

HISTORIC PRESERVATION COMMISSION
Tuesday, August 15, 2023 | 8:00AM
City Commission Chambers
AGENDA

1. Approval of Minutes – July 18, 2023
2. Historic Overlay District Review
 - a. 1345 4th Avenue South – Jefferson Historic Overlay (Jefferson Neighborhood)
3. Other Business or Public Comment
4. Adjourn – Next Meeting: September 19, 2023

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. 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.

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, July 18, 2023

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, July 18, 2023.

The Historic Preservation Commissioners present or absent were as follows:

Present: Christine Kloubec, Heather Fischer, Paul Gleye, Mike Dawson, Nathan Larson, Jay Nelson

Absent: Matthew Boreen

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

Item 1: Minutes: Regular Meeting of June 20, 2023

Member Gleye moved the minutes of the June 20, 2023 Historic Preservation Commission meeting be approved. Second by Member Kloubec. All Members present voted aye and the motion was declared carried.

Item 2: Historic Overlay District Review

a. 1202 8th Street South – Erskine’s Historic Overlay (Hawthorne Neighborhood)

Planning Coordinator Maegin Elshaug presented the application to demolish a garage and construct a new one.

Applicant Representative Anthony Kallod spoke on behalf of the application.

Member Nelson moved to approve the application as presented. Second by Member Gleye. All Members present voted aye and the motion was declared carried.

b. 1345 4th Avenue South – Jefferson Historic Overlay (Jefferson Neighborhood): CONTINUED TO AUGUST 15, 2023

Ms. Elshaug presented the application to demolish an existing home.

Applicant Trenton Gerard, Cass Clay Community Land Trust, spoke on behalf of the application.

Discussion was held on proposed plans for the site, how the site was acquired, condition of the foundation, and preventing future properties from becoming dilapidated.

Mr. Gerard further spoke on the goals and processes of the Community Land Trust works.

Discussion continued on the stability of the structure.

Member Gleye moved to continue this application to the August 15 meeting to inspect the home further to verify stability/instability. Second by Member Kloubec. All Members present voted aye and the motion was declared carried.

Item 3: Other Business of Public Comment

Member Larson shared a resident concern over sidewalk width on 8th Street South.

Item 4: Adjourn – Next Meeting: August 15, 2023

The time at adjournment was 8:26 a.m.



Planning & Development
225 4th Street North
Fargo, North Dakota 58102
Office: 701.241.1474 | Fax: 701.241.1526
Email: Planning@FargoND.gov
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.

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): Cass Clay CLT
Name (printed):
Address: 109 1/2 North Broadway #203
Fargo, ND 58102

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

Parcel Information
Historic overlay district of subject property : Jefferson Historic Overlay
Address: 1345 4th Avenue South
Legal Description (attach separate sheet if more space is needed):
Lot: 7 Block: 2 EDDY PLACE E 37' OF S 95' LOT 7 BL K 2

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: _____	

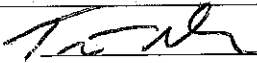
Briefly Describe The Proposed Scope of Work

Cass Clay CLT is seeking permission to remove the blighted home at 1345 4th Avenue South
To ensure proper removal, we will be conducting a Hazardous Materials Survey prior to demolition.

If approved, at a future date, Cass Clay CLT would develop a single-family home that meets
the historical overlay's requirements. This home will be sold to a low to moderate income
household and will forever remain affordable. As part of our development process, we will seek
input from the Jefferson Neighborhood Association.

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

Owner (Signature):



Date:

7/6/2023

Representative (Signature):

Date:

MEMORANDUM

Date: August 8, 2023

To: Historic Preservation Commission

From: Brad Garcia, Planner

RE: 1345 4 Ave S – Demolition within the Jefferson Historic Overlay District (Ordinance 5184)

The Planning Department has received an application from Trent Gerads with Cass Clay Community Land Trust as representative for the property owner, for the demolition of the home located at 1345 4th Avenue South. The property is within the Jefferson Historic Overlay District (Ordinance 5184 – established in December of 2018).

The Core Neighborhoods Plan identifies the subject property, located within the Jefferson/Carl Ben Neighborhood, as single-family residential use.

This application was continued from the July 18th Historic Preservation Commission hearing to allow additional inspection and photos of the home's structural stability. The applicant is requesting to demolish the existing home as the condition of the building has deteriorated beyond reasonable repair. Pictures show primary heating system installed in the living room with exposed ductwork throughout the home. Structure damage to the roof and chimney is present. The home has a crawlspace foundation. Attached are images of the property's existing conditions and newly added photos of the foundation.

In conjunction with section 20-0912.C of the Land Development Code. The Historic Preservation Commission shall review criteria for approval.

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FARGO, NORTH DAKOTA

ORDINANCE NO. 5184

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND
LYING IN EDDY PLACE ADDITION, EDDY & FULLERS AUDITORS LOTS,
CASE, PEAKE & HALL ADDITION AND FULLERS ADDITION
TO THE CITY OF FARGO, CASS COUNTY, NORTH DAKOTA

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 rezoning of certain parcels of land lying in Eddy Place Addition, Eddy & Fullers Auditors Lots, Case, Peake & Hall Addition and Fullers Addition to the City of Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on November 6, 2018; and,

WHEREAS, the rezoning changes were approved by the City Commission on December 3, 2018,

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 Eddy Place Addition; Blocks Ten (10) through Sixteen (16), and Twenty-four (24) through Forty-three (43) of Eddy & Fullers Auditors Lots; Block One (1), Six (6) and Seven (7) of Case, Peake & Hall Addition and Blocks One (1), Six (6) and Seven (7) of Fullers Addition to the City of Fargo, Cass County, North Dakota;

a map of which is as follows:

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01-0710-00070-000	401 UNIVERSITY DR	Classical Revival	J	1904	Single Family
01-0710-00100-000	316 EDDY CT S	Gable Front	J	1926	Single Family
01-0710-00110-000	314 EDDY CT S	Italianate	J	1912	Single Family
01-0710-00120-000	312 EDDY CT S	Italianate	J	1915	Single Family
01-0710-00130-000	1326 3 AVE S	Queen Anne	J	1889	Conversion

C. Definitions

- 1. Historic Neighborhood Structure (HNS)** is any residential structure built within the Jefferson Neighborhood Historic Overlay District prior to 1940.
- 2. Open Space** is defined in Section 20-1202(43) of the Fargo Land Development Code as “an outdoor, unenclosed area, located on the ground or on a roof, balcony, deck, porch or terrace designed and accessible for outdoor living, recreation, pedestrian access or landscaping, but not including roads, parking areas, driveways or other areas intended for vehicular travel”.
- 3. Principal Building** refers to the primary structure on a property, i.e. a house or commercial structure.
- 4. Accessory Building or Structure** refers to a structure that is subordinate to the principal building, i.e. a garage, shed, or guest house.
- 5. Style** is the vocabulary used to classify structures according to their appearance, structure, materials, and historic period. The styles of the Historic Neighborhood Structures within the Jefferson Neighborhood District are characterized by:
 - overall scale and relationship of height to width
 - façade proportions and relationship of solids to voids
 - window/door size, design, and operation
 - size, shape and proportions of entrances and porches
 - materials, texture, and pattern

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- roof forms
- orientation, spacing, and site coverage of structures
- landscaping, walls, and fences

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

D. Certificate of Appropriateness

In accordance with Section 20-0912 of the Fargo Land Development Code, no building permit shall be issued for the following until a Certificate of Appropriateness has been reviewed and approved in accordance with said Section 20-0912: *(Note: A Certificate of Appropriateness is required **only if** a building permit is required)*

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**.

E. Post-1939 Structures--exemption

With respect to residential structures built after 1939 and before the effective date of this ordinance, said structures shall be exempt from the requirement of obtaining a Certificate of Appropriateness prior to obtaining a building permit for any change to the **exterior** appearance of any principal building, accessory building or structure. Owners or permittees of such structures are encouraged to conform with the style elements of this ordinance.

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3. The principal building shall be constructed to have the first-floor plane in a style compatible with Historic Neighborhood Structure.

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 Historic Neighborhood Structures designed with an attached garage, all garage structures shall be 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 (including 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 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.

J. 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 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.

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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.

K. 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 standard(s) and allow for an exception(s). A two-thirds vote 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.

Section 3. This ordinance shall be in full force and effect from and after its passage and approval.

/s/
Timothy J. Mahoney, M.D. Mayor

(SEAL)

Attest:

/s/
Steven Sprague, City Auditor

First Reading:	12-3-17
Second Reading:	12-17-18
Final Passage:	12-17-18

1345 4 Avenue South – Blight Demonstration Report

Main Level Bathroom

1. Flooring bubbled – subfloor likely damage by water
2. Exposed water heater and plumbing
3. Penetrations in flooring surrounding plumbing piping, covered with plywood
4. Exposed and damaged ductwork
5. Exposed electrical
6. Broken window filled with insulation

2nd Level Bathroom

1. Potential water damaged at tub area, possibly into wall
2. Lighting above drop ceiling (not necessarily blight, but the lighting should be incorporated into the drop ceiling or the drop ceiling should be removed and original ceiling that contains lighting should be used – it's likely covered for a reason, which might indicate blight)

Kitchen

1. Torn flooring
2. Exposed plumbing
3. Deteriorated drop ceiling with water damage (something likely happening from above, either leaky roof or bathroom plumbing)

Living Room

1. Exposed ductwork, penetrating in and out of ceiling and walls
2. Furnace in living room with exposed furnace PVC ventilation
3. Cracking walls (indicator of moving foundation)
4. Exposed electrical conduit penetrating up through floor with outlet box protruding from wall
5. General main floor ceiling damage

Upstairs

1. Deteriorated drop ceiling
2. Exposed PVC stack in bedroom, penetrating through floor and wall
3. Some floor vents have inadequate ductwork (i.e., no duct boots for floor vents, round ducting right up to rectangle venting over duct and carpeting)

Exterior

1. Major deterioration to roof, shingles, soffits, fascia, and gutters
2. Major deterioration of siding, including the cement siding which is cracked in several places and may also be asbestos-cement siding
3. Porch roofing and flooring deterioration
4. Major deterioration of window and door trim
5. Major deterioration of rear entry stoop
6. Potential damage to trusses from water (roof is wavy)

In addition to the hazards and damages noted above, this property in general has significant interior deterioration and major exterior deterioration.













