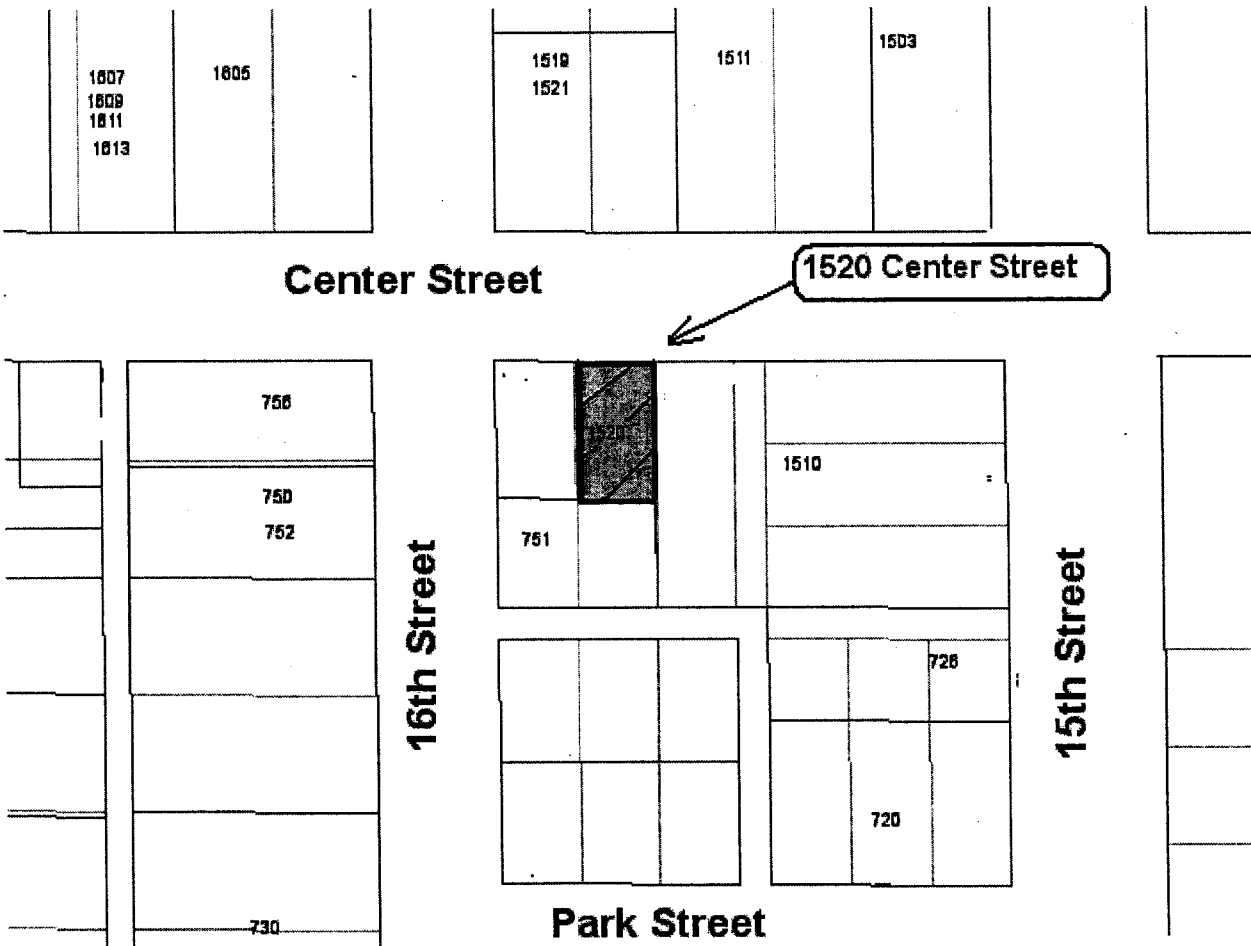


59A+B

**Appeal from issuance of a Certificate of Appropriateness
for the construction of a new garage at 1520 Center Street**





August 1, 2007

City Clerk
400 Robert Ray Drive
Des Moines, Iowa 50309

Re: 1520 Center Street

Dear City Clerk:

Pursuant to Des Moines Municipal Code § 58-31(f), please consider this letter as notice of appeal as it relates to the Certificate of Appropriateness issued for the above property on July 27, 2007. The following entities and individuals are parties "aggrieved" by the Historic District Commission's action in approving the construction of an outbuilding in the location and manner proposed:

Sherman Hill Association
Carlton Salmons
Ralph Gross
Martha Gross
Chuck Farr
Marilyn Farr
Sue Terry
Jo Campney
Tom Chase
Rochelle Burnett
Doug Burnett

The Architectural Guidelines for New Construction in Des Moines' historic districts provides that the following items should be considered as it relates to outbuildings:

- They should be set along the alley or as close to the alley as code will allow;
- Sanborn maps should be consulted regarding the placement of the outbuilding;
- The typical pattern of outbuildings in the neighborhood should be continued; and

2007 AUG - 2 AM 10:34
CITY CLERK
DES MOINES, IOWA
FILED

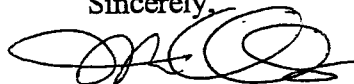
- No curb cuts should be included as part of the design if otherwise avoidable.

Our particular concern with the plan approved relates to bullet points 1, 2 and 4. The Sanborn map shows that the property in question originally had a back lot that extended to the alleyway immediately south of the property. It appears that over the years, the southern portion of the lot was absorbed by the adjacent three story brick sitting to the immediate south west of the property in question. At the same time, the open lot where the garage is proposed was originally part of a lot that ran from Center street south to the lot line of the existing three story brick. We believe considerations 1, 2, and 4 could and should have been addressed by encouraging the applicant to explore some type of property swap with the three story brick and/or outright acquisition of the historic south portion of the lot so that the construction of an outbuilding could have been accomplished consistent with the guidelines.

The Sherman Hill Association has attempted to reach the applicant to discuss working with him to facilitate this result. As we have had no success to date and the time for appeal is set, we have pursued our appeal rights. We hope that a mutually acceptable result can be achieved without the need to appear before the City council.

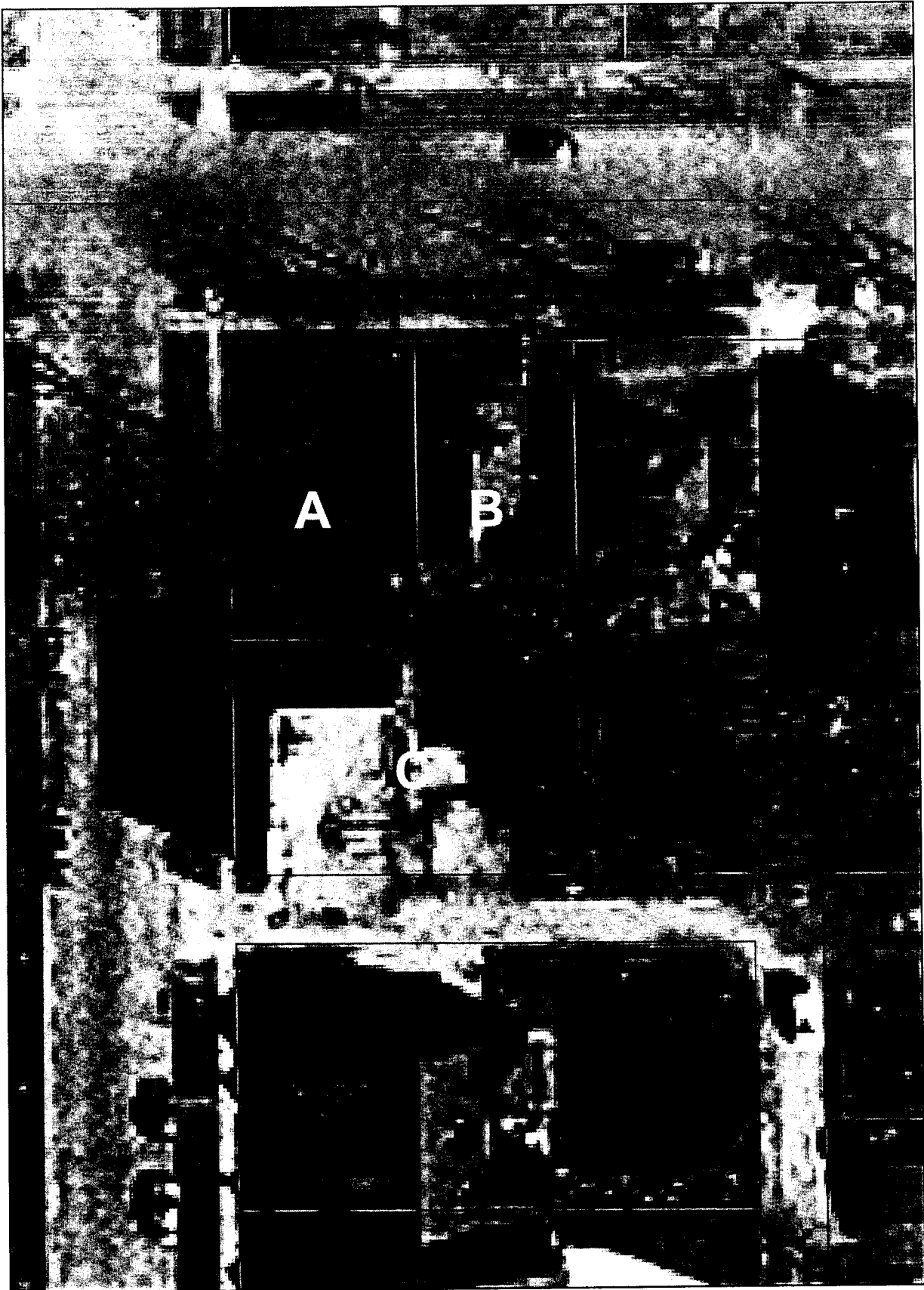
Thank you for your attention to this matter.

Sincerely,



Jim Quilty

Cc: Jason Van Essen



HISTORIC PRESERVATION COMMISSION
CITY OF DES MOINES
CERTIFICATE OF APPROPRIATENESS
In the Following Matter

This Certificate of Appropriateness is valid for one year from the meeting date

REQUEST FROM: : CASE NUMBER: **20-2008-5.04**
: :
TRAFALGAR HOLDINGS LC : :
: :
PROPERTY LOCATION: : MEETING DATE: **JULY 18, 2007**
: :
1520 CENTER STREET : :

This Decision of the Historic Preservation Commission does not constitute approval of any construction. All necessary permits must be obtained before any construction is commenced upon the Property. A Certificate of Occupancy must be obtained before any structure is occupied or re-occupied after a change of use.

SUBJECT OF THE REQUEST:

Construction of a 2-car garage.

FINDING OF THE HISTORIC PRESERVATION COMMISSION

Granting the application as presented subject to the following conditions would be in harmony with the historic character of the neighborhood and would meet the requirements set out in the Historic District Ordinance, the Secretary of Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, and the City of Des Moines' Standard Specifications. **The property owner must obtain permits and the completed work must comply with construction codes.**

CONDITIONS:

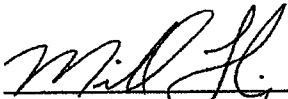
- The garage is constructed in accordance with the submitted site sketch and elevations, with materials, including horizontal lap siding, trim, and shingles, which match the primary dwelling.
- Provision of small double-hung window in the front (west) gable.
- Reduction of driveway width as reviewed and approved by staff. *
- Provision of a patterned driveway paving material as review and approved by staff. *
- Compliance with all applicable Building Codes with issuance of all necessary permits by the Permit and Development Center for any light poles installed.

* **Note:** No permits can be issued until a revised site sketch has been approved by staff in accordance with these conditions.

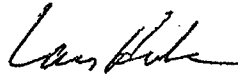
VOTE: A vote of 4-2-0 was registered as follows:

	Aye	Nay	Abstain	Absent
Holderness				X
Estes	X			
Reavely	X			
Shaw		X		
Berry				X
Fenton	X			
Schneider	X			
Taenzer		X		

Approved as to form:



Michael Ludwig, AICP
Planning Administrator



Larry Hulse, AICP
Community Development Director

59A+B

CITY OF DES MOINES HISTORIC PRESERVATION COMMISSION
STAFF REPORT AND RECOMMENDATION
Wednesday, July 18, 2007

AGENDA ITEM #4 20-2008-5.04

Applicant: Trafalgar Holdings LC (owner) represented by Mark Jesse (officer).
Location: 1520 Center Street (Sherman Hill Historic District).
Requested Action: Construction of a 2-car garage.

I. GENERAL INFORMATION

1. **Purpose of the Request:** The applicant is proposing to construct a 20' x 24' detached garage on west portion of the property. The proposed garage would have two 8'-wide overhead doors facing west toward 16th Street and would have a roof pitch to match the single-family dwelling. The proposed garage would be accessed by a 10'-wide driveway from 16th Street that flares to 20'-wide on the property. The garage would be setback 14' from the west front property line along 16th Street and 29' from the front property line along Center Street. According to the submitted elevations, the garage would have two double-hung windows on both the north and south facades and one double-hung window and a pedestrian door on the east facade.
2. **Site Description:** The subject property measures 83' x 70' and is located at the southeast corner of the intersection of 16th Street and Center Street. The property is comprised of two lots owned and used in common for a single-family residential use. The 2-story was built circa 1890.
3. **Sanborn Map:** The 1901 maps indicate that the two parcels comprising the subject property each originally contained a single-family dwelling. The 1920 map indicates that the south 56' of the two parcels was divided off and a multiple-family residential structure was constructed on the southern parcel. The 1957 map is similar to the 1920 map. Therefore, the dwelling on the western parcel was removed at an unknown time after 1956.
4. **Relevant COA History:** On September 21, 2005, a Certificate of Appropriateness was issued to construct a 14' x 20' single-car garage. This garage was never constructed and, therefore, this Certificate of Appropriateness has since expired. This garage was also going to be oriented to Center Street and its driveway would have required the removal of a street tree or required the driveway to significantly curve to the west. The location of the street tree along Center Street was not taken into consideration when the COA was approved in 2005.

II. APPLICABLE DESIGN GUIDELINES

1. Architectural Guidelines for New Construction (2-Car Garage):

- a. Double garages should have two single doors rather than one double-wide door.

The proposed garage satisfies this guideline, as it has two 8'-wide overhead doors facing west toward 16th Street.

- b. Garages which are part of new construction should be located in a position relative to the main building which is the same as other original garages and outbuildings in the historic district.

The original property did not contain an outbuilding. Staff believes the proposed placement of the garage is appropriate, as it would appear to be subordinate to the primary dwelling and preserve two existing oak trees. The proposed garage would be accessed by a 10'-wide driveway from 16th Street that flares to 20'-wide on the property. The garage would be setback 14' from the west front property line along 16th Street and 29' from the front property line along Center Street.

- c. New outbuildings should be simple in design while incorporating traditional elements of scale, roof form, and material. The height should typically be 1 to 1-½ stories with a 10' floor-to-ceiling height.
- d. The roof of an outbuilding should be similar to the roof form of the principal structure. The pitch of a gable roof should typically be no less than 6:12.
- e. A new garage or outbuilding should relate well to the principal structure in material. Brick, narrow lap siding or board and batten may be appropriate.
- f. The new out building should not attempt to mimic the house or look like a barn or other non-original outbuilding.
- g. New outbuildings should use a window pattern, which follows that of the primary structure. Codes limiting window openings within 3' of the lot line and/or within 6' of other buildings must be satisfied.

Staff believes the proposed garage meets these guidelines if a vent element or small double-hung window is provided in the front (west) gable.

2. Architectural Guidelines for New Construction (driveways):

- a. Curb cuts should not be created where the alley pattern exists except where there is no other acceptable alternative for the continued functioning of the site.
- b. The typical pattern of outbuildings historically established in the neighborhood should be continued in any new construction.

- c. Additional curb cuts should be kept to a minimum and whenever possible avoided.
- d. Double wide curb cuts and double wide driveways should not be created.

The proposed garage satisfies these guidelines. The proposed garage would be accessed by a 10'-wide driveway and curb cut from 16th Street that flares to 20'-wide on the property.

III. STAFF RECOMMENDATION

Staff recommends approval of the requested Certificate of Appropriateness subject to following conditions:

1. The garage is constructed in accordance with the submitted site sketch and elevations, with materials, including horizontal lap siding, trim, and shingles, which match the primary dwelling.
2. Provision of a vent element or small double-hung window in the front (west) gable.
3. Compliance with all applicable Building Codes with issuance of all necessary permits by the Permit and Development Center for any light poles installed.

APPLICATION FOR CERTIFICATE OF APPROPRIATENESS
CITY OF DES MOINES
HISTORIC PRESERVATION COMMISSION

(To be filled out by the applicant)

File Number 20- 2008-5.04

Address of the Property 1520 Center St

Legal Description of the Property -EX S 56.3 F-E 38F LT 5 MARSHS SUB DIV

Owner of the Property Trafalgar Holdings, LLC

Owner's Phone Number: Home 515/202-8786 Work 515/

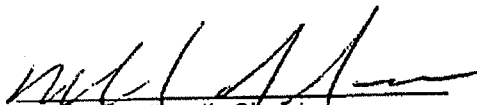
Applicant's Name, Address and Phone Number (if different from owner)

Current use of the property Vacant, being remodeled for resale

Approximate date structure was built 1890

Note the year any major alterations was completed and indicate source of data

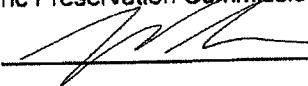
2007, major renovation by current owner


Applicant's Signature

July 9, 2007
Date

To be filled out by staff:

Date of Historic Preservation Commission meeting 7.18.07

Received by  Date 7.9.07

Your application will be placed on the agenda for the next Commission meeting if it is received two weeks prior to the next regularly scheduled meeting date. Meetings are scheduled for the third Wednesday of each month.

NOTE: You are hereby advised that no work should commence on the above property until such time as the Historic Preservation Commission has issued a Certificate of Appropriateness

To be filled out by the Applicant

Separately describe each job to be performed on the exterior of the structure and/or property.

1a. What is being done? 1b. What materials are being used? 1c. What changes in appearance will there be?

Construct Garage, 22' x 20', two-car facing
 16th St (West), gables on east & west sides.
 Pitch of roof to match those of house. Details
 (windows, doors, trim, siding & shingles to match
 those of house). Drive way, 10' wide through
 PARKING, "v" to 20' at garage itself. Primary
 design consideration is to NOT shadow house,
 while attempting to split the difference between
 two beautiful existing oak trees.

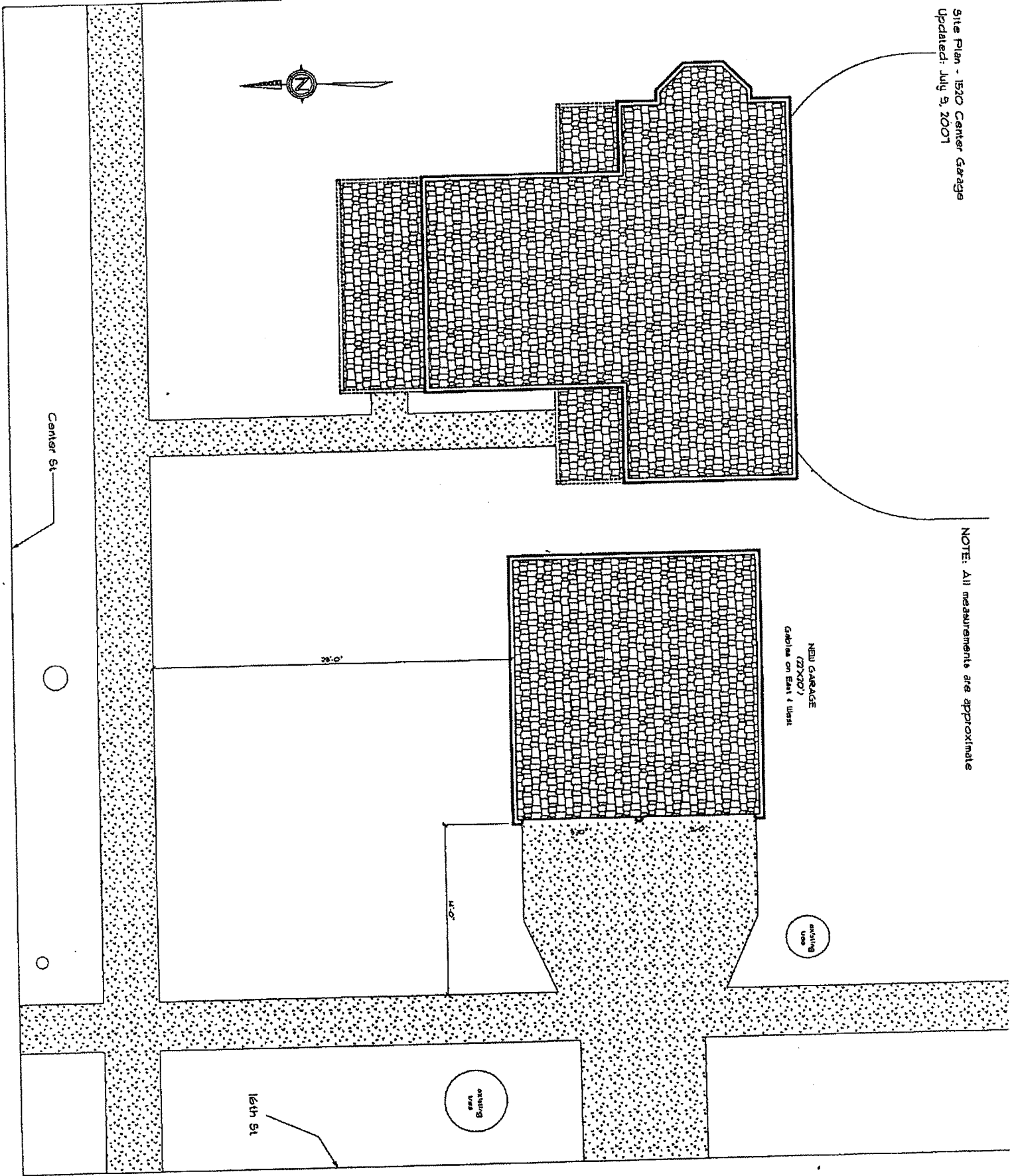
2a. What is being done? 2b. What materials are being used? 2c. What changes in appearance will there be?

3a. What is being done? 3b. What materials are being used? 3c. What changes in appearance will there be?

Attach drawings as described on page 2 to illustrate above described changes.

Site Plan - 1520 Center Garage
Updated: July 9, 2001

NOTE: All measurements are approximate



NEW GARAGE
(22'X20')
Garage on East & West

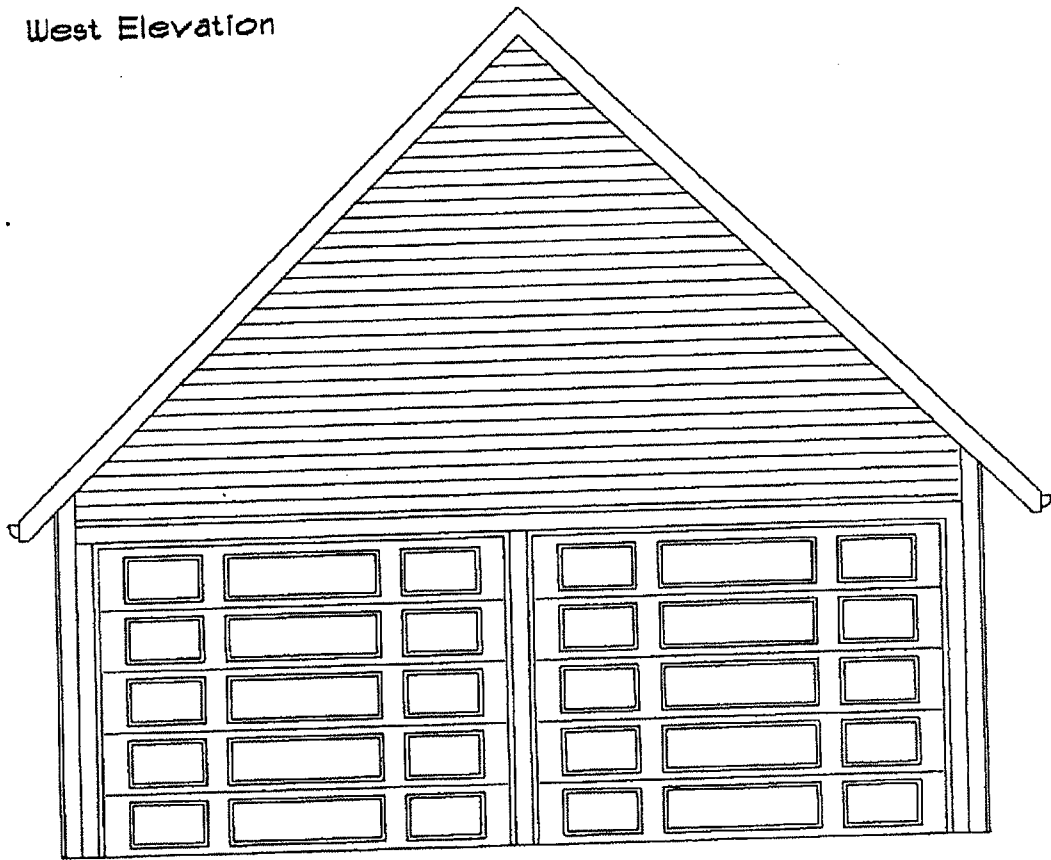
existing use

new use

Center St

16th St

West Elevation



North & South Elevation

