



CITY of THE DALLES

313 COURT STREET
THE DALLES, OREGON 97058

(541) 296-5481 ext. 1125
COMMUNITY DEVELOPMENT DEPARTMENT

CERTIFICATE OF MAILING

I hereby certify that I served the attached notice of Decision

regarding:

HLC 182-20 Charles & Connie-Marie
Sanders

On August 7, 2020, by mailing a correct copy thereof, certified by me as such, contained in a sealed envelope, with postage paid and deposited on the post office at The Dalles Oregon on said day. Between the said Post Office and the address to which said copy was mailed, there is a regular communication by US Mail.

DATED: August 7, 2020

Paula Webb
Secretary
Community Development Department

Name

HLC NOD

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CHARLES & CONNIE-MARIE
 SANDERS
 531 W 3RD PL
 THE DALLES, OR 97058



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NOTICE OF PUBLIC HEARING DECISION Historic Landmarks Commission 182-20 Charles and Connie-Marie Sanders

DECISION DATE: August 5, 2020

APPLICANT: Charles and Connie-Marie Sanders

REQUEST: The applicant requested approval to expand the existing driveway for access to rear of property and replace the front yard fencing.

LOCATION: The property is located at 531 W. Third Place, The Dalles, Oregon and is further described as 1N 13E 4 AA tax lot 900. The Merrill House is a Ranch Style house built in 1950 and is a compatible, non-historic, non-contributing resource in Trevitt's National Historic District.

PROPERTY

OWNER: Connie-Marie Sanders

AUTHORITY: The Dalles Municipal Code, Chapter 11.12 Historic Resources

DECISION: Based on the findings of fact and conclusions in the staff report of HLC 182-20, and after a hearing in front of the Historic Landmarks Commission on August 5, 2020, the request by **Charles and Connie-Marie Sanders** to expand the existing driveway for access to rear of property is hereby **approved** with the following conditions:

Work shall be completed in substantial conformance to the pictures and proposals as submitted, reviewed and modified.

1. Work will be completed in substantial conformance to the pictures and proposals as submitted and reviewed.
2. If any archeological resources or materials are discovered during excavation, the applicants shall stop excavation and have the site professionally evaluated prior to continuing work.
3. The materials used for new fence shall be wood and metal, and consistent with the submitted photos and drawings.
4. Any surface cleaning of the house will be required to be gentle without sandblasting or chemicals involved.

5. The applicant shall ensure the driveway is not used to park vehicles that would obstruct the public's visual access to the historic structure.

Signed this 5th day of August, 2020, by



Dawn Marie Hert, Senior Planner
Historic Landmarks Commission Coordinator
Community Development Department

APPEAL PROCESS: The Commission's approval, approval with conditions, or denial is the final decision, and may be appealed to the City Council if a completed Notice of Appeal is received by the City Clerk no later than 5:00 p.m. on the 10th day following the date of the mailing of the Notice of Decision. The following may file an appeal of decisions:

1. Any party of record to the particular action.
2. A person entitled to notice and to whom no notice was mailed. (A person to whom notice is mailed is deemed notified even if notice is not received.)
3. The Historic Landmarks Commission, the Planning Commission, or the City Council by majority vote.

A complete record of application is available for review upon request during regular business hours, or copies can be ordered at a reasonable price, at the City of The Dalles Community Development Department. A Notice of Appeal form is available at The Dalles Community Development Department. The fee to file a Notice of Appeal is \$500.00. **The appeal process is regulated by The Dalles Municipal Code Chapter 11.12.090.**



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HISTORIC LANDMARKS RESOLUTION NO. 171-20

Adopting The Dalles Historic Landmarks Commission Application #182-20 of Charles and Connie-Marie Sanders. This application is for a Historic Landmarks Commission hearing to gain approval to expand the existing driveway for access to rear of property and replacing the front yard fencing. The property is located at 531 W. Third Place, The Dalles, Oregon and is further described as 1N 13E 4 AA tax lot 900. The Merrill House is a Ranch Style house built in 1950 and is a compatible, non-historic, non-contributing resource in Trevitt's National Historic District.

I. RECITALS:

- A. The Historic Landmarks Commission of the City of The Dalles has, on August 5, 2020, conducted a public hearing to consider the above request.
- B. A Staff Report was presented, stating findings of fact and conclusions of law.
- C. Staff Report 182-20 and the minutes of the August 5, 2020 hearing, upon approval, provide the basis for this resolution and are herein attached by reference.

II. RESOLUTION: Now, therefore, be it FOUND, DETERMINED, and ORDERED by the Historic Landmarks Commission of the City of The Dalles as follows:

- A. In all respects as set forth in Recitals, Part "I" of this resolution.
- B. Historic Landmarks Review 182-20, Charles and Connie-Marie Sanders, is *approved* with the following conditions:
 - 1. Work will be completed in substantial conformance to the pictures and proposals as submitted and reviewed.
 - 2. If any archeological resources or materials are discovered during excavation, the applicants shall stop excavation and have the site professionally evaluated prior to continuing work.
 - 3. Any surface cleaning of the house will be required to be gentle without sandblasting or chemicals involved.
 - 4. The applicant shall ensure the driveway is not used to park vehicles that would obstruct the public's visual access to the historic structure.

III. APPEALS, COMPLIANCE AND PENALTIES:

- A. Any party of record may appeal a decision of the Historic Landmarks Commission to the City Council for review. Appeals must be made in accordance to Article 11.12.090 of The Dalles Municipal Code, Chapter 11.12 Historic Resources, and must be filed with the City Clerk within ten (10) days of the date of mailing of this Order.
- B. Failure to exercise this approval within the time line set either by Order or by The Dalles Municipal Code will invalidate this permit.

ADOPTED THIS 5TH DAY, AUGUST, 2020.


Robert McNary, Chair
Historic Landmarks Commission

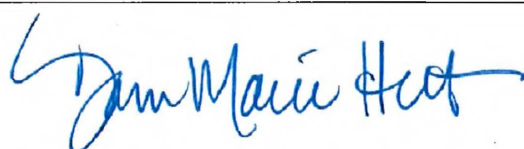
I, Dawn Marie Hert, Senior Planner & Historic Landmarks Secretary for the Community Development Department of the City of the Dalles, hereby certify that the foregoing Order was adopted at the meeting of the City Historic Landmarks Commission, held on August 5, 2020.

AYES: McNary, Leash, Gleason, Eagy, Ercole

NAYS: --

ABSENT: --

ABSTAIN: --

ATTEST: 
Dawn Marie Hert, Senior Planner & Historic Landmarks Commission Secretary
City of The Dalles Community Development Department

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STAFF REPORT HISTORIC LANDMARKS REVIEW # 182-20

TO: The Dalles Historic Landmarks Commission

FROM: Dawn Marie Hert, Senior Planner

HEARING DATE: Special Meeting, Wednesday, August 5, 2020

ISSUE: Approval to expand the existing driveway for access to rear of property and replacing the front yard fencing.

SYNOPSIS:

APPLICANT	Charles and Connie-Marie Sanders
PROPERTY OWNER	Connie M. Sanders
LOCATION	531 W. Third Place, The Dalles, OR 97058
ZONING	"CBC-3" – Central Business Commercial, Trevitt's Addition Historic District
EXISTING USE	Single Family Residential
SURROUNDING USE	Commercial and Residential
HISTORIC STATUS	Classified as a Compatible/Non-historic/Non-contributing resource in Trevitt's National Historic District.

NOTIFICATION: Published advertisement in local newspaper; notification to property owners within 100 feet, SHPO.

RECOMMENDATION: Approval, with conditions, based on the following findings of fact.

BACKGROUND: The Merrill House is a Ranch Style house built in 1950. It is a one-story building, rectangular in plan with a hip roof and a daylight basement that opens to the back yard which is adjacent to Mill Creek. The house has had minor alterations over the years.

The applicants are applying to expand their existing driveway for access to their rear property and installation of fencing in the front yard.

ANALYSIS: The Historic Landmarks Commission is responsible for conducting hearings dealing with proposed alterations to historic buildings. The Dalles Municipal Code, Title 11 Planning, Chapter 11.12 – Historic Resources provides process as well as established design

guidelines to assist the Commission in making these decisions. The purpose of the Historic Landmarks Commission, the Historic Code and the review criteria are to:

- *Protect historic and cultural resources from destruction, inappropriate alteration, and incompatible adjacent development;*
- *Stabilize and improve property values in historic districts and citywide;*
- *Enhance the city's attractiveness to visitors and residents, and stimulate business, industry and tourism;*
- *Educate The Dalles' citizens and visitors concerning the city's heritage;*
- *Preserve the historic housing stock of The Dalles;*
- *Comply with The Dalles Comprehensive Plan.*

A. THE DALLES MUNICIPAL CODE – TITLE 11.12 – HISTORIC RESOURCES – CODE RELATING TO HISTORIC RESOURCES WITHIN THE CITY OF THE DALLES.

Section 11.12.070, Subsection A. Review Criteria:

3. "Secretary's Standards. Commission decisions shall be based on the Secretary of the Interior's Guidelines for the Treatment of Historic Properties." The following are pertinent standards from the "Guide".

1. *"A property shall be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships."*

FINDING A-1: The existing building was constructed as a residence in circa 1950 and has continued to be used as a residence over the years. Criterion met.

2. *"The historic character of a property shall be retained and preserved. The removal of historic materials or alterations to features and spaces that characterize a property shall be avoided."*

FINDING A-2: The request does not include removing any historic materials from the building. Criterion met.

3. *"Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken."*

FINDING A-3: There are no plans for additions that would create a false sense of historical development. Criterion met.

4. *"Changes to a property that have acquired historic significance in their own right shall be retained and preserved."*

FINDING A-4: No known changes are planned to be removed. Criterion does not apply.

5. *"Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved."*

FINDING A-5: There are no plans for removal of any historic features. Criterion met.

6. *“Deteriorating historical features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary and physical evidence.”*

FINDING A-6: The applicants do not plan to alter any historic features to the site or building. The existing fence is not listed in the historic inventory and does not appear to be original to the site. The proposed metal and wood fence will be similar in height to the current fence and be complementary to the design of the non-contributing resource. No historic photos were available. Criterion met.

7. *“Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.”*

FINDING A-7: The applicant did not include plans to surface clean the building. However, if desired, any exterior cleaning will be required to be gentle without sandblasting or chemicals involved. Criterion will be addressed as a condition of approval.

8. *“Significant archaeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.”*

FINDING A-8: Only minor ground disturbance is planned for the installation of the driveway and fencing. Criterion will be addressed as a condition of approval.

9. *“New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”*

FINDING A-9: The applicant is proposing a new fence that will not be attached to the historic structure. Photos were provided to give the commission an idea of the design and style. The size of the proposed fence structure will be compatible in size and scale and will be differentiated from the circa 1950's house. Criterion met.

10. *“New additions and adjacent or related new construction shall be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.”*

FINDING A-10: The new fencing structure will not be connected to the house. Therefore this criterion does not apply.

B. THE DALLES MUNICIPAL CODE – TITLE 11.12.095 – HISTORIC RESOURCES – CODE RELATING TO DESIGN GUIDELINES FOR HISTORIC RESOURCES.

LANDSCAPING

“Yards in the Trevitt's Addition vary as a result of the topography and in general the houses are setback from the sidewalk in contrast with the commercial district. They have three zones; sidewalk, front yard and house. New construction and rehabilitation should maintain the alignment of houses in the district and the historic character of the yards.

GUIDELINES:

- a. *New construction should be set back from the street property line a minimum of 15 feet.*
- b. *Street facing portions of the property should be preserved so that the public's visual access is not obstructed.*
- c. *Shrubs, trees, and foundation plantings should not dominate the appearance of the house; rather, they should be complimentary and highlight important features of the building.*
- d. *Preserve and maintain all mature landscaping, remove only if diseased or presenting a life safety hazard.*
- e. *New construction should keep landscaping low near the building using flowers and low shrubs with larger plants and trees further away from the building.*
- f. *In choosing landscaping elements the following should be considered:*
 - style of house*
 - climate appropriate plantings*
- g. *Use of fences is recommended provided they are in keeping with the style of the house and the scale of the neighborhood.*
- h. *The use of historic photographs for reference is recommended.”*

FINDING-B (a): The proposed fence will be on the property line. This criterion is intended for structures; a fence is not considered a structure. Therefore the criterion is met.

FINDING-B (b): As shown on the submitted site plan, the new fence and driveway will not obscure the public visual access of the house. The applicant will need to ensure that the driveway isn't used to park vehicles that could occasionally obstruct the public's visual access to the historic structure. Criterion will be addressed as a condition of approval.

FINDING-B (c): There are no plans to modify the landscaping at this time. Criterion does not apply.

FINDING-B (d) (e) (f): The existing landscaping will remain, only minor modifications will be made with the installation of the driveway expansion and fencing. Criterion met.

FINDING-B (g): The applicant is proposing to install a wood and metal fence along the front property line and will be four feet in height. The fence will complement the 1950's era home. Criterion met.

FINDING-B (h): The applicant did not provide any historic photographs of the property. However, the modifications are not altering the essential form of the existing landscaping. The new fence design is compatible with the era of the 1950's home and the driveway will modify only a small portion of the existing front landscape.

CONCLUSIONS: The proposed improvements to the site will be within the historic design guidelines. The addition of the driveway will be minor and allow for needed access to the rear of the property; the new fencing will complement the residence and enhance the street façade. These changes to the site will encourage the continued use of this historic landmark. In all

respects this application meets the standards of the Secretary of the Interior and The Dalles Municipal Code, Title 11.12 Historic Resources with the following conditions:

Recommended Conditions of Approval:

1. Work will be completed in substantial conformance to the pictures and proposals as submitted and reviewed.
2. If any archeological resources or materials are discovered during excavation, the applicants shall stop excavation and have the site professionally evaluated prior to continuing work.
3. The materials used for new fence shall be wood and metal, and consistent with the submitted photos and drawings.
4. Any surface cleaning of the house will be required to be gentle without sandblasting or chemicals involved.
5. The applicant shall ensure the driveway is not used to park vehicles that would obstruct the public's visual access to the historic structure.