

NOTICE OF DECISION

PLANNING DIVISION
555 LIBERTY ST. SE, RM 305
SALEM, OREGON 97301
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503-588-6173*

DECISION OF THE HISTORIC PRESERVATION OFFICER

CLASS 1 MINOR HISTORIC DESIGN REVIEW CASE NO.: HIS23-25

APPLICATION NO.: 23-121639-PLN

NOTICE OF DECISION DATE: December 8, 2023

SUMMARY: A proposal to replace and add new windows and shutters on the exterior of the Lang House (c.1956).

REQUEST: A Class 1 Minor Historic Design Review of a proposal to replace seven existing aluminum windows with new wood double hung windows and install two new double hung windows and shutters on the exterior of the Lang House (c.1956) on property .15 acres in size, zoned RS (Single Family Residential), and located at 425 Leslie St. SE, 97302 (Marion County Assessors Map and Tax Lot number: 073W27BD04900).

APPLICANT: Hans Hadley

LOCATION: 425 Leslie St Se

CRITERIA: Salem Revised Code (SRC) Chapters 230.030 (b) Standards for Non-Contributing Resources in Residential Historic Districts, Windows

FINDINGS: The findings are in the attached Decision dated December 8, 2023.

DECISION: The **Historic Preservation Officer (a Planning Administrator designee)** **APPROVED** Class 1 Minor Historic Design Review Case No. HIS23-25 based on the application deemed complete on December 7, 2023.

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

Application Deemed Complete:	<u>December 7, 2023</u>
Notice of Decision Mailing Date:	<u>December 8, 2023</u>
Decision Effective Date:	<u>December 9, 2023</u>
State Mandate Date:	<u>April 5, 2024</u>

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

This decision is final.

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

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

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. HIS23-25)
425 LESLIE ST SE) December 8, 2023

In the matter of the application for a Minor Historic Design Review submitted by Hans Hadley, 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 and add new windows and shutters on the exterior of the Lang House (c.1956).

REQUEST: A Class 1 Minor Historic Design Review of a proposal to replace seven existing aluminum windows with new wood double hung windows and install two new double hung windows and shutters on the exterior of the Lang House (c.1956) on property .15 acres in size, zoned RS (Single Family Residential), and located at 425 Leslie St. SE, 97302 (Marion County Assessor's Map and Tax Lot number: 073W27BD04900).

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 seven existing windows which are in poor condition with new wooden double hung windows (Marvin Ultimate Wood Double Hung, double pane, simulated divided lite). Two will be located on the front (south) façade, four will be located on the east façade and one will be located on the west façade. Two new windows (of the same type) will be installed on the west façade (in the living room). The applicant will also be installing decorative wood shutters on all the windows throughout the exterior that currently do not have them. *230.030 (b) Standards for Non-Contributing Resources in Residential Historic Districts, Windows* 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 121639.

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 230.030 (b) *Standards for Non-Contributing Resources in Residential Historic Districts, Windows* are applicable to this project.

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

According to nomination documents, the one story Colonial style residence was designed by architect Louis Schmerber in 1955. However, the applicant has submitted plans dated the following year in 1956. This resource is a rectangular, wood framed structure with beveled siding and a gabled roof and has a full basement. The resource was constructed outside the period of significance for the historic district, and therefore is not contributing to the Gaiety-Hill/Bush's Pasture Park Historic District.

3. Analysis of Minor Historic Design Review Approval Criteria

Staff determined that the following standards from Salem Revised

Code 230.030 (b) Standards for Non-Contributing Resources in Residential Historic Districts, Windows are applicable to this project.

FINDINGS:

**Sec. 230.030. - Standards for non- contributing buildings in residential historic districts
(b)Windows**

(1) Materials. The replacement window shall be constructed with materials that duplicate, to the greatest degree possible, an appearance and structural qualities consistent with windows in buildings in the district.

Findings: The applicant is proposing to replace seven existing single pane divided lite aluminum windows with new Marvin Ultimate Wood Double Hung double pane simulated divided lite windows. Two new wood windows (of the same type) will be installed on the western façade of the Lang House. The proposed new wood windows are compatible with the material throughout the Lang House. Overall, the replacement and new windows will duplicate to the greatest degree feasible the appearance and structural qualities of wood window material that can be found on residential resources throughout the Gaiety-Hill/Bush's Pasture Park Historic District, therefore staff finds that SRC 230.030(b)(1) has been met for the proposal.

(2) Design.

- (A) Window openings shall maintain a similar size to the existing windows in the building.*
- (B) Window styles and types shall be similar to the styles and types of buildings in the district.*
- (C) Windows should be simple in shape, arrangement, and detail.*
- (D) Windows shall be finished with trim elements in a manner consistent with buildings in the district.*
- (E) The number of different window styles in the building shall be limited.*

Findings: The proposed replacement windows will fit within the existing window openings and the proposed new windows will be rectangular in shape, with a standard brick mold trim. The applicant has noted that the original blueprints of the house (dated November 6, 1956)- state that the house was to have double hung divided light windows. The proposed windows are simple in shape, arrangement and detail, and match the material and design of the windows that were installed on the north façade of the Lang House. Additionally the proposed new and replacement windows are typical in style and design of the type of residential windows found throughout the Gaiety Hill/Bush's Pasture Park Historic District. Staff finds that SRC 230.030(b)(2) has been met for the proposal.

DECISION

Based upon the application materials deemed complete on December 7, 2023 and the findings as presented in this report, the application for HIS23-25 is **APPROVED**.

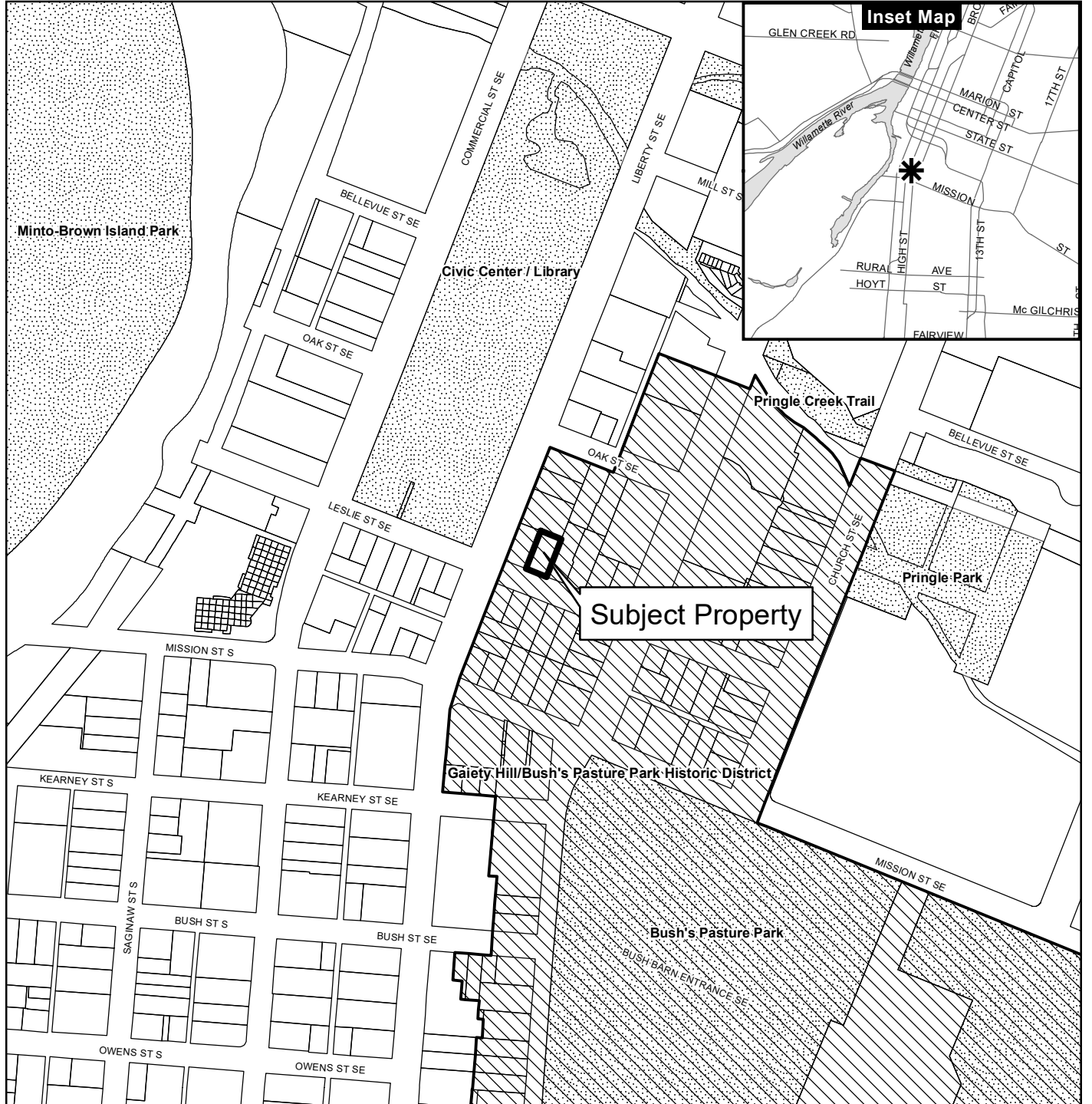


Kimberli Fitzgerald, AICP
Historic Preservation Officer
Planning Administrator Designee








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

Vicinity Map

425 Leslie Street SE (073W27BD04900)



Legend

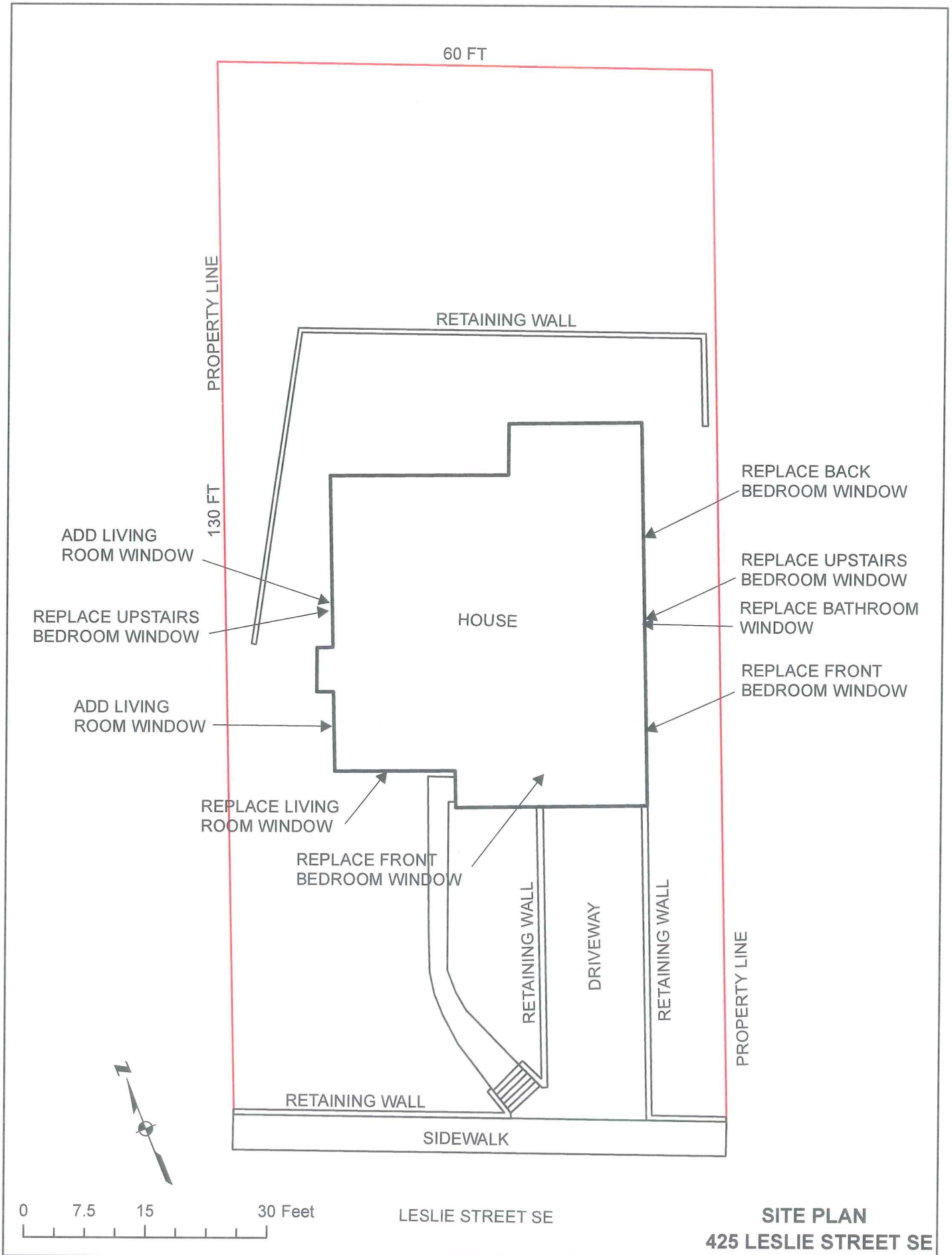
-  Taxlots
-  Urban Growth Boundary
-  City Limits
-  Outside Salem City Limits
-  Historic District
-  Schools
-  Parks


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Historic Alteration Review Worksheet

Site Address: 425 Leslie Street SE

Resource Status: Contributing Non-Contributing Individual Landmark

Type of Work Activity Proposed: Major Minor

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

Replacement, Alteration, Restoration or Addition of:

Architectural Feature:

- Awning
- Door
- Exterior Trim, Lintel
- Other architectural feature
- Roof/Cornice
- Masonry/Siding
- Storefront
- Window(s) Number of windows: 9

Landscape Feature:

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

New:

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

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

Project's Existing Material: Aluminum/glass Project's New Material: Wood/glass

Project Description

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

1. Replace seven (7) existing aluminum frame single pane divided lite windows with new Marvin Ultimate Wood Double Hung double pane simulated divided lite (with spacer bar) windows consisting of the following.
 - a. Two (2) of the replacement windows will be located on the front façade. One is a living room picture window and the other is a front bedroom window.
 - b. Four (4) windows will be located on the east façade. Three are bedroom windows and one is a bathroom window.
 - c. One (1) replacement window will be located on the west façade which is a bedroom window.
2. Add two (2) new Marvin Ultimate Wood Double Hung double pane simulated divided lite (with spacer bar) windows to the west façade that are the same size as the replacement bedroom windows. Both windows will be in the living room on the main floor.
3. Install non-functional decorative wood shutters on all windows that currently don't have them.

See attached Narrative Response

 Signature of Applicant

10/31/2023

 Date Submitted/Signed

Request:

1. Replace seven (7) existing aluminum frame single pane divided lite windows (see **Figures 1-3**) with new Marvin Ultimate Wood Double Hung double pane simulated divided lite (with spacer bar) windows consisting of the following.
 - a. Two (2) of the replacement windows will be located on the front façade. One is a living room picture window and the other is a front bedroom window.
 - b. Four (4) windows will be located on the east façade. Three are bedroom windows and one is a bathroom window.
 - c. One (1) replacement window will be located on the west façade which is a bedroom window.
2. Add two (2) new Marvin Ultimate Wood Double Hung double pane simulated divided lite (with spacer bar) windows to the west façade that are the same size as the replacement bedroom windows. Both windows will be in the living room on the main floor (see **Figure 3**).
3. Install non-functional decorative wood shutters on all windows that currently don't have them.

Reasoning:

The existing windows have the following issues:

1. All windows (except the living room picture window) have a hopper transom that allows only the bottom 1/3 of the window to partially open inwards. The opening is 35" wide by 14" tall (see **Figure 4**) but is mostly blocked by the hopper transom. This is not sufficient to provide egress in case of fire or other emergencies that would block the primary exit from the bedrooms.
2. The aluminum window frame and single pane glass generate excessive condensation in the winter that collects on the interior wood stools, causing mold and rot.
3. The combination of aluminum frame and single pane glass are not energy efficient. They also allow in excess noise from the street and cause interior furniture and carpet to fade from UV sunlight.
4. They were not the style of window shown in the original blueprints for the home.

The new living room windows will provide the following:

1. Additional natural sunlight.
2. Improvements to ventilation.
3. Improvements to the look of the west façade which currently has only one (1) second floor bedroom window.

Currently, there are decorative wood shutters on the windows located on the front and back façade. The original blueprints indicate that non-functional decorative shutters were to be placed at all window locations except on the back façade.

230.030(b) Windows. *Replacement of windows in non-contributing buildings is allowed.*

(1) Materials. *The replacement window shall be constructed with materials that duplicate, to the greatest degree possible, an appearance and structural qualities consistent with windows in buildings in the district.*

Response:

The existing windows are made of aluminum which is not consistent with neighboring buildings. The replacement windows will be made of wood, which is consistent with neighboring buildings. The two windows on the back facade were replaced with Marvin Ultimate Wood Double Hung Windows approximately 5 years ago (see **Figure 5**). These are consistent with the neighboring buildings.

(2) Design.

- (A) Window openings shall maintain a similar size to the existing windows in the building.*
- (B) Window styles and types shall be similar to the styles and types of buildings in the district.*
- (C) Windows should be simple in shape, arrangement, and detail.*
- (D) Windows shall be finished with trim elements in a manner consistent with buildings in the district.*
- (E) The number of different window styles in the building shall be limited.*

Response:

The replacement windows will be similar in size to the existing windows (the rough openings in the exterior walls will not be modified). The new windows will be the same size as the replacement bedroom windows.

The existing windows have divided lites. The replacement windows will have simulated divided lites with a metal spacer bar placed between the panes and fixed muntins to give the appearance of true divided lights (see **Figure 6**). This will have an appearance that is consistent with neighboring buildings.

With the exception of the living room picture window, all other windows have a hopper transom that allows the bottom 1/3 of the window to open inwards (see **Figure 4**). This is not consistent with the styles of windows in neighboring buildings which are wood double hung. The original blueprints for the house, dated November 6, 1956, indicate that the house was to receive double hung divided light windows in all locations (except the living room picture window) (see excerpts from blueprints shown in **Figure 7**)

The replacement and new windows will be rectangular in shape and use a standard brick mold surround which is consistent with the original blueprints and neighboring buildings. All windows will be from the same manufacturer (Marvin) and product line (Ultimate Wood Double Hung) and will match the windows that were replaced on the back (North) façade of the house approximately 5 years ago (see **Figure 5**).

(3) Improvements to Create Energy Efficiency.

- (A) The use of weather stripping, insulation, or materials to either repair or improve the energy efficiency of shall be evaluated as means to achieve the desired energy efficiency objectives prior to seeking authorization to replace a window.*
- (B) If an owner wishes to improve the energy efficiency of windows located on the primary façade, only energy efficiency measures shall that are removable and do not permanently alter the resource, including, but not limited to, exterior storm windows and weather-stripping shall be used on the primary façade.*
- (C) If an owner wishes to improve the energy efficiency of windows located on other than the primary façade, measures that are removable and do not permanently alter the resource, including, but not limited to, exterior storm windows and weather-stripping, and to reuse the original window frame and sash with replacement by energy efficient glass that maintains the overall design and appearance of the window are allowed.
Example: Replacement of single pane glass with new energy efficient double-paned glass is permissible, so long as the window is in satisfactory condition, muntins are wide enough to hold the double-paned glass, the double paned glass can be inserted into the original window sash, there are only minor alterations to the overall design of the window, and the double-paned glass is not visibly tinted or reflective.*

Response:

The primary purpose of replacing the windows is to provide emergency egress. A secondary purpose is to provide energy efficiency. It is not feasible to alter the existing windows to provide energy efficiency.

Additional Required Submittal Materials

Photos (Existing Windows - Prior to Alteration)



Figure 1 – Photo of front (South) façade



Figure 2 – Photo of East façade



Figure 3 – Photo of West façade (showing locations of proposed new windows)



Figure 4 – Photo of east bedroom window opening from interior showing open hopper transom



Figure 5 – Photo of kitchen window on back (north) side of house (Marvin Ultimate Wood Double Hung Simulated Divided Lite)

Simulated Divided Lite with Spacer Bar (SDLS)



Paired with SDL bars on the exterior of the glass, a spacer bar is installed between the glass, creating an even closer match to the Authentic Divided Lite look.

Figure 6 – Marvin Ultimate Double Hung Wood Window Simulated Divided Lights with Spacer Bar

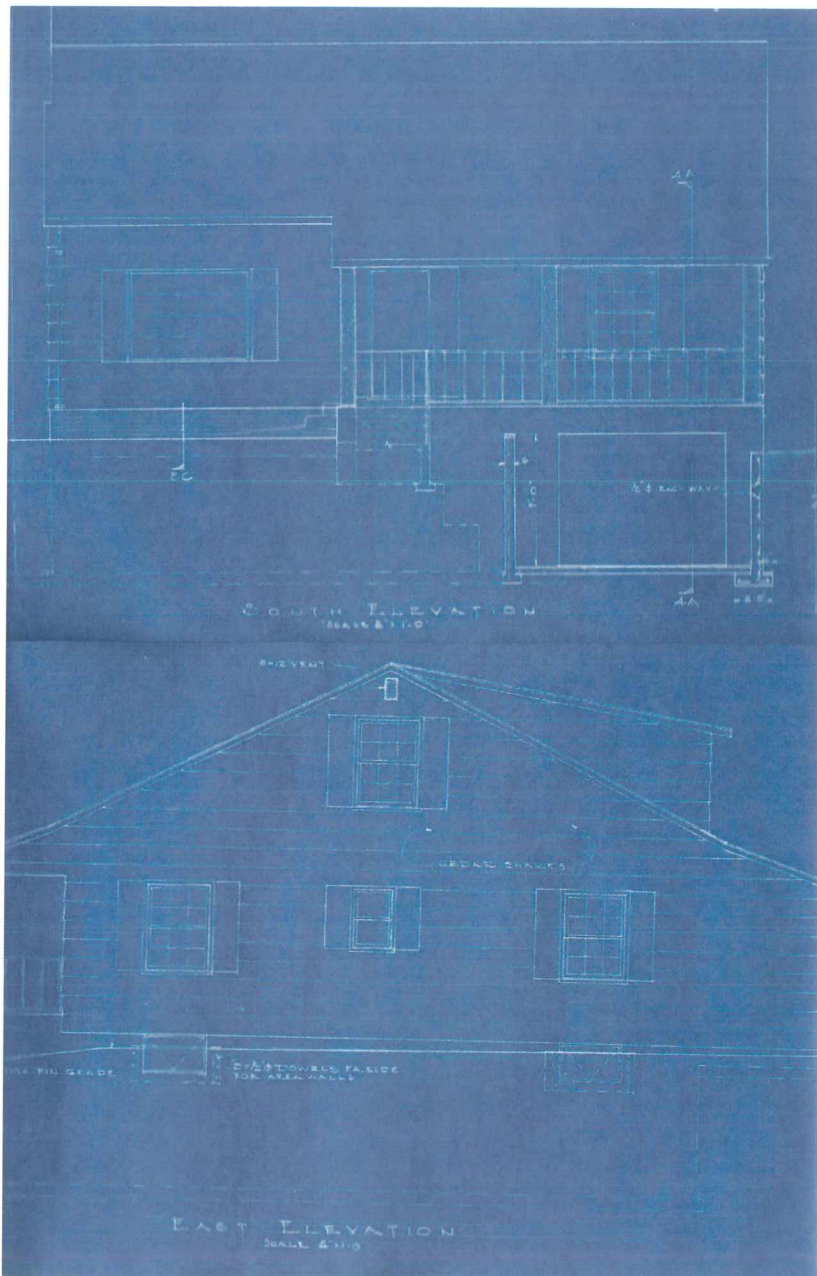
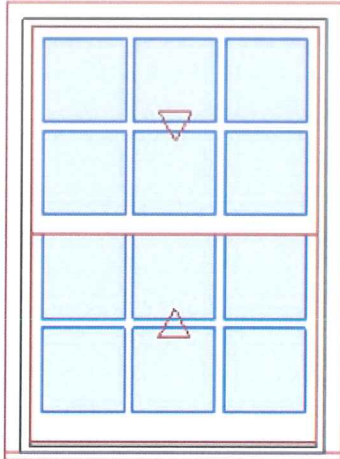


Figure 7 – Excerpts from blueprints showing double hung divided light windows with decorative wood shutters.

Material Spec Sheets



As Viewed From The Exterior

FS 39" X 53 1/2"

Egress Information

Width: 35 7/16" Height: 20 1/2"

Net Clear Opening: 5.04 SqFt

Performance Information

U-Factor: 0.29

Solar Heat Gain Coefficient: 0.23

Visible Light Transmittance: 0.39

Condensation Resistance: 56

CPD Number: MAR-N-68-07499-00001

ENERGY STAR: NC, SC, S

Performance Grade

Licensee #1109

AAMA/WDMA/CSA/101/I.S.2/A440-11

LC-PG40 1051X2464 mm (41.38X97 in)

LC-PG40 DP +40/-40

FL15162

Primed Pine Exterior

Primed Pine Interior

Back Prime

Ultimate Wood Double Hung

Rough Opening w/ Subsill

40" X 54"

Top Sash

Primed Pine Sash Exterior

Primed Pine Sash Interior

IG

Low E2 w/Argon

Stainless Perimeter and Spacer Bar

1 1/8" SDL - With Spacer Bar - Stainless

Rectangular - Special Cut 3W2H

Primed Pine Ext - Primed Pine Int

Ovolo Exterior Glazing Profile

Ovolo Interior Glazing Profile

Bottom Sash

Primed Pine Sash Exterior

Primed Pine Sash Interior

IG

Low E2 w/Argon

Stainless Perimeter and Spacer Bar

1 1/8" SDL - With Spacer Bar - Stainless

Rectangular - Special Cut 3W2H

Primed Pine Ext - Primed Pine Int

Ovolo Exterior Glazing Profile

Ovolo Interior Glazing Profile

Brass Sash Lock

Beige Jamb Hardware

Non Finger-Jointed Blindstop

Extruded Aluminum Screen

Stone White Surround

Bright View Mesh

4 9/16" Jamb

Primed Pine Non Finger-Jointed BMC

Primed Pine Standard Subsill

Non Finger-Jointed Subsill

Non Finger-Jointed Sill

Narrative Response
Non-Contributing Resource

Applicable Criteria
Window Replacement



Primed Pine Exterior
Primed Pine Interior
Back Prime
Ultimate Wood Double Hung
Rough Opening w/ Subsill
32" X 36"
Top Sash
Primed Pine Sash Exterior
Primed Pine Sash Interior
IG
Low E2 w/Argon
Stainless Perimeter and Spacer Bar
1 1/8" SDL - With Spacer Bar - Stainless

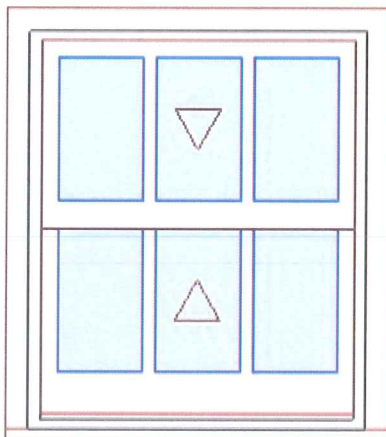
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For product warranty information please visit, www.marvin.com/supp

OMS Ver. 0004.04.00 (Current)

Product availability and pricing subject to change.



As Viewed From The Exterior

FS 31" X 35 1/2"

Egress Information

Width: 27 7/16" Height: 11 1/2"

Net Clear Opening: 2.19 SqFt

Performance Information

U-Factor: 0.29

Solar Heat Gain Coefficient: 0.23

Visible Light Transmittance: 0.39

Condensation Resistance: 56

CPD Number: MAR-N-68-07499-00001

ENERGY STAR: NC, SC, S

Performance Grade

Licensee #1109

AAMA/WDMA/CSA/101/I.S.2/A440-11

LC-PG40 1051X2464 mm (41.38X97 in)

LC-PG40 DP +40/-40

FL15162

Rectangular - Special Cut 3W1H
Primed Pine Ext - Primed Pine Int
Ovolo Exterior Glazing Profile
Ovolo Interior Glazing Profile
Bottom Sash
Primed Pine Sash Exterior
Primed Pine Sash Interior
IG
Low E2 w/Argon
Stainless Perimeter and Spacer Bar
1 1/8" SDL - With Spacer Bar - Stainless
Rectangular - Special Cut 3W1H
Primed Pine Ext - Primed Pine Int
Ovolo Exterior Glazing Profile
Ovolo Interior Glazing Profile

Brass Sash Lock

Beige Jamb Hardware

Non Finger-Jointed Blindstop

Extruded Aluminum Screen

Stone White Surround

Bright View Mesh

4 9/16" Jamb

Primed Pine Non Finger-Jointed BMC

Primed Pine Standard Subsill

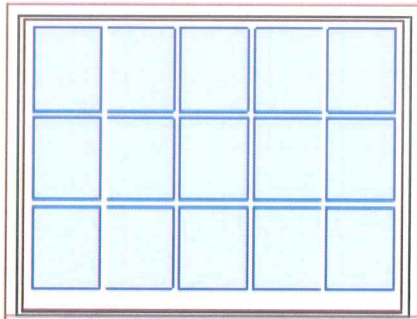
Non Finger-Jointed Subsill

Non Finger-Jointed Sill

No Installation Method

***Note: Unit Availability and Price is Subject to Change

MARVIN 



As Viewed From The Exterior

FS 71" X 53 1/2"

Egress Information

No Egress Information available.

Performance Information

U-Factor: 0.28

Solar Heat Gain Coefficient: 0.25

Visible Light Transmittance: 0.41

Condensation Resistance: 59

CPD Number: MAR-N-70-02392-00001

ENERGY STAR: NC, SC, S

Performance Grade

No Performance Grade Information available.

Primed Pine Exterior

Primed Pine Interior

Back Prime

Ultimate Wood Double Hung Picture 1 5/8 inch Sash

Rough Opening w/ Subsill

72" X 54"

Extended Size Unit

***Sash Ship Loose

Primed Pine Sash Exterior

Primed Pine Sash Interior

IG

Low E2 w/Argon

Stainless Perimeter and Spacer Bar

1 1/8" SDL - With Spacer Bar - Stainless

Rectangular - Special Cut 5W3H

Primed Pine Ext - Primed Pine Int

Ovolo Exterior Glazing Profile

Ovolo Interior Glazing Profile

4 9/16" Jamb

Primed Pine Non Finger-Jointed BMC

Primed Pine Standard Subsill

Non Finger-Jointed Subsill

Non Finger-Jointed Sill

No Installation Method

***Note: Unit Availability and Price is Subject to Change

Site Plan and Renderings

Historic Alteration Worksheet