



HISTORIC DISTRICT REVIEW COMMISSION

Regular Meeting Agenda

March 15, 2016

5:30 p.m.

- I. Call to Order**
- II. Roll Call**
John Carr, Vern Drottz, Mike Gilmore, Matt Grundy, Dail Hobbs, Clay Lozier, Kelley Wrenn Pozel, Brett Rinker, Doug Wilson
- III. Approval of Regular Meeting Summary: March 1, 2016**
- IV. HDRC Case 16-001PH:** Consideration of a request for a Certificate of Appropriateness for construction of porch stairs at 36 Moss Avenue, Prospect Heights Historic District
- V. Other Business**
 - a. Administrative Approvals
 - b. Miscellaneous matters from the Commission
 - c. Miscellaneous matters from staff
- VI. Adjournment**

LIBERTY HISTORIC DISTRICT REVIEW COMMISSION
Regular Session Summary

March 1, 2016
5:30 p.m.

I. Call to Order

Vice-Chairman Carr called the meeting to order at 5:30 p.m.

II. Roll Call

John Carr, Vern Drottz, Dail Hobbs, Kelley Wrenn Pozel and Doug Wilson answered roll call. Jonna Wensel, Community Development Manager; Katherine Sharp, Assistant Director of Planning & Zoning; and George Kapke, legal counsel, represented staff. Kellie Houx, Liberty Tribune, was also in attendance.

III. Approval of Meeting Summary

Mr. Drottz made a motion to approve the February 16, 2016 meeting summary as amended. Mr. Hobbs seconded the motion, which was approved 5-0.

IV. HDRC Case 16-002LS: Consideration of a request for a Certificate of Appropriateness for removal of the balcony at 19 N. Water Street, Liberty Square Historic District

Ms. Wensel presented the details of the application, as described in the staff report.

Mr. Drottz asked if the pipe rail around the opening would meet building code. Ms. Wensel said preservation staff will work with the building division to ensure building codes are met.

Mr. Carr asked if the balcony's balustrade would be reused as the new railing. Ms. Wensel said it would not. The existing pipe rail would be extended to fill in the gap.

Mr. Carr said he agrees with staff's assessment of the condition of the balcony. Repairs have been made, but the rust and deterioration are extensive.

Mr. Drottz made a motion to approve the application with the stipulation that it meets building codes. Mr. Hobbs seconded the motion, which was approved 5-0.

V. HDRC Case 16-001LS: Consideration of a request for a Certificate of Appropriateness for improvements to 112 E. Franklin Street, Liberty Square Historic District (Continued from February 16, 2016)

Ms. Wensel presented new information about the proposal for porch railings and the window survey. She reminded the commission that items #1 (gutters) and #2 (concrete repairs) were approved at the February 16 meeting.

Mr. Wilson asked Aimee Gray, architect, if the window survey was her position on the condition of the windows. She said it was. He said that of 86 windows, only 8 of them are determined to be at least 80 percent damaged. At the maximum, only 20 windows would need to be replaced, but the request is for all of the windows to be replaced. Mr. Wilson said he is not comfortable varying from the window replacement guidelines and the

code. The building has historic significance and craftsmanship and so merits preservation of the historic elements that remain.

Mr. Carr said he had observed the windows on the first floor and found them to be lacking maintenance such as paint failure, lack of glazing, missing sash cords, lack of weather-stripping, and some lower sashes display a little rot. He said the integrity of the windows is good, in his opinion.

Mr. Drottz asked if a drawing of the porch railing would be provided. Ms. Gray said she did not have a drawing, but it would match the photo of the railing at 204 E. Franklin Street.

Bill Jeffries, the applicant, said the window air conditioner units would remain if the window replacements are denied.

Mr. Hobbs made a motion to approve items #3 (HVAC) and #4 (porch railing) and to deny #5 (window replacement) because it does not adhere to the window replacement guidelines. Mrs. Pozel seconded the motion, which was approved 4-0-1. (Mr. Drottz abstained due to a potential conflict of interest).

VI. HDRC Case 16-001LA / P&Z Case No. 16-08R:

[For HDRC Comment] As the case for the rezoning of 73 Fulkerson Circle to Historic Preservation District Overlay – Local Landmark will be heard by the Planning and Zoning Commission on March 8, 2016, and City Council March 28, 2016, the HDRC is required to comment on the appropriateness of designating this site a local landmark.

Ms. Wensel presented the details of the nomination, as described in the staff report.

John Roe, attorney with the firm of Roe & Epstein, 920 Main Street, Kansas City, Missouri, represented the property owners. He said the owners object to the rezoning and landmark status, and had filed an affidavit requesting that the property be removed from consideration for historic designation.

Mr. Roe said the property has been vacant for 10 years. A potential buyer made an offer to purchase the property and then an inquiry was made to the city about demolition. The landmark nomination immediately followed the inquiry, although no prior attempt had been made to designate the property. The owners believe the nomination interferes with their reasonable use of the property and burdens the owners without compensation.

Mr. Roe said the staff report is based on hearsay and double hearsay. The preservation ordinance is vague and ambiguous, with subjective words like “integrity” and “value”. Mr. Roe argued that the house does not contain the required integrity of context, history, design, materials, or workmanship to warrant landmark designation. He claims there is nothing significant about the Colonial Revival architectural style because a “revival” means the style has been done before. The house is just a big house that was built in the country, and will never be a home or a museum.

Mr. Roe said none of the ten criteria for nomination have been met. Criteria #1 is not met because this property was not part of Liberty when the house was built. Criteria #2 is not met because no significant event ever happened there. Criteria #3 is not met because the former owners were not significant in the development of the community. Mr. Fulkerson traveled frequently and did not contribute in any way to the local community. Criteria #4 is not met because this example of the Colonial Revival style is typical. Similar plans could be purchased from the Sears Roebuck catalog. Criteria #5 is not met

because the architect, Edgar Madorie, was not prolific or prominent. Mr. Roe referred to a book of Kansas City architects that did not list Mr. Madorie. Mr. Roe said the quote in the staff report attributed to Mr. Madorie was taken from a National Register nomination, and was therefore considered double hearsay and not reliable. Criteria #6 is not met because it does not embody the design, details, materials, or craftsmanship to make it architecturally significant. Criteria #7 does not apply because it is not architecturally significant. Criteria #8 is not met because its location or physical characteristics do not make it an established or familiar visual feature. The house is not recognized as a geographical landmark or visible from the street because of the berm that was constructed by the city. Criteria #10 is not met because it is not a historic property, the elements are deteriorated beyond preservation and it is not a candidate for preservation. Mr. Roe presented some photos of the interior.

Janet Boisseau, trustee of the Fulkerson estate, said she and her two sisters are in agreed in their opposition to the designation of the property as a local landmark. Mrs. Boisseau said she has a degree in history and taught American history, and this house is nothing like some of the historic houses around the country that she has visited. The house was never owned by significant persons. The city is interfering with the business of the trust and this nomination is costing them time, money, and effort. She said she and her sisters have made every effort to maintain the property, but they are not able to.

Mr. Roe summed up their arguments by saying the nomination was not initiated by the owners; the house is not in a historic district; it is not rare; it is not the work of a master architect or the site of a historic event; it is just a big house owned by persons with the means to purchase a big house. They request that the nomination be withdrawn or denied.

Mr. Wilson asked if the condition of the house is considered a factor in its significance, and the suitability of preserving a deteriorated structure. He asked what parts of it could be saved. Mrs. Boisseau said everything has rotted.

Mr. Steve Boos, 61 Fulkerson Circle, said he agrees that the house is in deplorable condition and he can't imagine that it could be restored. He expressed concern about the possibility of a commercial use replacing it if it were to be demolished.

Mr. Wilson said his first reaction is to save the house and does not want to reward an owner that has neglected a property to the extent that it is beyond preservation. He is concerned that it is too late to save it.

Mr. Carr said he cannot determine the condition of the house by the photographs, and he has restored many houses that were thought to be beyond repair. He said the Colonial Revival style is significant because there are not many that grand in Liberty.

Mr. Drottz asked how many criteria it needs to meet to be eligible for designation.

Mr. Kapke said it only needs to meet one criteria, but the HDRC is not required to support the nomination, even if it does meet one.

Mr. Hobbs asked if the nomination would still go on to the Planning & Zoning Commission even it is denied by the HDRC. Ms. Wensel said it would.

Mr. Wilson made a motion to deny the application. Mr. Drottz seconded the motion, which passed by a vote of 3-2.

VII. Other Business

- a. Administrative approvals
Ms. Wensel said there had been one since the last meeting.
- b. Miscellaneous matters from the Commission
Mr. Carr asked if a new member had been appointed. Ms. Wensel said Brett Rinker is the new HDRC member and would start at the next meeting.
- c. Miscellaneous matters from staff
Ms. Wensel said the CLG forum will be May 13 in Jefferson City if anyone would like to attend.

Mr. Carr adjourned the meeting at 7:15 p.m.



Historic District Review Commission

HDRC Case No. 16-001PH (Part B)

Staff: Jonna Wensel, Community Development Manager

Date: March 15, 2016

GENERAL INFORMATION

Application: Certificate of Appropriateness for construction of porch stairs
 Applicant: Reed & Abbey Oshel
 Location: 36 Moss Avenue
 District: Prospect Heights Historic District
 NRHP Status/ category: Contributing
 File Date: March 1, 2016

SPECIFIC INFORMATION

SITE HISTORY

This large brick Prairie style house was built in 1912 for William Norton, a local banker. In 1970 it became the Sigma Nu fraternity house for William Jewell students, but has since been returned to a single family home. It features a wrap-around porch with massive square columns. The windows are 4 over 1, and paired, even in the two dormers. There is a two-story porch addition on the south side and an enclosed porch addition on the back (west).

PROPOSAL DESCRIPTION

The applicants propose to construct stairs from the south side porch to access the yard. The stairs will be constructed of wood and will measure 36 inches wide. The railing will match the existing porch railing, with 6x6-inch posts, 2x6-inch railing, and 2x2-inch spindles.

ANALYSIS

Unified Development Ordinance (“UDO”) - The Unified Development Ordinance outlines design principles that have been adopted for all historic districts and landmarks in the City of Liberty.

Design Guidelines (“DG”) - Design Guidelines were established to give the HDRC general guidance in making subjective preservation choices in accordance with accepted best practices and the Secretary of the Interior standards for historic preservation.

DG: Sec. 30-72. District HP, design principles.	Staff Analysis
2. <u>Alterations</u> : Alterations shall restore a structure’s original elements, materials, and appearance, if economically or physically feasible. Alterations affecting the exterior of a	Addition of a stair on the south porch will provide access to the lawn and another means of

structure shall preserve all significant original exterior elements, including building materials, doors, windows, and decorative elements. Elements that are not original, but which may have acquired significance by virtue of age or craftsmanship, shall also be preserved. Alterations that disguise or sheath original elements and materials will not be permitted. Storefronts and commercial building facades shall be treated as a whole, and alterations to the first floor should be compatible with the upper floor(s).

egress. The stairs and railing will match the existing porch materials and details and is appropriate.

PREVIOUS CASES

HDRC Case 98-001PH: Certificate of Appropriateness for exterior modifications

HDRC Case 00-004PH: Certificate of Appropriateness for roof, soffit, and gutter replacement, window replacement, and fence installation

HDRC Case 07-005PH: Certificate of Appropriateness for improvements to the porch and cellar doors.

HDRC Case 15-002PH: Certificate of Appropriateness for fence

HDRC Case 16-001PH (Part A): Certificate of Appropriateness for replacement of the roof

STAFF RECOMMENDATION

The application meets the standards for review and guidelines; therefore staff recommends approval of HDRC case #16-001PH.

ATTACHMENTS

1. Exhibit A: Vicinity Map
2. Exhibit B: Inventory Data Sheet
3. Exhibit C: Photos of Existing Porch
4. Exhibit D: Photos of Proposed Stairs



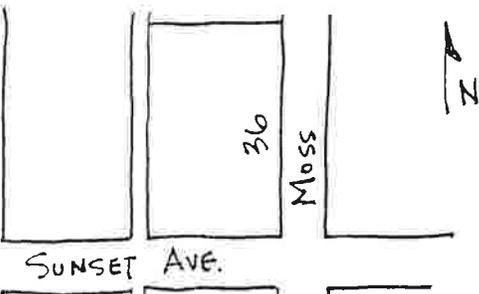


HDRC Case #16-001PH
36 Moss Ave.



Exhibit A:
Vicinity Map

MISSOURI OFFICE OF HISTORIC PRESERVATION
 ARCHITECTURAL/HISTORIC INVENTORY SURVEY FORM

1. NO. <u>H-20a</u> 2. COUNTY <u>Clay</u> 3. LOCATION OF <u>Liberty</u> NEGATIVES <u>Community Development</u>	4. PRESENT LOCAL NAME(S) OR DESIGNATION(S) <u>36 Moss Av. , Sigma Nu Fraternity</u> Exhibit B 5. OTHER NAME(S)	1. NO.	
6. SPECIFIC LEGAL LOCATION TOWNSHIP <u>51N</u> RANGE <u>31W</u> SECTION <u>7</u> IF CITY OR TOWN, STREET ADDRESS	16. THEMATIC CATEGORY 17. DATE(S) OR PERIOD <u>1912</u>	28. NO. OF STORIES <u>2 1/2</u> 29. BASEMENT? YES (<input checked="" type="checkbox"/>) NO ()	2. COUNTY
7. CITY OR TOWN IF RURAL, VICINITY <u>Liberty</u>	18. STYLE OR DESIGN <u>Prairie</u>	30. FOUNDATION MATERIAL <u>stone</u>	4. PRESENT LOCAL NAME(S) OR DESIGNATION(S)
8. DESCRIPTION OF LOCATION 	19. ARCHITECT OR ENGINEER 20. CONTRACTOR OR BUILDER 21. ORIGINAL USE, IF APPARENT <u>residence</u>	31. WALL CONSTRUCTION <u>frame</u>	
9. COORDINATES UTM LAT <u>N120,900</u> LONG <u>E520,650</u>	22. PRESENT USE <u>fraternity house</u>	32. ROOF TYPE AND MATERIAL <u>gable; shingle</u> composition	5. OTHER NAME(S)
10. SITE () STRUCTURE () BUILDING (<input checked="" type="checkbox"/>) OBJECT ()	23. OWNERSHIP PUBLIC () PRIVATE (<input checked="" type="checkbox"/>)	33. NO. OF BAYS FRONT <u>3</u> SIDE <u>3</u>	
11. ON NATIONAL REGISTER? YES () NO (<input checked="" type="checkbox"/>)	24. OWNER'S NAME AND ADDRESS IF KNOWN <u>Sigma Nu Fraternity</u> <u>William Jewell College</u>	34. WALL TREATMENT <u>brick</u>	6. TOWNSHIP
12. IS IT ELIGIBLE? YES () NO (<input checked="" type="checkbox"/>)	25. OPEN TO PUBLIC? YES () NO (<input checked="" type="checkbox"/>)	35. PLAN SHAPE <u>rectangle</u>	
13. OF ESTAB. DISTRICT? YES () NO (<input checked="" type="checkbox"/>)	26. LOCAL CONTACT PERSON OR ORGANIZATION <u>Community Development Director</u>	36. CHANGES (EXPLAIN IN NO. 42) ADDITION (<input checked="" type="checkbox"/>) ALTERED () MOVED ()	7. RANGE
14. DISTRICT POTENTIAL? YES (<input checked="" type="checkbox"/>) NO ()	27. OTHER SURVEYS IN WHICH INCLUDED	37. CONDITION INTERIOR _____ EXTERIOR <u>fair</u>	
15. NAME OF ESTABLISHED DISTRICT	28. LOCAL CONTACT PERSON OR ORGANIZATION <u>Community Development Director</u>	38. PRESERVATION UNDERWAY? YES () NO (<input checked="" type="checkbox"/>)	8. SECTION
42. FURTHER DESCRIPTION OF IMPORTANT FEATURES A large, Prairie style residence with wide, overhanging eaves. The wrap-around front porch also has wide overhanging eaves, massive brick columns with stone bases, and brick rails. The windows are paired, 4/1. The eaves have flat brackets. There are two fireplaces with flared masonry caps. A two-story bay is on the left, and a hipped roof, two-story extension on the right. There are two clapboard additions - (cont.	39. ENDANGERED? BY WHAT? YES (<input checked="" type="checkbox"/>) NO () <u>neglect</u>	40. VISIBLE FROM PUBLIC ROAD? YES (<input checked="" type="checkbox"/>) NO ()	
43. HISTORY AND SIGNIFICANCE A prominent house visually, situated at the top of the ridge, the structure adds to the character of the neighborhood by virtue of its design, materials and scale. Prospect Heights was originally platted for small homes, but several fine, larger structures were built on Moss Avenue. It was built by William F. Norton, who served as a Clay County banker since 1885. He was the son of Elijah H. Norton who served for 12 years on the Missouri Supreme Branch. It became the Sigma Nu House in 1970	41. DISTANCE FROM AND FRONTAGE ON ROAD <u>225'</u>	PHOTO MUST BE PROVIDED	
44. DESCRIPTION OF ENVIRONMENT AND OUTBUILDINGS The fraternity has a very large lot, with a large parking area, with railroad tie retaining wall, to the right. A visible dumpster detracts from the neighborhood.	45. SOURCES OF INFORMATION City water permits. <u>Clay County Missouri Centennial Souvenir, 1922.</u>	46. PREPARED BY <u>Deon Wolfenbarger</u>	
RETURN THIS FORM WHEN COMPLETED TO: OFFICE OF HISTORIC PRESERVATION P.O. BOX 176 JEFFERSON CITY, MISSOURI 65102 PH. 314-751-4096	47. ORGANIZATION <u>Community Development</u>	48. DATE <u>4/87</u>	
IF ADDITIONAL SPACE IS NEEDED, ATTACH SEPARATE SHEET(S) TO THIS FORM	49. REVISION DATE(S)		

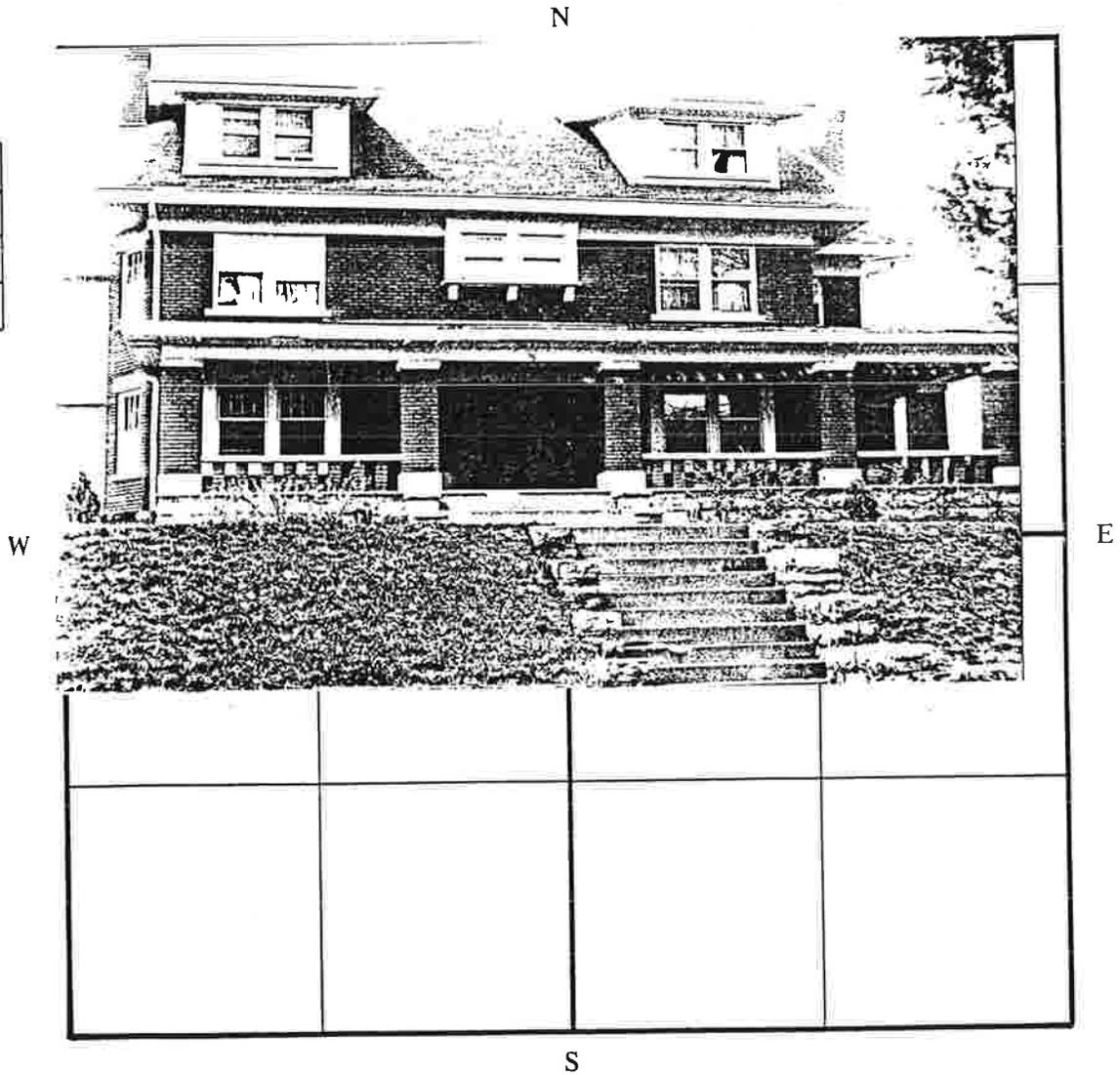
Sketch map of location

Site No. H-20a

Section 7 Township 51N Range 31W

Indicate the chief topographical features, such as streams and elevations. Also indicate houses and roads. Indicate the site location by enclosing the site area with dotted line. Note scale of map and portion of section included in sketch map. Include drawings, photographs, etc. on additional pages.

Indicate part of section included in sketch map.



Notes: 42. (cont.) a one-story to the rear and a two-story to the left. The entry door has been replaced. Above the entry door are two small bracketed windows with pilastered surrounds. There are two shed-roof dormers in front.

THIS IS PROBABLY THE ONE MOST IMPORTANT PART OF THIS DATA FORM!

Please Attach a copy of a topographic map with the site marked on it.



