

HISTORIC PRESERVATION COMMISSION
Tuesday, October 17, 2023 | 8:00AM
City Commission Chambers
AGENDA

1. Approve Agenda & Minutes – October 5th, 2023
2. Historic Overlay District Review
 - a. 331 9 Ave S – Woodruff’s Historic Overlay (Hawthorne Neighborhood)
3. Adjourn – Next Meeting: November 21st, 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

Special Meeting:

Thursday, October 5, 2023

A Special 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., Thursday, October 5, 2023.

The Historic Preservation Commissioners present or absent were as follows:

Present: Christine Kloubec, Heather Fischer, Matthew Boreen, Nathan Larson, Jay Nelson

Absent: Paul Gleye, Mike Dawson

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

Item 1: Minutes: Regular Meeting of September 19, 2023

Member Boreen moved the minutes of the September 19, 2023 Historic Preservation Commission meeting be approved. Second by Member Larson. All Members present voted aye and the motion was declared carried.

Item 2: Historic Overlay District Review

a. 508 14th Street South – Jefferson Historic Overlay (Jefferson Neighborhood)

Planner Brad Garcia presented the application for an exterior remodel of an existing building. He reviewed the updates received from recommendations of the September 19th, 2023 meeting.

Discussion was held on the appreciation of the effort to meet the design guidelines of the neighborhood.

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

b. 901 8th Street South – Chas A. Roberts Historic Overlay (Hawthorne Neighborhood)

Mr. Garcia presented the application to construct a new garage.

Discussion was held on the previous garage that had been damaged in a fire.

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

Item 3: Other Business or Public Comment

No other business was presented.

Item 4: Adjourn: Next Meeting – October 17, 2023
The time at adjournment was 8:08 a.m.

Historic Preservation Commission
Certificate of Appropriateness Review

Remodel Front Porch

331 9 Avenue South



OFFICE OF THE CITY ATTORNEY
FARGO, NORTH DAKOTA

ORDINANCE NO. 4655

AN ORDINANCE REZONING CERTAIN PARCELS OF LAND
LYING IN WOODRUFF'S ADDITION AND RUPERT'S SUBDIVISION
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 Woodruff's Addition and Rupert's Subdivision, Fargo, Cass County, North Dakota; and,

WHEREAS, the Fargo Planning Commission recommended approval of the rezoning request on February 13, 2008; and,

WHEREAS, the rezoning changes were approved by the City Commission on March 10, 2008; 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 One (1), Two (2), Three (3), Four (4), Five (5) and Eight (8), Lots Eleven (11), Twelve (12), and Thirteen (13) of Block Seven (7), and the North 120 feet of Lots One (1) and Two (2), Block Nine (9), Woodruff's Addition to the City of Fargo, Cass County, North Dakota;

and

Lots D, E, F, G and H of Rupert's Subdivision to the City of Fargo, Cass County, North Dakota,

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

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

Woodruff's Addition Historic Overlay District Special Development Standards

1) Definitions. "Historic Neighborhood Housing" ("HNH") is housing that was built in the Historic Overlay District area as the original addition was developed. It is assumed that it is the historic neighborhood housing that provides the greatest contribution to historic character of the area. For the Woodruff's Addition Overlay, Historic Neighborhood Housing includes structures in a variety of architectural styles built primarily between 1880 and 1930.

2) Existing Buildings

a. Primary Structure

1. Historic porches are encouraged. Reconstruction of an open or screened (not an enclosed porch which provides year-round living space) historic porch shall be allowed to violate current LDC setback requirements if the homeowner can provide proof that the porch was part of the original structure and that the reconstruction is consistent with the historic feature.
2. New dormers added to existing structures shall be consistent with existing historic dormers on HNH or consistent with the style of the building if there are no existing dormers.
3. Skylights shall be designed to have minimum visual impact and are prohibited on roofs facing the street.
4. Original window openings and trim profile must be preserved, and replacement windows shall match original design.
5. New chimneys shall be clad with materials consistent with HNH (i.e., brick or stucco).

b. Accessory Structure

Accessory structures must be compatible with the style of the primary structure, and should be subordinate to the primary structure.

3) New Construction

a. Primary Structure and Additions to existing buildings

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1. New primary structures shall be designed to have at least four steps to the bottom of the front entrance door; or a number of steps that is similar to adjacent properties.
2. The front entrance of the primary structure shall face the street.
3. Roof form of an addition shall be consistent with the roof design and pitch of the primary structure.
4. All gable roofs must have a minimum pitch of 6:12. All hip roofs must have a minimum pitch of 4:12. Flat roofs and shed roofs are prohibited, except on porches.
5. Height of new construction shall relate to overall scale of HNH with a maximum eave height of 25 feet.
6. Height of an addition to the primary structure shall not be greater than the height of the primary structure, except in the case of a second story addition to a single story primary structure, the result of which is the creation of a two-story primary structure consistent with HNH.
7. New chimneys shall be clad with materials consistent with HNH (i.e., brick or stucco).
8. Skylights shall be designed to have minimum visual impact and are prohibited on roofs facing the street.
9. Major windows on the front of the house shall be vertical in their orientation.
10. Windows shall be placed in a balanced configuration. When a window is comprised of multiple components, the components should be configured in a balanced manner consistent with HNH. The term "balanced" means a harmonious or satisfying arrangement or proportion of parts or elements.

b. Accessory Structure

1. Garages must be located in the rear yard.
2. Accessory structures must be compatible with the style of the primary structure, and should be subordinate to the primary structure.
3. An existing accessory structure that does not meet the LDC setback requirements can be reconstructed (and enlarged up to 40%) in a location that maintains the existing "non-conforming" setback as long as the property line is verified by a registered land surveyor and the new structure is one-story in height with a maximum 10 foot sidewall.

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4. Any garage door that is visible from the street can be no wider than ten feet.

4) **Streetscape/Landscape/Fencing**

- a. At least 70% of a parcel's front yard must be maintained as open space, as defined in the Land Development Code.
- b. No parking shall be permitted in front yards, except for a vehicle that may be parked in a driveway that runs through the front yard leading to a garage.
- c. With respect to interior and street side yard fencing within the Woodruff's Addition Historic Overlay District, LDC §20-0403.B.6.c.(1)(b) shall be amended to read as follows:

(b) in any street side yard or interior sideyard from the front property line extending the length of the front-yard setback distance or to a point that is two feet beyond the front of any existing house or other principal building, whichever length is greater, no fence, wall or hedge shall exceed 3 feet in height, provided however, that fences that are at least 75% light-permeable may exceed 3 feet, but may not exceed 4 feet in height;

- d. All other fencing must be in compliance with the LDC.

5) **Historic Preservation Commission Limited Power to Grant Exception or Variance from More Restrictive Overlay Standards.**

The Historic Preservation Commission shall be authorized to consider and approve or deny an application requesting that an exception be granted releasing an owner from the restrictions of the Woodruff's Addition Historic Overlay District, said authority being limited to those restrictions that are more restrictive than the requirements of the LDC. The Historic Preservation Commission is not authorized to grant an exception or release a restriction or regulation contained in Woodruff's Addition Historic Overlay District that is less restrictive than the LDC. In considering such an application, the same procedure and review criteria shall be used for such application as set forth for Zoning Map Amendments, LDC §20-0906, except that the role of the Planning Commission in §20-0906 shall be performed by the Historic Preservation Commission.

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.

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


Dennis R. Walaker, Mayor

(SEAL)

Attest:


Steven Sprague, City Auditor

First Reading: 03-10-2008
Second Reading: 03-24-2008
Final Passage: 03-24-2008

MEMORANDUM

Date: October 13, 2023

To: Historic Preservation Commission

From: Brad Garcia, Planner

RE: 331 9 Ave S –Front Porch Remodel within the Woodruff’s Overlay District (Ordinance 4655)

The Planning Department has received an application from Chris Ellingson with Ellingson Renovations, on behalf of the property owner, for repair and updates to the front porch located at 331 9 Avenue South. The property is within the Woodruff’s Historic Overlay District (Ordinance 4655 – established in March of 2008).

The Core Neighborhoods Plan identifies the subject property, located within the Hawthorne Neighborhood, as single-family residential use.

The applicant explained the porch foundation is failing and the owner is concerned with the safety of the porch. The applicant explained the roof of the porch will be stabilized to allow removal of the foundation, decking, stairs, columns and railing. The porch would be reconstructed to the same dimensions, however the existing exterior finish is stucco exterior finishes are proposed as PVC paneling and trim as shown in this packet.

The historic overlay does not explicitly state what sections of the ordinance may be reviewed by staff versus the Historic Preservation Commission. Given the applicant is reconstructing most of the porch; staff is bringing the case to the Historic Preservation Commission for approval in conjunction with section 20-0912.C of the Land Development Code.

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:

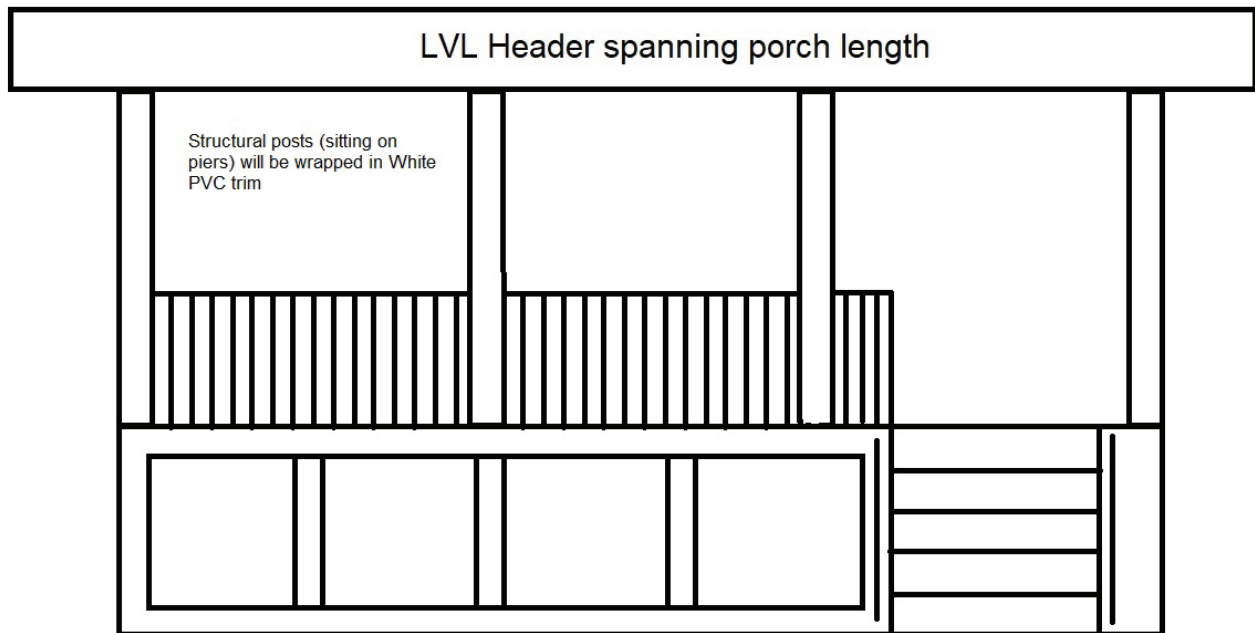
- Photos of the existing site
- Plans of the proposed project
- Building materials
- Site plan if applicable

Property Owner Information
Name (printed): <i>Peggy Esser</i>
Name (printed):
Address: <i>331 9th Ave. S</i>
<i>Fargo, ND 58103</i>

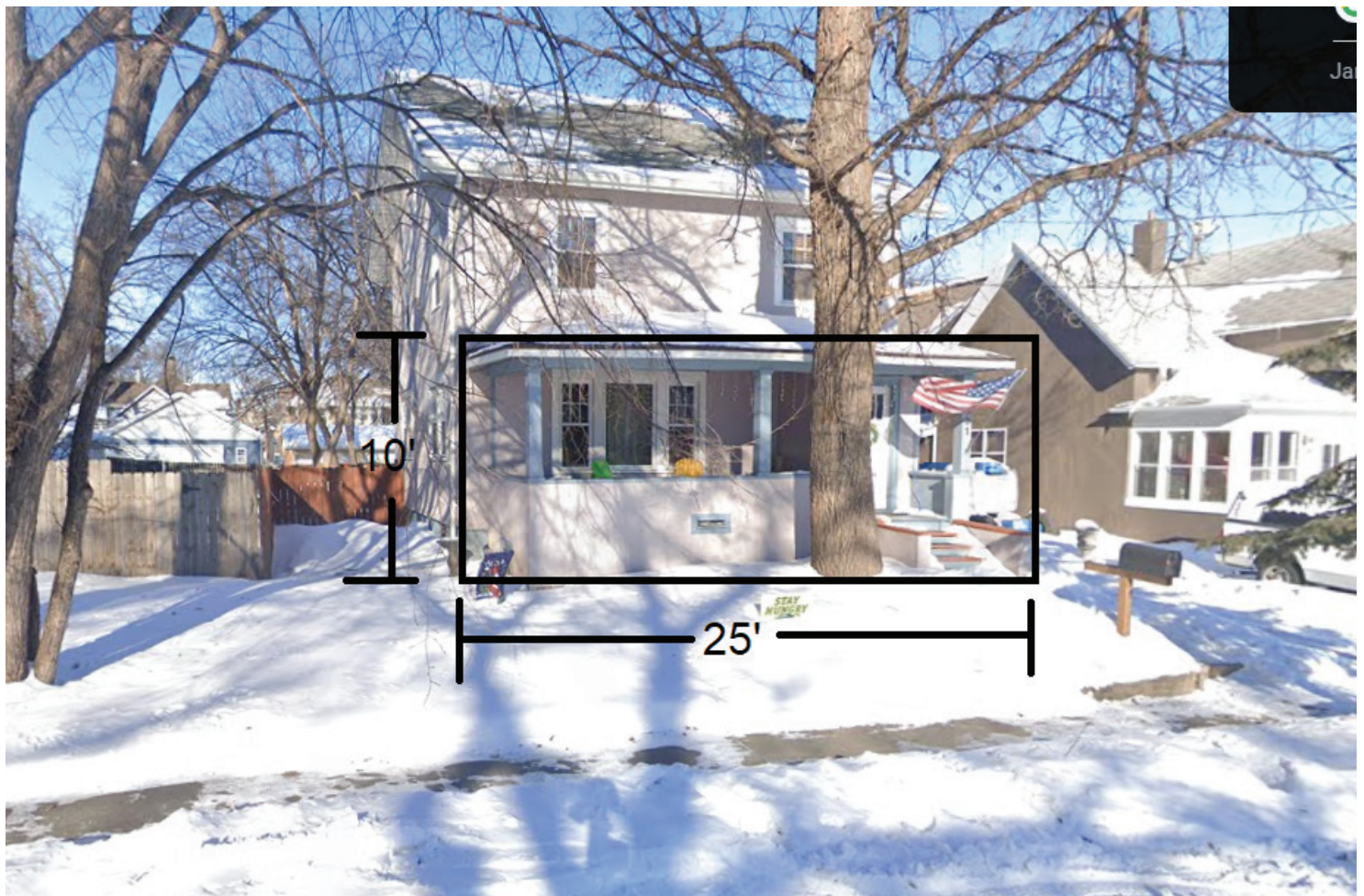
Contact Person Information (if different than owner)
Name (printed): <i>Chris Ellingson</i>
Address: <i>501 4th Ave. NE</i>
<i>Dilworth, MN 56529</i>

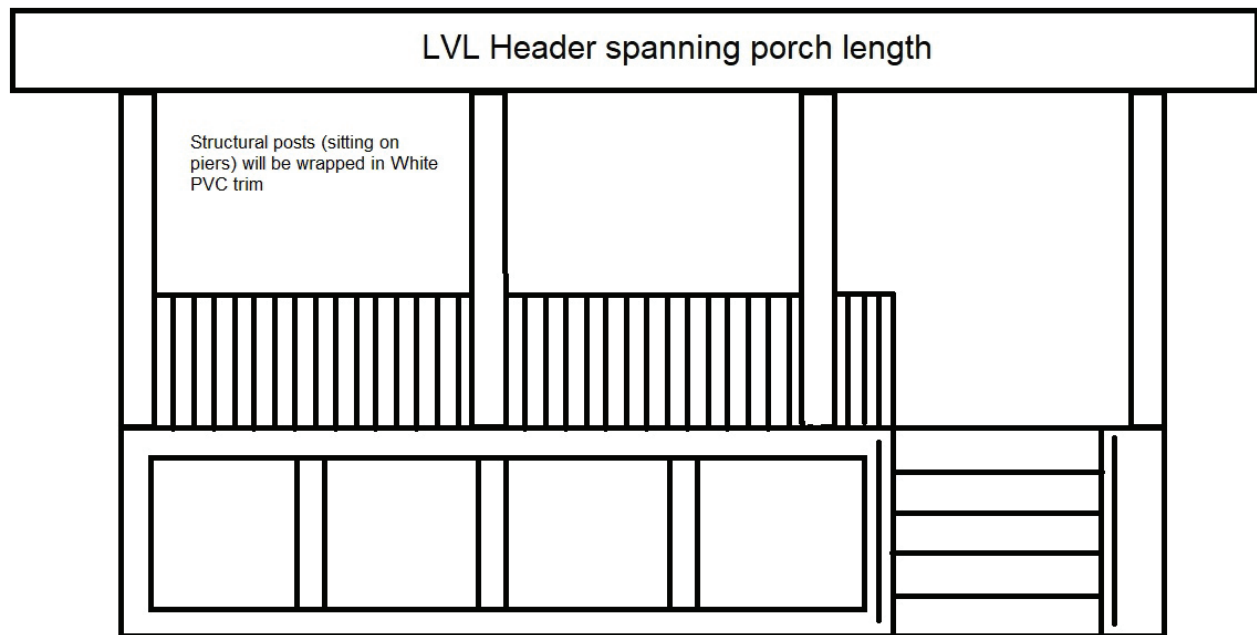
Parcel Information
<i>01-4100-00330-000</i>
Historic overlay district of subject property: <i>Woodruffs</i>
Address: <i>331 9th Ave S. Fargo, ND 58103</i>
Legal Description (attach separate sheet if more space is needed):
<i>See attached documents</i>

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 checked="" type="checkbox"/> New porch
<input type="checkbox"/> New/replacement chimney	<input type="checkbox"/> Front yard paving
<input type="checkbox"/> Skylight	<input type="checkbox"/> Demolition
<input type="checkbox"/> Overhead garage door replacement	<input type="checkbox"/> New addition
<input type="checkbox"/> Other: _____	

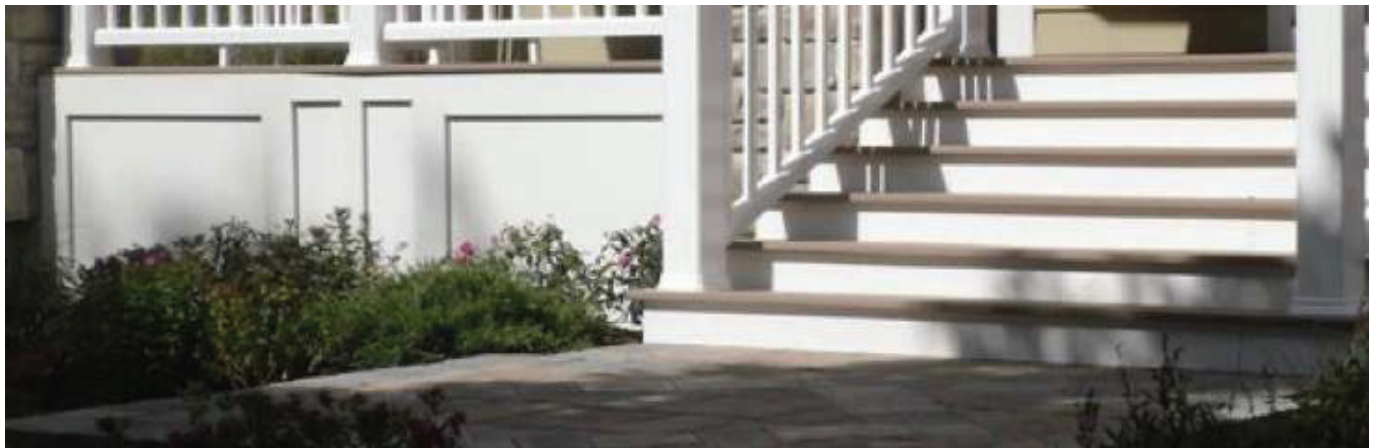


White PVC panels and trimboards wrapping porch
 White PVC Deck and Stair Rails/Spindles
 Treated 2x10 Lumber Framing w/ 16" OC Floor Joists with hangers
 Sono Tube Concrete Footings
 Treated 5/4" deck boards





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 White PVC Deck and Stair Rails/Spindles
 Treated 2x10 Lumber Framing w/ 16" OC Floor Joists with hangers
 Sono Tube Concrete Footings
 Treated 5/4" deck boards



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KIT 2:
RAIL & ROUND
ALUMINUM BALUSTER



KIT 3:
COCKTAIL RAIL & ROUND
ALUMINUM BALUSTER



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5/8"	5/8"		•	•	•	•	•	•	•	•
1"	3/4"		•	•	•	•	•	•	•	•
5/4"	1"			•	•	•	•	•	•	•

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2878	⅝" x 4'	•	•	•	•	•	•
2871	½" x 4'	•	•	•	•	•	
2838	⅝" x 4'	•	•	•	•	•	
2837	¾" x 4'	•		•	•	•	•
2864	1" x 4'	•		•		•	
9752	1 ¼" x 4'	•		•	•	•	

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