

# 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 informacion, por favor llame  
503-588-6173*

## DECISION OF THE PLANNING ADMINISTRATOR

**HISTORIC DESIGN REVIEW CASE NO.: HIS18-16**

**APPLICATION NO. : 18-110712-DR**

**NOTICE OF DECISION DATE: JUNE 6, 2018**

**SUMMARY:** A proposal for in-kind replacement of existing surface porch decking, porch wall and column siding, and restoration of the metal porch handrails along the stairs leading to the front porch of the Glover House (1909)

**REQUEST:** Minor Historic Design Review of a proposal for in-kind replacement of existing surface porch decking, porch wall and column siding, and restoration of the metal porch handrails along the stairs leading to the front porch of the Glover House (1909), a historic contributing building within the Court-Chemeketa National Register Historic District, on property within the RD (Duplex Residential) zone, located at 1794 Court Street NE (Marion County Assessors Map and Tax Lot number: 073W26AC06900).

**APPLICANT:** Robert Kraft for Shawn and Margaret Messick

**LOCATION:** 1794 Court Street NE

**CRITERIA:** Salem Revised Code Chapter 230.025(d) Porches

**FINDINGS:** The findings are in the attached Decision dated June 6, 2018.

**DECISION:** The Historic Preservation Officer (a Planning Administrator Designee) **APPROVED** Historic Design Review HIS18-16 based upon the application materials deemed complete on June 5, 2018 and the findings as presented in this report

The rights granted by this decision must be exercised by **June 22, 2020** or this approval shall be null and void.

Application Deemed Complete:	<u>June 5, 2018</u>
Notice of Decision Mailing Date:	<u>June 6, 2018</u>
Decision Effective Date:	<u>June 22, 2018</u>
State Mandate Date:	<u>October 3, 2018</u>

**Case Manager:** Kimberli Fitzgerald, [kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net); 503.540.2397

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, OR 97301, no later than **5:00 p.m., Thursday, June 21, 2018**. The appeal must state where the decision failed to conform to the provisions of the historic preservation ordinance (SRC Chapter 230). The appeal must be filed in duplicate with the City of Salem Planning Division.

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 Salem 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 at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours.

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

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

**BEFORE THE PLANNING ADMINISTRATOR OF THE CITY OF SALEM**

**HISTORIC DESIGN REVIEW CASE NO. HIS18-16  
DECISION**

**IN THE MATTER OF APPROVAL OF ) MINOR HISTORIC DESIGN REVIEW  
HISTORIC DESIGN REVIEW )  
CASE NO. HIS18-16 )  
1794 COURT STREET NE ) June 6, 2018**

In the matter of the application for a Minor Historic Design Review submitted by Robert Kraft on behalf of Shawn & Margaret Messick, 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 for in-kind replacement of existing surface porch decking, porch wall and column siding, and restoration of the metal porch handrails along the stairs leading to the front porch of the Glover House (1909).

**REQUEST:** Minor Historic Design Review of a proposal for in-kind replacement of existing surface porch decking, porch wall and column siding, and restoration of the metal porch handrails along the stairs leading to the front porch of the Glover House (1909), a historic contributing building within the Court-Chemeketa National Register Historic District, on property within the RD (Duplex Residential) zone, located at 1794 Court Street NE (Marion County Assessors Map and Tax Lot number: 073W26AC06900).

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

**DECISION**

**APPROVED** based upon the application materials deemed complete on June 5, 2018 and the findings as presented in this report.

**FINDINGS**

1. Minor Historic Design Review Applicability

SRC 230.020(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.

## 2. Analysis of Minor Historic Design Review Approval Criteria

**Summary and Background:** Due to the poor condition of the porch siding and porch floor, the applicant replaced the porch flooring, and partially replaced the porch wall and column siding, support walls, joists, and posts. A complaint was filed in January 2018 for doing work without the appropriate Historic Design Review approvals. A letter was sent to the applicant on January 11, 2018 and a Correction Notice was issued by the Building and Safety Division on March 29, 2018 (**Attachment B**). The applicant submitted for both Building Permit and Historic Design Review approval on May 18, 2018.

The applicant is proposing in-kind replacement of existing surface porch decking, porch wall and column siding, and restoration of the metal porch handrails along the stairs leading to the front porch of the Glover House (1909). Specifically, the applicant is proposing to replace the existing siding with fir and cedar siding, painted to match the siding on the exterior of the house. The porch flooring is cedar tongue and groove, and the decorative seat board and trim are also of wood, to match the existing (**Attachment C**). The applicant is proposing to restore the wrought iron handrail, replicating the appearance of the handrail that was present on the building at the time it was listed on the National Register of Historic Places as part of the Court-Chemeketa Historic District (**Attachment D**).

Staff finds that the applicant adequately demonstrated that this proposal complies with the applicable provisions of the Salem Revised Code (SRC) as follows:

**Criteria: 230.025 (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.** *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.*

**Finding:** The applicant is proposing in-kind replacement of the porch flooring, porch wall and column siding. Cedar and fir are traditional materials found throughout the Glover House. The handrails are wrought iron, the material of the handrails at the time

of designation. All features of the porch duplicate the appearance of the original porch, thereby meeting SRC 230.025(d).

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

**Finding:** The applicant's proposal results in the reproduction of the appearance of the porch at the time of designation thereby meeting this standard.

### DECISION

Based upon the application materials deemed complete on June 5, 2018 and the findings as presented in this report, the application for HIS18-06 is **APPROVED**.



Kimberli Fitzgerald, AICP  
Historic Preservation Officer  
Planning Administrator Designee

Attachments: A. Vicinity Map  
B. Historic Compliance Letter and Correction Notice  
C. Applicant's Submittal Material  
D. Court Chemeketa Photo- Excerpt from National Register Nomination

Application Deemed Complete: June 5, 2018  
Notice of Decision Mailing Date: June 6, 2018  
Decision Effective Date: June 22, 2018  
State Mandate Date: October 3, 2018

*This Decision becomes effective on **June 22, 2018**. No work associated with this Decision shall start prior to this date unless expressly authorized by a separate permit, land use decision, or provision of the Salem Revised Code (SRC).*

The rights granted by this decision must be exercised by **June 22, 2020** or this approval shall be null and void.






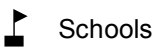

This decision is final unless written appeal from an aggrieved party is filed with the City of Salem Planning Division, Room 305, 555 Liberty Street SE, Salem, OR 97301, no later than **5:00 p.m., Thursday, June 21, 2018.**

The appeal must state where the decision failed to conform to the provisions of the historic preservation ordinance (SRC Chapter 230). The appeal must be filed in duplicate with the City of Salem Planning Division. 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 Salem 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.

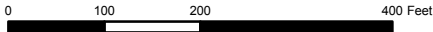
# Vicinity Map 1794 Court St NE



### Legend

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

**CITY OF Salem**  
*AT YOUR SERVICE*  
 Community Development Dept.



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COMMUNITY DEVELOPMENT DEPARTMENT

555 Liberty St. SE / Room 305 • Salem, OR 97301-3503 • (503) 588-6173 • (503) TTY 588-6353 • (503) Fax 588-6005

January 11, 2018

Shawn Messick  
1794 Court St NE  
Salem, OR 97301

RE: Complaint Received

Dear Mr. Messick:

It has come to our attention that work may have been completed at the property address of 1794 Court St NE without the appropriate historic design review approval as required under SRC 230.

Please contact us immediately to discuss this issue in order to avoid enforcement action.

Sincerely,

A handwritten signature in blue ink that reads "Kimberli Fitzgerald".

Kimberli Fitzgerald, AICP  
Historic Preservation Officer  
[kfitzgerald@cityofsalem.net](mailto:kfitzgerald@cityofsalem.net)  
503.540.2397





1791









# ENFORCEMENT CASES - HISTORIC

Site Address: 1794 COURT ST NE

Property Owner: SHAWN MESSILIC

Phone No.: 971-273-6090

Mailing Address: 1794 COURT ST NE

Date of Complaint: 1.5.2018

Method of Complaint: Building + Safety Inspector  
(Ken eatwell)

Site Visit: 1.10.2018 Photos taken - owner

not home. See IQ Folder 18-102219-1Q

Photos Saved to Historic/Compliance Cases/Address: 1794 COURT ST NE

Contacted Owner: Phone \_\_\_\_\_ Letter

Correction Notice Served: \_\_\_\_\_ Deadline: \_\_\_\_\_

Compliance Officer: \_\_\_\_\_

Historic Application Submitted: \_\_\_\_\_ Case No. \_\_\_\_\_

NOTES:

WORK W/O PERMITS  
FRONT PORCH REPLACED  
(WORK NOT FINISHED)

1794 COURT ST. NE

OWNER:

SHAWN MESSICK  
971-273-0090

CONTRACTOR:

SFW CONSTRUCTION  
CCB# 166455  
503-885-8236

18-101879-VA



**BUILDING & SAFETY  
CORRECTION NOTICE**

SEQ# 18-101879-VA

ADDRESS: 1794 Court St Ne, Salem Oregon 97301

CHECK ALL THAT APPLY:

- X WORK IS DONE WITHOUT PERMITS
- WORK IS DONE IN VIOLATION OF CODE
- WORK EXCEEDS SCOPE OF PERMIT
- X INVESTIGATION FEES APPLY

**YOUR ARE HEREBY DIRECTED TO:**

- **ALL CITED WORK SHALL IMMEDIATELY CEASE.**
- YOU HAVE **14 DAYS** TO MAKE APPLICATION FOR PERMITS TO AVOID ANY FURTHER ACTION OR BE SUBJECT TO CIVIL PENALTIES OF \$2,000 PER DAY, PER VIOLATION, IF THE VIOLATION(S) CONTINUES. (SRC 56.198. (e))

**MAKE IMMEDIATE CONTACT WITH US:**


BUILDING & SAFETY DIVISION  
555 LIBERTY ST SE, ROOM 320  
PH (503) 588-6256 FAX (503) 588-6115

**CORRECTION NOTES: 1) Apply and obtain required building permit to replace/repair front porch per, Oregon Residential Specialty Code (ORSC) section R105.1.**

**THESE CONDITIONS MUST BE CORRECTED BY: April 17<sup>th</sup>, 2018**

**PRESENTED TO: Margaret Jean Messick and Shawn Messick by certified mail.**

**INSPECTOR:**

  
**Ken Eatwell**  
**Senior Building Inspector** 3/29/18

THESE CORRECTIONS MUST BE MADE IN ORDER TO INSURE THE PRESERVATION OF MINIMUM HEALTH, SAFETY, AND GENERAL WELFARE STANDARDS.



**Historic Alteration Review Worksheet**

Site Address: 1794 Court St NE

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 Porch
- Roof/Cornice
- Masonry/Siding
- Storefront
- Window(s) Number of windows: \_\_\_\_\_

**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: Wood: fir, cedar Project's New Material: Wood: fir, cedar and PT

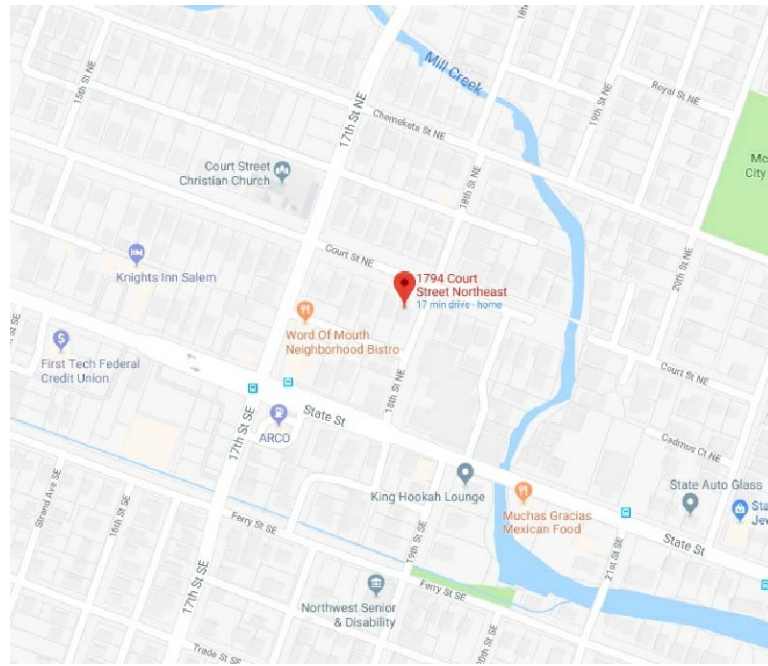
**Project Description**

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:

Members of the porch are rotting underneath the decking. Existing support walls and joists as well as posts, need to be replaced. This will mean replacing siding and decking to get to the rotting members. Anything not visible will be pressure treated. The siding will be fir to match the existing and the decking will be tongue and groove and then painted or stained. The details at the beams, column caps and porch seat will be replaced with the same size trim and painted per photos. Drawings and photos for compliance as well as a construction permit are included.

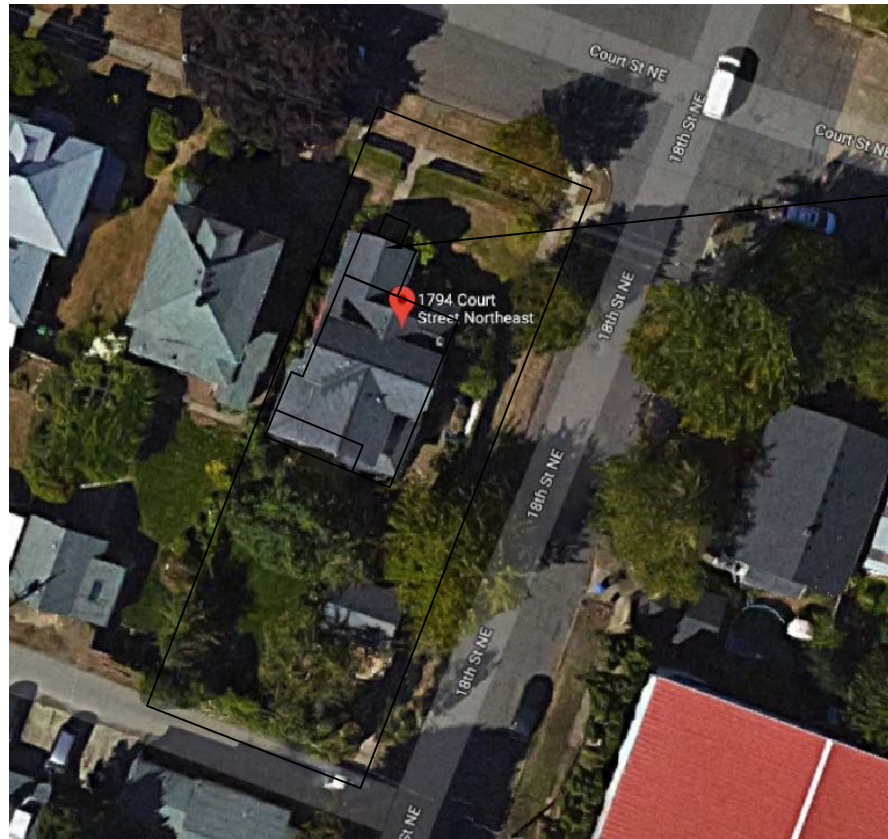
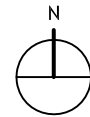
Rod L K JT  
Signature of Applicant

5/18/18  
Date Submitted/Signed



## LOCATION MAP

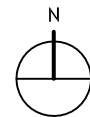
NTS



AREA OF WORK  
PORCH ONLY

## AERIAL VIEW

NTS



## GENERAL NOTES

1. ALL WORK IS TO COMPLY WITH THE 2017 EDITION OF THE OREGON RESIDENTIAL SPECIALTY CODE AND ANY APPLICABLE BUILDING CODES OF STATE OF OREGON, COUNTY OF MARION OR THE CITY OF SALEM.
2. THE CONTRACTOR IS RESPONSIBLE TO CHECK THE PLANS AND IS TO NOTIFY THE ARCHITECT OF ANY ERRORS OR OMISSIONS PRIOR TO THE START OF CONSTRUCTION.
3. WRITTEN DIMENSIONS SHALL HAVE PRECEDENCE OVER SCALED DIMENSIONS. DO NOT SCALE THE DRAWINGS.
4. THIS HOME IS EXISTING. ANY ALTERATIONS ARE DESIGNED TO MEET OREGON ENERGY CODE UNDER THE EXISTING BUILDING COMPONENT TABLE N1101.2  
WALLS:R-15  
CEILING:R-49  
WINDOWS:U-.35  
EXTERIOR DOORS: R-5
5. ALL EXPOSED INSULATION IS TO HAVE A FLAME SPREAD RATING NOT TO EXCEED 25. A SMOKE-DEVELOPED FACTOR NOT TO EXCEED 450 AND CRITICAL RADIANT FLUX NOT LESS THAN 0.12 WATTS PER SQUARE CENTIMETER.
6. INSULATE ALL ACCESS DOOR/HATCHES TO CRAWLSPACES AND ATTICS TO THE EQUIVALENT RATING OF THE WALL, FLOOR, OR CEILING THROUGH WHICH THEY PENETRATE.
7. STAIR RUNS WITH FOUR OR MORE RISERS OR WITH OPEN SIDE, TO HAVE CONTINUOUS HANDRAIL. ALL HANDRAILS SHALL BE AT 34" ABOVE TREAD NOSING AND CONFORM TO ORSC HANDGRIP DIMENSIONS. ENSURE 1 1/2" MINIMUM BETWEEN INDEPENDENT HANDRAILS AND ADJACENT WALL OR GUARDRAIL. ENDS SHALL RETURN TO WALL OR NEWEL OR SHALL HAVE ROUNDED TERMINATIONS OR BENDS. EXTERIOR STAIRS WITH 3 OR FEWER RISERS DO NOT NEED TO HAVE LANDINGS (OTHER THAN THE MAIN EGRESS DOOR).



EXISTING HOUSE AND PORCH

## PROJECT INFO

073W26AC06900  
.202  
ZONE:  
SETBACKS:

SCOPE OF WORK: EXIST CONTRIBUTING HISTORIC HOME. PORCH TO BE REPAIRED.

NO NEW SQUARE FOOTAGE.

OWNER:  
SHAWN AND MARGARET MESSICK  
1794 COURT ST NE  
SALEM, OR  
CONTACT:

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

CONTRACTOR:  
KRAFT CUSTOM CONSTRUCTION  
CONTACT: ROBERT KRAFT



HISTORIC PORCH IMAGE

## INDEX

- A1.0 SITE AND TITLE
- A2.1 PROPOSED PLAN
- A2.2 ELEVATION
- A3.1 DETAILS

MILL CREEK

OR  
ID  
ARCHITECTURE

503.580.4171  
leah@millcreekarch.com

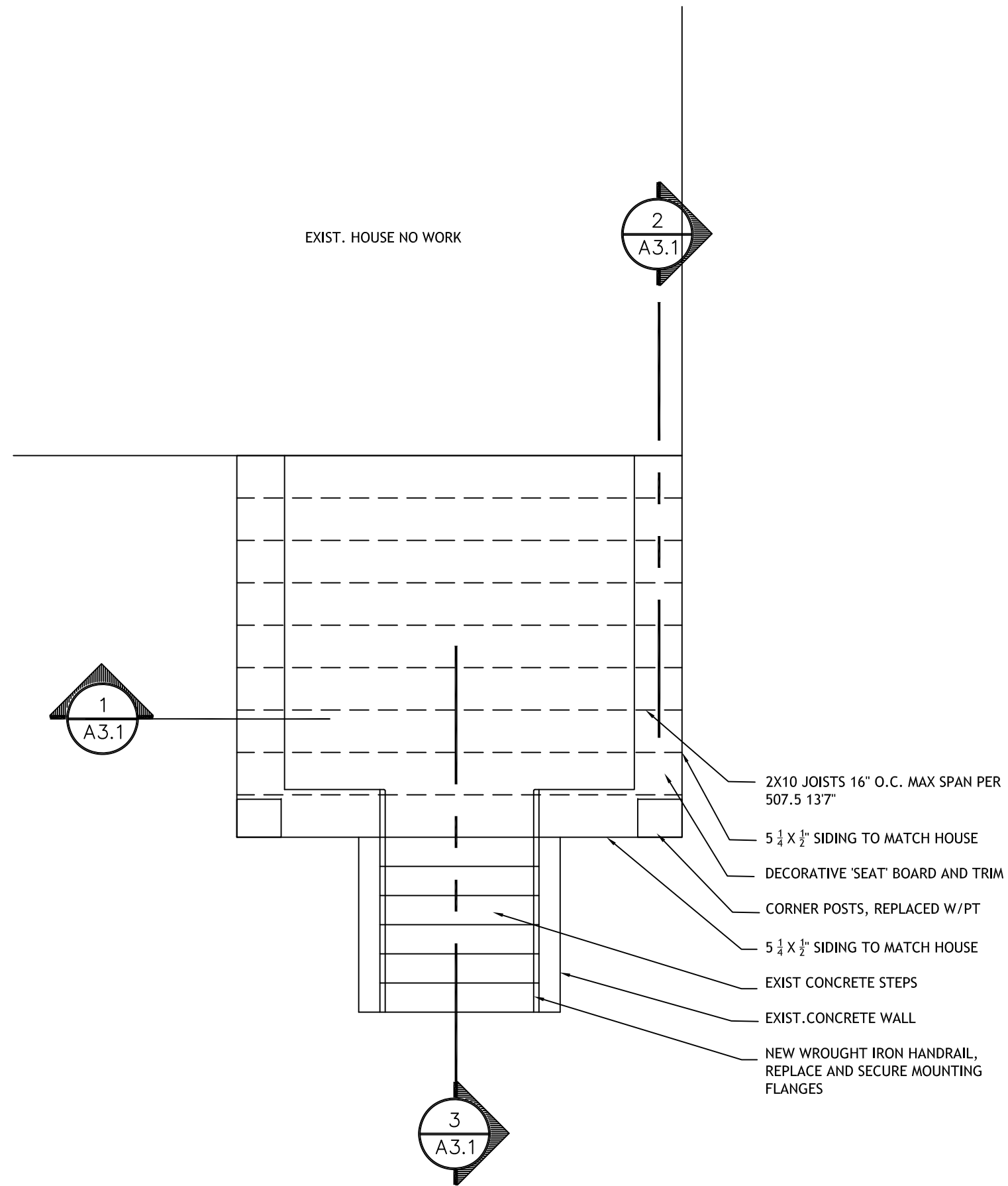


MESSICK PORCH  
1794 COURT ST  
SALEM, OR  
SCHEMATIC

A1.0

5/10/18  
TITLE

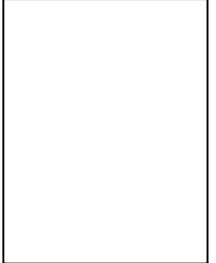
If bar is not 1"  
drawing is not to scale.



1 PROPOSED PLAN  
1/4" = 1'-0"



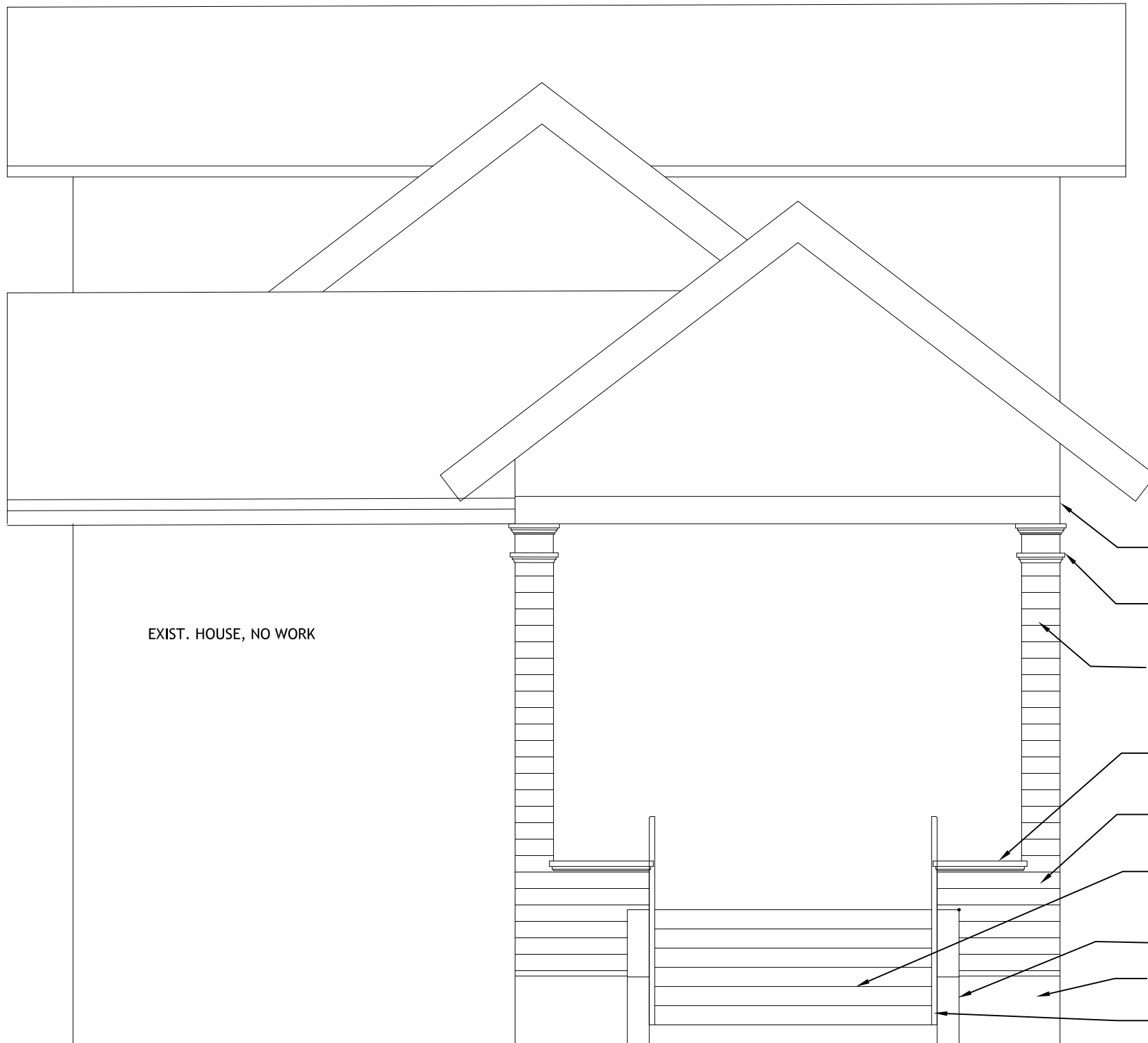
MESSICK PORCH  
1794 COURT ST  
SALEM, OR  
SCHEMATIC



A2.1  
5/15/18  
FLOOR PLAN



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



**1** ELEVATION  
1/4" = 1'-0"

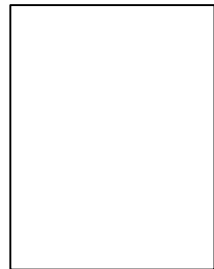


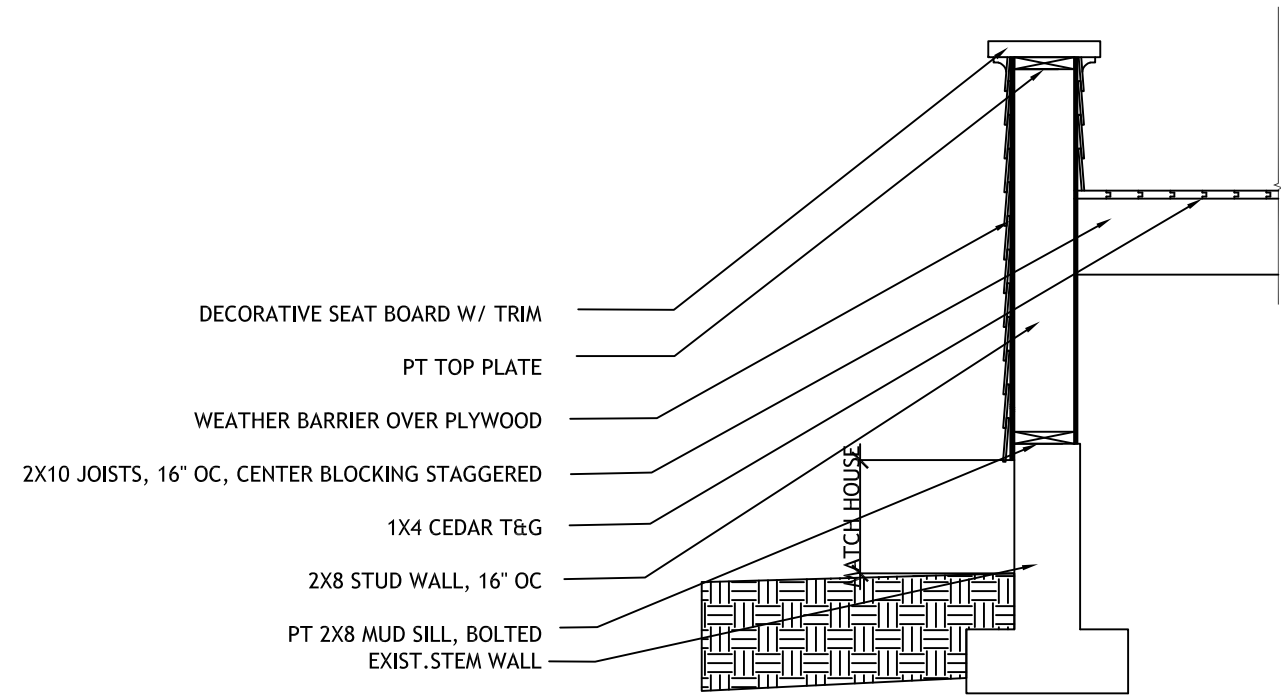
**2** COLUMN CAP TRIM  
NTS

- EXIST. BEAM AND TRIM, NO CHANGE
- REPLACED COLUMN, TRIM PER PHOTOS
- REPLACED COLUMN WITH SIDING TO MATCH HOUSE
- REPLACED 'SEAT' BOARD AND TRIM PER PHOTOS
- NEW SIDING TO MATCH HOUSE
- EXIST. CONCRETE STAIRS
- EXIST. CONCRETE WALL
- EXIST. STEM WALL
- NEW WROUGHT IRON HANDRAIL

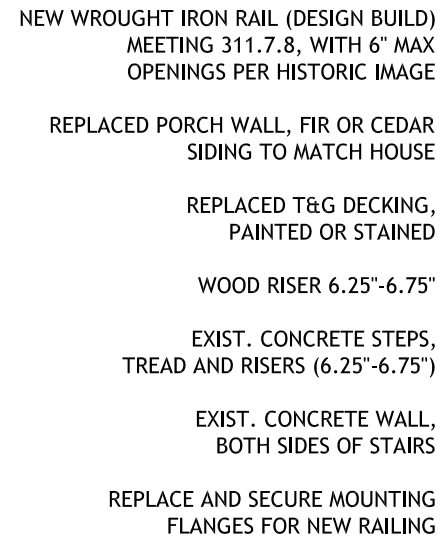


**3** SEAT BOARD/WALL CAP TRIM  
NTS

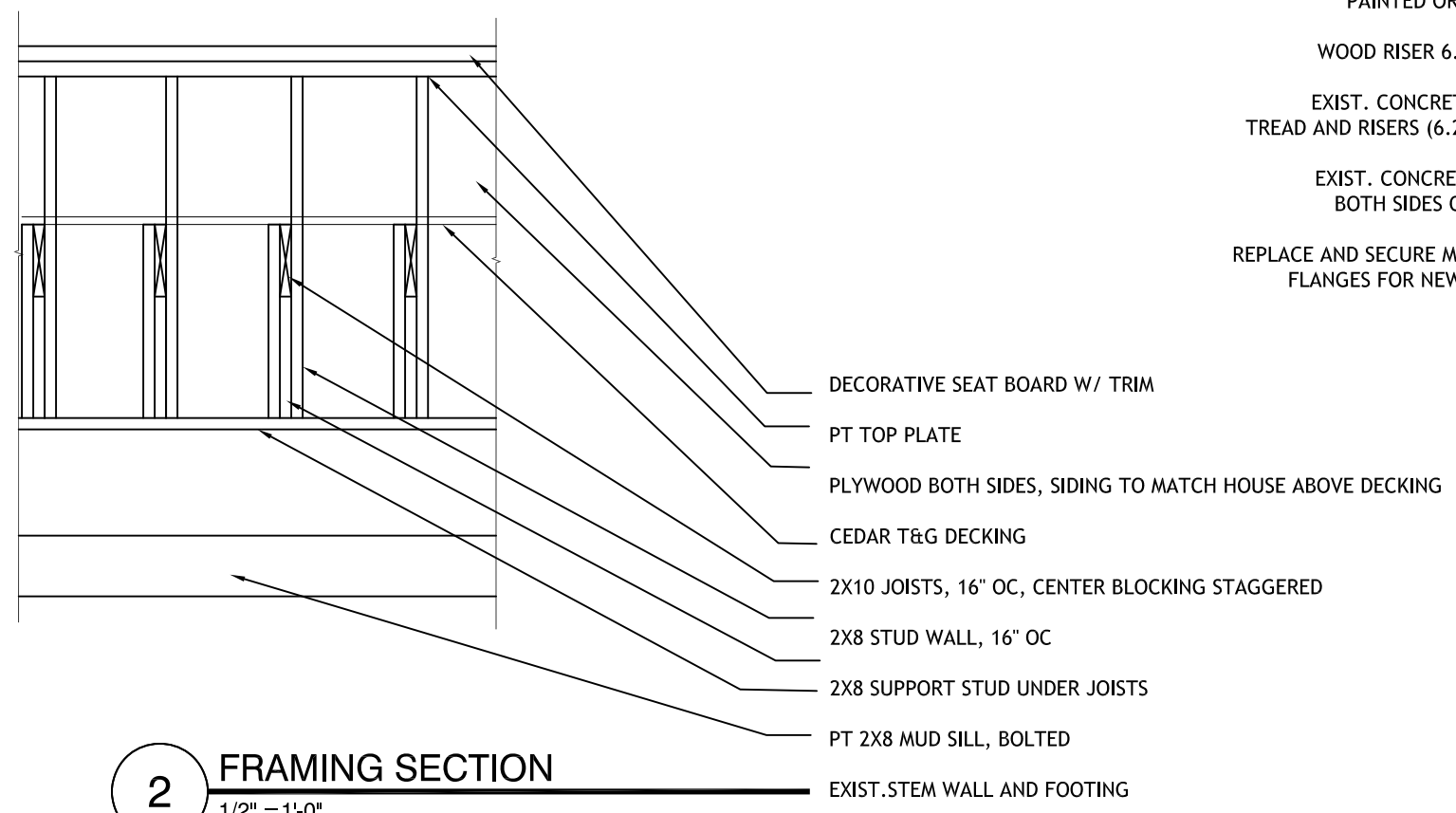




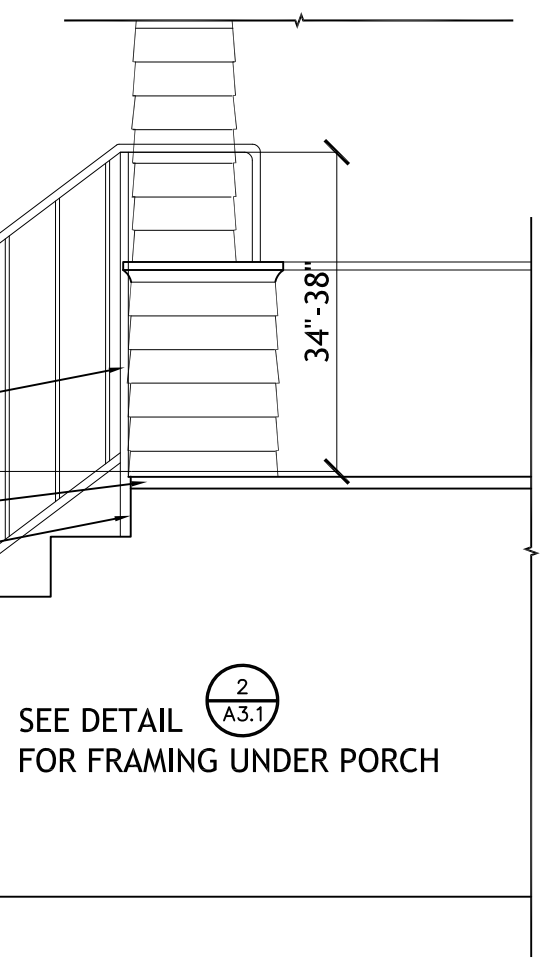
**1 FRAMING SECTION**  
1/2" = 1'-0"



**3 STAIR SECTION**  
1/2" = 1'-0"



**2 FRAMING SECTION**  
1/2" = 1'-0"



**SAMPLE HANDRAIL**



1794 Court Street NE – Glover House- June 1986