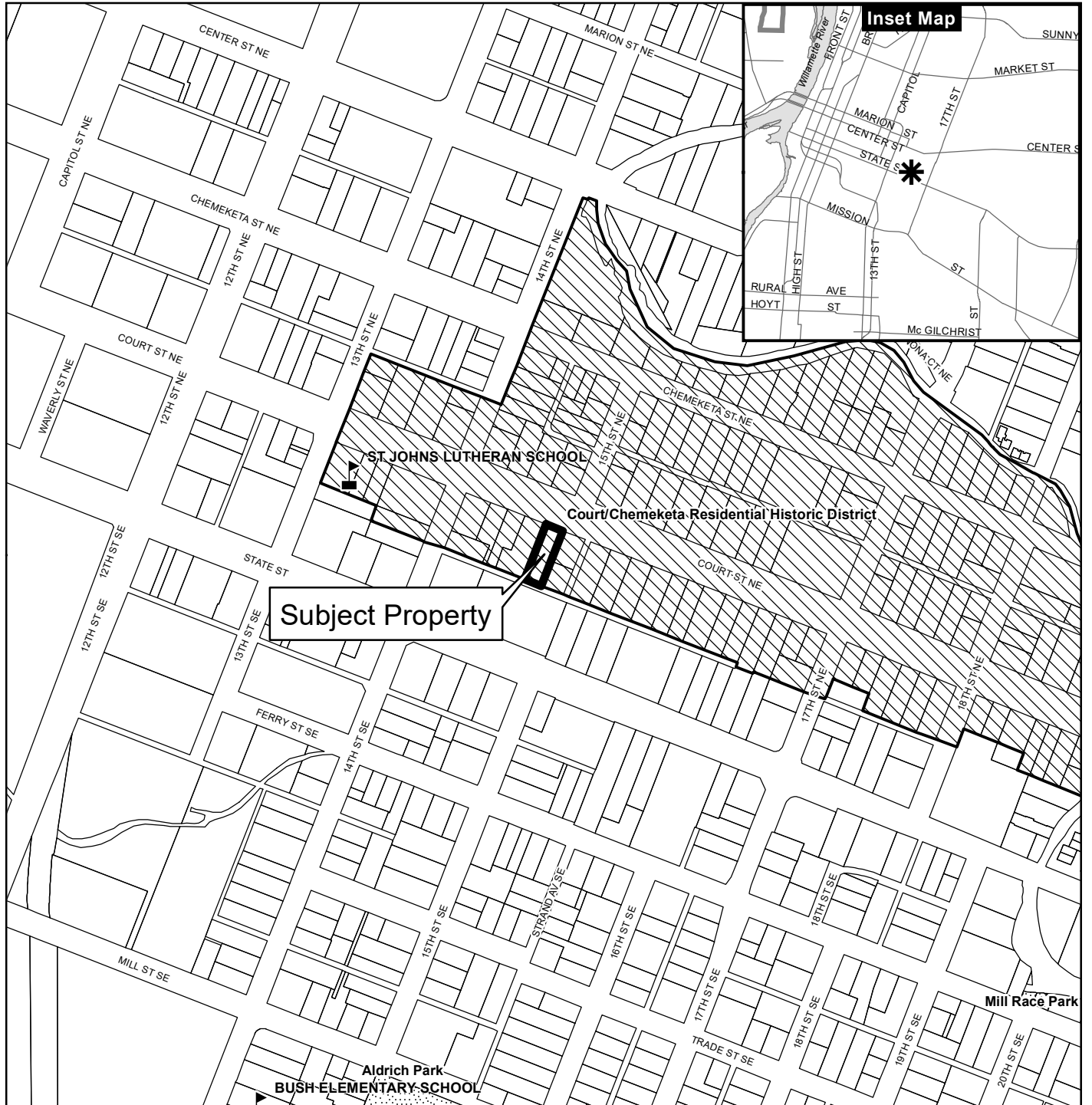
Kimberli Fitzgerald, AICP
Historic Preservation Officer
Planning Administrator Designee

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








G:\CD\PLANNING\HISTORIC\CASE APPLICATION Files - Processing Documents & Staff Reports\Minor Type I\2023\Decisions\HIS23-16
1474 Court Street NE.porch.docx

Vicinity Map

1474 Court Street NE (073W26BD03200)



Legend

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



0 100 200 400 Feet



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503-580-4171
leah@millcreekarch.com

PROJECT INFO

ZONE RS

SCOPE OF WORK: REMOVE ROTTEN MEMBERS AND REPLACE STRUCTURAL POSTS AS NEEDED, REPLACE HALF WALL AND CAP AND REINSTALL OR REPLACE WOOD LAP SIDING.

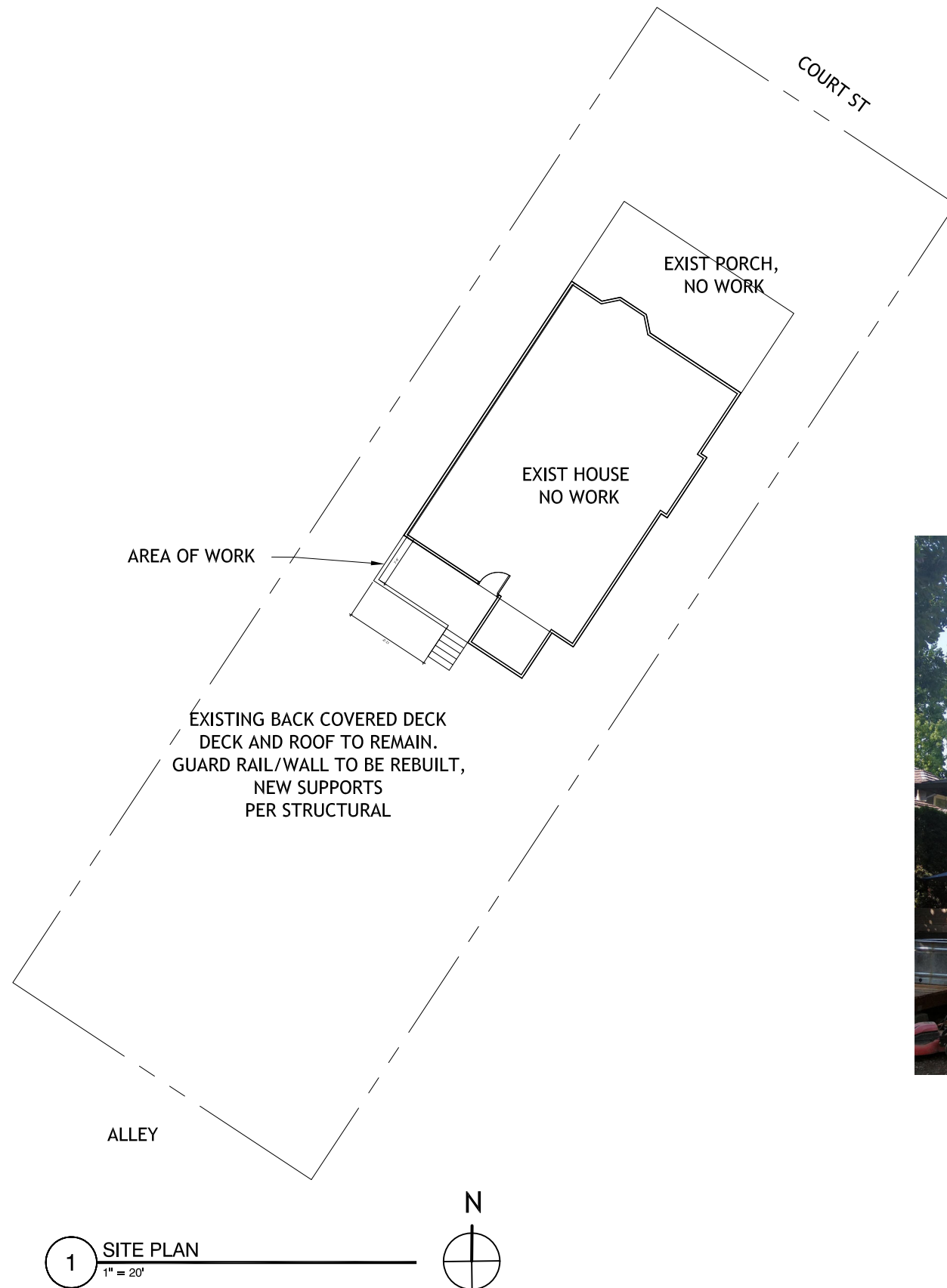
NO NEW SQUARE FOOTAGE.

OWNER:
PATRICIA CASWELL
1474 COURT ST NE
SALEM, OR

ARCHITECT:
MILL CREEK ARCHITECTURE, LLC
CONTACT: LEAH McMILLAN
503.580.4171

CONTRACTOR:
OWNER

ENGINEER: WILLAMETTE ENGINEERING



ROT REMOVED,
CURRENT STATE, READY
TO REPAIR



HALF WALL AND MATCHING SIDING AND
SILL BEFORE REMOVED DUE TO ROT

CASWELL PORCH
1474 COURT ST NE
SALEM, OR

A1.1
9/5/23
SITE/FLOOR PLAN



If bar is not 1"
drawing is not to scale.

Narrative Response Class 1 or Class 2 Administrative Historic Design Review
Residential Contributing Historic Resources

230.030 (d) Porches. *Replacement of porches on historic contributing buildings shall be allowed only where the owner has attempted to repair the original porch, but repair was not feasible due to the poor condition of the original materials. If the porch is not original then every effort shall be made to replicate the original porch; the effort shall be substantiated by historic, physical, or pictorial evidence. If the porch cannot be replicated, then it should be of a compatible design and material.*

(1) Materials.

(A) *All features of the porch shall be replaced with material that duplicate, to the greatest degree possible, the appearance and structural qualities of the original porch.*

Response:

The porch and roof are remaining.

The half wall on the porch was removed to find the rot. It will be rebuilt and have the same siding as the house and a wall cap similar to what was removed. The supporting posts will be replaced per structural engineering.

(2) Design. *The overall design of the porch shall reproduce, to the greatest degree possible, the appearance of the original porch.*

Response:

The porch is remaining. The half wall that included a post to support the roof above was removed due to rot from windows that were added to enclose the space. The post will be replaced and other structural members are being evaluated. The intent is to put the wall back together with a cap and a post and use the same siding that is on the house and was on the lower wall.



Narrative Response Class 1 or Class 2 Administrative Historic Design Review
Residential Contributing Historic Resources

Additional Required Submittal Materials

Photos (Historic pictures or photos of Existing Porch (Prior to Alteration))

Site Plan and Renderings – provided A0.1

Material Spec Sheets and/or photos of proposed new materials – all like materials

Historic Alteration Worksheet - completed

Additional photos of damaged wood:

