



COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | BUILDING 541-917-7553 | PLANNING 541-917-7550

Staff Report

Historic Review of Exterior Alterations

HI-11-20

July 15, 2020

Summary

This staff report is to evaluate an application for a Historic Review of Exterior Alterations (HI-11-20) to replace existing street and driveway facing windows to match the original windows of the structure located at 417 Eighth Avenue (Attachment A).

This structure is located on the north side of Eighth Avenue between Ferry and Washington Streets. The Seaton House is listed on the Local Historic Inventory and is located within the Monteith National Historic District. The primary structure was constructed circa 1937 and is rated historic contributing. According to the Historic Resources Survey (Attachment B) decorative features include a clinker brick and rock front facing winged gable, a tapered clinker brick chimney, and a segmental arch window.

The applicant has indicated the proposed replacement windows will match original windows currently existing on the structure. Street facing windows will be 6-lite with wood framing, and the window facing the driveway will be 8-lite with wood framing.

Application Information

Review Body:	Community Development Director (Type II)
Staff Report Prepared By:	Project Planner Tony Mills
Property Owner/Applicant:	Glen Kearns; 417 Eighth Avenue SW Albany, Oregon 97321
Address/Location	417 Eighth Avenue SW Albany, Oregon 97321
Map/Tax Lot:	Linn County Assessor's Map No.; 11S-03W-07BB Tax Lot 13900
Zoning:	Hackleman Monteith (HM) Zone
Total Land Area	7,437 square feet (0.17 acres)
Existing Land Use:	Single-family residence
Neighborhood:	Central Albany
Surrounding Zoning:	North: Hackleman Monteith (HM) East: Hackleman Monteith (HM) South: Hackleman Monteith (HM) (across Eighth Avenue) West: Hackleman Monteith (HM)

Surrounding Uses:	North: Single-Family residential East: Single-family residential South: Single-family residential West: Single-family residential
Prior Land Use History:	The property was developed prior to land use records. According to the Historic Resources Survey (Attachment B), the residence was constructed circa 1937.

Notice Information

On June 19, 2020, a Notice of Public Hearing was mailed to property owners within 300 feet of the subject property. As of the date of this report, no comments have been received by the Community Development Department.

Analysis of Albany Development Code (ADC) Criteria

Historic Review of Exterior Alterations (ADC 7.100-7.165)

Section 7.150 of the ADC, Article 7, establishes the following review criteria in **bold** for Historic Review of Exterior Alterations applications. For applications other than for the use of substitute materials, the review body must find that one of the following criteria have been met in order to approve an alteration request.

1. **The proposed alteration will cause the structure to more closely approximate the historical character, appearance, or material composition of the original structure than the existing structure; or**
2. **The proposed alteration is compatible with the historic characteristics of the area and with the existing structure in massing, size, scale, materials, and architectural features.**

ADC 7.150 further provides that the review body will use the Secretary of the Interior's Standards of Rehabilitation as guidelines in determining whether the proposed alteration meets the review criteria.

Secretary of Interior's Standards for Rehabilitation – (ADC 7.160)

The following standards are to be applied to rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

1. A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
2. The historic character of a property shall be retained and preserved. The removal of historic material or alteration of features and spaces that characterize a property shall be avoided.
3. Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.

6. **Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.**
7. **Chemical or physical treatments, such as sandblasting, that cause damage to historic material shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.**
8. **Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.**
9. **New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.**
10. **New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

The analysis includes findings related to the Exterior Alterations review criteria in ADC 7.150, followed by the evaluation of the applicable Secretary of Interior Standards in ADC 7.160. Staff conclusions are presented after the findings.

Findings of Fact

- 1.1 Historical Rating. The primary residential structure listed on the Historic Inventory is rated as Historic Contributing within the Monteith National Historic District.
- 1.2 History and Architectural Style. The historic resources survey (Attachment B) has a circa 1937 date. The Seaton House was constructed in the English Cottage architectural style. Decorative features include a clinker brick and rock front facing winged gable, a tapered clinker brick chimney, and a segmental arch window.
- 1.3 Prior Alterations. The historic resources survey (Attachment B) does not indicate there were previous alterations to this structure.
- 1.4 Historic Character of the Area. The subject property is located at 417 Eighth Avenue between Ferry and Washington Streets within the Hackleman Monteith zoning district. The Seaton House is listed on the Local Historic Inventory and is located Albany's Monteith National Historic District (Attachment B). All surrounding properties are situated within the Hackleman Monteith zoning district and the Monteith National Historic District.
- 1.5 Proposed Exterior Alterations. The applicant is proposing to replace two existing windows. One window is situated on the southern elevation of the house and the other is located on the eastern elevation. As proposed, the replacement windows will match the style and materials of the original windows. The street facing (southern elevation) non-original window will be replaced with two 6-lite windows. The driveway facing (east elevation) window will be replaced by an 8-lite window. The proposed styles of the replacement windows have been determined to be in accordance with the original blueprints for the house (Attachment C).
- 1.6 Building Use (ADC 7.160(I)). The use of the property will remain single-family residential.

- 1.7 Historic Character (ADC 7.160(2)). Replacing the existing windows will likely enhance the historic character of the house. The style and materials will match other original windows found on the house and seen in the original blueprints for the house (Attachment C). If approved, this project will result in bringing the subject structure into greater conformance with the property's historic character.
- 1.8 Historic Record and Building Changes (ADC 7.160(3) and (4)). No conjectural features or architectural elements from other styles, buildings or time periods are proposed. There are no known changes to the primary structure that have acquired historic significance since the date of the nomination. As such, the proposal is consistent with standards ADC 7.160(3) and (4).
- 1.9 Distinctive Features and Character (ADC 7.160(5) and (6)). The building is a one and a half story English Cottage style dwelling. Decorative features described in the nomination include (Attachment B): clinker brick and rock front facing winged gable, a jerkin head front gable, a tapered clinker brick chimney, and a segmental arch window. The applicant is not proposing to make any changes to the identified distinct features.
- 1.10 Guidelines ADC 7.160(7) and (8) are not applicable. No chemical or physical treatments or soil disturbance of note is proposed. There are no known archaeological resources on the site.
- 1.11 Compatibility of Exterior Alterations and Additions (ADC 7.160(9) and (10)). This proposal will not impact any identified features that contribute to the historic character of the property. The proposed alterations will bring the structure into greater conformance with its historic character and are consistent with ADC standards 7.160(9) and (10).

Conclusions

- 1.1 The proposed exterior alterations will replace existing windows with updated materials more closely resembling the original style.
- 1.2 The proposed exterior alterations will remove no character-defining features.
- 1.3 By using materials that more closely match the original historic character and appearance of the building, the proposed alteration satisfies the Historic Exterior Review Criteria (ADC 7.150(1)) and is consistent with the Secretary of Interior's Standards for Rehabilitation (ADC 7.160).
- 1.4 The proposal, as submitted, satisfies the review criteria for exterior alterations.

Conditions of Approval

Condition 1 All work shall be completed in accordance with the applicable building code requirements.

Overall Summary

As proposed and conditioned, the application for Historic Review of Exterior Alterations satisfies all applicable review criteria as outlined in this report.

STAFF DECISION

APPROVAL with CONDITIONS of the Historic Review of Exterior Alterations application. The approval is subject to the following condition.

Condition of Approval

Condition 1 All work shall be completed in accordance with the applicable building code requirements.

Attachments

- A. Location Map
- B. Historic Resource Survey – 417 8th Avenue
- C. Applicant Submittal

Acronyms

ADC	Albany Development Code
HI	Historic Review File Designation
HM	Hackleman Monteith District
HRS	Historic Resources Survey

Legend

-  417 8th Ave SW
-  Albany Parcels



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Date: 6/10/2020 Map Source: City of Albany

417 8th Avenue SW

Location / Zoning Map

**OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY - ALBANY
HISTORIC DISTRICT**

COUNTY: Linn

HISTORIC NAME: Seaton House	ORIGINAL USE: Residence
COMMON NAME: None	CURRENT USE: Residence
ADDRESS: 417 8th Ave. SW	CONDITION: Good
ADDITIONAL ADDRESS: NONE	INTEGRITY: Good MOVED? N
CITY: Albany	DATE OF CONSTRUCTION: c.1937
OWNER: Glen O Kearns	THEME 20th Century Architecture
CATAGORY: Building	STYLE: English Cottage
LOCATION Monteith Historic District	ARCHITECT UNKNOWN
MAP NO: 11S03W07BB TAX LOT: 13900	BUILDER: UNKNOWN
BLOCK: 54 LOT N/A	QUADRANGLE Albany ASSESSMENT: N
ADDITION NAME: Original Platt	ORIGINAL RATING: Compatible
PIN NO: 11S03W07BB13900 ZONING HM	CURRENT RATING: Historic Contributing

PLAN TYPE/SHAPE: Irregular	NO. OF STORIES: 1.5
FOUNDATION MAT.: Concrete	BASEMENT Y
ROOF FORM/MAT.: Side gable	PORCH: No

STRUCTURAL FRAMING: Wood

PRIMARY WINDOW TYPE: 6/1 double hung

EXTERIOR SURFACING MATERIALS: Wide shingles

DECORATIVE FEATURES:

Clinker brick & rock front facing on gable wing (S), Jerkin head gable on front gable (W), tapered clinker brick chimney (W), segmental arch window (S)

EXTERIOR ALTERATIONS/ADDITIONS:

None

NOTEWORTHY LANDSCAPE FEATURES:

Faces 8th Ave. canal

ADDITIONAL INFO:

None

INTERIOR FEATURES:

None

LOCAL INVENTORY NO.: M.150

SHPO INVENTORY NO.: None

CASE FILE NUMBER: None

**OREGON INVENTORY OF HISTORIC PROPERTIES
HISTORIC RESOURCE SURVEY -ALBANY
MONTEITH HISTORIC DISTRICT -PAGE TWO**

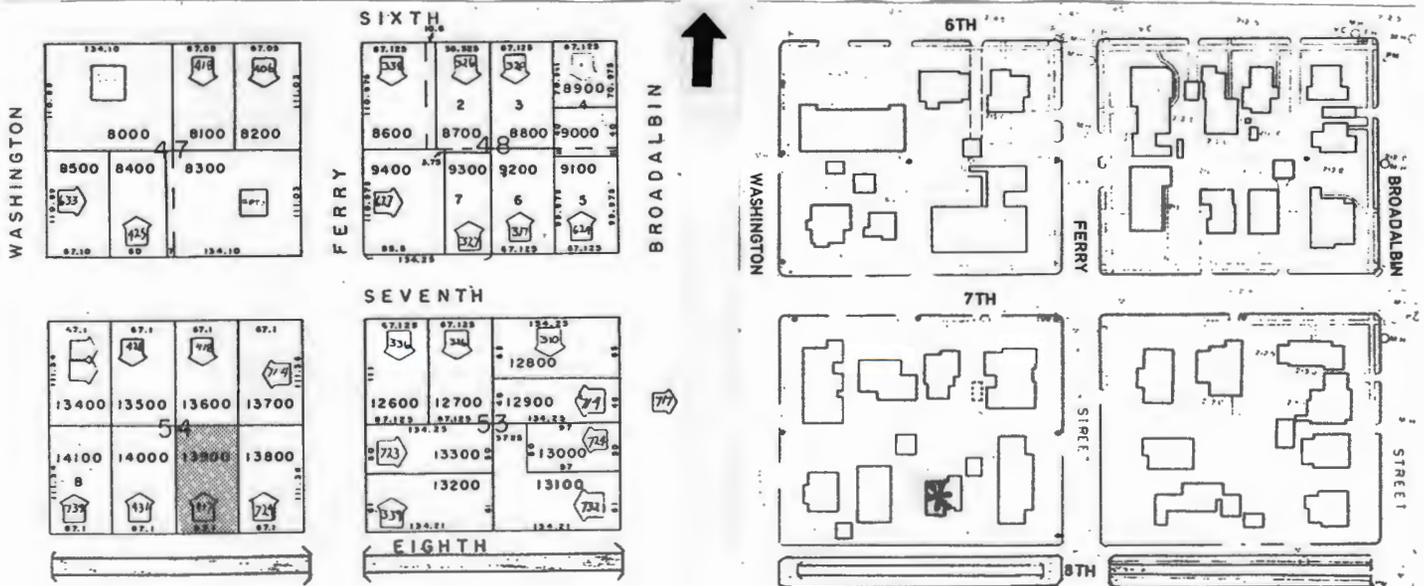
NAME: Michael Layman
ADDRESS: 417 Eighth Ave. S.W.
QUADRANGLE: Albany

T/R/S: T11-R3W-S07
MAP NO.: 11-3W-7BB
TAX LOT: 13900



NEGATIVE NO.: ~~119~~ J-20

SLIDE NO.: MS.150



GRAPHIC & PHOTO SOURCES: Albany Community Development Planning Division & Tanya Neel.

Linn County Tax Data File

Tax lot #..... 11S03W07BB13900
Tax acct #..... 0092433
Site address.. 417 8TH AVE SW

In-City? Y

Owner..... LAYMAN, MICHAEL B
Address-1..... LAYMAN, JUDY M
Address-2..... 417 8TH AVE SW
Address-3..... ALBANY OR 97321-2402
Address-4.....
Address-5.....

Property class... 1011 Tax Code #1...0801
Stat class..... 570 Tax Code #2...0000

Land market value... 28,110
Imp. market value... 132,350

218. 417 Eighth Avenue SW
Significance: Compatible
Use: Residence

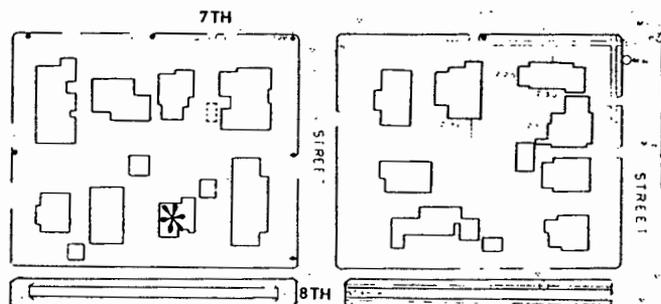
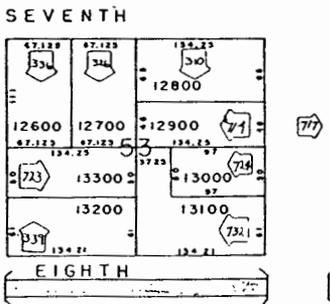
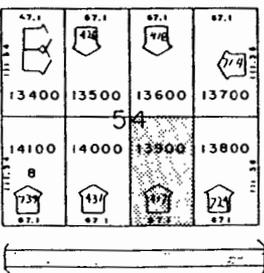
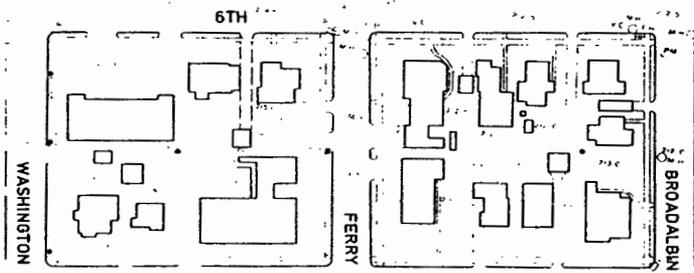
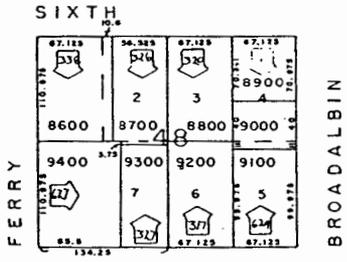
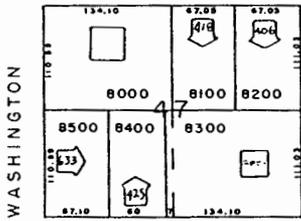
Handwritten signature
Present Owner: Michael Layman
417 Eighth Avenue SW
Tax Lot: 11-3W-7BB-13900

Description:

One and one-half story wood frame with rock and brick facade. Very steep gabled roof and wood shake siding. Has newer aluminum windows and two chimneys.

4197 8th

10.25



417 8th S.W.

Seaton House
c.1937

Layman's
House

Map #11-3W-7BB
Tax Lot #13900
Tax Account #92433
Built: 1936, Plat Filed: 9-1863

DEED Vol. B, Page 251 (ALL OF BLOCK 54, City of Albany)
SELLER: MONTEITH, Thomas & C.M.
BUYER: FOSTER, James H.
CONSID: \$100.00
DATED: January 16, 1859 RECORDED: May 7, 1859

DEED Vol. X, Page 504 (Tax Lots 13600 & 13900, City of Albany)
SELLER: FOSTER, James H.
BUYER: FOSTER, Martha E.
CONSID: Love & Affection
DATED: August 8, 1882 RECORDED: October 21, 1882

DEED Vol. X, Page 505 (Tax Lots 13600 & 13900, City of Albany)
SELLER: FOSTER, James H.
BUYER: FOSTER, George I.
CONSID: Love & Affection
DATED: August 8, 1882 RECORDED: October 21, 1882

CASE - #891 ADMINISTRATOR OF ESTATE: W.I. Baltimore
DEC: FOSTER, James H. DIED: June 10, 1888
HEIRS: FOSTER, Robert L. Age: 34
FOSTER, James N. or M. Age: 32
POWER, Maggie Age: 30
FREEMAN, Mattie Age: 28

DEED Vol. 67, Page 372 (Includes other property, Tax Lot 13600)
SELLER: FREEMAN, George W. & Martha F.
BUYER: FLINN, L.
CONSID: \$1.00 I.R. Stamps (\$501.00 - \$1000.00)
DATED: March 30, 1901 RECORDED: April 18, 1901

WARRANTY DEED Vol. 80, Page 166
SELLERS: FLINN, Cynthia S. (widow)
FLINN, Anna W. (unmarried)
FLINN, E. Ruth (unmarried)
SCHMITT, Alfred C. (married)
SCHMITT, Orpha J. (Alfred's wife)
BUYER: BERRY, L.T.
CONSID: 10.00
DATED: October 4, 1905 RECORDED: October 11, 1905

DEED Vol. 91, Page 596

SELLER: BERRY, L.T. & Euphamie

BUYER: HEWITT, H.H.

CONSID: \$10.00

DATED: March 11, 1910

RECORDED: March 17, 1910

DEED Vol. 144, Page 38

SELLER: HEWITT, H.H., Deceased, Estate of by executrix (W.A. Hewitt)

BUYER: SEATON, Lowell A. & Lucy B.

CONSID: \$700.00

DATED: March 5, 1936

RECORDED: March 23, 1936

WARRANTY DEED Vol. 179, Page 57

SELLER: SEATON, Lowell A. & Lucy B.

BUYER: FISHER, Harold D. & Jenny W.

CONSID: \$16.50 I.R. Stamps (\$14,501.00 - \$15,000.00)

DATED: March 11, 1946

RECORDED: April 26, 1946

WARRANTY DEED MF Vol. 115, Page 578

SELLER: FISHER, Jenny W. (widow)

BUYER: LAYMAN, Michael B. & Judy

CONSID: \$35,000.00

DATED: August 4, 1975

RECORDED: September 4, 1975

Lowell Seaton listed at 602 W. 3rd in 1936
manager of cope land Lumber yard
wife Lucy ^{se} worked at victor olliver's office

the Seatons are listed at 417 W. 8th in 1939 City
Directory

WARRANTY DEED
JUDY M. LAYMAN
KNOW ALL MEN BY THESE PRESENTS, That JENNY W. FISHER, a widow,

hereinafter called the grantor, for the consideration hereinafter stated, to grantor paid by MICHAEL B. LAYMAN and JUDY LAYMAN, husband and wife, hereinafter called the grantees, does hereby grant, bargain, sell and convey unto the said grantees and grantees's heirs, successors and assigns, that certain real property, with the tenements, hereditaments and appurtenances thereunto belonging or appertaining, situated in the County of Linn and State of Oregon, described as follows, to-wit:

The West half of the Southeast quarter, commonly known as Lot 6 in Block 54 in the City of Albany, Linn County, Oregon.

Recorded by
28265-1

(IF SPACE INSUFFICIENT, CONTINUE DESCRIPTION ON REVERSE SIDE)

To Have and to Hold the same unto the said grantees and grantees's heirs, successors and assigns forever. And said grantor hereby covenants to and with said grantees and grantees's heirs, successors and assigns, that grantor is lawfully seized in fee simple of the above granted premises, free from all encumbrances

--NO EXCEPTIONS --

and that grantor will warrant and forever defend the said premises and every part and parcel thereof against the lawful claims and demands of all persons whomsoever, except those claiming under the above described encumbrances.

The true and actual consideration paid for this transfer, stated in terms of dollars, is \$ 35,000.00

However, the actual consideration consists of or includes other property or value given or promised which in the whole consideration (indicate which). (The sentence between the symbols @, if not applicable, should be deleted. See ORS 93.030.)

In construing this deed and where the context so requires, the singular includes the plural and all grammatical changes shall be implied to make the provisions hereof apply equally to corporations and to individuals.

In Witness Whereof, the grantor has executed this instrument this 4 day of August, 1975, if a corporate grantor, it has caused its name to be signed and seal affixed by its officers, duly authorized thereto by order of its board of directors.

Jenny W. Fisher

(If executed by a corporation, affix corporate seal)

STATE OF OREGON,
County of Linn, 1975

STATE OF OREGON, County of _____, 19_____
Personally appeared _____

Personally appeared the above named JENNY W. FISHER

each for himself and not one for the other, did say that the former is the president and that the latter is the secretary of _____

and acknowledged the foregoing instrument to be his voluntary act and deed.

and that the seal affixed to the foregoing instrument is the corporate seal of said corporation and that said instrument was signed and sealed in behalf of said corporation by authority of its board of directors; and each of them acknowledged said instrument to be its voluntary act and deed.

Notary Public for Oregon
My commission expires: 10/20/76

Notary Public for Oregon
My commission expires: _____

JENNY W. FISHER
GRANTOR'S NAME AND ADDRESS
MICHAEL B. LAYMAN, et ux

STATE OF OREGON,
County of _____

After recording return to:
LONG BROTHER, T. POST
P.O. BOX 40
ALBANY, OR 97321

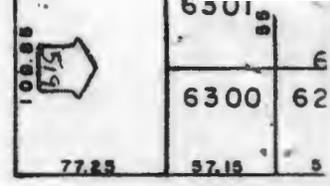
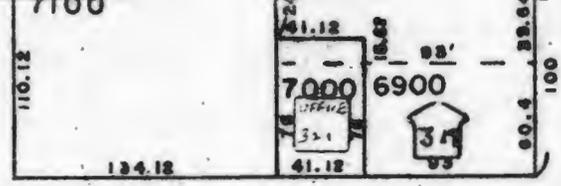
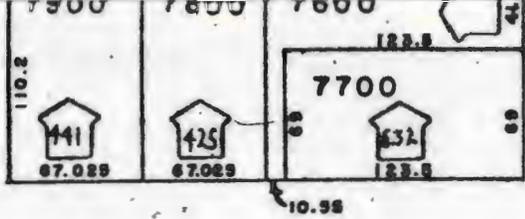
410140
STATE OF OREGON ss.
County of Linn

I hereby certify that the within was received and duly recorded by me in Linn County Records:
Vol. ME115, Page 578
(date)

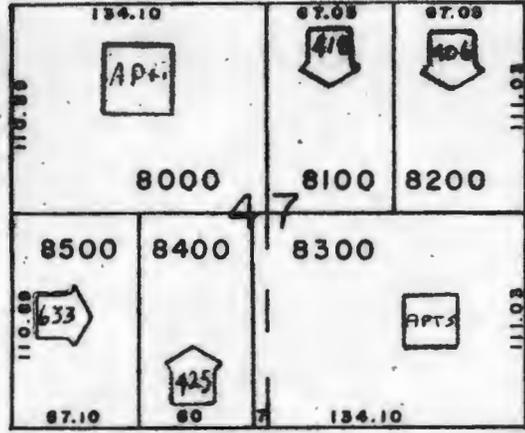
SEP 4 11:45 AM '75
DELY RILEY CLERK
BY _____ DEPUTY

Should a change in requested all tax statements shall be sent to the following:
MICHAEL B. LAYMAN
2709 S. MADISON
ALBANY, OR 97321

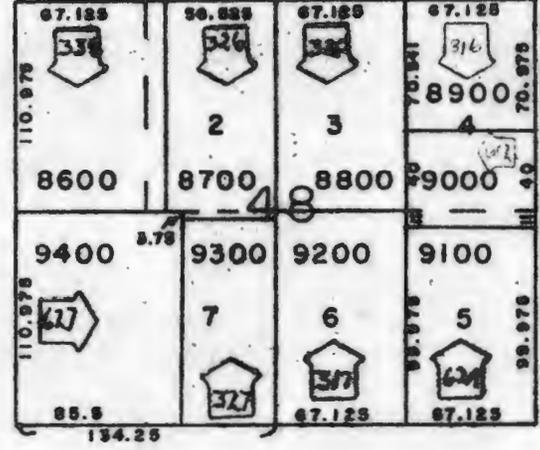
See Map 11



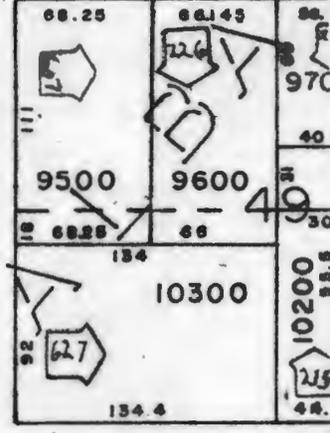
WASHINGTON



SIXTH



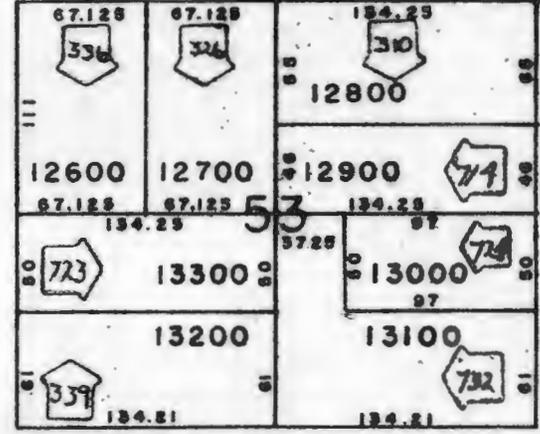
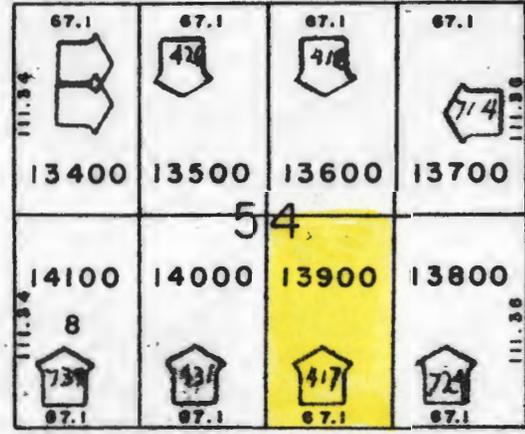
AVENUE



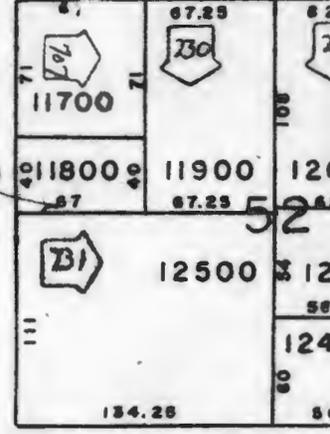
FERRY

BROADALBIN

SEVENTH



AVENUE



EIGHTH

AVENUE

map no.

11-3W-78B

See Map 11 3W 78C

417 8th
w-face L.
J-16



417 8th
E-face R.
J-15



June 1, 2020

City of Albany
Community Development Director
PO Box 490
Albany, OR 97321-0144

Re: Findings of Fact for review of exterior alterations for the property located at 417 8th Avenue SW, Albany, Oregon 97321.

Facts: The Cultural Resource Inventory indicates that the house was constructed c. 1937 and the style is English Cottage. The original blueprints for the house note that the majority of the windows throughout the house are either 6 lite or 8 lite windows (see Enclosure 1).

The application proposes to replace the existing front driveway facing kitchen window with a 8 lite window identical to existing second driveway kitchen window (see Enclosure 2) and replace the existing street facing kitchen windows with two 6 light windows (see Enclosure 3) that more closely match the design of the other original windows throughout the house. Replacing both windows will allow for the installation of kitchen countertops.

The proposed window replacements will be constructed of wood to ensure no significant change in material composition. The exterior window trim would be replaced with wood trim to match the existing original exterior window trim to ensure no significant change in material composition. Any siding requiring replacement due to moving of the windows would be replaced with cedar shake siding identical to the existing original siding to ensure no significant change in material composition.

Conclusion: The proposed alterations materially duplicate other original windows throughout the house and will more closely approximate the historical character and appearance of the original structure. The proposed window replacements do not change the historic character or appearance of the house.

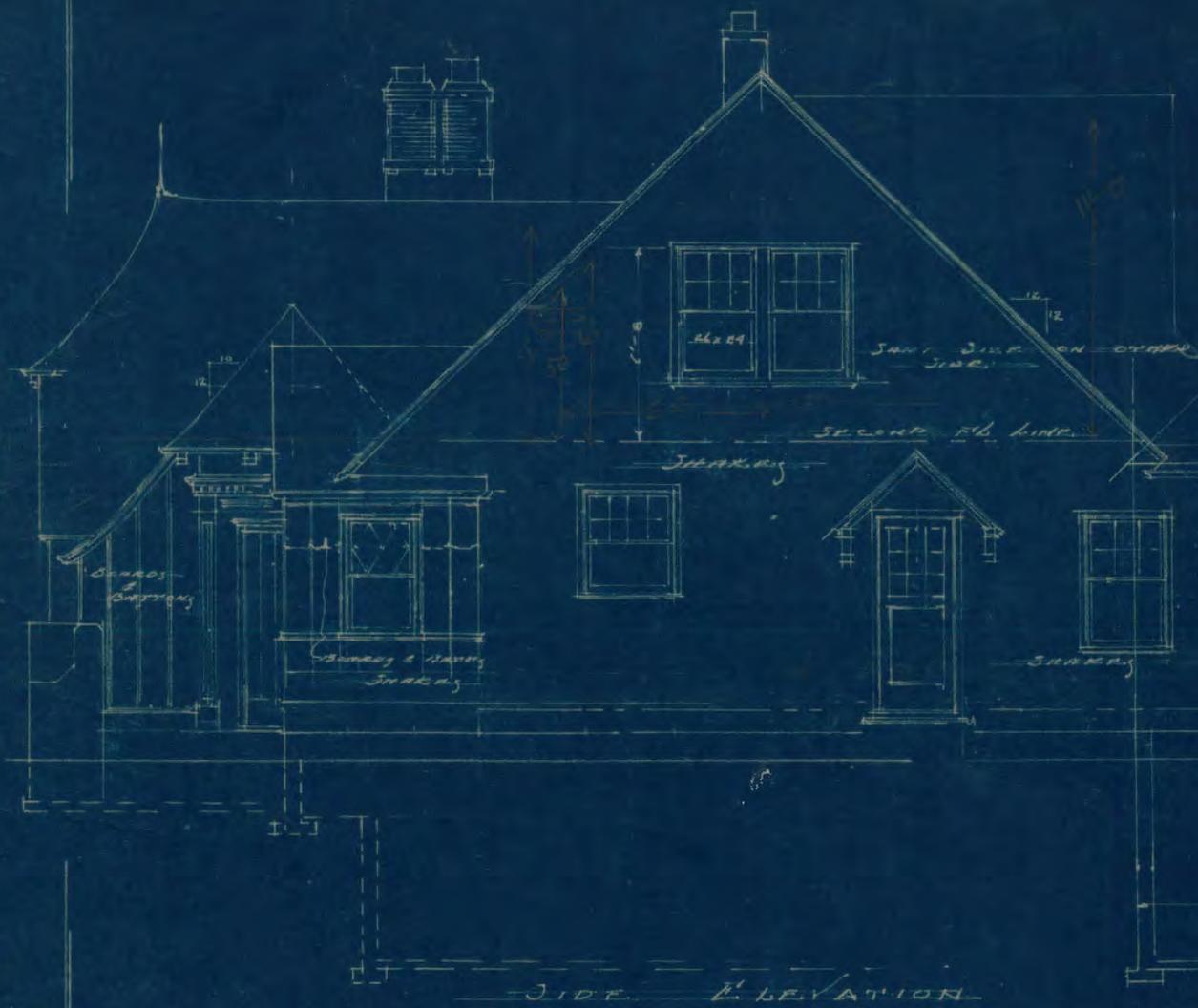
Thank you in advance for your consideration. If you have any questions, please do not hesitate to contact me.

Very truly yours,

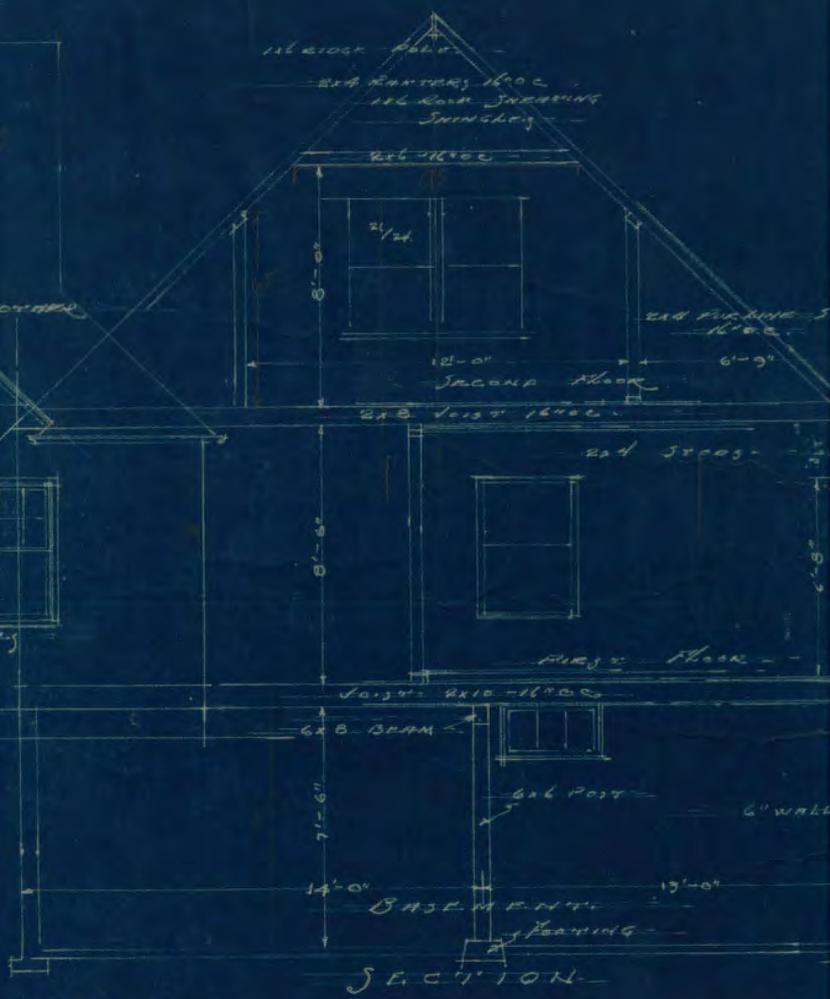


Glen O. Kearns
Enclosures

Enclosure 1



SIDE ELEVATION



SECTION

SCALE 1/4" = 1'-0"

Enclosure 2

EXISTING SIDE WINDOWS
KEARNS



2 EAST ELEVATION
Scale: 1/4" = 1'-0"



PURPOSED SIDE WINDOWS

KEARNS

Sheet No.:

I-2



2

EAST ELEVATION

Scale: 1/4" = 1'-0"

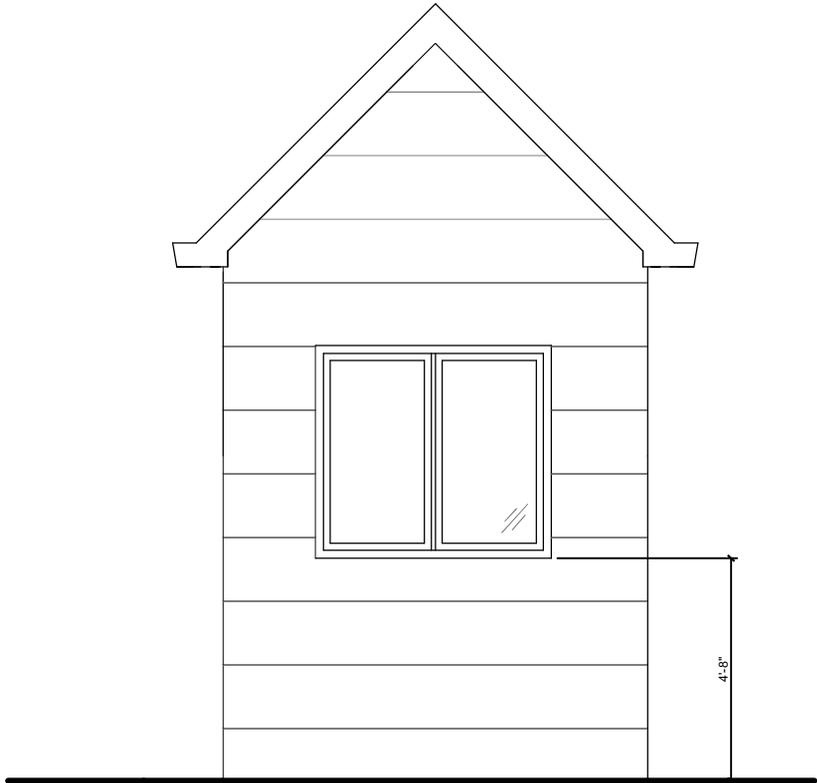
Enclosure 3

EXISTING FRONT WINDOW

KEARNS

Sheet No.:

I-1



1 SOUTH ELEVATION
Scale: 1/4" = 1'-0"



PURPOSED FRONT WINDOW

KEARNS

Sheet No.:

I-1.3



1 SOUTH ELEVATION
Scale: 1/4" = 1'-0"