

**HISTORIC PRESERVATION COMMISSION**  
**Tuesday, February 15, 2022 | 8:00AM**  
**City Commission Chambers**  
**AGENDA**

1. Approval of Minutes – August 17, 2021
2. Historic Overlay District Review
  - a. 1101 8<sup>th</sup> Street South – Erskines Historic Overlay
3. Other Business or Public Comment
4. Adjourn – Next Meeting: March 15, 2022

Historic Preservation Commission meetings are broadcast live on cable channel TV Fargo 56 and can be seen live by video stream on [www.FargoND.gov/streaming](http://www.FargoND.gov/streaming). They are rebroadcast each Thursday at 8:00 a.m., Friday at 3:00 p.m. and Saturday at 3:00 p.m. Minutes are available on the City of Fargo Web site at [www.FargoND.gov/historicpreservationcommission](http://www.FargoND.gov/historicpreservationcommission).

People with disabilities who plan to attend the meeting and need special accommodations should contact the Planning Office at 701.241.1474. Please contact us at least 48 hours before the meeting to give our staff adequate time to make arrangements.

## **BOARD OF HISTORIC PRESERVATION COMMISSIONERS MINUTES**

**Regular Meeting:**

**Tuesday, August 17, 2021**

The Regular Meeting of the Board of Historic Preservation Commissioners of the City of Fargo, North Dakota, was held in the Commission Chambers at City Hall at 8:00 a.m., Tuesday, August 17, 2021.

The Historic Preservation Commissioners present or absent were as follows:

Present: Heather Fischer, Matthew Boreen, Paul Gleye, Mike Dawson, Nathan Larson, Jay Nelson

Absent: Christine Kloubec

Chair Fischer called the meeting to order and welcomed Members to the meeting.

**Item 1: Minutes: Special Meeting of August 2, 2021**

Member Gleye moved the minutes of the August 2, 2021 Historic Preservation Commission meeting be approved. Second by Member Nelson. All Members present voted aye and the motion was declared carried.

**Item 2: Historic Overlay District Review**

**a. 403 8th Avenue South – Island Park Historic Overlay: APPROVED**

Planner Kylie Bagley presented the application for an exterior remodel and window replacement of the existing building.

Member Larson and Boreen present.

Applicants Daniel Landman and Taylor Grogan addressed questions from the Board regarding the porch columns, and window configuration.

Member Boreen moved to approve the project as submitted. Second by Member Nelson. All Members present voted aye and the motion was declared carried.

**b. 1001 6th Street South – Erskines Historic Overlay: APPROVED**

Ms. Bagley presented the application for an exterior remodel of the existing building.

Applicant Robert Kozenskie addressed questions from the Board regarding the side porch and the columns.

Member Gleye moved to approve the project as submitted. Second by Member Larson. All Members present voted aye and the motion was declared carried.

**c. 317 University Drive South – Jefferson Historic Overlay: APPROVED**

Ms. Bagley presented the application for an exterior remodel of the existing building that was continued from the July 20, 2021 Historic Preservation Commission meeting.

Applicant Tom O' Keefe provided an update and addressed questions from the Board regarding replacing the door to maintain the historic character of the building.

Member Gleye moved to approve the project with the door shape to remain with the curved shape or similar. Second by Member Boreen. All Members present voted aye and the motion was declared carried.

**Item 3: Bylaws Overview**

Ms. Bagley requested the removal of Section IV. from the bylaws of the Historic Preservation Commission stating the availability of the information from the City's other governing bodies is readily available online.

Member Gleye moved to remove Section IV. Commission Relations with Other Governmental Bodies from the Historic Preservation Commission bylaws. Second by Member Boreen. All Members present voted aye and the motion was declared carried.

**Item 4: Liaison Reports - NONE**

Planning Commission – Christine Kloubec  
Board of Adjustment – Matthew Boreen  
House Moving Board – Paul Gleye  
Housing Rehab – Heather Fischer  
Renaissance Zone Authority – Vacant

**Item 5: Other Business or Public Comment**

Board Members voiced the need to confirm the maps and information regarding historic overlay districts is current on the City of Fargo website.

Discussion was held on how property owners are made aware their property lies in a historic overlay district, what information appears on a title search, and the importance of getting the information to property owners regarding historic overlay districts.

**Item 6: Next Meeting – September 21, 2021**

The time at adjournment was 8:39 a.m.



Planning & Development  
225 4<sup>th</sup> Street North  
Fargo, North Dakota 58102  
Office: 701.241.1474 | Fax: 701.241.1526  
Email: [Planning@FargoND.gov](mailto:Planning@FargoND.gov)  
[www.FargoND.gov](http://www.FargoND.gov)

## APPLICATION FOR CERTIFICATE OF APPROPRIATENESS

No building permits for new construction or for alterations to the exterior of existing structures shall be issued for property within a Historic Overlay district until a Certificate of Appropriateness has been reviewed and approved in accordance with the procedures with Section 20-0912. A Certificate of Appropriateness may be reviewed and issued by The Historic Preservation Commission and or City Staff, depending on the type of project and the Historic Overlay district.

The Historic Preservation Commission meets monthly at 8:00 am on the third Tuesday of the month, in the City Commission Room, City Hall, 225 4th Street North. Applicants must be present at the meeting. More information on design standards is available at: [www.FargoND.gov/historicpreservation](http://www.FargoND.gov/historicpreservation).

The following must accompany this application:

- Photos of the existing site
- Plans of the proposed project
- Building materials
- Site plan if applicable

Property Owner Information
Name (printed): <i>David C. Noah</i>
Name (printed):
Address: <i>5784 27<sup>th</sup> St. S</i>
<i>Fargo, ND 58104</i>

Contact Person Information (if different than owner)
Name (printed):
Address:

Parcel Information
Historic overlay district of subject property :
Address: <i>1101 8<sup>th</sup> St. S Fargo, ND 58103</i>
Legal Description (attach separate sheet if more space is needed):
<i>lot 12 + 13 Block HH Erskines Addition</i>

Check each of the following which applies to your project	
<input type="checkbox"/> Exterior remodel	<input type="checkbox"/> New garage
<input type="checkbox"/> Window replacement	<input type="checkbox"/> New accessory structure (not garage)
<input type="checkbox"/> New dormer	<input type="checkbox"/> New porch
<input type="checkbox"/> New/replacement chimney	<input type="checkbox"/> Front yard paving
<input type="checkbox"/> Skylight	<input checked="" type="checkbox"/> Demolition
<input type="checkbox"/> Overhead garage door replacement	<input type="checkbox"/> New addition
<input type="checkbox"/> Other: _____	



**Briefly Describe The Proposed Scope of Work**

*Remove the home and garage.*

**Acknowledgement** – We hereby acknowledge that we have familiarized ourselves with the rules and regulations to the preparation of this submittal and that the forgoing information is true and complete to the best of our knowledge.

Owner (Signature):

*David C. Noth*

Date:

*2/3/22*

Representative (Signature):

Date:

Department of Planning and Development

City of Fargo Planning Commission,

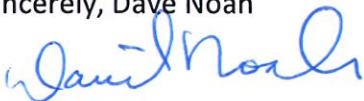
Here are some of my thoughts why I'd like to demo the home at 1101 8<sup>th</sup> St S.

I grew up in the neighborhood, went to school/church at St. Anthony's, rode my bike to Island Park pool and football practice at Dill Hill. I appreciate the character, charm, and feel of the neighborhood. It is the Fargo of my youth, and I would like to live in this area again.

Currently, the home is an "Eye Sore". It has been vacant for well over 10 years and has become marginalized. The furnace has been removed/stolen, the duct work destroyed, the main cast iron plumbing stack is deteriorated and is now home to squirrels. The kitchen ceiling has exposed pipes that are damaged beyond repair. Numerous broken/missing windows. The garage is ready to fall over due to broken roof beams, uneven and deteriorating concrete and unstable soil. The homes foundation is crumbling, it is not a home anyone should live in.

The bottom line is the present structure is physically and functionally obsolete and is not the highest and best use of the property. I would like to raze the existing home and garage and build a new home which will blend into the surrounding homes and mature trees. The existing home is not worth the time, effort, or money to renovate it. It makes better sense to enhance the property and start new.

Sincerely, Dave Noah



us 8/22/12

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND  
LYING IN ERSKINE'S ADDITION  
TO THE CITY OF FARGO – HISTORIC OVERLAY DISTRICT

WHEREAS, the Fargo Planning Commission and the Board of City Commissioners of the City of Fargo have held hearings pursuant to published notice to consider the proposed rezoning of certain parcels of land lying in Erskine's Addition, Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on June 5, 2012; and,

WHEREAS, the rezoning changes were approved by the City Commission on June 11, 2012; and,

WHEREAS, pursuant to Section 20-0804 of the Fargo Land Development Code (LDC) the Historic Preservation Commission has the power, among other powers and duties enumerated therein, to perform functions which may be assigned or delegated to it by the Board of City Commissioners; and,

WHEREAS, the Board of City Commissioners has found and deemed said certain parcels to be an area that has historic or cultural significance and, in accordance with LDC §20-0305, has determined that establishment of an H-O, Historic Overlay District, is appropriate;

NOW, THEREFORE,

Be It Ordained by the Board of City Commissioners of the City of Fargo:

Section 1. The following described property:

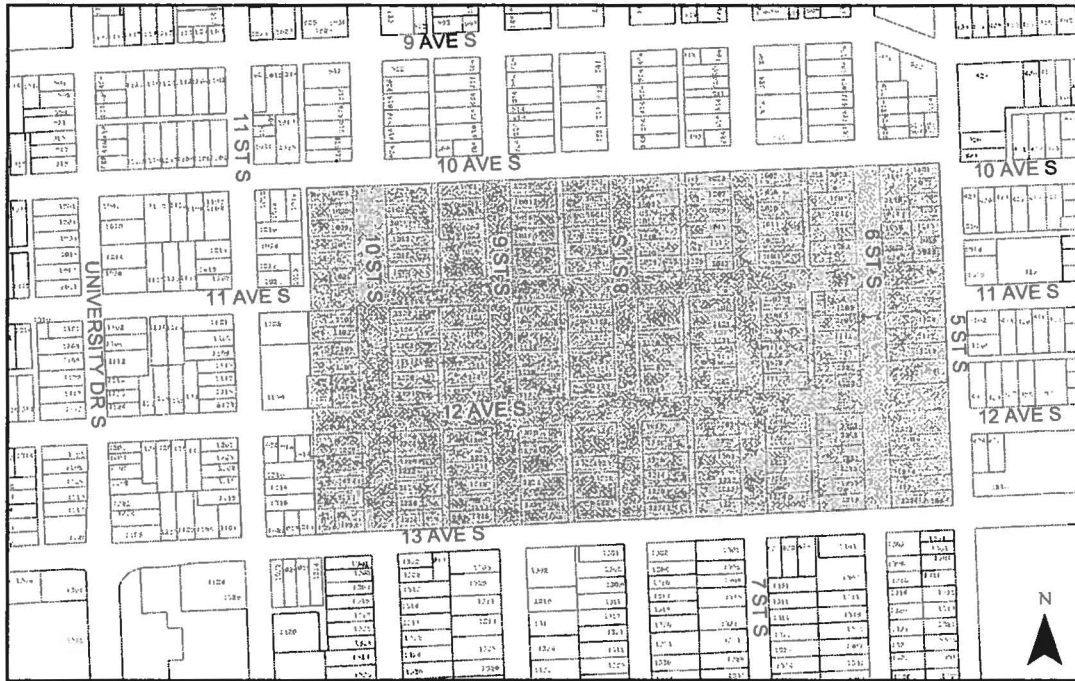
All of Blocks Aa, Bb, Gg, Hh, Ii, Kk, Ll, Mm, Nn, Oo, Pp, Qq, Y, X, Z; together with Lots 2, 3, 4,5, 6 of Block Rr all of the Erskine's Addition to the City of Fargo; Lots 1,2,3,4 and 5 & the East 10 Feet of Lots 6 and 7 of the Nelson Addition to the City of Fargo; Lots 7,8,9,10,11 and 12 of the Phelp's Subdivision of Part of Block 2 of the Erskine's Addition to the City of Fargo; Lots 1,2,3,and 4 of Block 1 of the Northrop's Addition to the City of Fargo,

a map of which is as follows:

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

## Erskine's Historic Overlay District Boundary Map



is hereby rezoned to apply a "H-O", Historic Overlay, District".

Said property shall be referred to as the "Erskine's Addition Historic Overlay District".

Pursuant to LDC §20-0305.C, the following special development standards which shall apply to all properties, new and existing, within Erskine's Addition Historic Overlay District.

### Erskine's Addition Historic Overlay District Special Development Standards

#### A. Authority

In accordance with Section 20-0305.C of the Fargo Land Development Code, the following special development standards or regulations shall apply to all properties (new and existing) within the Erskine's Addition Historic Overlay District.

#### B. Definitions

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

- 1       **1. Historic Neighborhood Structure (HNS)** is any residential structure built within  
2       the Erskine's Addition Historic Overlay District prior to 1945.
- 3       **2. Open Space** is defined in Section 20-1202(43) of the Fargo Land Development  
4       Code as "an outdoor, unenclosed area, located on the ground or on a roof,  
5       balcony, deck, porch or terrace designed and accessible for outdoor living,  
6       recreation, pedestrian access or landscaping, but not including roads, parking  
7       areas, driveways or other areas intended for vehicular travel."
- 8       **3. Principal Building** refers to the primary structure on a property, i.e. a house or  
9       commercial structure.
- 10       **4. Accessory Building or Structure** refers to a structure that is subordinate to the  
11       principal building, i.e. a garage, shed, or guest house.
- 12       **5. Style** is the vocabulary used to classify structures according to their appearance,  
13       structure, materials, and historic period. Important elements to include when  
14       assigning style are:
  - 15               • overall scale and relationship of height to width
  - 16               • façade proportions and relationship of solids to voids
  - 17               • window/door size, design, and operation
  - 18               • size, shape and proportions of entrances and porches
  - 19               • materials, texture, and pattern
  - 20               • roof forms
  - 21               • orientation, spacing, and site coverage of structures
  - 22               • landscaping, walls, and fences

Style Reference: A Field Guide to American Houses, Virginia and Lee McAlester,  
Alfred A. Knopf, Inc., 1984.

**C. Certificate of Appropriateness**

In accordance with Section 20-0912 of the Fargo Land Development Code, a Certificate of Appropriateness shall be issued prior to the review and issuance of any permit required for the following: *(Note: A Certificate of Appropriateness is not applicable if no permit is required)*

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

1. Any change to the **exterior** appearance of any principal building, accessory building or structure. (*Note: A Certificate of Appropriateness is not applicable for interior changes*)
2. Any new construction of a principal building, accessory building or structure.
3. The demolition of any principal building, accessory building or structure.
4. The moving of any principal building, accessory building or structure.
5. Placement or construction of a sign.

**D. Special Development Standards – General**

**1. Open Space**

At least 70% of a parcel's front yard shall be maintained as open space.

**2. Front Yard Parking**

Except for parking on driveways that run through the front yard to a garage, no parking is allowed in the front yard.

**3. Side Yard Fencing**

Standalone side yard fencing shall terminate a minimum of 2-feet behind the front façade of the principal structure.

**E. Special Development Standards – Exterior Renovation**

In conjunction with Section 20-0912.C(1) of the Fargo Land Development Code, the City Planner shall consider the following criteria in review of a request for a Certificate of Appropriateness regarding the exterior renovation of a principal building, accessory building or structure. A request that satisfies all of the following criteria shall be approved.

**1. Principal Building**

**a. Exterior Cladding**

1. Exterior cladding shall match the original principal building in design, dimension, detail, texture, and pattern. The use of substitute materials is permissible if matching the existing material is not technically or economically feasible.
2. If the principal building is void of its original exterior cladding, full replacement cladding shall be of a design compatible with the historic style of structures located within the district. Repair or



OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

partial replacement of non-original exterior cladding shall be exempt from this regulation.

b. Windows and Doors

1. Windows and doors shall match the original principal building in design and operation. The use of substitute materials is permissible if matching the existing material is not technically or economically feasible.
2. If the principal building is void of its original windows or doors, replacement windows and doors shall be of a design compatible with the historic style of structures located within the district. The use of substitute materials is permissible if matching the existing material is not technically or economically feasible.
3. Window or door openings shall not be increased or decreased by more than 10% in dimension or total area. Any changes in dimension or area will require review by the Fargo Historic Preservation Commission.

c. Roofs

1. Roof functional and decorative features, such as roofing materials, cresting, dormers, chimneys, cupolas, vents, and gutters shall match the original in design, dimension, detail, texture, and pattern. The use of substitute materials is permissible if matching the existing material is not technically or economically feasible.
2. Skylights are prohibited on all roof planes parallel to and facing the street.

**2. Accessory Buildings or Structures**

- a. Alterations to accessory buildings and structures shall be compatible with the style of the principal building, and shall be subordinate to the principal building.

**F. Special Development Standards - Additions**

In conjunction with Section 20-0912.C(2) of the Fargo Land Development Code, the Historic Preservation Commission shall consider the following criteria in review of a request for a Certificate of Appropriateness regarding an addition to a principal building,



OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

accessory building or structure. A request that satisfies all of the following criteria shall be approved.

**1. Principal Building**

**a. Exterior Cladding**

1. Exterior cladding of the addition shall match the original principal building in design, dimension, detail, texture, and pattern. The use of substitute materials is permissible if matching the existing material is not technically or economically feasible.
2. If the principal building is void of its original exterior cladding, the cladding of the addition shall match the existing cladding of the principal structure. The use of substitute materials is permissible if matching the existing material is not technically or economically feasible.

**b. Windows and Doors**

1. Windows and doors of the addition shall match the original principal building in style, design and operation. The use of substitute materials is permissible if the original material is not technically or economically feasible.
2. If the principal building is void of its original windows or doors, the window and doors of the addition shall match the existing principal building. The use of substitute materials is permissible if the existing material is not technically or economically feasible.
3. A garage door of an attached, front-yard entered garage addition shall not exceed 10 feet in width or 8 feet in height. A double-stall garage will require 2 doors.

**c. Roofs and Dormers**

1. The roof form of an addition to the principal building shall be consistent with the roof style and pitch of the principal building.
2. Flat roofs and shed roofs are prohibited, except on porches and where consistent with the roof form of the original principal building.

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

3. All gable roofs shall have a minimum pitch of 6:12. All hip roofs must have a minimum pitch of 3:12.
4. The reconstruction or addition of dormers to an existing principal building, or the addition of dormers to an addition to a principal building shall be consistent with the style of an HNS.
5. Roof functional and decorative features, such as roofing materials, cresting, dormers, chimneys, cupolas, vents, and gutters shall match the original principal building in design, dimension, detail, texture, and pattern. The use of substitute materials is permissible if matching the existing material is not technically or economically feasible.
6. If the roof of the principal building is void of its original functional and decorative features, the roof of the addition shall match the existing roof of the principal structure. The use of substitute materials is permissible if matching the existing material is not technically or economically feasible.
7. Skylights are prohibited on all roofs parallel to and facing the street.

d. Entrances, Porches, and Decks

1. A new front entrance addition to the principal building shall face the street.
2. A new front entrance addition to the principal building shall have no fewer than four steps, or an equivalent ramp distance, from the ground level to the bottom of the front entrance door, or shall have the first floor plane in a style compatible with an HNS.
3. Reconstruction of an open or screened porch (not an enclosed porch which provides year-round living space) which was historically a part of the original principal building shall be allowed to be rebuilt, and as may be necessary to accurately reconstruct, shall be allowed to vary by right from any existing zone district setback standards of the Fargo Land Development Code. The burden of establishing that a porch was part of the original structure is the owner's burden, not the City's.

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

4. Decks are prohibited in front yards.
5. On corner lots, decks are allowed on street side yards with screening, either by fence or landscaping.

e. Height and Elevation

1. The height of a new addition to a principal building shall not exceed the overall scale of an HNS with a maximum eave height of 25 feet.
2. The height of a new addition to the principal building shall not be greater than the height of the principal building, except in the case of a second story addition to a single story principal building, the result of which is the creation of a two-story principal building consistent with an HNS.

**2. Accessory Buildings or Structures**

- a. Additions to existing accessory buildings or structures shall be subordinate in scale and compatible with the design and style of the principal structure.
- b. An addition to an existing accessory building that does not meet the dimensional setback standards of the LDC and does not increase in total floor area of the existing accessory building by more than 40%, is permissible by right, provided that: 1) the existing non-conforming setback is not increased; 2) the property line from which the non-conforming setback is determined is verified by a registered land surveyor; and 3) the new accessory building addition is limited in height to no more than one-story with 10-foot maximum sidewalls.

**G. Special Development Standards - New Construction**

In conjunction with Section 20-0912.C(2) of the Fargo Land Development Code, the Historic Preservation Commission shall consider the following criteria in review of a request for a Certificate of Appropriateness regarding the new construction of a principal building, accessory building or structure. A request that satisfies all of the following criteria shall be approved.

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

**1. Principal Building**

a. Proportion

1. The size and mass of the principal building in relation to open spaces, windows, door openings, porches, and balconies, must be visually compatible with the structures and places to which it is visually related.
2. The relationship of the width of the principal building to the height of the front elevation must be visually compatible with structures to which it is visually related.
3. The relationship of solids to voids in the front facade of a principal building must be visually compatible with structures to which it is visually related.
4. The relationship of the principal building to the open space between it and adjoining structures must be visually compatible with structures and places to which it is visually related.

b. Exterior Cladding

1. The relationship of the materials, detail, and pattern of the facade of a principal structure must be visually compatible with structures and places to which it is visually related.

c. Windows and Doors

1. The relationship of the width of the windows and doors to the height of windows and doors in the principal structure must be visually compatible with structures to which it is visually related.
2. Any garage door visible from the street shall not exceed 10 feet in width and 8 feet in height.

d. Roofs and Dormers

1. The roof shape of the principal building must be visually compatible with structures, to which it is visually related.
2. Flat roofs and shed roofs are prohibited, except on porches and where consistent with the roof form of an HNS.
3. All gable roofs shall have a minimum pitch of 6:12. All hip roofs must have a minimum pitch of 3:12.

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

4. Dormers of the principal building shall be consistent with the style of the structure.
5. Skylights are prohibited on all roofs parallel to and facing the street.

e. Entrances, Porches, and Decks

1. The front entrance of the principal building shall face the street.
2. The front entrance to the principal building shall have no fewer than four steps, or an equivalent ramp distance, from the ground level to the bottom of the front entrance door, or shall have the first floor plane in a style compatible with an HNS.
3. Decks are prohibited in front yards.
4. On corner lots, decks are allowed on street side yards with screening, either by fence or landscaping.

f. Height and Elevation

1. The height of the principal building must be visually compatible with structures to which it is visually related.
2. The height of the principal building shall not exceed the overall scale of HNS with a maximum eave height of 25 feet.
3. The principal building shall be constructed to have the first floor plane in a style compatible with an HNS.

**2. Accessory Buildings or Structures**

- a. New accessory building or structures shall be subordinate in scale and compatible with the design and style of the principal building.
- b. Except an HNS designed with an attached garage, all garage structures shall be located in the rear yard. Any garage door visible from the street shall not exceed 10 feet in width or 8 feet in height.
- c. Reconstruction (included its enlargement by up to 40% in total floor area) of an existing accessory building, which does not meet the dimensional setback standards of the Fargo Land Development Code, is permissible by

OFFICE OF THE CITY ATTORNEY  
FARGO, NORTH DAKOTA

ORDINANCE NO. 4821

right, provided that: 1) the existing non-conforming setback is not increased; 2) the property line from which the setback is determined is verified by a registered land surveyor; and 3) the new accessory building is limited in height to no more than one-story with 10-foot maximum sidewalls.

**H. Special Development Standards - Demolition**

In conjunction with Section 20-0912.C(2) of the Fargo Land Development Code, the Historic Preservation Commission shall consider the following criteria in review of a request for a Certificate of Appropriateness regarding the demolition of a principal building, accessory building or structure. A request that satisfies all of the following criteria shall be approved.


1. The requested demolition is justified by the state of deterioration, disrepair and structural stability of the structure, or the building has been condemned.
2. The requested demolition is not detrimental to the overall style of the historic district.
3. The requested demolition is consistent with the purpose of the Comprehensive Plan and other adopted policies of the City.

**I. Variance of Special Development Standards**

To allow for a variance of hardships that may arise from the strict application of any of the foregoing Special Development Standards, the Historic Preservation Commission may consider requests to deviate from any applicable standards and allow for an exceptions. A vote of two-thirds of all the members of the Historic Preservation Commission is required for approval of any exception to the Special Development Standards.

Section 2. The City Auditor is hereby directed to amend the zoning map now on file in his office so as to conform with and carry out the provisions of this ordinance.

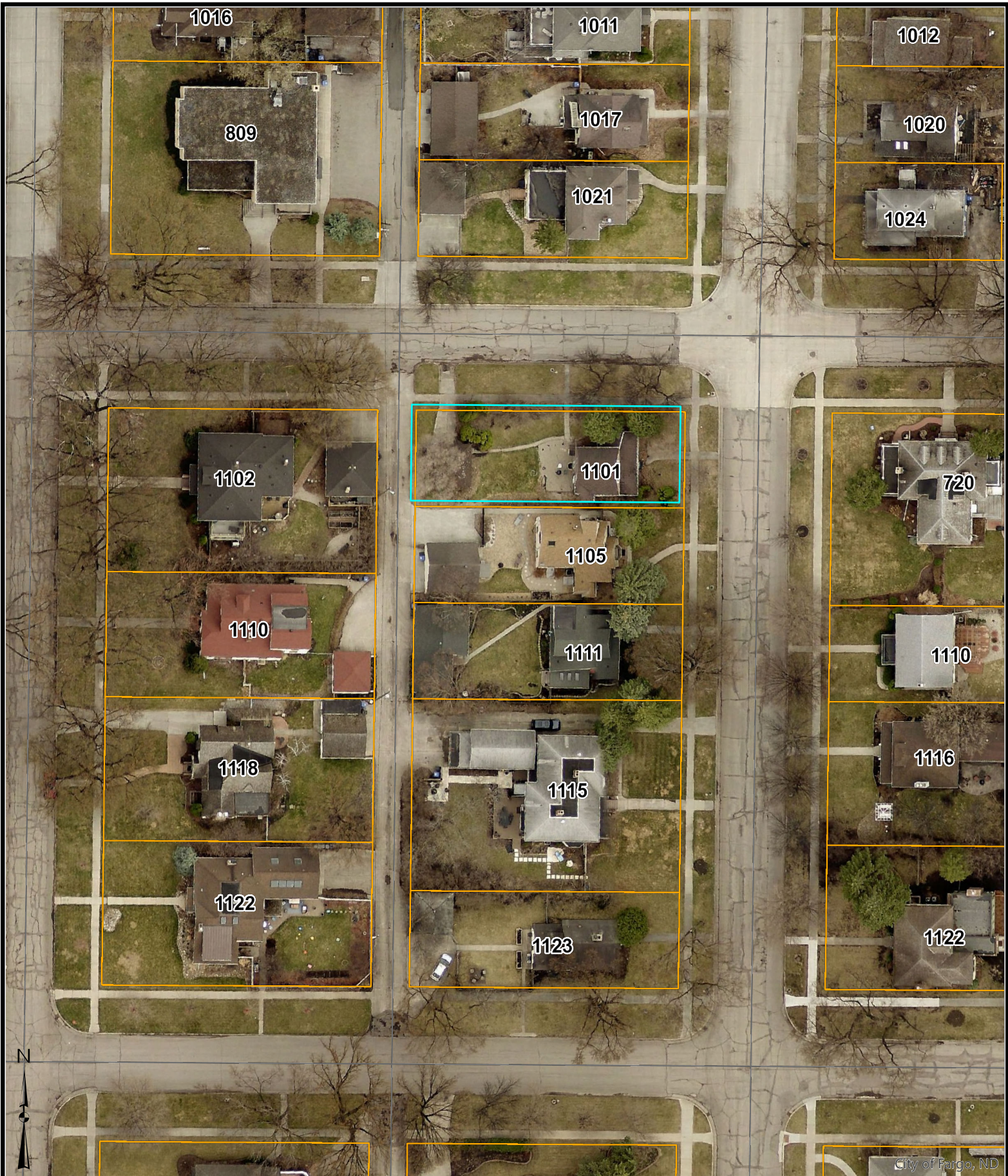
ORDINANCE NO. 4821

  
Dennis R. Walaker, Mayor

  
Steven Sprague, City Auditor

12





City of Fargo, ND

These data are provided on an "AS-IS" basis, without warranty of any type, expressed or implied, including but not limited to any warranty as to their performance, merchantability, or fitness for any particular purpose.

1101 8 St S

1:1,128

2/9/2022 10:42 AM

This map is not a substitute for accurate field surveys or for locating actual property lines and any adjacent features.

THE CITY OF  
**Fargo**  
FAR MORE













