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**DECISION OF THE SALEM HISTORIC LANDMARKS COMMISSION**

**CASE NO.** Historic Review Case No. HIS14-23MOD / AMANDA No. 14-116300-DR

**NOTICE OF DECISION DATE:** October 23, 2014

**OWNER/APPLICANT:** Ron Robson

**LOCATION:** 1610 Court Street NE

**REQUEST:** Major Historic Design Review by the Historic Landmarks Commission of a request to modify the August 27, 2014 decision (HIS14-23 / Amanda No. 14-111855-DR), approving a proposal to restore all nine windows on the front facade from vinyl to wood and to replace all 20 existing vinyl windows on the east and west secondary facades with vinyl windows replicating the existing appearance of the current windows on the Delta Phi Sorority House, a historic contributing resource in the Court / Chemeketa Historic District, in the RD (Duplex Residential) zone, and located at 1610 Court Street NE, (Marion County Assessor's Map and Tax Lot Number: 073W26BD02300).

**CRITERIA:** Salem Revised Code (SRC) Chapter 230  
230.065 General Guidelines for Historic Contributing Buildings

**FINDINGS:** Based upon the application materials, the facts and findings in the Staff Report dated October 16, 2014, incorporated herein by this reference, and testimony provided at the Public Hearing of October 16, 2014, 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:

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

# NOTICE OF DECISION

PLANNING DIVISION  
555 LIBERTY ST. SE, RM 305  
SALEM, OREGON 97301  
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- (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.
- (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:**

HLC's decision approving HIS14-23 included the following conditions of approval:

**Condition 1:** The applicant shall install a replacement window for the unsecured window opening on the north façade of the resource and obtain a Certificate of Appropriateness no later than September 4, 2014.

**Condition 2:** The applicant shall install replacement windows for the four unsecured window openings on the west façade of the resource and obtain Certificates of Appropriateness no later than September 4, 2014.

The applicant subsequently informed staff that the windows specified in Conditions 1 and 2 were ordered from Total Comfort and Weatherization, but the manufacture and shipping of windows would take approximately six weeks, making it impossible to meet the September 4, 2014 completion date established in Conditions 1 and 2. Staff contacted Total Comfort and Weatherization and confirmed that an order had been placed, and verified the six-week timeframe for manufacture and installation. On September 23, 2014 the applicant submitted a request to extend the deadline for installation of replacements for the five unsecured windows to November 10, 2014.

In HIS14-23, the HLC found the applicant's proposal to replace various windows on the property to be in compliance with all applicable standards set forth in Salem Revised Code Chapter 230. The request to extend deadlines for installation of certain replacement windows does not include any substantive changes to the applicant's overall proposal. Since HLC's approval of HIS14-23, the applicant has installed temporary plastic coverings on the unsecured windows to prevent damage from the elements pursuant to the demolition by neglect ordinance at SRC 230.095. The applicant has updated staff on the progress of the window installation, and at the time of this report, the applicant has installed two of the four windows required to be replaced in Condition 2. The HLC finds that the applicant has demonstrated a good faith effort to order and install replacement windows as quickly as possible, consistent with the intent of the deadlines contained in Conditions 1 and 2.

Speaking on behalf of the applicant, Eric Sahlstrom provided testimony at the hearing describing the progress of window installations to date and noting that the front (northwest) corner window had been mistakenly replaced with a one-over-one window, and that an exterior-muntin gridded vinyl window, consistent with that described in the applicant's original proposal, had been ordered from Total Comfort and Weatherization. Mr. Sahlstrom was not certain that the replacement window would arrive by November 10. Accordingly, the modification to the deadline for replacing windows adopted by the HLC extends this deadline to November 20.

The HLC has reviewed the applicant's request and adopts the following modifications to conditions of approval. **All edits are in strike through and underlined format.**

**Condition 1:** The applicant shall install a replacement window for the unsecured window opening on the north façade of the resource and obtain a Certificate of Appropriateness no later than ~~September 4~~ November 20, 2014.

**Condition 2:** The applicant shall install replacement windows for the four unsecured window openings on the west façade of the resource and obtain Certificates of Appropriateness no later than ~~September 4~~ November 20, 2014.

**DECISION:** The Historic Landmark Commission voted to adopt the Staff Recommendation contained in the Staff Report dated October 16, 2014, and **APPROVES** the proposal.

**VOTE: YES 8 NO 0 ABST 0 Absent 0**



Andrew Hendrie, Chair  
Historic Landmarks Commission

Prepared by Christopher Green, Planner II *CSG*

Attachments: 1. Window Location Detail

The rights granted by this decision must be exercised by November 8, 2016, or this approval shall be null and void.

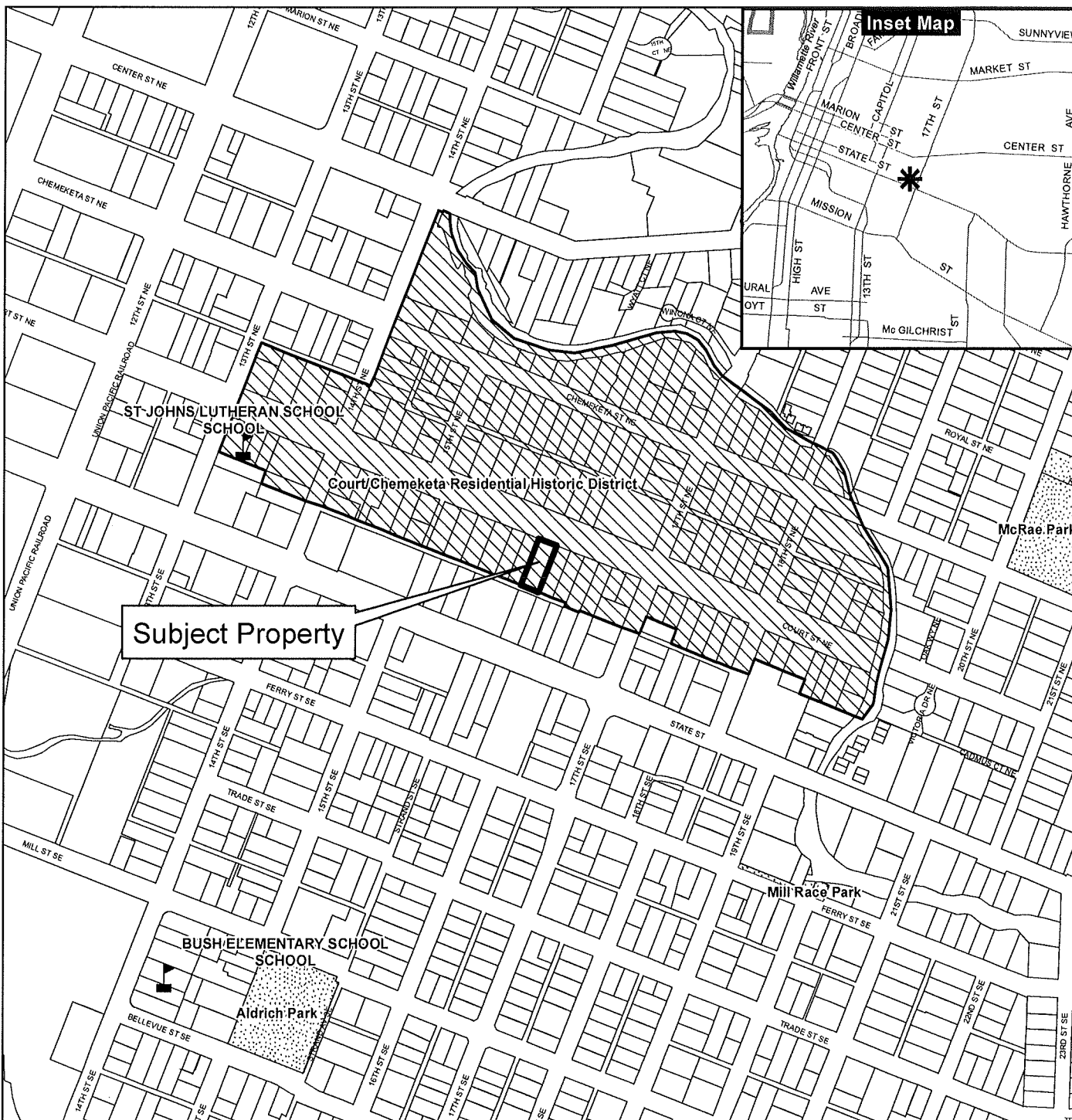
A copy of the complete Case File is available for review at the Planning Division office during regular business hours. Please contact the Case Manager, Christopher Green, by email: cgreen@cityofsalem.net, or phone: 503-540-2326.

Application Deemed Complete: September 24, 2014  
Notice of Decision Mailing Date: October 23, 2014  
Decision Effective Date: November 8, 2014  
State Mandated Decision Date: January 22, 2015

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 November 7, 2014, 5:00 p.m.** Any person who presented evidence or testimony for the hearing may appeal the decision. 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 Hearings Officer will review the appeal at a public hearing. After the hearing, the Hearings Officer may amend, rescind, or firm the action, or refer the matter to staff for additional information.

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# Vicinity Map 1610 Court Street NE

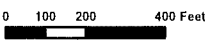


Subject Property

**Legend**

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

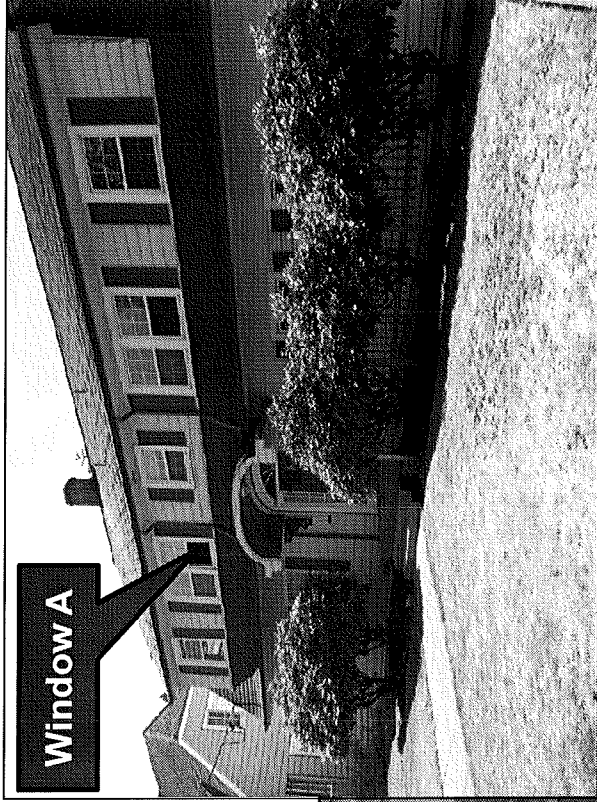
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# Attachment 1

North Façade -  
Window "A"



# West Façade - Windows "B," "C," "D," and "E"

