

# NOTICE OF DECISION

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

## DECISION OF THE HISTORIC LANDMARKS COMMISSION

HISTORIC DESIGN REVIEW CASE NO. HIS15-15

APPLICATION NO.: 15-107078-DR

NOTICE OF DECISION DATE: May 22, 2015

**REQUEST:** Major historic design review of a proposal to install a new cedar rail to the top of the existing deck railing on the Henry Fawk House, individually listed on the National Register of Historic Places, zoned RS (Residential Single Family), and located at 310 Lincoln Street S, 97302; Marion County Assessor's Map and Tax Lot number: 073W34BB-04300.

**APPLICANT:** Ryan and Anne Lapour

**LOCATION:** 310 Lincoln St S

**CRITERIA:** Chapter 230.065

**DECISION:** The Historic Landmarks Commission **Approved** Historic Design Review Case No. HIS15-15

Andrew Hendrie, Chair

|                                  |                        |
|----------------------------------|------------------------|
| Application Deemed Complete:     | <u>April 29, 2015</u>  |
| Public Hearing Date:             | <u>May 21, 2015</u>    |
| Notice of Decision Mailing Date: | <u>May 22, 2015</u>    |
| Decision Effective Date:         | <u>June 9, 2015</u>    |
| State Mandate Date:              | <u>August 27, 2015</u> |

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

The rights granted by this decision must be exercised by June 9, 2017, 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., June 8, 2015**. Any person who presented evidence or testimony at the hearing may appeal the decision. The notice of appeal must contain the information required by SRC 300.1020 and must state where the decision failed to conform to the provisions of the applicable code section, SRC Chapter 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or affirm the action, or refer the matter to staff for additional information.

The complete case file, including findings, conclusions and conditions of approval, if any, is available for review at the Planning Division office, Room 305, City Hall, 555 Liberty Street SE, during regular business hours. <http://www.cityofsalem.net/planning>

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**DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION**

**CASE NO.** Historic Review Case No. HIS15-15 / AMANDA No. 15-107078-DR

**FINDINGS:** Based upon the application materials, the facts and findings in the Staff Report dated May 21, 2015 incorporated herein by reference, and testimony provided at the Public Hearing of May 21, 2015 the Historic Landmarks Commission (HLC) finds that the applicant adequately demonstrated that the proposal complies with the applicable provisions of the Salem Revised Code (SRC) as follows:

***(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.***

The installation of the new cedar rail and deck wall to the top of the existing low deck wall will not alter the use of the building, the street access, landscape design, entrance(s), height, footprint, fenestration, or massing of the affected building, therefore the HLC finds that 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.***

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

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

Findings: The HLC finds that there are no distinctive historic materials or features proposed for removal, reconstruction, or repair and that Guidelines 230.065 (b)(c) and (d) do not apply to 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 deck on the eastern side of the resource was constructed in the late 1950s, and while not original to the structure, is a compatible addition to the resource. The design of this new portion of rail and deck wall is clearly new and the proposed addition to the top of the existing deck is removable, and does not adversely affect any of materials or features of this deck, low deck wall, or railing. The HLC finds that SRC 230.065 (e) has been met for this proposal.

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

***(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 new railing and deck wall will be of cedar and will sit 1' 2" in height on top of the existing 1'10" short deck wall. Below the top rail is a design of offset 4" x 1 ½" short vertical wood block segments, spaced in an alternating pattern within two rows separated by a 1 ½" cedar beam. The rail and new deck wall will be painted to match the existing trim on the resource. The installation of the new cedar rail and deck wall on top of the existing low deck wall is removable, and will not damage the

integrity of the building and, although visible, will not adversely affect the resource, or surrounding historic district. The HLC finds that the proposed new rail and deck wall is compatible with the size and scale of the Fawk House, and that SRC 230.065(f) and (g) have been met for this proposal.

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

***(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.***

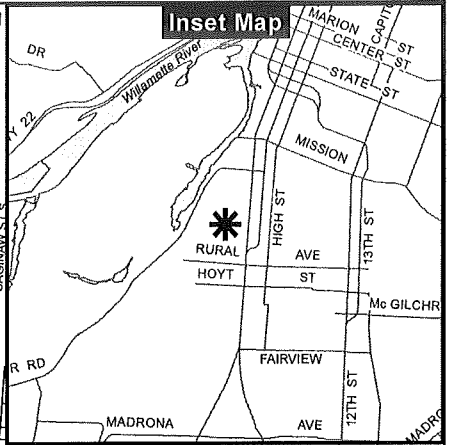
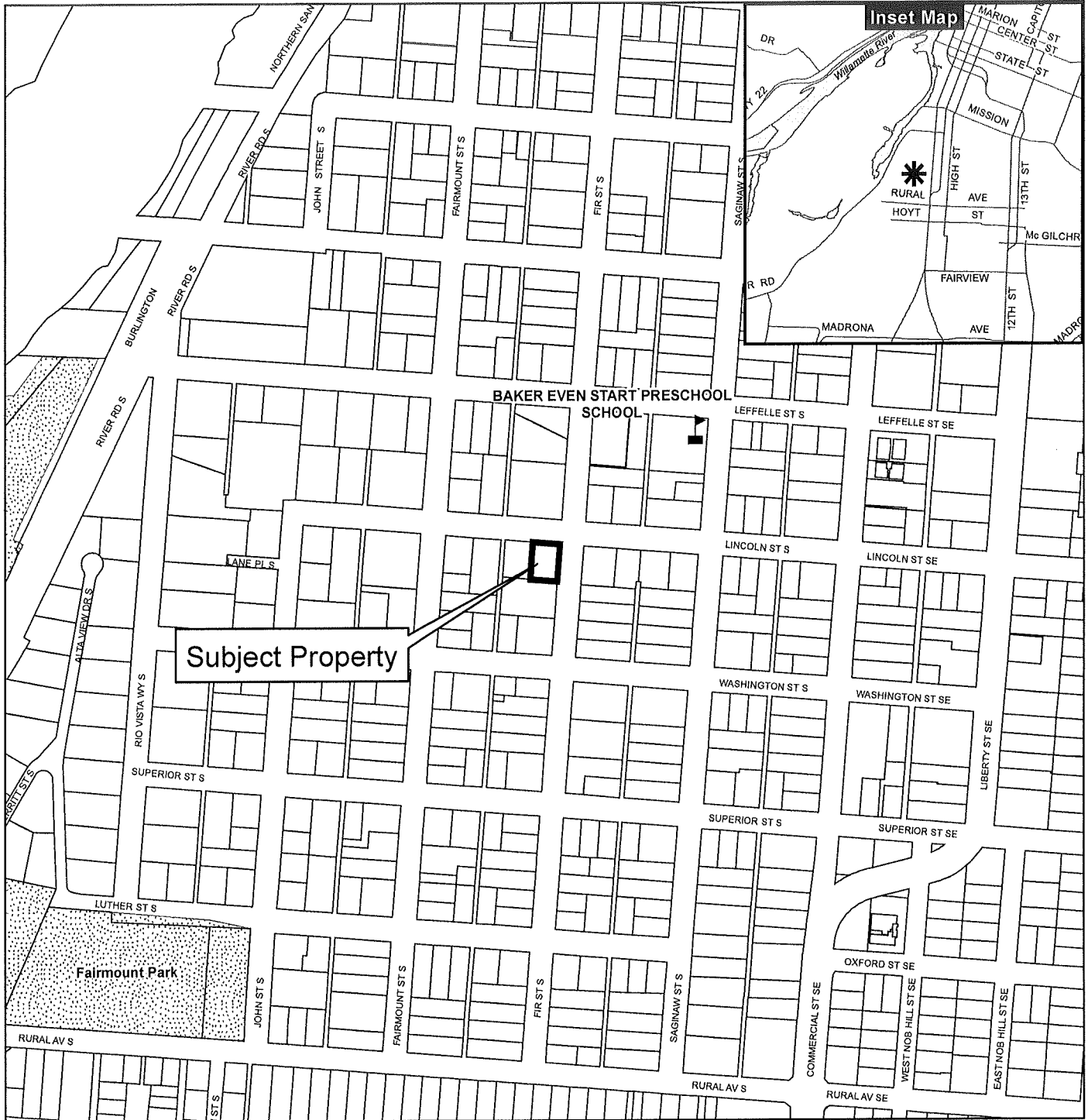
Findings: The HLC finds that the proposal does not include any plans to correct structural deficiencies or excavation and regrading, and that Guidelines 230.065 (h) and (i) do not apply.

**DECISION:** The Historic Landmarks Commission **GRANTS** approval of Historic Design Review Case No. HIS15-15.








**VOTE:            YES 9    NO 0            ABST 0            Absent 0**

# Vicinity Map

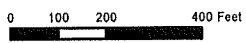
## 310 Lincoln St. S



### Legend

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

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 Community Development Dept.



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Proposed



2 1/4" = 33"