



Planning Department
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| Office Use Only: | |
| File No. | AP 2-18 |
| Date Received | 11-13-18 |
| Fee | \$610 |
| Receipt No. | 18M0241 |
| Received by | RT |

Appeal Application

Applicant Information

Applicant is: Property Owner Contract Buyer Option Holder Agent Other Contractor
 Provided testimony prior to this appeal.

Applicant Name Square Deal Construction Co Phone (971) 832-3626
 Contact Name Terry HCU Phone (971) 832-3626
(If different than above)
 Address 300 West 1st St.
 City, State, Zip Newberg OR 97132
 Contact Email Terry@SquareDeal4you.com

Original Application Information

File No.: HL 10-18 Review Body: Historic Landmarks Committee
 Decision: Deny Date of Decision: 22 Oct 2018
 Date Decision Mailed: 30 Oct 2018 Appeal Date Deadline: 14 Nov 2018
 Description of Original Application Request: Use composite rail that resembles original rail very closely T.L.O using an interior wood product.

Appeal of a decision made by the following review body is requested:

- PLANNING DIRECTOR (See [Section 17.72.170 \(Appeal from Ruling of Planning Director\)](#) of the Zoning Ordinance for further information.)
- PLANNING COMMISSION (See [Section 17.72.180 \(Appeal from Ruling of Planning Commission\)](#) of the Zoning Ordinance for further information.)

Please state in detail the basis for and issues raised in this appeal. You must identify the criteria and findings that you are appealing. Attach additional sheets as necessary. _____

See attached.

In addition to this completed application, the applicant must provide the following:

- Payment of the applicable review fee, which can be found on the [Planning Department](#) web page.

I certify the statements contained herein, along with the evidence submitted, are in all respects true and are correct to the best of my knowledge and belief.

Tony 2 Well
Appellant's Signature

9 Nov. 2018
Date

11/2/2018

Appeal of McMinnville Historic Landmarks Committee's 10/22/2018 Decision.

Committee denied application for a Certificate of Approval for replacement railings at 219 SE Lincoln Street, McMinnville. This appeal submitted by homeowner Jeff Sauter and contractor Square Deal Construction Inc.

Finding for Section 17.65.060(B)(2)(C):

Committee's findings for this criteria state:

“. . . and features will be **physically and visually compatible, identifiable upon close inspection, and properly documented for future research.**" (Bold ours.)

Homeowner and contractor are appealing these findings and believe the following findings should be made in support of the proposed project:

- The proposed material is physically and visually compatible and already has been properly documented for future research.
- **The proposed railing looks and feels like wood and is virtually identical in design, color and texture of wood. It has been properly documented by municipalities and historic organizations across the Northeast as a superior method** to preserving the beauty of historic landmarks. The composite railings and boards have been used in stellar historical renovation projects such as The Ocean House in Rhode Island, The Lindens House in Washington DC, and Miss Porter's School in Farmington, Connecticut.
- According to "The Use of Substitute Materials On Historic Building Exteriors," published by the National Park Service, U.S. Department of the Interior, **there are appropriate times to use substitute materials in preservation projects.** For example, when there are "inherent flaws in the original materials." There are definitely flaws in the original material. Ultraviolet light, moisture penetration behind joints, and stresses caused by changing temperatures quickly impair the performance of wood over time. It becomes unsightly over a relatively short period of time and can quickly reduce a grand historic resource to just a dilapidated old building.
- The article continues, "...Substitute materials are being used more frequently than ever in preservation projects, and in many cases with positive results. They can be cost-effective, can permit the accurate visual duplication of historic materials, and last a reasonable time."
- And for those who argue that our forefathers would want only original materials, the article points out the tradition of using cheaper and more common materials in imitation of more expensive and less available materials is a long one. George Washington, for example, used wood painted with sand-impregnated paint at Mount Vernon to imitate cut ashlar stone. This technique along with scoring stucco into block patterns was fairly common in colonial America to imitate stone.

Finding for Section 17.65.060(B)(2)(F):

Committee's findings for this criteria state:

“...Where the severity of deterioration requires repair or limited replacement of a distinctive feature, **the new material will match the old in composition, design, color, and texture.**” (Bold ours.)

Homeowner and contractor are appealing these findings and believe the following findings should be made in support of the proposed project:

- **The proposed material matches the old in composition, design, color, and texture.**

Finding for Section 17.65.060(B)(2)(i):

Committee's findings for this criteria state:

“... greater latitude is given in the Standards for Rehabilitation to replace extensively deteriorated, damaged, or missing features using either the same material **or compatible substitute materials** (Bold ours).”

Homeowner and contractor are appealing these findings and believe the following findings should be made in support of the proposed project:

- **Rehabilitation allows compatible material.**
- Homeowner and contractor greatly appreciate the historic committee's efforts to prevent inferior, visually-inappropriate and untested products from being slapped on historic landmarks and absolutely destroying their beauty, integrity and historical accuracy. However, the proposed product does just the opposite! As the historic landmarks in the Northeast can attest, **the proposed product greatly supports the committee's goal of preserving beauty, integrity and historical accuracy.**
- Homeowner wants to provide an historically-accurate and beautiful rehabilitation of his home. **He does not want, however - for himself or for future owners of the home - the economic burden and labor-intensive stress of having to repeat the task of replacing railing on an ongoing basis.** As historical organizations and municipalities in the Northeast have proven, it is possible to enjoy the benefits of long-lasting, labor-saving materials while showcasing designs that are visually-accurate and greatly honor historic integrity. Neighbors and people in the community have already told homeowner how perfect the new railing looks on the old porch and thanked him for restoring the old home to its original grandeur.

Please Consider Reasonableness

- Homeowner and contractor respectfully request the historic committee to consider the documentation of this product already in place and reasonableness of their request and approve their application for a Certificate of Approval.

Attachments:

- Neighbor Testimonies
- Photographs of Home

janice@squaredeal4you.com

From: Jeff Sauter <jeffsauter@rocketmail.com>
Sent: Thursday, November 8, 2018 9:28 AM
To: janice@squaredeal4you.com
Subject: Fw: 219 SE Lincoln Street

----- Forwarded Message -----

From: Brent Flanders <brent.flanders@gmail.com>
To: "jeffsauter@rocketmail.com" <jeffsauter@rocketmail.com>
Sent: Monday, November 5, 2018, 1:47:53 PM PST
Subject: 219 SE Lincoln Street

To whom it may concern,

I am writing this letter in support of Jeff and Marla Sauter's recent renovation on their home located at 219 SE Lincoln Street.

I live next door at 221 SE Cows and watched the recent improvements made to their home which included a new decking and rails to their wraparound porch in addition to painting their exterior of the home. I believe the contractors and homeowners did a fantastic job picking materials, design, and workmanship that complement the era of their home. I am writing in support of their decisions and choices.

Living in an older home myself, it is wise to make improvements that not only look appealing but will withstand the test of time which I believe they have done. I do not support any further alterations or "improvements" on their completed project.

If you have any other questions or want additional feedback, please contact me.

Brent Flanders
221 SE Cows
McMinnville, OR 97128
503-857-7578

janice@squaredeal4you.com

From: Jeff Sauter <jeffsauter@rocketmail.com>
Sent: Thursday, November 8, 2018 9:27 AM
To: janice@squaredeal4you.com
Subject: people like rails

I have had many people stop buy and say how much they like the house and how the rails really finish it off. Some of these people turned off Baker Street to give their comments. My wife had a patient who drove by on his way home and said it was his favorite house in town and the rails made it look so original.

I also have forwarded one written approval.

Thank you for all your work on this appeal.

Jeff Sauter









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For Sale