



## COMMUNITY DEVELOPMENT

333 Broadalbin Street SW, PO Box 490, Albany, Oregon 97321-0144 | Planning & Building 541-917-7550

# Notice of Decision

## Historic Review of Use of Substitute Materials

HI-04-24

June 11, 2024

### Application Information

Type of Application:	Historic Review of Use of Substitute Materials for replacement of siding.
Review Body:	Landmarks Commission (Type III review)
Property Owner/Applicant	Occupant
Address/Location:	906 11th Avenue SW, Albany, OR 97321
Map/Tax Lot:	Linn County Tax Assessor's Map No. 11S-04W-12AD; Tax Lot 19700
Zoning:	Hackleman Monteith (HM)
Overlays:	Monteith National Register Historic District

### Decision

On June 5, 2024, the Albany Landmarks Commission **APPROVED WITH CONDITIONS** the application described above. The Landmarks Commission based its decision upon consideration of findings within the staff report, public testimony, and review criteria listed in the Albany Development Code (ADC). The supporting documentation relied upon by the City in making this decision is available for review at City Hall, 333 Broadalbin Street SW. For more information, please contact Alyssa Schrems, project planner, at [alyssa.schrems@albanyoregon.gov](mailto:alyssa.schrems@albanyoregon.gov) or 541-791-0176. Staff report is available for review at [albanyoregon.gov/cd/projectreview](http://albanyoregon.gov/cd/projectreview) paper copies can be made available by request.

This approval expires in three years, unless a valid approved building permit exists for new construction or improvements and work has commenced, or unless an extension has been granted pursuant to ADC 1.320. The issuance of this approval by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

*Signature on file*

Landmarks Commission Vice Chair

**Appeal Deadline:** June 21, 2024

**Approval Expiration Date (if not appealed):** June 11, 2027

### Conditions of Approval

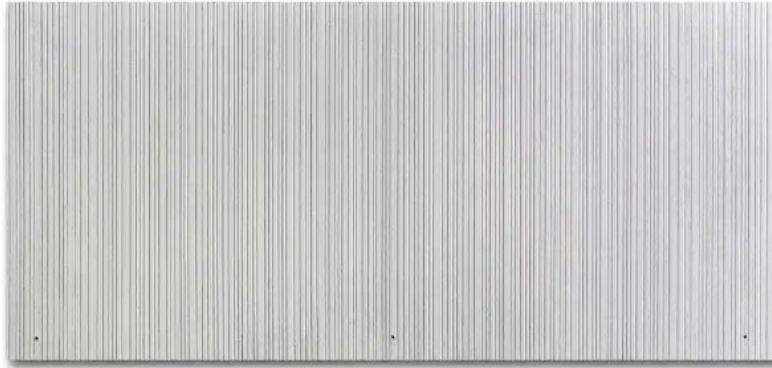
**Condition 1 Use of Substitute Materials** – Support framing that is rotted or otherwise unfit for continued support shall be replaced in kind with new material.

**Condition 2 Use of Substitute Materials**– A vapor barrier shall be added to the interior surface of the exterior wall to prevent vapor transmission from the interior spaces.

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- Condition 3 Use of Substitute Materials**—Where substitute siding is used, the walls shall be insulated and ventilated from the exterior to eliminate any interior condensation.
- Condition 4 Use of Substitute Materials**—Sheathing shall be applied to support the new siding material. Additional information shall be provided to staff prior to issuance of building permits.
- Condition 5 Use of Substitute Materials**—The applicant is approved to use siding option 2 that was proposed in the application (photo included for reference).



- Condition 6 Use of Substitute Materials**—The scope of replacement shall be limited to the dormers of the house, the garage/carport, the first and second row of siding on the bottom of the house, and other small areas equally as deteriorated as needed.
- Condition 7 Use of Substitute Materials**— A final historic inspection is required to verify that the work has been done according to this application. Please call the historic planner (541-791-0176) a day or two in advance to schedule.

## Appeal Procedure

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Appeal procedures are found in the Albany Development Code 1.410. The City's decision may be appealed to the City Council if a person with standing files a completed notice to appeal application and the associated filing fee no later than 10 days from the date the City mails the Notice of Decision. The applicants may proceed, at their own risk, prior to the end of the appeal period, provided they sign a Release and Indemnity Agreement with the City.

## Landmarks Commission Findings of Fact and Conclusions

### Historic Review of the Use of Substitute Materials (ADC 7.170-7.225)

ADC eligibility for the use of substitute materials (ADC 7.200(1)) and review criteria for Historic Review of the Use of Substitute Materials (ADC 7.200) are addressed in this report for the proposed development. The criteria must be satisfied to grant approval for this application. Code criteria are written in **bold** followed by findings, conclusions, and conditions of approval where conditions are necessary to meet the review criteria.

### Eligibility for the Use of Substitute Materials (ADC 7.200)

**The City of Albany interprets the Secretary of Interior's Standards for Rehabilitation on compatibility to allow substitute siding and windows only under the following conditions:**

**The building or structure is rated historic non-contributing; OR**

**In the case of historic contributing buildings or structures, the existing siding, windows or trim is so deteriorated or damaged that it cannot be repaired and finding materials that would match the original siding, windows or trim is cost prohibitive.**

**Any application for the use of substitute siding, windows, and/or trim will be decided on a case-by-case basis. The prior existence of substitute siding and/or trim on the historic buildings on the Local Historic Inventory will not be considered a factor in determining any application for further use of said materials.**

The applicant proposes to replace wood elements (such as siding and trim) that are not salvageable. The applicant is also proposing fiber cement siding to replace the wood lap siding on the front and rear façade.

### Findings of Fact

- 1.1 Eligibility. The subject structure is rated as Historic Contributing in the Monteith Historic District.
- 1.2 Existing Conditions. The applicant states that wood elements on the structure may not be salvageable due to severe damage (dry rot, pest damage etc.). The applicant further states that the most deteriorated areas of the structure are the areas around the dormers, the garage/carport, the first and second row of siding from the bottom of the house, and some small areas around the house. Based on the applicant's testimony, the Commission adopted a condition of approval to limit the locations where the use of substitute material can occur. The Commission finds that this criterion is met with conditions of approval.
- 1.3 Substitute Materials. The applicant proposes to replace wood elements (such as trim and siding) that are not salvageable with fiber-cement siding.

### Conclusions

- 1.1 The building is rated as a Historic Contributing resource in the Monteith National Historic District and is therefore not eligible for review under the first threshold in ADC 7.200.
- 1.2 The applicant states that wood elements on the structure may not be salvageable due to severe damage (dry rot, pest damage etc.). The applicant further states that the most deteriorated areas of the structure are the areas around the dormers, the garage/carport, the first and second row of siding from the bottom of the house, and some small areas around the house.
- 1.3 The Commission finds that the wood elements on specific locations of the structure are not salvageable due to severe damage, and finding materials that would match is cost prohibitive. The Commission adopted a condition of approval to limit the proposed use of substitute materials.

## Design and Application Criteria for the Use of Substitute Materials (ADC 7.210)

### Criterion 1

**The proposed substitute materials must approximate in placement, profile, size, proportion, and general appearance of the existing siding, windows or trim.**

### Findings of Fact

- 1.1 The applicant states that wood elements on the structure may not be salvageable due to severe damage (dry rot, pest damage etc.). The applicant further states that the most deteriorated areas of the structure are the areas around the dormers, the garage/carport, the first and second row of siding from the bottom of the house, and some small areas around the house. The applicant intends to only replace what is absolutely necessary.
- 1.2 The applicant further states that they intend to replace the existing wood lap siding with fiber cement siding that will match the appearance of the existing cedar shingle siding in placement, profile, size, proportion, and general appearance. The applicant states that this is proposed due to the difficulty in finding cedar siding that matches the profile, size, and general appearance of the existing siding.
- 1.3 The proposed substitute materials will approximate the existing siding, windows, or trim in placement, profile, size, proportion, and general appearance.

### Conclusions

- 1.1 New trim, windows, and doors will be replaced with like-design fiber cement siding that approximates the existing in placement profile, size, proportion, and general appearance.
- 1.2 New fiber cement siding will approximate the existing in placement, profile, size, proportion, and general appearance.
- 1.3 As proposed, this criterion has been satisfied.

## Criterion 2

**Substitute siding, windows and trim must be installed in a manner that maximizes the ability of a future property owner to remove the substitute materials and restore the structure to its original condition using traditional materials.**

### Findings of Fact and Conclusions

- 2.1 The applicant states all substitute materials will be installed to maximize the ability to be removed in the future.
- 2.1 This criterion has been satisfied.

## Criterion 3

**The proposed material must be finished in a color appropriate to the age and style of the house, and the character of both the streetscape and the overall district. The proposed siding or trim must not be grained to resemble wood.**

### Findings of Fact

- 3.1 The proposed fiber cement siding is a grooved material made to look like cedar siding. There is no grain to resemble wood and the material will be painted to match the rest of the house.

### Conclusions

- 3.1 The proposed material will be a smooth finish painted in a color appropriate to the historic character of the building.
- 3.2 This criterion has been satisfied.

## Criterion 4

**The proposed siding, windows or trim must not damage, destroy, or otherwise affect decorative or character-defining features of the building. Unusual examples of historic siding, windows and/or trim may not be covered or replaced with substitute materials.**

### Findings of Fact and Conclusions

- 4.1 The applicant states that substitute materials will not damage, destroy, or otherwise affect decorative or character-defining features of the building. Unusual examples of historic siding, windows, and/or trim will not be covered or replaced with substitute materials.
- 4.2 Based on these facts, the criterion appears to be satisfied.

## Criterion 5

**The covering of existing historic wood window or door trim with substitute trim will not be allowed if the historic trim can be reasonably repaired. Repairs may be made with fiberglass or epoxy materials to bring the surface to the original profile, which can then be finished, like the original material.**

### Findings of Fact and Conclusions

- 5.1 The applicant states that existing trim must also be replaced.
- 5.2 The proposed new wood trim to match the historic intent will be added.
- 5.3 Based on these facts, this criterion is satisfied.

## Criterion 6

**Substitute siding or trim may not be applied over historic brick, stone, stucco, or other masonry surfaces;**

### Findings of Fact

- 6.1 The residential structure does not have any historic brick, stone, stucco, or other masonry surfaces.

### Conclusions

- 6.1 There is no historic brick, stone, or stucco on the building.

## Criteria 7 - 14

**For the application of substitute siding and trim only:**

### Criterion 7

**The supporting framing that may be rotted or otherwise found unfit for continued support shall be replaced in kind with new material.**

#### Findings of Fact and Conclusions

- 7.1 The contractor will replace any unfit supporting framing with new material.
- 7.2 This criterion is satisfied through a condition of approval.

### Criterion 8

**The interior surface of the exterior wall shall receive a vapor barrier to prevent vapor transmission from the interior spaces.**

#### Findings of Fact and Conclusions

- 8.1 The contractor will install a vapor barrier as necessary to comply with this criterion.
- 8.2 This criterion is satisfied through a condition of approval.

### Criterion 9

**Walls to receive the proposed siding shall be insulated and ventilated from the exterior to eliminate any interior condensation that may occur.**

#### Findings of Fact and Conclusions

- 9.1 The applicant states they will comply with this criterion as applicable.
- 9.2 This criterion is satisfied through a condition of approval.

### Criterion 10

**Sheathing of an adequate nature shall be applied to support the proposed siding material with the determination of adequacy to be at the discretion of the planning staff.**

#### Findings of Fact and Conclusions

- 10.1 The applicant states they shall comply with this criterion as applicable.
- 10.2 This criterion is satisfied through a condition of approval.

### Criterion 11

**The proposed siding shall be placed in the same direction as the historic siding.**

#### Findings of Fact and Conclusions

- 11.1 The applicant states they shall comply with this criterion as applicable. The proposed renderings show that the siding is placed in the same direction as the historic siding.
- 11.2 This criterion is satisfied.

### Criterion 12

**The new trim shall be applied so as to discourage moisture infiltration and deterioration.**

#### Findings of Fact and Conclusions

- 12.1 The applicant states that the new trim will be installed in a manner to discourage moisture infiltration and deterioration.
- 12.2 This criterion is met.

### Criterion 13

**The distance between the new trim and the new siding shall match the distance between the historic trim and the historic building.**

#### Findings of Fact and Conclusions

- 13.1 The applicant states that they will comply to the best of their abilities.
- 13.2 The distance between the new trim and new siding will match the historic intent.
- 13.3 This criterion has been met.

## Criterion 14

**A good faith effort shall be made to sell or donate any remaining historic material for architectural salvage to an appropriate business or non-profit organization that has an interest in historic building materials.**

### Findings of Fact and Conclusions

14.1 The applicant indicates that they intend to donate what they can, but states that some materials may not be able to be donated due to lead based paint.

14.2 This criterion has been met.

### Additional Comments

Friends of Historic Albany (FOHA) submitted comments to the record stating that based on information submitted by the applicant and a recent visit to the property did not demonstrate any evidence that the existing siding and trim cannot be repaired. In addition, materials that match the existing siding and trim are readily available where replacement is necessary. Furthermore, not only will the repair, rather than replacement, of the siding and trim serve to retain the historic character of the residence, it will certainly be more cost-effective than a wholesale repair.

The applicant provided additional details regarding the siding at the hearing and proposed a more limited scope of work to the dormers, first and second row of siding from the bottom, and the garage/carport. The applicant further testified that the siding options provided by FOHA did not closely match the existing siding on the house. Based on the applicant's further testimony, the Commission finds that the scope of work is limited to the areas of deterioration through conditions of approval, and the proposed substitute material more closely approximates the existing siding.

### Attachments

- A. Location Map

## Information for the Applicant

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Please read the following requirements. This list is not meant to be all-inclusive; we have tried to compile requirements that relate to your specific type of development. These requirements are not conditions of the land use decision. They are Albany Municipal Code (AMC) or ADC regulations or administrative policies of the Planning, Engineering, Fire, or Building Departments that you must meet as part of the development process. You must comply with state, federal, and local law. The issuance of this permit by the City of Albany does not eliminate the need for compliance with other federal, state, or local regulations. It is the applicant's responsibility to contact other federal, state, or local agencies or departments to ensure compliance with all applicable regulations.

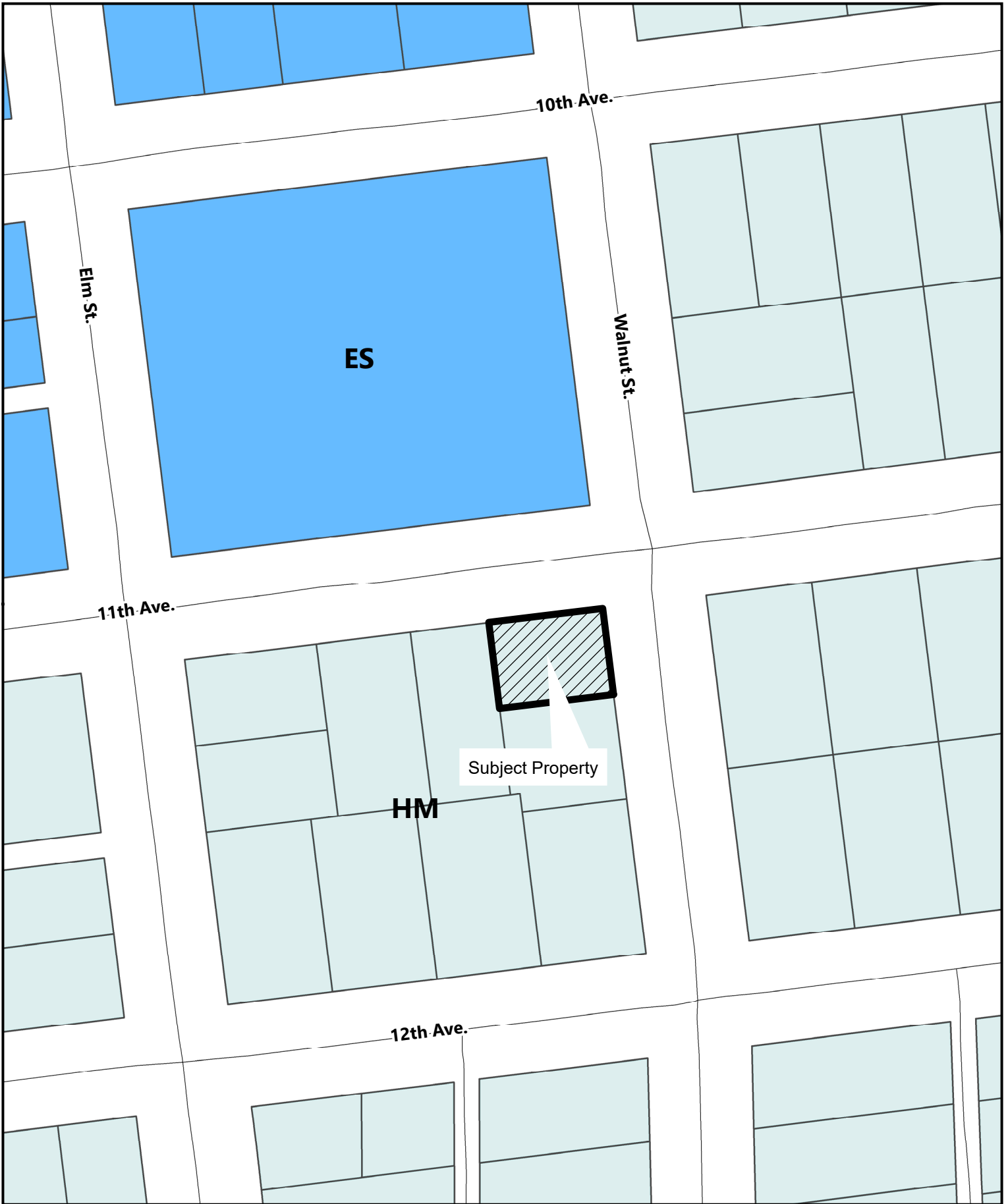
### Building

#### Permits

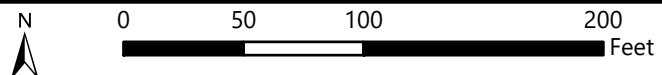
1. The proposed project may require permits that will need to be applied for at [www.albanyoregon.gov/permits](http://www.albanyoregon.gov/permits). For questions about permitting requirements, please email [cd.customerservice@albanyoregon.gov](mailto:cd.customerservice@albanyoregon.gov).

#### Plan Review for Permits

2. The proposed design has not been reviewed for code compliance with the Oregon Building Code and the design will need to meet the applicable Oregon Building Code requirement in effect at time of application.



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**906 11th Ave SW**

Date: 4/9/2024 Map Source: City of Albany

Location Map