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|  <p style="text-align: center;">Council Communication Office of the City Manager</p> | Date: June 11, 2012 |
| | <p style="text-align: right;">Agenda Item No. 50 Roll Call No. <u>12-0918</u> Communication No. <u>12-281</u> Submitted by: Phillip Delafield, Community Development Director</p> |

AGENDA HEADING:

Public hearing regarding request from Donald Crouch to appeal the decision of the Historic Preservation Commission conditionally approving a Certificate of Appropriateness for the construction of a deck at 1957 Arlington Avenue:

- A. Resolution affirming the decision of the Historic Preservation Commission
- B. Alternate resolution reversing the decision of the Historic Preservation Commission

SYNOPSIS:

Mr. Donald Crouch is appealing the April 18, 2012 decision of the Historic Preservation Commission to conditionally approve a Certificate of Appropriateness (COA) for the construction of a deck at 1957 Arlington Avenue in the River Bend Local Historic District. The Commission’s decision would require construction of a wood or composite wood balustrade rather than a vinyl balustrade. Staff recommends that the City Council uphold the decision of the Historic Preservation Commission.

FISCAL IMPACT: NONE

Amount: N/A.

Funding Source: N/A.

ADDITIONAL INFORMATION:

Mr. Donald Crouch is appealing the April 18, 2012 decision of the Historic Preservation Commission to conditionally grant a Certificate of Appropriateness (COA) for the construction of a deck at 1957 Arlington Avenue in the River Bend Local Historic District. The Commission, by a vote of 6-0-1, found that the deck would be in harmony with the historic character of the neighborhood and would meet the requirements set out in the Historic Preservation Ordinance, the Secretary of Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, and the City of Des Moines’ Standard Specifications so long as the fence was modified to comply with the following conditions.

1. The balustrade shall be constructed of wood or a composite wood material.
2. Compliance with the building code and obtainment of all necessary permits for construction.

The written appeal indicates that Mr. Crouch would prefer to use the vinyl product he originally proposed. The appeal contains no arguments suggesting that the Commission’s action was arbitrary or

capricious. At the Commission meeting, Mr. Crouch indicated that the proposed vinyl product is less expensive than wood composite and does not require painting like wood.

The Architectural Guidelines for Building Rehabilitation in Des Moines' Historic Districts state that "new decks.....should have no major impact on the original building and its character, and be designed with appropriate balustrade and compatible materials." Wood is a historic material type that is typical to the River Bend Local Historic District. The Commission found that composite wood would be a compatible material, as it has similar visual and durability qualities as wood.

Staff believes that the Commission was "reasonable in its judgment" and found a solution that was consistent with the Architectural Guidelines for Building Rehabilitation in Des Moines' Historic Districts and gave Mr. Couch options in constructing his deck. Staff recommends that the City Council uphold the decision of the Historic Preservation Commission. The staff report, photographs and meeting summary from the April 18, 2012 Historic Preservation Commission meeting and the appeal by Mr. Crouch are attached.

PREVIOUS COUNCIL ACTION(S):

Date: May 21, 2012

Roll Call Number: [12-0778](#)

Action: Set date of hearing on appeal by Donald Crouch from decision of The Historic Preservation Commission regarding the property at 1957 Arlington Avenue, (6-11-12). Moved by Hensley to adopt. Motion Carried 7-0.

BOARD/COMMISSION ACTION(S):

Board: Historic Preservation Commission

Date: April 18, 2012

Resolution Number: 20-2012-9.01

Action: Voted 6-0-1 to approve a Certificate of Appropriateness for deck construction at 1957 Arlington Avenue subject to the following conditions: 1) The balustrade shall be constructed of wood or a composite wood material. 2) Compliance with the building code and obtainment of all necessary permits for construction.

ANTICIPATED ACTIONS AND FUTURE COMMITMENTS: NONE

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