



Project Name/Address: 1314 Jenifer
Application Type: Certificate of Appropriateness for exterior alteration in historic district
Legistar File ID # [50157](#)
Prepared By: Amy L. Scanlon, Preservation Planner, Planning Division
Date Prepared: January 23, 2018

Summary

Project Applicant/Contact: Mark Schmidt
Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness for exterior alterations to a residence in the Third Lake Ridge Historic District.

Background Information

Parcel Location: The subject site is located on Jenifer Street in the Third Lake Ridge Historic District.

Relevant Landmarks Ordinance Section:

- 41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROPRIATENESS.** A certificate of appropriateness shall be granted only if the proposed project complies with this chapter, including all of the following standards that apply.
- (1) New construction or exterior alteration. The Landmarks Commission shall approve a certificate of appropriateness for exterior alteration or construction only if:
 - (a) NA
 - (b) NA
 - (c) In the case of exterior alteration or construction on any property located in a historic district, the proposed exterior alteration or construction meets the adopted standards and guidelines for that district.
 - (d) In the case of any exterior alteration or construction for which a certificate of appropriateness is required, the proposed work will not frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources.
- 41.21 PENALTIES FOR FAILURE TO OBTAIN CERTIFICATE OF APPROPRIATENESS.**
- (2) Prohibition. No owner, operator, or person in charge of a landmark, landmark site or structure within an historic district shall cause or permit any painting of signs, alteration, construction, demolition or removal for which a certificate of appropriateness is required unless such Certificate has been approved by the Commission.
 - (3) Penalty for Work Done Without, or in Violation of, a Certificate of Appropriateness. In addition to any other penalty provided in this chapter, the Landmarks Commission, may order the removal or modification of any alteration, construction or other work that was performed without a required certificate of appropriateness, or that was not performed in compliance with the conditions of a lawfully issued certificate of appropriateness, when such work does not meet

the applicable standards for a certificate under Subchapter F of this ordinance. Alternatively, the Commission may order renovation to make such work comply with those standards.

41.23 THIRD LAKE RIDGE HISTORIC DISTRICT.

- (9) Standards for Exterior Alterations in the Third Lake Ridge Historic District - Parcels Zoned for Residential Use.
- a) Any exterior alterations on parcels zoned residential use that are located within 200 feet of other historic resources shall be visually compatible with those historic resources in the following ways:
 - (i) Height
 - (ii) Landscape treatment
 - (iii) Rhythm of mass and spaces
 - b) Alterations of the street façade(s) of any existing structure shall retain the original or existing historical proportion and rhythm of solids to voids.
 - c) Alterations of the street façade(s) of any existing structure shall retain the original or existing historical materials.
 - d) Alterations of the roof of any existing structure shall retain its existing historical appearance.
 - e) Alterations of the street facade(s) shall retain the original or existing historical proportional relationships of door sizes to window sizes.

Analysis and Conclusion

The property owner has completed exterior alterations without receiving proper approvals and permits. There are records in the preservation files indicating that the property owner has previously done work without permits and approvals. Staff is working with Building Inspection to take enforcement action. 41.21(3) states “the Landmarks Commission, may order the removal or modification of any alteration, construction or other work that was performed without a required certificate of appropriateness.” The Commission shall determine if the work that was completed without permits and approvals meets the standards or if the work should be removed or modified.

A brief discussion of the standards of 41.23(9) follows:

- a) The height of the building and the landscape treatment are not being affected by the proposed restoration work. There is an odd frame structure on the rear porch that extends above the roof line, but staff understands from Building Inspection that this structure is being removed. The rhythm of masses and spaces is being affected in a very minor way on the rear elevation by the enclosure of the first floor rear porch.
- b) The rhythm of solids to voids is not changing with the work.
- c) The original window sash were removed and replaced without approval or permits. The property owner requested a COA from the Commission in 2009 for the construction of a garage structure. At that time, the submission materials include a description of the Victorian style of the primary residence and explain that the building has original stained glass windows. The current submission materials do not indicate the type of replacement window used, but it appears that window types were replaced with like types (double hungs were replaced with double hungs, etc.). The status and location of the stained glass windows is unknown. The submission materials do not indicate the alteration to the exterior decks that is being requested at this time.
- d) The overall roof form is being retained, but skylights have been added without approval or permits. The installation of skylights alters the historic appearance of the roof. The skylights have been added toward the rear which minimizes their visibility. The submission materials do not indicate the alteration to the roof edge details that is being requested at this time.
- e) The original door sizes and window sizes have been retained.

41.18(1)(d) instructs the Landmarks Commission to determine if the alteration request frustrates the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources. Generally the installation of skylights of the type and location used in this project could be found to meet the standards and would not frustrate the public interest. However, the replacement of original windows has previously been found to not meet the standards of the ordinance and frustrate the public interest.

Recommendation

Staff believes that the standards for granting a Certificate of Appropriateness for the installation of skylights and the enclosure of the first floor rear porch may be met and recommends that the Landmarks Commission approve the request as submitted.

Staff believes that the standards for granting a Certificate of Appropriateness for the guardrail and roof edge details of exterior decks cannot be met because there is not sufficient information to review at this time. If the information is not provided with time for adequate review, staff recommends that the Commission refer the item to a future meeting.

Staff believes that the standards for granting a Certificate of Appropriateness for the replacement of windows cannot be met because there is not sufficient information to review at this time. The Applicant/property owner shall provide information about the appearance and location of the original stained glass windows and explain if those windows are extant or exist on site in some form. Photos showing the condition of the original windows should be provided for review. In addition, the Applicant/property owner shall provide manufacturer and material information about the replacement windows including photos showing the details of the installed replacement windows. If the information is not provided with time for adequate review, staff recommends that the Commission refer the item to a future meeting.