

CERTIFICATE OF APPROPRIATENESS

Application Date: October 25, 2016

Applicant: Todd and Denise Liebl, owners

Property: 501 Highland Street, Lot 16, Block 9, Woodland Heights Subdivision. The property includes a historic 1,654 square foot two story residence and two story garage-apartment situated on a 5,000 square foot (50' x 100') corner lot.

Significance: Contributing Craftsman style residence, constructed circa 1910 and a Non-contributing garage-apartment, located in the Woodland Heights Historic District

Proposal: Alteration – Addition *Revision*.

The applicants were granted a COA in 2015 for a two-story addition to a contributing two-story house. The addition would connect the house to an existing noncontributing two-story garage that did not conform to setback requirements established by neighborhood deed restrictions. The garage was to remain 'as is' in order to maintain the grandfathered setback.

- The original COA has since been revised numerous times, at least three times due to the builder's violating the approved scope of work (removal of original front porch, removal of original rafter tails, replacement of historic windows).
- The builder was last granted a Certificate of Remediation in June 2016 for the unauthorized removal and destruction of 14 historic windows on the house.
- The builder has once again violated the approved scope of work by increasing the height of the garage from 21' to 24' without permits or COA approval. The work was performed in March 2016 but hidden from city staff by the builder and designer, who used old lumber to disguise the alterations. 'Before' and 'after' photos received in September provided concrete evidence to staff that the builder had in fact altered the garage height without permits.
- The owners are now seeking a retroactive approval for the increased height of the existing garage.

Please see Project Timeline on pages 3-4 for details.

See enclosed application materials and detailed project description for further details.

Public Comment: No public comment received at this time.

Civic Association: No comment received.

Recommendation: Approval

HAHC Action: -

APPROVAL CRITERIA

ALTERATIONS, REHABILITATIONS, RESTORATIONS AND ADDITIONS

Sec. 33-241: HAHC shall issue a certificate of appropriateness for the alteration, rehabilitation, restoration or addition of an exterior feature of (i) any landmark, (ii) protected landmark, (iii) any building, structure or object that is part of an archaeological site, or (iv) contributing building in a historic district upon finding that the application satisfies the following criteria, as applicable:

- | S | D | NA | S - satisfies | D - does not satisfy | NA - not applicable | |
|-------------------------------------|--------------------------|-------------------------------------|----------------------|---|----------------------------|--|
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (1) | The proposed activity must retain and preserve the historical character of the property; | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (2) | The proposed activity must contribute to the continued availability of the property for a contemporary use; | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (3) | The proposed activity must recognize the building, structure, object or site as a product of its own time and avoid alterations that seek to create an earlier or later appearance; | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (4) | The proposed activity must preserve the distinguishing qualities or character of the building, structure, object or site and its environment; | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (5) | The proposed activity must maintain or replicate distinctive stylistic exterior features or examples of skilled craftsmanship that characterize the building, structure, object or site; | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (6) | New materials to be used for any exterior feature excluding what is visible from public alleys must be visually compatible with, but not necessarily the same as, the materials being replaced in form, design, texture, dimension and scale; | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (7) | The proposed replacement of missing exterior features, if any, should be based on an accurate duplication of features, substantiated by available historical, physical or pictorial evidence, where that evidence is available, rather than on conjectural designs or the availability of different architectural elements from other structures; | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | (8) | Proposed additions or alterations must be done in a manner that, if removed in the future, would leave unimpaired the essential form and integrity of the building, structure, object or site; | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (9) | The proposed design for any exterior alterations or addition must not destroy significant historical, architectural, archaeological or cultural material, including but not limited to siding, windows, doors and porch elements; | | |
| <input checked="" type="checkbox"/> | <input type="checkbox"/> | <input type="checkbox"/> | (10) | The proposed alteration or addition must be compatible with the massing, size, scale material and character of the property and the context area; and | | |
| <input type="checkbox"/> | <input type="checkbox"/> | <input checked="" type="checkbox"/> | (11) | The distance from the property line to the front and side walls, porches, and exterior features of any proposed addition or alteration must be compatible with the distance to the property line of similar elements of existing contributing structures in the context area. | | |

PROJECT TIMELINE

501 HIGHLAND STREET

January 2015	The applicant obtained a building permit to remove interior finishes, but exceed this scope by removing the historic shiplap without a COA or building permit.
February 2015	<p><u>1st COA application:</u> to construct a two-story addition to the rear and side of the existing two-story home, replace the existing stucco cladding (which was damaged), and lift the residence by 11" to install a new foundation. Staff recommended denial of the project based on Criteria 1, 4, 8, 9, and 11; however the HAHC granted the project approval.</p> <p>Because of concerns that raising the foundation would put the front porch and chimney at risk, the designer, Jeremy McFarland of Brickmoon, assured the HAHC that the porch would be retained, and mentioned earlier projects in which Brickmoon had successfully elevated homes without destroying the porch and chimney.</p>
October 2015	<p><u>2nd COA application:</u> Despite Brickmoon's statements to HAHC at the Feb 2015 meeting, the front porch was entirely removed without the knowledge of staff or HAHC approval. After work was stopped, the applicant applied for retroactive approval to remove the original porch and rebuild it.</p> <p>HAHC granted approval for the existing porch to be removed and replaced with a replica front porch to match existing conditions, based on the inspector's comments that the original porch had enough structural damage to warrant rebuilding. The applicant was instructed to include salvaged portions of the historic arches from the original porch.</p>
January 2016	During a site visit to review progress, staff told Clark Arnold, the builder, that the historic rafter tails were to remain unless a COA was granted in advance for their removal.
February 2016	<u>3rd COA application:</u> HAHC granted approval for relatively minor revisions to side porch roof, porch steps, the balcony, and fenestration on the addition.
April 2016	Staff discovered that, despite the on-site conversation with Mr. Arnold in Jan 2016, the original rafter tails had been removed without the knowledge of staff or prior HAHC approval.
May 2016	<p><u>4th COA application:</u> On May 16, the Planning Director approved an administrative retroactive COA for the replacement of the original rafter tails since they were deemed to be damaged beyond repair based on the building inspector's earlier site visit.</p> <p><u>5th COA application:</u> On May 16, the Planning Director approved an administrative retroactive COA for altering the roofs at the rear of the addition and garage from a hip to a gable.</p> <p>On May 20, staff discovered that all 14 historic windows had been replaced without approval from staff or HAHC. With the loss of the historic windows, the house has virtually no remaining historic material, as the exterior siding, interior shiplap, flooring, foundation, windows, rafter tails, and front porch have all been replaced with new materials.</p>
June 2016	<u>6th COA application:</u> The applicant requested a COA for the replacement of the 14 historic windows. The applicant did not provide any documentation that the original windows were damaged or in need of repair or replacement. No mention of window damage had been made in any of the five earlier COA applications or at any of staff's site visits to the project. The HAHC denied a COA and instead issued a Certificate of Remediation (COR) for the replacement of the original windows, since the original historic windows had already been destroyed by the builder.

PROJECT TIMELINE (CONTINUED)

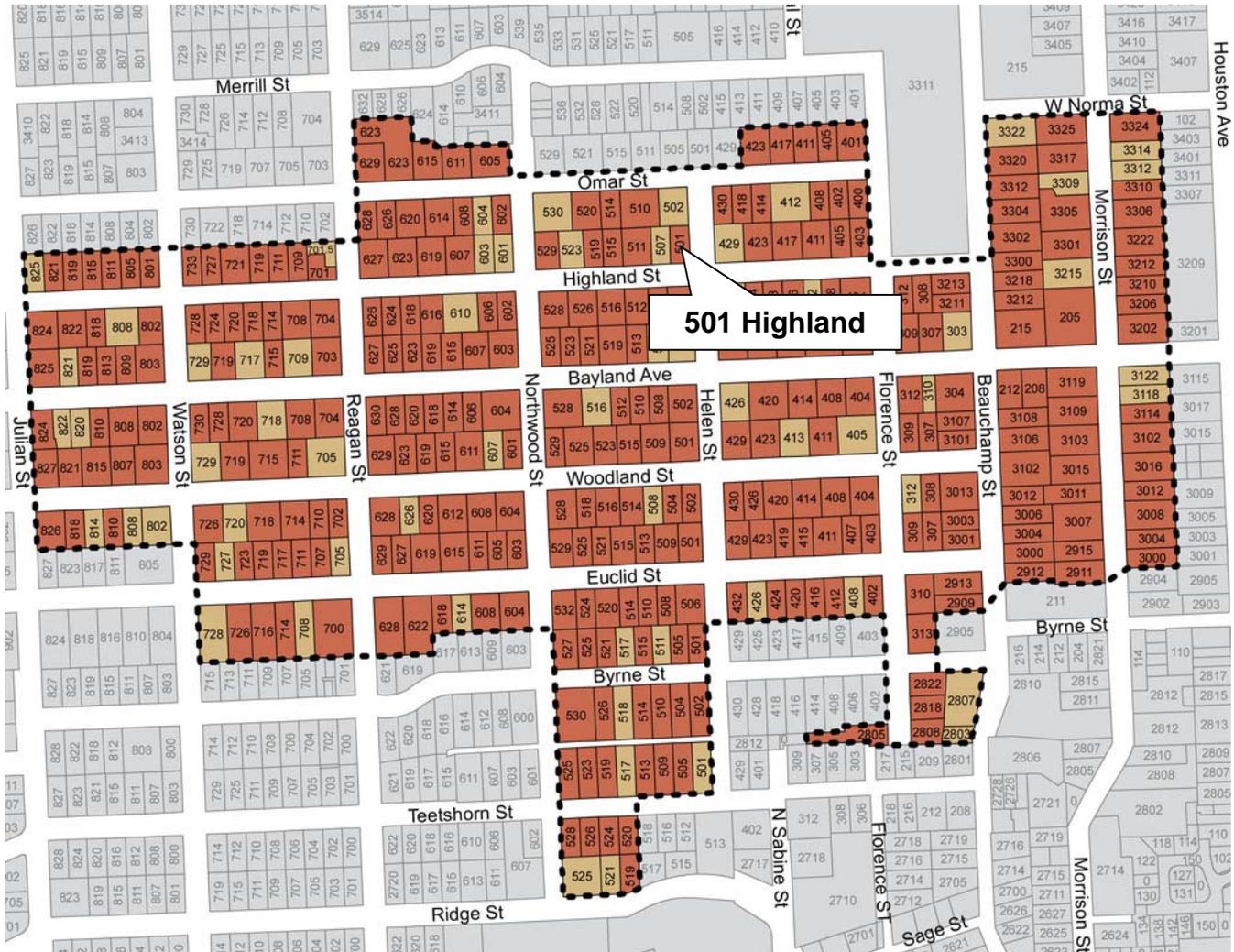
501 HIGHLAND STREET

- June-July 2016 Staff received numerous complaints from the neighborhood that the builder had altered the height of the garage ‘overnight’ without permits. During a site visit to inspect the situation, staff observed old lumber and siding in place up to the top of the garage wall, an indication to staff that the garage wall had *not* been changed during the remodel. Based on the site visit as well as conversations with the designer and builder, staff determined that the neighborhood complaints were without basis. The designer, Jeremy McFarland, informed staff that the originally submitted plans were incorrect in depicting the garage height at 21’; and that the correct height of the garage was in fact 25’. Staff believed this explanation for the discrepancy, and stamped a revised set of plans showing the ‘corrected’ 25’ height. These revised drawings were never submitted to permitting, however.
- September 2016 Staff continued to receive neighborhood complaints of unpermitted alterations. After further photo documentation was received by staff, staff was able to determine that that the builder had in fact raised the garage height by 3’-4’ without permits (the 21’ height shown in the original plans had been correct, despite Mr. McFarland’s information to the contrary). The photo documentation, showing the garage before and immediately after the builder raised the garage height, indicates that the work was done in late March 2016. The builder, Clark Arnold, eventually admitted that he had in fact knowingly increased the garage wall height by 3’ using old lumber to disguise the change from city staff. The purpose of the increase was to facilitate a structural connection between the existing garage and the new addition. While the roof was removed in March, an additional 3’ of wall height was added. Original studs were sandwiched between new lumber, and old siding from other parts of the garage was used to create a virtually seamless wall.
- November 2016 7th COA application: The owners now seek approval for the increased garage height. The original garage height of 21’ was raised to 25’ by the builder’s actions in violation of the COA and building permit.



PROPERTY LOCATION

WOODLAND HEIGHTS HISTORIC DISTRICT



Building Classification

- Contributing
- Non-Contributing
- Park

PRIOR TO CONSTRUCTION



UNDER RENOVATION



CURRENT PHOTOS



SOUTH ELEVATION – FRONT FACING HIGHLAND STREET

EXISTING



APPROVED OCTOBER 2015

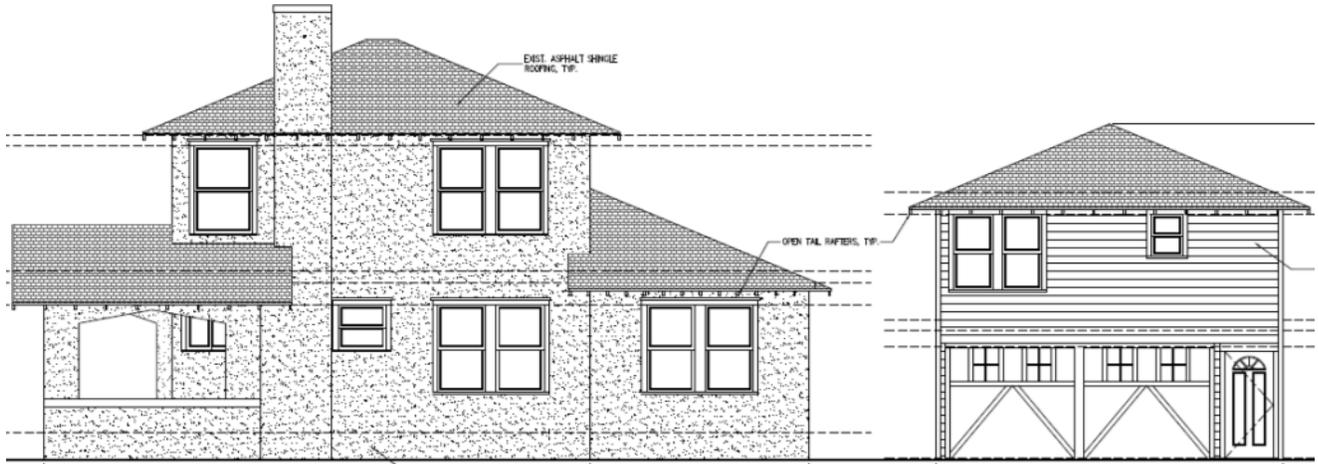


PROPOSED



EAST SIDE ELEVATION FACING HELEN STREET

EXISTING



APPROVED FEBRUARY 2015

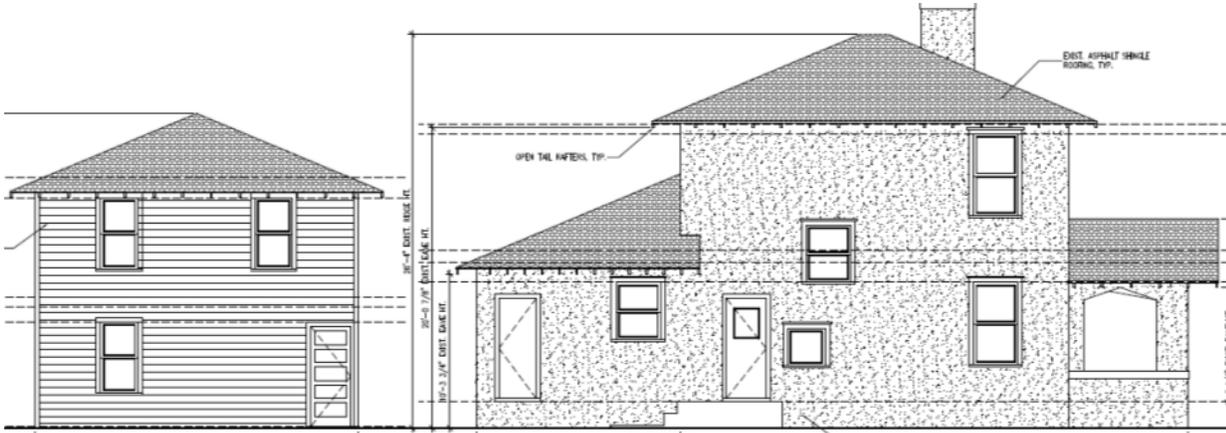


PROPOSED



WEST SIDE ELEVATION

EXISTING



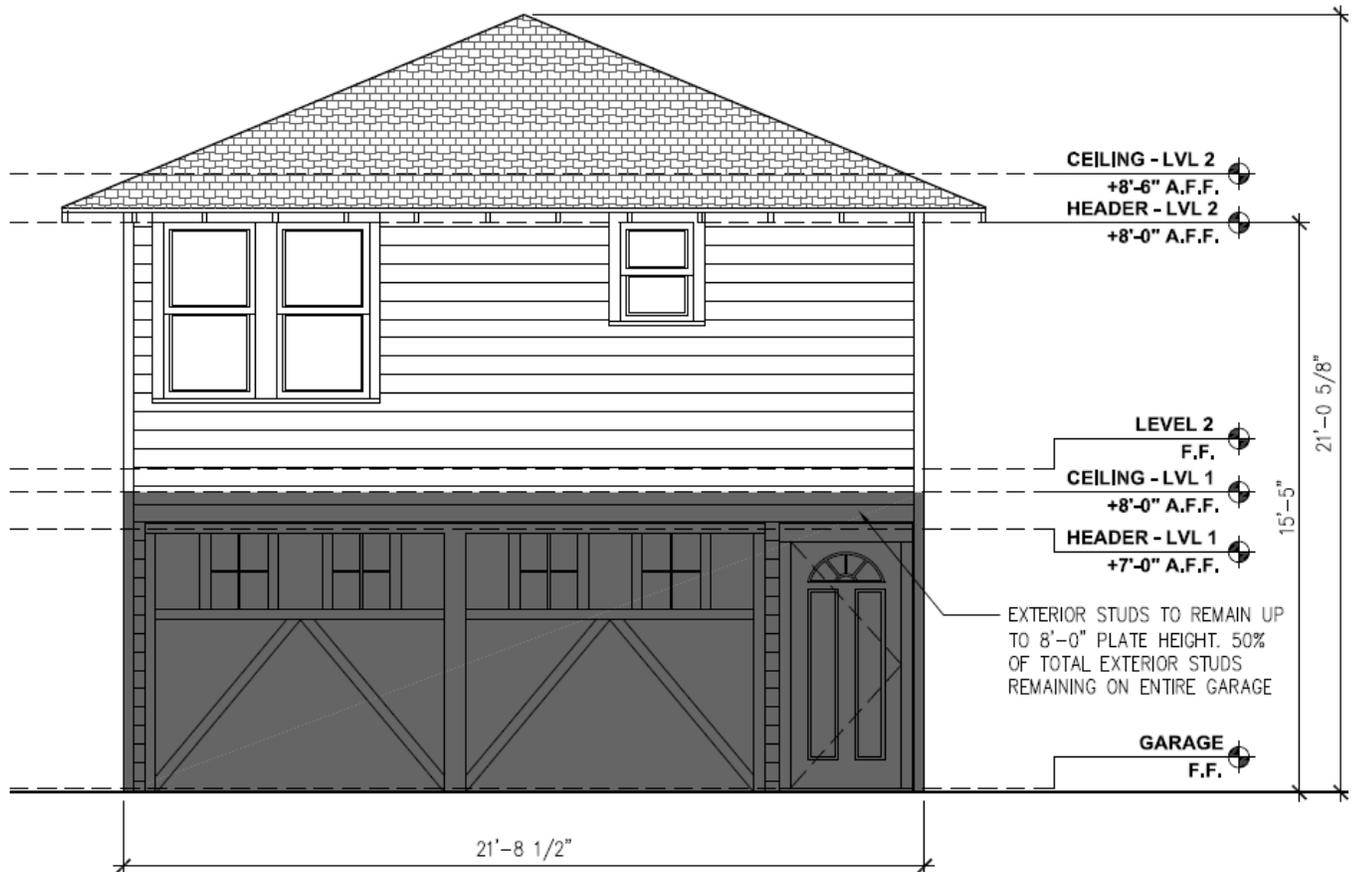
APPROVED FEBRUARY 2015



PROPOSED



ORIGINAL GARAGE ELEVATION
(DETAIL)



COMPARISON OF PHOTO/DRAWING
(SHOWING 21' TALL ORIGINAL GARAGE)



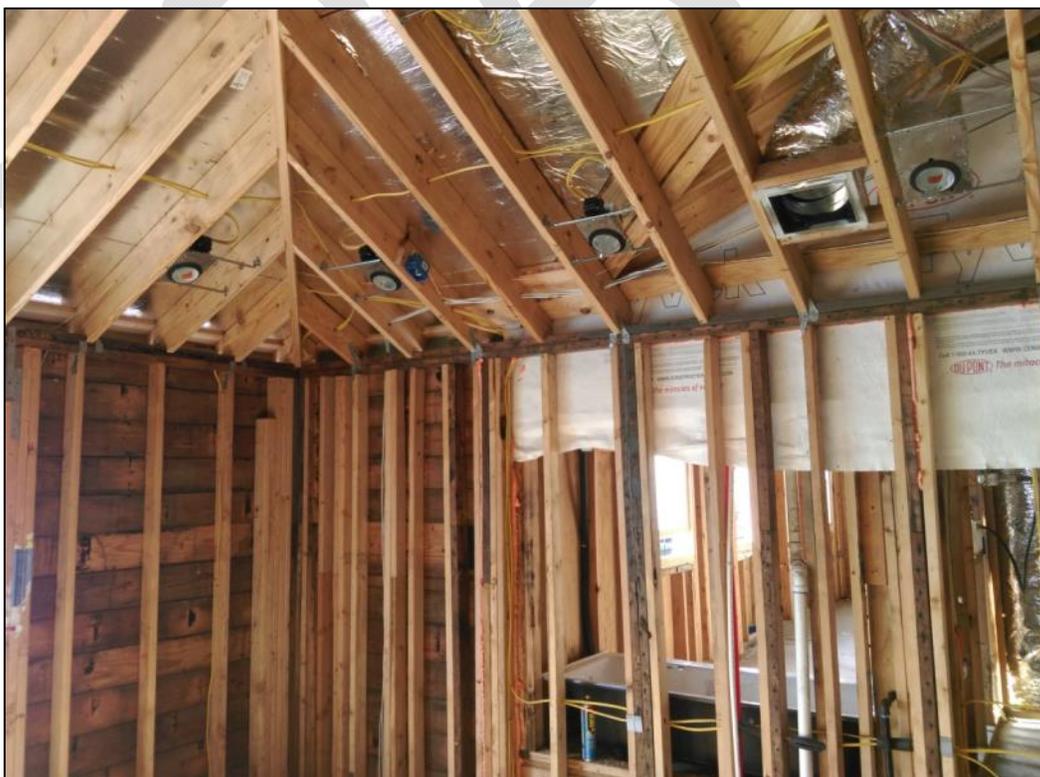
STAFF PHOTOS

INTERIOR PHOTOS SHOWING OLD SIDING/SHIPLAP/STUDS



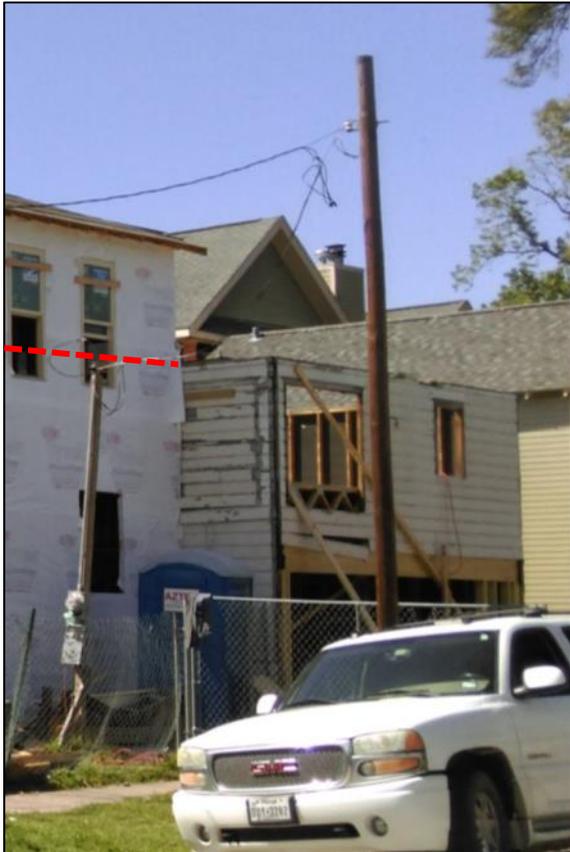
STAFF PHOTOS

INTERIOR PHOTOS SHOWING OLD SIDING/SHIPLAP/STUDS



STAFF PHOTOS (COMPARISON OF TOP PLATE)

ORIGINAL GARAGE



CURRENT GARAGE



STAFF PHOTOS (RELATIONSHIP TO NEIGHBOR)

ORIGINAL GARAGE



CURRENT GARAGE



STAFF PHOTOS
ORIGINAL GARAGE



STAFF PHOTOS
ORIGINAL GARAGE



STAFF PHOTOS
CURRENT GARAGE

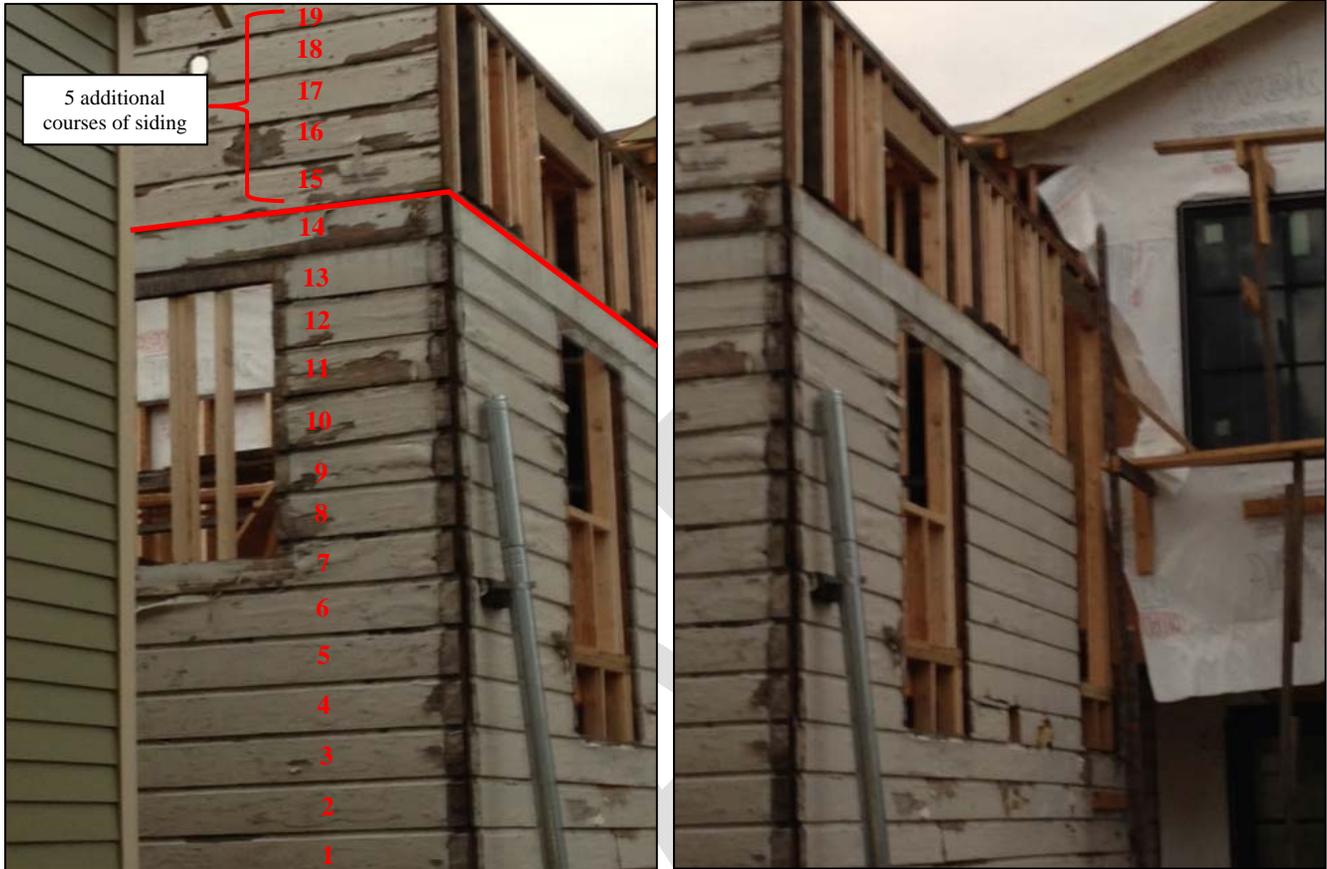


STAFF PHOTOS
CURRENT GARAGE



NEIGHBORHOOD PHOTOS

(SHOWING SIDING COURSES ON EXPANDED GARAGE)



STAFF PHOTO

(SHOWING SIDING COURSES ON ORIGINAL GARAGE)



WOODLAND HEIGHTS DEED RESTRICTIONS

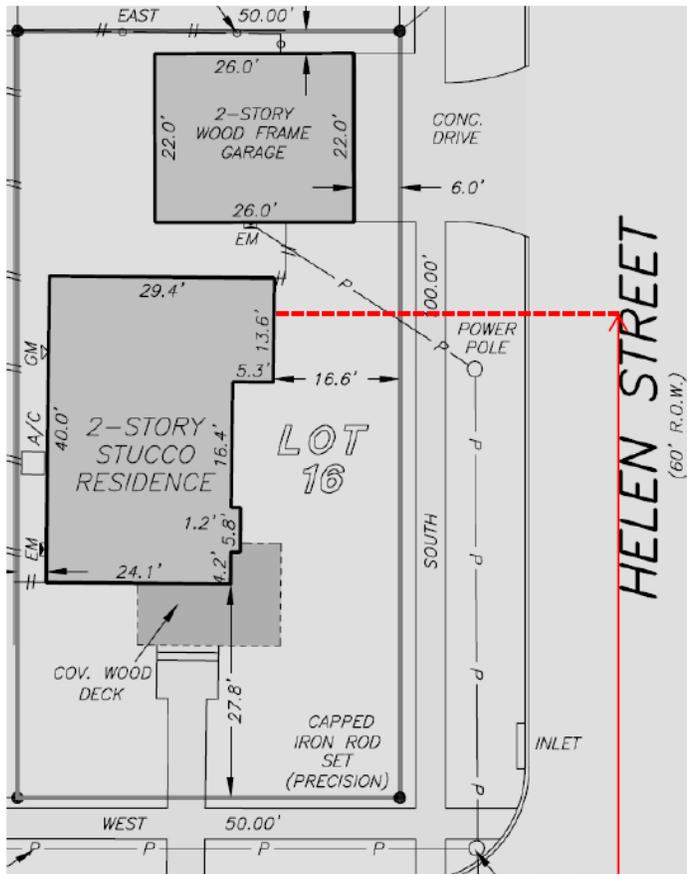
ARTICLE II NUMBER 2

2. Only one residence shall be constructed or permitted for every 2,500 square feet of contiguous property subject to these restrictions. All new structures in excess of one story shall be built at a minimum of three feet from the property line on the sides and back of the lot. New structures shall be placed at least ten feet from the property line on all borders of the property which abut a public street, or 45 feet from the center of the street, whichever is greater. No structures shall contain more than three stories or floor levels, nor shall they be more than forty feet high. No lots shall be used for any type of corporate, business, commercial or industrial purpose, except as permitted in paragraph 1 of Article II. of any of the properties as a hotel or boarding house is expressly prohibited.

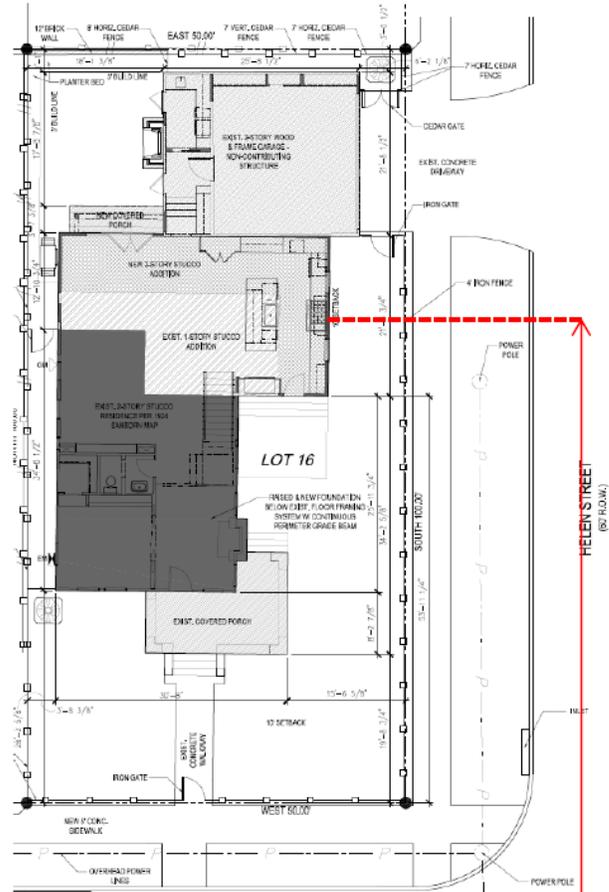
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WOODLAND HEIGHTS DEED RESTRICTIONS

DEED RESTRICTIONS REQUIRE A 45' SETBACK FROM THE CENTER OF THE STREET



Existing residence set back 46.6' from the center of the street. 16.6' from the east property line which is 30' from the center of the street.



Proposed addition set back 40' from the center of the street. 10' from the east property line which is 30' from the center of the street.

PROJECT DETAILS

Shape/Mass: The original garage was to remain and not be altered. However, as part of the addition, the garage was to be connected to the proposed rear addition. The approved unaltered garage was to retain an eave height of 15'-9" and ridge height of 21'-4³/₄".

According to the builder, the garage elevation was modified to accommodate several structural and architectural inaccuracies that are common when attaching two separate buildings with different elevations. Ultimately, due to these modifications, the garage walls were raised approximately 2'-8³/₄" or somewhere between 3 and 4 feet. The current garage has an eave height is 18'-5³/₄" and ridge height 24'-1 3/8". See drawings and photos for more detail.

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