



**CULTURAL RESOURCES OFFICE  
PRESERVATION BOARD  
REGULAR MEETING  
MONDAY NOVEMBER 23<sup>RD</sup>, 2009  
1015 LOCUST ST. #1200  
4:00 P.M.**

[www.stlouis.missouri.org/citygov/planning/heritage](http://www.stlouis.missouri.org/citygov/planning/heritage)

**PRELIMINARY REVIEWS**

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- |           |                             |  |
|-----------|-----------------------------|--|
| <b>A.</b> | <b>6133 WESTMINSTER PL.</b> | <b>SKINKER-DeBALIVIERE HISTORIC DISTRICT</b> |
| <b>B.</b> | <b>1942-44 HEBERT ST.</b>   | <b>MURPHY-BLAIR NATIONAL REGISTER DIST.</b>  |

**APPEALS OF STAFF DENIALS**

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- |           |                                    |  |
|-----------|------------------------------------|--|
| <b>C.</b> | <b>3959 N. 11<sup>TH</sup> ST.</b> | <b>HYDE PARK HISTORIC DISTRICT</b>           |
| <b>D.</b> | <b>5841 PERSHING AVE.</b>          | <b>SKINKER-DeBALIVIERE HISTORIC DISTRICT</b> |
| <b>E.</b> | <b>2745 ACCOMAC ST.</b>            | <b>FOX PARK HISTORIC DISTRICT</b>            |
| <b>F.</b> | <b>1900-02 WITHNELL ST.</b>        | <b>BENTON PARK HISTORIC DISTRICT</b>         |
| <b>G.</b> | <b>2610 WHITTIER ST.</b>           | <b>VILLE HISTORIC DISTRICT</b>               |
| <b>H.</b> | <b>6026 WASHINGTON AVE.</b>        | <b>SKINKER-DeBALIVIERE HISTORIC DISTRICT</b> |
| <b>I.</b> | <b>1819 RUSSELL BLVD.</b>          | <b>McKINLEY HEIGHTS HISTORIC DISTRICT</b>    |

The Preservation Board may hold a closed session meeting from time to time pursuant to the following:

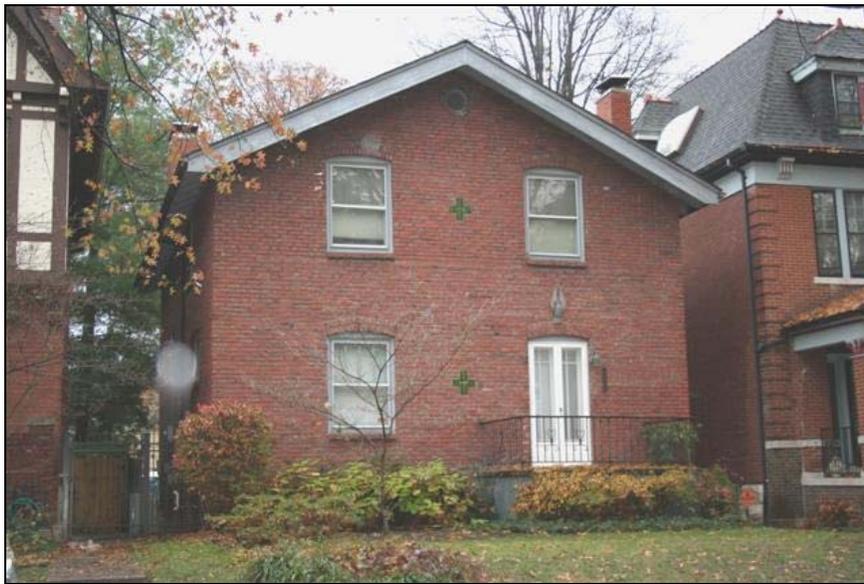
Proceedings involving legal action, causes of action or litigation or confidential or privileged communications with attorneys or auditors as provided by Section 610.021 (1) RSMo. and/or Section 610.021 (17) RSMo.



CITY OF ST. LOUIS  
**PLANNING & URBAN  
 DESIGN AGENCY**  
 Cultural Resources Department

**A.**

**Date:** November 23, 2009  
**To:** City of St. Louis Preservation Board  
**From:** Jan Cameron, Cultural Resources Office  
**Subject:** Preliminary Review Application: Replace existing front porch on a 1-1/2 story single-family house  
**Address:** 6133 Westminster Place **Agenda No. 2009.2203**  
**District:** Skinker-DeBaliviere Local Historic District **Ward: 28**

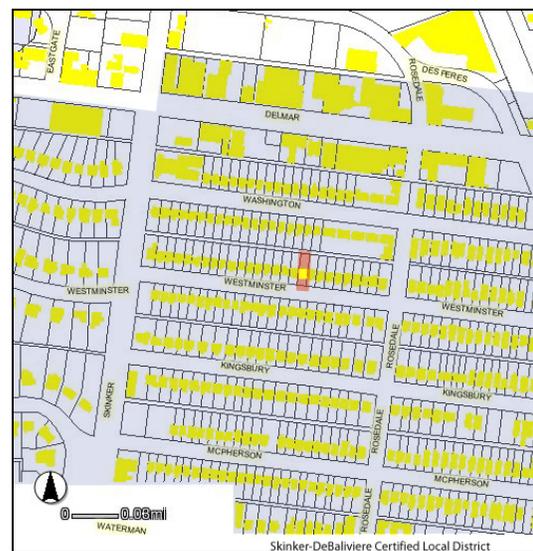


6133 WESTMINSTER PLACE

**Applicant:**  
 Ed Heine-Heine & Croghan Architects, Inc.

**Owners:**  
 Peter Lukasiewicz and Shirley Bissen

**Staff Recommendation:**  
 The Cultural Resources Office staff recommends that the Preservation Board approve the new porch with the stipulation that the brick corner posts be deleted and a historically appropriate wrought-iron railing be installed.



**Background**

On August 14, 2009, the Cultural Resources Office received a Preliminary Review Application for an addition and other alterations to a 1-1/2 story house in the Skinker-DeBaliviere Historic District. The rear addition, only slightly visible from the street, complied with the District Standards, and the Cultural Resources Office staff was able to approve a building permit for the addition, which is currently under construction. The other work proposed — installation of a larger paired window on the front elevation and a redesign of the existing front porch — did not. After some negotiation and because the project was applying for historic tax credits, the window alteration was dropped. The owners elected to go forward with the new porch, however, and the project was scheduled for review by the Preservation Board at its November meeting.



PROPERTIES TO THE WEST AND EAST OF 6133 WESTMINSTER



IMMEDIATE CONTEXT ON WESTMINSTER PLACE  
(6133 IS CENTER RIGHT)

**Site and Surrounding Area:**

6133 Westminister Place is a one- and one-half story single-family house, constructed somewhat later than most of the other buildings on Westminister Place, and of slightly smaller scale. It is sited in the center of a long block of architecturally significant houses displaying exuberant Craftsman and Revival style detailing, and dating from 1890 to 1920. The 6100 block is in the heart of the Skinker-DeBaliviere Certified Local Historic District, and presents an intact context of well-maintained historic properties.

**Reasons for Application:**

Although aware that the proposal does not comply with the Skinker-DeBaliviere historic district standards, the owners wish to pursue the possibility of a different design for the front porch that they feel is more in keeping with those of other houses on the street.



PROPERTIES OPPOSITE 6133 WESTMINSTER



6133 WESTMINSTER AND ADJACENT HOUSE TO EAST ILLUSTRATING DIFFERENCE IN SCALE

**Relevant Legislation**

Excerpts from Ordinance #57688, Skinner-DeBaliviere Historic District:

**RESIDENTIAL APPEARANCE STANDARDS**

2. Structures:

...c. Exterior Materials:

*Exterior materials when visible from the street must be compatible in type and texture with the dominant materials of the neighborhood - brick masonry, or stucco, with terra cotta and wood used for trim and other architectural features. Artificial masonry such as Permastone is not*

*permitted. A submission of all building materials, including mortar, shall be required prior to approval. Any canopies, coverings or necessary appendages that cannot be constructed of the aforementioned materials must be of material that is compatible in color and texture with these materials.*

**Complies.** The new porch will be veneered in brick veneer to match the house façade. The proposed railing will be of metal, characteristic of railings on historic masonry porches.

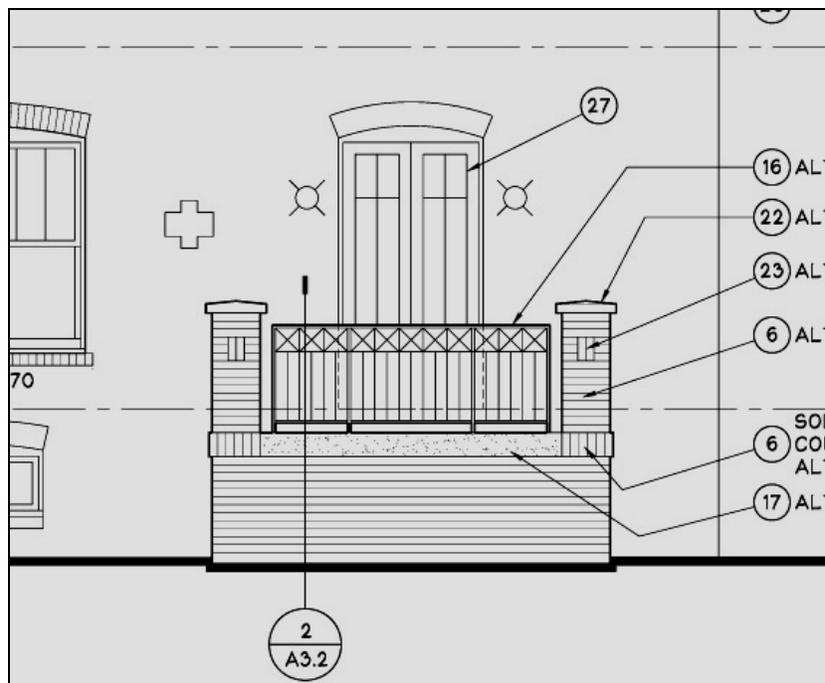
d. Details:

*Architectural details on existing structures, such as columns, pediments, dormers, porches, and bay windows should be maintained in their original form if at all possible.... Design of these renovations should be compatible in scale, materials, and color with existing features of the building and with adjacent historical structures....*

**Does not comply.** The current porch, while deteriorated, is original to the building. If it requires replacement, its design should be duplicated.



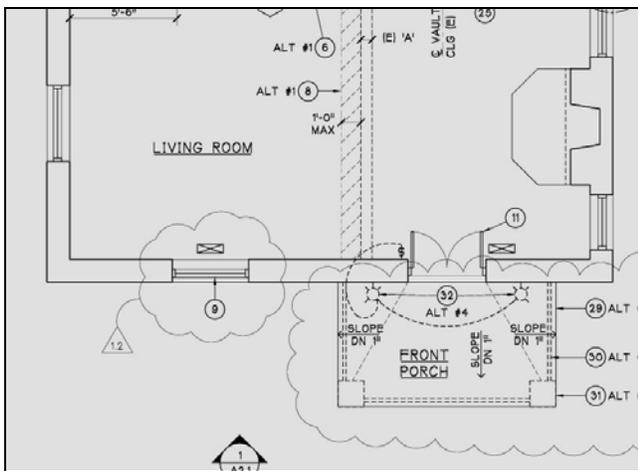
**EXISTING PORCH AND DECORATIVE WROUGHT IRON RAILING**



**ELEVATION OF PROPOSED PORCH**

**Community Consultation**

The Cultural Resources Office staff has received an email from Katie Kurtz stating that on November 18, the Skinker-DeBaliviere Historic Review committee reviewed the project and unanimously approved the plans as submitted. No comments have been received concerning the project from the Alderman of the Ward.



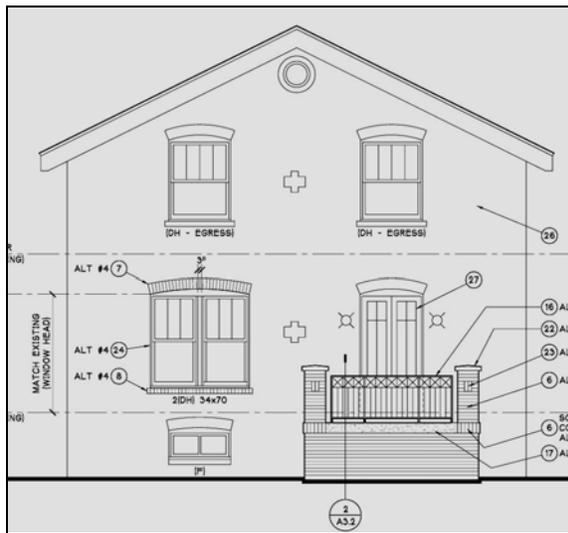
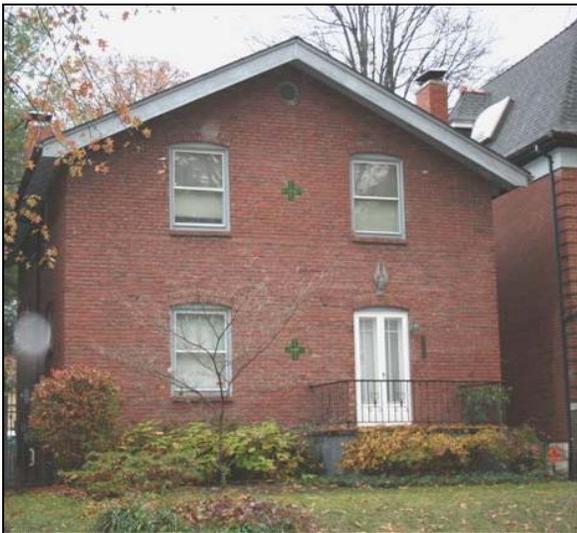
**PARTIAL FIRST FLOOR PLAN**

**Comments**

The new porch will be the same size and height as the existing concrete porch. However, it will carry a much heavier guardrail, composed of large brick corner posts and a more ornate metal railing that is not based on a historic precedent.

6133 Westminster is a late Craftsman design that displays relatively simple decoration on its primary elevation. The staff contends that the proposed railing and posts are overly heavy and do not complement the restrained architectural style of the house. The new porch was designed to relate to other larger porches on the street, but

these appear on buildings of greater scale and ornamentation. A lighter, more open handrail, based on a historic design, would be more appropriate to the character of the house.



**ELEVATION OF PROPOSED PORCH COMPARED WITH EXISTING**

**Conclusion**

The Cultural Resources Office staff recommends that the Preservation Board approve the new porch design with the stipulation that the brick corner posts be deleted and a wrought-iron or similar railing be installed, of historic design and light in scale

**Contact:**

Jan Cameron  
 Telephone:  
 E-Mail:

Planning and Urban Design, Cultural Resources Office  
 314-622-3400 x 216 Fax: 314-622-3413  
[CameronJ@stlouiscity.com](mailto:CameronJ@stlouiscity.com)



CITY OF ST. LOUIS  
**PLANNING & URBAN  
 DESIGN AGENCY**  
 CULTURAL RESOURCES OFFICE  
 FRANCIS G. SLAY, Mayor

**B.**

**Date:** November 23, 2009  
**From:** Cultural Resources Office  
**To:** City of St. Louis Preservation Board  
**Subject:** Preliminary Review of applications for demolition permits  
**Address:** 1942-1944 Hebert  
**District:** Preservation Review District                      **Ward:** 5



**1942 AND 1944 HEBERT**

**Owner and Applicant:**  
 Land Reutilization Authority

**Jurisdiction:**  
 Preservation Review District (Murphy Blair National Register Historic District)

**Purpose:**  
 Preliminary Review of the proposed demolition of a contributing building in the Murphy Blair National Register Historic District

**Staff Recommendation:**  
 Staff seeks direction from the Preservation Board.



**Background**

The Italianate, four family building at 1942-1944 Hebert was constructed in 1882. It has been inspected as a vacant building since 1992 and has been owned by the Land Reutilization Authority (LRA) since 1996. During that time the surrounding neighbors have filed six complaints with the City's Citizen's Service Bureau regarding overgrown weeds, abandoned cars and other debris and the building's condition. The LRA has submitted eight petitions for approval of demolition of the structure since 2001, it was condemned for demolition by the Department of Public Safety in 1999. The Cultural Resources Office has denied the demolition petitions as well as the Condemnation for Demolition.

Upon inspection in November, Cultural Resources Office staff found that the condition of the rear of the building had deteriorated considerably. This condition has prompted the staff to bring the proposed demolition to the Preservation Board for review and a decision on this latest (eighth) petition.



**LOTS ADJACENT EAST AND NORTH ACROSS THE STREET FROM SITE**

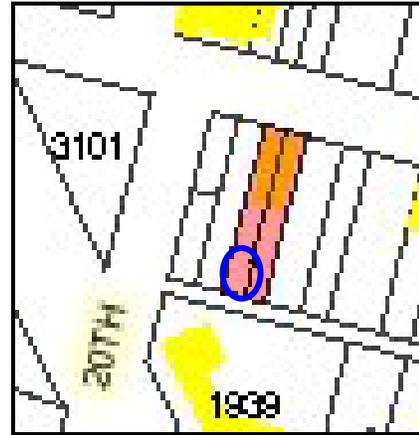


**VACANT LOT WEST AND GROUP OF HISTORIC BUILDINGS ACROSS THE STREET NORTH WEST OF THE SITE**

**Site and Surrounding Area:**

The site is located on the northern boundary of the Murphy Blair National Register Historic District. The Murphy Blair District, constructed as a working class neighborhood to serve adjacent industrial uses in the mid to late 19th Century, is endangered because of the continuing loss of contributing buildings. Every demolition makes the chance that the District could lose its National Register status, and thus the ability of building owners to use the Tax Credit for Historic Preservation programs more probable.

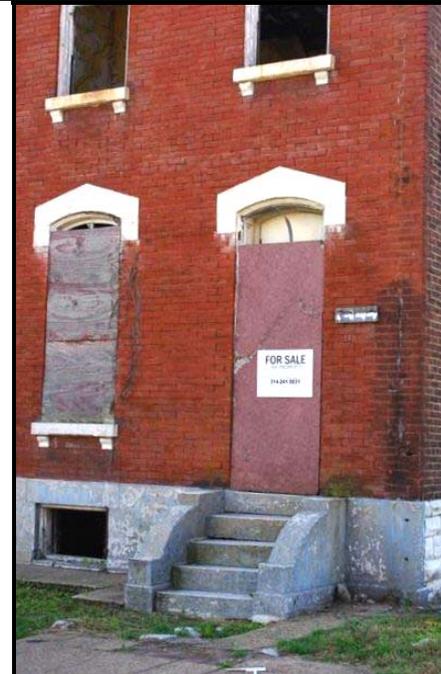
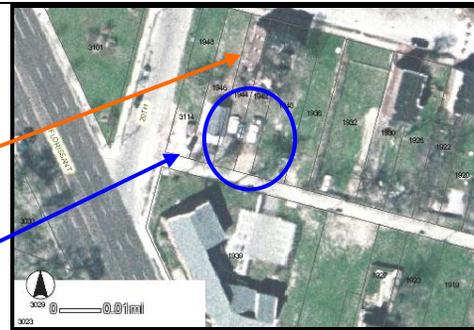




A small house has been constructed on the adjacent lot, west of the site. This building does not yet appear on the city's Graphic Information System maps although it can now be seen on the 2008 aerial view of the City.

**SITE**

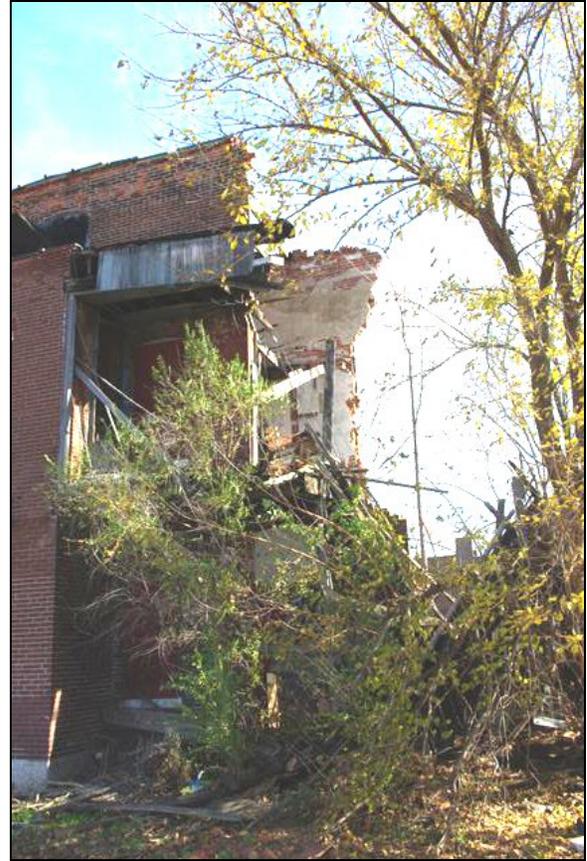
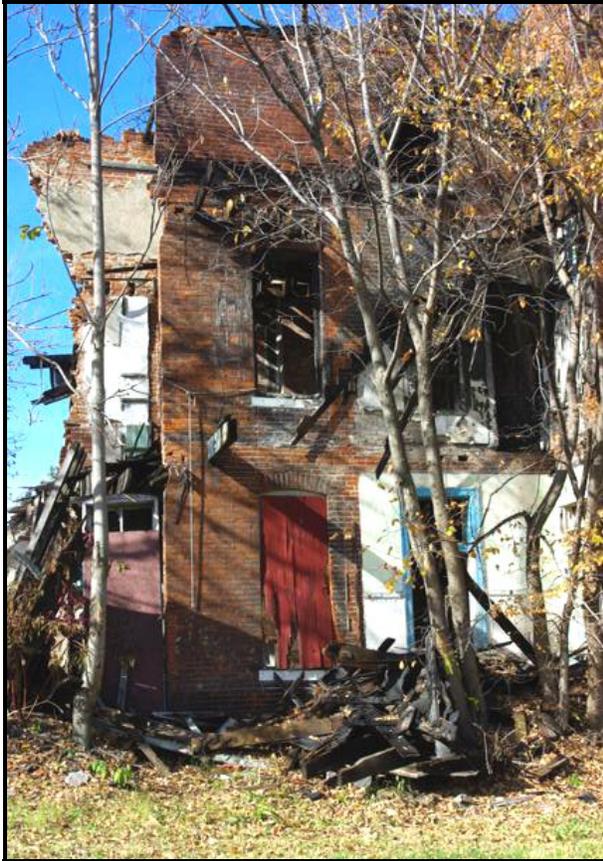
**NEW HOUSE**



**DECORATIVE LIMESTONE LINTELS, SHAPED STAIR WALLS AND OTHER DECORATIVE FEATURES MAKE THIS A WONDERFUL EXAMPLE OF THE ITALIANATE STYLE, THAT APPEARED IN TENEMENTS, AS WELL AS SINGLE FAMILY HOUSES IN THE 1880'S.**

**Reasons for Application:**

The building, while intact on the front facade, has suffered considerable losses at the rear. This condition has prompted the LRA to request approval of the proposed demolition.



**Community Consultation:**

While there has been no formal consultation with the neighborhood organization (Old North St. Louis Restoration Group - ONSL) about this proposed demolition, the neighborhood is generally against proposed demolitions because of the increasing lack of historic context, as well as the issues with continued National Register status.

**Governing Legislation:**

St. Louis City Ordinance 64689

***PART IX - PRESERVATION REVIEW DISTRICTS SECTION FIFTY-FIVE.***

*Decisions of the Preservation Board or Cultural Resources Office shall be in writing, shall be mailed to the Applicant immediately upon completion and shall indicate the application by the Preservation Board or Cultural Resources Office of the following criteria, which are listed in order of importance, as the basis for the decision:*

*A.      Redevelopment Plans. Demolitions which would comply with a redevelopment plan previously approved by ordinance shall be approved except in unusual circumstances which shall be expressly noted.*

**No Ordinance containing a Redevelopment Plan including demolition of the buildings has been passed by the Board of Aldermen.**

*B.      Architectural Quality. A Structure's architectural Merit, uniqueness, and/or historic value shall be evaluated and the Structure classified as High Merit, Merit, Qualifying, or non Contributing based upon: Overall style, era, building type, materials, ornamentation,*

*craftsmanship, site planning, and whether it is the work of a significant architect, engineer, or craftsman; and contribution to the streetscape and neighborhood. Demolition of Sound High Merit Structures shall not be approved by the Office. Demolition of Merit or Qualifying Structures shall not be approved except in unusual circumstances which shall be expressly noted.*

**The design of the building completely typifies the Italianate designs favored by contractors and owners in the late 19th Century. The workmanship on the limestone "hoods" and other decorative building features illustrates the high degree of craftsmanship and skill of the workers who constructed the building. The quality of the architecture would be considered *High Merit* under the Ordinance.**

*C. Condition. The Office shall make exterior inspections to determine whether a Structure is Sound. If a Structure or portion thereof proposed to be demolished is obviously not Sound, the application for demolition shall be approved except in unusual circumstances which shall be expressly noted. The remaining or salvageable portion(s) of the Structure shall be evaluated to determine the extent of reconstruction, rehabilitation or restoration required to obtain a viable Structure.*

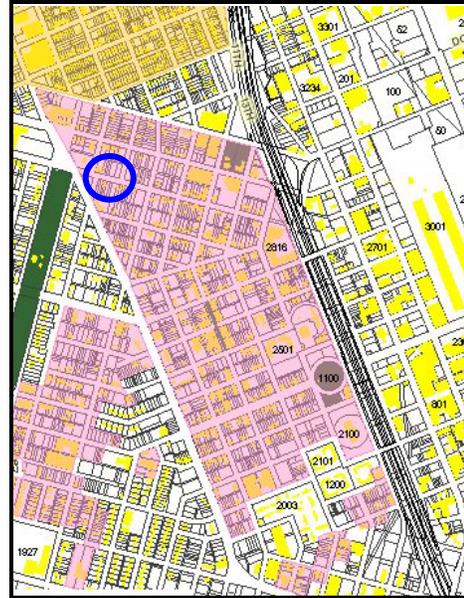


*1. Sound Structures with apparent potential for adaptive reuse, reuse and or resale shall generally not be approved for demolition unless application of criteria in subparagraphs A, D, F or G of this section indicates demolition is appropriate.*

**The condition of the rear of the building, which has lost not only its rear wall (non structural) but now is begining to lose its side and interior structural walls is extremely troubling**

D. *Neighborhood Effect and Reuse Potential.*  
1. *Neighborhood Potential: Vacant and vandalized buildings on the block face, the present condition of surrounding buildings, and the current level of repair and maintenance of neighboring buildings shall be considered.*

**The site is located on the northern border of the Murphy Blair Historic District. The area has lost many buildings over the last twenty years, the demolitions were the direct result of lack of private investment in the area and the consequent deterioration of the historic buildings. Although the built environment is more intact on Hebert to the east and on other blocks to the south, the 1900 block of Hebert has very few structures left.**



**LOCATION OF SITE**



**LOOKING EAST TO THE 1800 BLOCK OF HEBERT**



**LOOKING SOUTH FROM THE SITE**



**LOOKING SOUTH FROM THE LOTS WEST OF SITE TOWARDS SULLIVAN.**

2. *Reuse Potential: The potential of the Structure for renovation and reuse, based on similar cases within the City, and the cost and extent of possible renovation shall be evaluated. Structures located within currently well maintained blocks or blocks undergoing upgrading renovation will generally not be approved for demolition.*

**Reconstruction of the interior structural wall as well as exterior side and rear walls will be expensive.**

**According to the City of St. Louis Assessor's Office, for the area comprised of 1/2 mile radius around the site, the average value of housing sales has fallen from a high of \$54,900.00 in 2005 to a low of \$18,000.00 in 2008.**

3. *Economic Hardship: The Office shall consider the economic hardship which may be experienced by the present Owner if the application is denied. Such consideration may include, among other things, the estimated cost of demolition, the estimated cost of rehabilitation or reuse, the feasibility of public or private financing, the effect of tax abatement, if applicable, and the potential for economic growth and development in the area.*

**The owner, the Land reutilization Authority, is a public agency, therefore Economic Hardship[ does not apply.**

E. *Urban Design. The Office shall evaluate the following urban design factors:*

1. *The effect of a proposed partial demolition on attached or row buildings.*  
**Not applicable.**

2. *The integrity of the existing block face and whether the proposed demolition will significantly impact the continuity and rhythm of Structures within the block.*  
**The block face has lost considerable integrity because of previous demolitions.**

3. *Proposed demolition of buildings with unique or significant character important to a district, street, block or intersection will be evaluated for impact on the present integrity, rhythm, balance and density on the site, block, intersection or district.*  
**While the building has unique and significant character important to the continued integrity of the Historic District, its condition is a grave concern. The block in which the site is located has lost much of its integrity.**

### **Comments**

Because of the threat to the status of the National Register District, staff is seeking direction from the Preservation Board regarding the proposed demolition of the building.

### **Contact:**

Kate Shea                      Planning and Urban Design, Cultural Resources Office  
Telephone:                    314-259-3463 Fax:    314-622-3413  
E-Mail:                         [sheak@stlouiscity.com](mailto:sheak@stlouiscity.com)

St. Louis City Ordinance 64689

**PART IX - PRESERVATION REVIEW DISTRICTS SECTION FIFTY-FIVE.**

Preservation Review Districts may be established by ordinance for areas of the City in which the Board of Aldermen finds, by ordinance, reviews of the effects of demolitions on the area are in the public interest. Prior to adoption of a Preservation Review District ordinance, i) the alderman for the ward in which the proposed district is located shall have requested the Cultural Resources Office and the Preservation Board to assess the architectural and/or cultural quality of the proposed district, and ii) within forty-five (45) days thereafter the Cultural Resources Office and the Preservation Board shall have reported its findings to the Planning Commission and the Board of Aldermen. The Cultural Resources Office and the Preservation Board shall assess the proposed district as having i) high historic district potential; ii) possible historic district potential; iii) low historic district potential; iv) demolitions within the last two years in excess of the average for similar areas in the City. Districts which are reported as being in categories i), ii) or iv) may be designated Preservation Review Districts. Preservation Review District ordinances may be repealed by ordinance at any time without Cultural Resources Office or Preservation Board action.

**SECTION FIFTY-SIX.**

No ordinance designating a Preservation Review District shall be adopted until the aldermanic committee to which the bill is assigned shall have conducted a public hearing on the bill. Notice of the hearing shall be given in a newspaper of daily circulation and in the City Journal at least ten days prior to such committee hearing.

**SECTION FIFTY-SEVEN.** Ordinance 61366, approved June 9, 1989, is hereby amended by adding one new section thereto, to be and to read as follows:

Section Sixteen. On and after the effective date of Ordinance \_\_\_\_ (B.B. #54) the provisions of this ordinance shall not be applicable to applications to demolish structures individually listed on the National Register of Historic Places, within a National Register of Historic Places District or for which National Register of Historic Places designation is pending.

**PART X - DEMOLITION REVIEWS**

**SECTION FIFTY-EIGHT.**

Whenever an application is made for a permit to demolish a Structure which is i) individually listed on the National Register, ii) within a National Register District, iii) for which National Register Designation is pending or iv) which is within a Preservation Review District established pursuant to Sections Fifty-Five to Fifty-Six of this ordinance, the building commissioner shall submit a copy of such application to the Cultural Resources Office within three days after said application is received by his Office.

**SECTION FIFTY-NINE.** Demolition permit Review Approval.

The Cultural Resources Office or Preservation Board shall have forty five working days after receipt of a copy of an application under Section Fifty-Eight to review same as hereinafter provided and advise the Building Commissioner in writing of their decision. Failure to notify the Building Commissioner in writing by the end of such period of forty five working days shall constitute an approval of such application.

SECTION SIXTY. Demolition permit Photos.

Any Applicant shall submit a 35mm photographic print, 3" x 5" minimum, focused and exposed to show all visible facades, door and window openings and any architectural ornamentation.

SECTION SIXTY-ONE. Demolition permit Preservation Board Decision.

All demolition permit application reviews pursuant to Sections Fifty-Eight to Sixty-Three shall be made by the Preservation Board, which shall either approve or disapprove of all such applications. The Preservation Board may by a duly adopted order or regulation consistent with this chapter, authorize the Cultural Resources Office to make reviews of demolition permit applications. Decisions of the Preservation Board or Cultural Resources Office shall be in writing, shall be mailed to the Applicant immediately upon completion and shall indicate the application by the Preservation Board or Cultural Resources Office of the following criteria, which are listed in order of importance, as the basis for the decision:

A. Redevelopment Plans. Demolitions which would comply with a redevelopment plan previously approved by ordinance shall be approved except in unusual circumstances which shall be expressly noted.

B. Architectural Quality. A Structure's architectural Merit, uniqueness, and/or historic value shall be evaluated and the Structure classified as High Merit, Merit, Qualifying, or non Contributing based upon: Overall style, era, building type, materials, ornamentation, craftsmanship, site planning, and whether it is the work of a significant architect, engineer, or craftsman; and contribution to the streetscape and neighborhood. Demolition of Sound High Merit Structures shall not be approved by the Office. Demolition of Merit or Qualifying Structures shall not be approved except in unusual circumstances which shall be expressly noted.

C. Condition. The Office shall make exterior inspections to determine whether a Structure is Sound. If a Structure or portion thereof proposed to be demolished is obviously not Sound, the application for demolition shall be approved except in unusual circumstances which shall be expressly noted. The remaining or salvageable portion(s) of the Structure shall be evaluated to determine the extent of reconstruction, rehabilitation or restoration required to obtain a viable Structure.

1. Sound Structures with apparent potential for adaptive reuse, reuse and or resale shall generally not be approved for demolition unless application of criteria in subparagraphs A, D, F or G of this section indicates demolition is appropriate.

2. Structurally attached or groups of buildings. The impact of the proposed demolition on any remaining portion(s) of the building will be evaluated. Viability of walls which would be exposed by demolition and the possibility of diminished value resulting from the partial demolition of a building, or of one or more buildings in a group of buildings, will be considered.

D. Neighborhood Effect and Reuse Potential.

1. Neighborhood Potential: Vacant and vandalized buildings on the block face, the present condition of surrounding buildings, and the current level of repair and maintenance of neighboring buildings shall be considered.

2. Reuse Potential: The potential of the Structure for renovation and reuse, based on similar cases within the City, and the cost and extent of possible renovation shall be evaluated. Structures located

within currently well maintained blocks or blocks undergoing upgrading renovation will generally not be approved for demolition.

3. Economic Hardship: The Office shall consider the economic hardship which may be experienced by the present Owner if the application is denied. Such consideration may include, among other things, the estimated cost of demolition, the estimated cost of rehabilitation or reuse, the feasibility of public or private financing, the effect of tax abatement, if applicable, and the potential for economic growth and development in the area.

E. Urban Design. The Office shall evaluate the following urban design factors:

1. The effect of a proposed partial demolition on attached or row buildings.
2. The integrity of the existing block face and whether the proposed demolition will significantly impact the continuity and rhythm of Structures within the block.
3. Proposed demolition of buildings with unique or significant character important to a district, street, block or intersection will be evaluated for impact on the present integrity, rhythm, balance and density on the site, block, intersection or district.
4. The elimination of out of scale or out of character buildings or nonconforming land uses will be considered; however, the fact that a present and original or historic use of a site does not conform to present zoning or land use requirements in no way shall require that such a nonconforming use to be eliminated.

F. Commonly Controlled Property. If a demolition application concerns property adjoining occupied property and if common control of both properties is documented, favorable consideration will generally be given to appropriate reuse proposals. Appropriate uses shall include those allowed under the current zoning classification, reuse for expansion of an existing conforming, commercial or industrial use or a use consistent with a presently conforming, adjoining use group. Potential for substantial expansion of an existing adjacent commercial use will be given due consideration.

G. Accessory Structures. Accessory Structures (garages, sheds, etc.) and ancillary Structures will be processed for immediate resolution. Proposed demolition of frame garages or accessory Structures internal to commercial or industrial sites will, in most cases, be approved unless that Structure demonstrates high significance under the other criteria listed herein, which shall be expressly noted.

SECTION SIXTY-TWO. Application Evaluation Validity of approval or denial.

Approvals or denials of applications hereunder shall be valid only for the Owner shown on the demolition application. Requests or applications for reconsideration shall not be permitted with respect to an application. The Cultural Resources Office may refer any application with respect to which it has been granted review authority to the Preservation Board for initial evaluation and decision hereunder. In performing its evaluation of any application hereunder, the Cultural Resources Office may request further information from an Applicant or Owner, make site visits or photographs, consult or obtain from public or private sources any information pertinent to its evaluation, and may consider the views of Owners of property adjacent to the Structure, of nonprofit neighborhood associations for the area in which the Structure is located, or of established architectural preservation organizations. Any information so obtained and any communications received by the Preservation Board and Office concerning any application shall be summarized in the Preservation Board or Office's decision.

SECTION SIXTY-THREE. Appeals.

Any Applicant or current Owner of a Structure may appeal an initial decision of the Preservation Board or a decision of the Cultural Resources Office under Sections Fifty-Eight to Sixty-Two to the

Preservation Board by filing a written notice of such appeal with the Cultural Resources Office within fifteen days after the date of mailing of such decision by the Cultural Resources Office. The Cultural Resources Office shall immediately refer any application which is the subject of such an appeal, and the Cultural Resources Office's entire file thereon, to the Preservation Board for hearing and resolution, based on the criteria set out in Sections Fifty-Eight to Sixty-Two. Requests or applications to the Preservation Board for reconsideration of any such appeal shall not be permitted. The Preservation Board shall issue its decision on applications appealed under this section by the sixtieth working day following receipt of the application by the Office under Section Fifty-Eight. Any such appeal shall be deemed and conducted as a contested case within the meaning of Chapter 536, RSMo., as amended, and shall be appealable and reviewable as in such chapter provided. The Cultural Resources Office is hereby authorized to appeal any decision of the Preservation Board. Any final decision of the Preservation Board may be appealed to the Planning Commission pursuant to Section Fifty-Three.

**SECTION SIXTY-FOUR.** Demolition permit approval Effect of prior legal actions.

No demolition permit for properties described in Section Fifty-Eight, except in emergency situations, shall be issued by the Building Commissioner unless it has been approved as provided in Sections Fifty-Nine to Sixty-Four.



CITY OF ST. LOUIS  
**PLANNING & URBAN  
 DESIGN AGENCY**  
 CULTURAL RESOURCES OFFICE  
 FRANCIS G. SLAY, Mayor

**C.**

**Date:** November 23, 2009  
**From:** Cultural Resources Office  
**To:** City of St. Louis Preservation Board  
**Subject:** Appeal of a denial of an application for a demolition permit  
**Address:** 3959 N 11th Street  
**District:** Hyde Park Certified Local Historic District      **Ward:** 3



**3959 N 11TH STREET**

**Owner/ Appellant**

Dana E and Jahi Adisa Bakari

**Applicant:**

Z and L Wrecking

**Purpose:**

Appeal of a staff denial of an application for a demolition permit.

**Recommendation:**

Staff recommends that the Board uphold the staff denial



**Background:**

On October 5, 2009, the owners of the property filed a Preliminary Review application with the Cultural Resources Office for demolition of the house at 3959 N 11th Street. At the October 26, 2009 meeting of the Preservation Board, the Board reviewed the proposed demolition of the building at 3959 N. 11th Street on a preliminary basis. The building has been owned by the current owners since 2002. The building has recently suffered extensive fire damage.

At the meeting on the 26th, the Board heard testimony and reviewed exhibits from staff and heard testimony from a representative of the owners, who currently live in Dallas, Texas.

The Board denied the proposed demolition. Subsequently, the staff denied the application for a demolition permit for the building. The staff denial was based upon the Board proceedings and its decision at the October 26th meeting.



3959 N 11TH STREET FRONT FACADE



3959 N 11TH STREET REAR FACADE

City records do not indicate the date of the fire that damaged the site, but they do show that although the building was inspected by the Department of Public Safety building division on September 28, 2009, it was not condemned for demolition, but merely cited for two violations of the building code. During the time the applicants have owned the building, they have been cited 15 times for building or environmental code violations including rat infestation, dead trees, and Minimum Exterior Building Code violations. All violations have been closed by the within days of the violation citation (see attachments).

**Reasons for Application:**

The owners have stated that they currently live in Texas and cannot maintain the building, thus wanting to demolish it as it has suffered extensive fire damage.



**REAR FENCE AND REAR**



**ELEVATION OF THE SITE AND ADJACENT PROPERTY**

**Site and Surrounding Area:**

The building is located within the boundaries of the Hyde Park Certified Local Historic District. The houses on the street are well maintained and contribute to the context of the historic district.

**VIEWS OF SITE AND N. 11TH STREET**



The building adjacent to the north at 3961 N. 11th Street is also fire damaged. It was condemned for demolition by the Department of Public Safety September 2003, which was denied by the Cultural Resources Office. Public Safety ordered that the building be boarded and secured on the first floor.



3961 N 11TH STREET FRONT FACADE



SIDE AND REAR FACADES ABOVE.



### **Governing Legislation:**

#### ***HYDE PARK HISTORIC DISTRICT REHABILITATION AND NEW CONSTRUCTION STANDARDS***

*The prime objective in the proposed Hyde Park Historic District Use, Construction and Restoration Standards is to maintain the distinctive architectural character found throughout much of the neighborhood. There are a few existing sections where there are residential structures of later construction but the impression remains of one predominant style characterized by structures built predominantly in the mid to late 1800's.*

**Despite the fire damage the building retains its character as a brick, Second Empire single family house constructed in 1895.**

*These standards shall not be construed to prevent the ordinary maintenance or repair of any exterior feature in the Historic District which does not involve a change in design, material, color, or outward appearance, nor to prevent the demolition of any structure or detail which the building inspector certifies as dangerous and unsafe.*

**The building has not been condemned for demolition or repair by the Department of Public Safety. It was inspected in September, 2009 and the owner was required to "board-up" the openings and repair the exterior.**



**VIEW LOOKING NORTHEAST ON N. 11TH STREET**



**VIEW OF THE EAST SIDE OF N. 11TH STREET  
TOWARDS HIGHWAY 70.**

*No building or structure within the Historic District shall be demolished, and no permit shall be issued for the demolition of any such building or structure, unless the Landmarks and Urban Design Commission (currently the Preservation Board) and the Community Development Agency (no longer exists as described in Ordinance) both shall find that the building or structure is in such a state of deterioration and disrepair or is so unsound structurally as to make rehabilitation impracticable.*

**This 1,760 square foot building is in stable condition and could be rehabilitated. At a cost of \$125.00 per square foot, and use of the Federal and State Tax Credit for Historic Preservation Programs, rehabilitation would cost approximately 110,000.00.**

**CULTURAL RESOURCES OFFICE AND PRESERVATION BOARD ENABLING ORDINANCE  
(TITLE 24) ST. LOUIS CITY ORDINANCE 64689**

*SECTION FORTY-ONE. Determination of compliance or recommendation required before permit approved: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site. No permit for any such..... demolition shall be issued by the building commissioner unless the Cultural Resources Director shall have determined that the proposed work complies with the applicable Historic District..... standards, or the Preservation Board or Cultural Resources Director has recommended that the application for permit be approved.*

**The Department of Public Safety has not condemned the building for demolition because of its condition, therefore the proposed demolition does not comply with the Hyde Park Historic District Ordinance (above).**



**3RD FLOOR MANSARD AND BOARDED FIRST FLOOR**

*SECTION FORTY-TWO. Consideration of permit application: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site. If the proposed.....demolition is not covered by any duly approved design standard for the Historic District,.....in which the Improvement is situated, the Cultural Resources Office or the Preservation Board shall review the application for permit, as provided by the rules of the Preservation Board. In making such review, the Preservation Board or Cultural Resources Office, as the case may be, shall consider such application in light of the Historic District plan and Historic District standards with respect to the Historic District*

**See above, the standard requires that the building be declared unsafe by the Department of Public Safety, this has not occurred.**

*..... the intent of this ordinance,*

- A. *St. Louis contains a stock of residential and commercial buildings which is characterized by certain common architectural styles and quality construction.*
- B. *This building stock imparts a distinct and distinguished appearance to St. Louis which is of benefit and is attractive to visitors.*

**Loss of this contributing building in a City Historic District will lessen the benefit of the intact 3900 block of N 11th Street.**
- C. *Adaptive reuse of residential and commercial buildings in St. Louis has often proved to be an economically feasible and potentially profitable alternative to demolition and should be encouraged.*

The Enabling Ordinance encourages rehabilitation as economically feasible, this statement is supported by an analysis of the potential cost of rehabilitation.

D. *Evaluation of the economic feasibility and potential profitability of adaptive reuse is a legitimate function of the Preservation Board and Cultural Resources Office.*

See above.

*SECTION FORTY-ONE. Determination of compliance or recommendation required before permit approved: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site. No permit for any such construction, alteration or demolition shall be issued by the building commissioner unless the Cultural Resources Director shall have determined that the proposed work complies with the applicable Historic District or Landmark or Landmark site standards, or the Preservation Board or Cultural Resources Director has recommended that the application for permit be approved.*

*The effect of such proposed..... demolition on the significant features or characteristics of the Historic District..... which were the basis for the Historic District.....designation and such other considerations as may be provided by rule of the Preservation Board.*

**The loss of this building will negatively impact the continuity and urban design of this intact residential block the Hyde Park Historic District.**

*The building commissioner shall deny the application for permit if the Preservation Board or the Cultural Resources Office, as the case may be, recommends that the permit be denied or if the Applicant refuses to accept conditions to approval that may be required by the Cultural Resources Office or Preservation Board or by the building Commissioner on direction of the Cultural Resources Office or the Preservation Board.*

### **Community Consultation:**

Although he has not commented upon this proposed demolition, Alderman Bosley of the 3rd Ward has repeatedly opposed any demolition in the Hyde Park Historic District.

### **Comments**

The owners, who no longer live in St. Louis, have stated to staff that they wish to demolish the building because they cannot afford to rehabilitate the building and cannot manage the property from their new home in Texas. No financial evidence illustrating financial insufficiency has been submitted for analysis.

Staff has found that rehabilitation as income producing property is feasible given rents in the area of as much as 750.00 per month for a two bedroom apartment.

### **Conclusion**

The Cultural Resources Office recommends that the Preservation Board uphold the staff denial of an application for a demolition permit as no evidence has been submitted to support approval and the proposed demolition does not meet the Standards of the Hyde Park Certified Local Historic District.

### **Contact:**

Kate Shea                      Planning and Urban Design, Cultural Resources Office  
Telephone:                      314-259-3463 Fax:    314-622-3413  
E-Mail:                              sheak@stlouiscity.com

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## *HYDE PARK HISTORIC DISTRICT REHABILITATION AND NEW CONSTRUCTION STANDARDS*

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*The prime objective in the proposed Hyde Park Historic District Use, Construction and Restoration Standards is to maintain the distinctive architectural character found throughout much of the neighborhood. There are a few existing sections where there are residential structures of later construction but the impression remains of one predominant style characterized by structures built predominantly in the mid to late 1800's.*

*Throughout the district there are entire blocks that exhibit continuity of design through height, width, material, window size, shape and overall spacing. These elements help to create an unusually strong "streetscape" which should receive considerable emphasis during the review process. Particularly when new construction is proposed, consideration of the "streetscape" and the relationship of the new structures to the existing buildings is of the utmost importance.*

*The following are specific standards to control the use of structures and establish criteria by which alterations to existing structures as well as new construction can be reviewed. Some of the guidelines are precise whereas others are, by necessity, more general, allowing a range of alternative solutions all of which are compatible with the existing neighborhood. In order for these criteria to best become working tools for the developer, architect and client, they should be studied thoroughly before design work begins.*

*It is not the intention of these regulations to discourage contemporary design which through careful attention to scale, materials, siting and landscaping can be harmonious with the historic, existing structures.*

### *I. RESIDENTIAL (PROPOSED "B" AND "C" ZONING DISTRICTS)*

#### *A. Use:*

*A building or premises shall be utilized only for the use permitted in the zoning district within which the building or premises is located.*

#### *B. Structures: (New construction or alterations to existing structures)*

##### *1. Location*

*New or moved structures shall be positioned on their lot so as to continue the existing pattern on the block with respect to front yards, side yards, rear yards, etc.*

##### *2. Height (scale, size and proportion).*

*Maintaining the scale and proportion of all buildings in Hyde Park is very important. All new construction should complement and respect existing buildings.*

- 1. New residential structures shall be within 15% of the average height of the nearest existing buildings on the block in which it is built.*
- 2. New apartments or row houses shall be designed in such a manner as to give the impression of single attached units rather than of one large structure.*
- 3. The first floor elevation of new residential structures shall approximate the first floor elevation of the house(s) on either side of it.*

##### *3. Exterior Materials.*

*The texture and color of basic building materials give continuity to Hyde Part*

*and future construction should utilize these same materials wherever possible. Exterior materials shall be stone, brick (red to match in most cases), stucco, terra cotta, wood, (only on bays, dormers, porches and other architectural features and garages and similar accessory buildings), and concrete (only on foundation walls not facing a street.) Mortar shall be of a color similar to buildings on either side. Color finished aluminum of appropriate gauge may be used to replace siding on existing frame structures in Hyde Park area. However, architectural details or features are NOT to be removed in the application of the siding. Asphalt shingle siding is not considered proper.*

4. *Roof Materials (and roof shape).*

*Roof materials shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Where asphalt shingles are used it is suggested that colors shall be black or dark green. Bright colored asphalt shingles are not acceptable. Any commonly used roof materials may be utilized where the roof is not visible from the street. Any new construction shall be compatible to the nearest existing buildings in regards to roof shape.*

5. *Details.*

*Architectural details on new construction need not imitate details on existing buildings but should always be compatible. Architectural details on existing buildings shall be maintained in a similar size, detail and material. Where they are badly deteriorated, similar details salvaged from other buildings may be substituted. New and replacement window frames and door frames shall be limited to wood or color finished aluminum. A color code of white, dark green, gray, or wood tones shall be followed. Raw or unfinished aluminum is not acceptable. Windows and doors on new construction shall be similar to adjacent buildings. raw or unfinished aluminum shall not be acceptable. Windows and doors in existing structures shall be maintained in the same size and shape as the original openings. Metal awnings and canopies are not acceptable. Roll up canvas awnings on large display windows of commercial buildings only will be considered proper. Awnings of canvas only are acceptable on residential structures.*

*Storm doors and windows, if used, shall be of wood or color finished aluminum. A color code of white, dark green, gray or wood tones is suggested. Raw or unfinished aluminum shall not be acceptable.*

*Exterior shutters, if used, shall be made of wood or color finished aluminum the correct size and shape needed to fit the entire opening for which they are intended. A color code of dark green or black is suggested.*

*Cornices on existing structures shall be maintained as originally constructed. New gutters and downspouts on all structures shall be of copper, or color finished aluminum or other acceptable color coordinated material. A color code of dark green, black, or brick red is suggested. Color shall be coordinated with structure involved.*

6. *Walls, Fences and Enclosures.*

*New walls (free standing or retaining) shall be faced with brick (red) stone (white) or stucco. Existing walls shall be kept in repair of existing material. Fences shall be either privacy, security or ornamental. Material for fences shall be cast iron or wood when visible from the street. Wooden fences shall be a*

*maximum of five feet. The suggested color code for fences shall be: Cast iron - Black, Wood - Gray*

7. *Landscaping.*

*Small flower gardens in front or rear yards are encouraged wherever possible. Installation of street trees by request to the City is encouraged. Type of trees used shall be compatible with other street trees in Hyde Park. If a lawn area exists between the side walk and street curb, this area should either be planted with ground cover or paved with brick or cobblestones.*

8. *Street Furniture and Utilities.*

*Where possible, all new utility lines shall be underground or enter above ground from rear of property. All free-standing light standards or fixtures attached to a structure shall be of a design which is compatible with lighting throughout Hyde Park. The design and location of all items of street furniture shall be compatible with the area. Special permits must be obtained if street furniture is to be located within public right-of-way.*

9. *Drives and Parking (Paving or ground cover materials). Off-street parking at the rear of residential property shall be provided if at all possible. Drives shall be constructed of brick, granite pavers, Portland cement concrete or asphaltic concrete.*

10. *Walks. All public walks shall conform with existing walks on the block. Private walks may be located in any appropriate place. They shall be constructed of stone, red brick, or concrete. Asphaltic concrete or crushed rock shall not be acceptable.*

11. *Signs. No signs shall be allowed in the residential districts except:*

- a. One (1) temporary sign, not exceeding six (6) square feet in area pertaining to the lease, rent or sale of the building. Signs shall be placed in window of structure. Free-standing signs shall not be allowed. Special permits must be obtained as required.*
- b. On multi-family buildings, a sign upon which is placed the name of the building. In no case shall such a sign be free-standing or exceed six (6) square feet in area.*
- c. Free-standing signs for institutional uses not to exceed a total of thirty (30) square feet in area. These signs shall be non-flashing, without moving parts and neither neon or backlighted.*

**II. COMMERCIAL/INDUSTRIAL (PROPOSED "F", "G", "J" ZONING DISTRICTS)**

**A. A building or premises shall be utilized only for the uses permitted in the zoning district within which the building or premises is located, except that none of the following shall be permitted:**

- 1. Drive-in Restaurants**
- 2. Service Stations**
- 3. Any use that requires materials, in raw form, emits obnoxious odors, is of an explosive nature, or is a high hazard potential to the general public as the result of the assembly or compounding process.**

**B. Structures: (New Construction or Alterations to Existing Structures)**

**1. Location.**

*New or moved commercial structures shall be positioned on the lot to enhance the character of the commercial location.*

2. *Height (scale, size and proportion).*  
*New buildings must be constructed within 15 percent of the average height of existing commercial buildings on the block. In no case shall a commercial structure of less than two stories be permissible.*
3. *Exterior Materials.*  
*In Hyde Park brick masonry, stone masonry or stucco are dominant with terra cotta and wood used for trim and other architectural features. All new building materials shall be compatible in type and texture with the dominant materials of adjacent buildings. Artificial masonry such as "Perma-Stone" is not permitted. A submission of all building material samples including mortar shall be required prior to approval.*
4. *Roof Materials (and roof shape).*  
*Roof materials shall be slate, tile, copper or asphalt shingles where the roof is visible from the street. Brightly colored asphalt shingles are not appropriate. When there is a strong, dominant roof shape in a block, any proposed new construction or alteration should be viewed with respect to its compatibility with the existing adjacent buildings.*
5. *Details.*  
*Architectural details on existing structures shall be maintained in a similar size, detail and material. Where they are badly deteriorated similar details salvaged from other buildings may be substituted. Both new and replacement window and door frames shall be limited to wood or color finished aluminum. Raw or unfinished aluminum is not acceptable. Awnings of canvas only are acceptable.*
6. *Walls, Fences and Enclosures.*  
*Walls and fences form an important part of the overall streetscape. These should be of brick, stone or stucco, wood, wrought iron or evergreen hedge when visible from the street, as is consistent with existing dominant materials.*
7. *Landscaping.*  
*If there is a predominance of particular types or qualities of landscape materials, any new planting should be compatible by considering massing and continuity. The installation of street trees by request to the City is encouraged and in some instances may be required.*
8. *Street Furniture and Utilities.*  
*All free-standing light standards placed in the front yard of any structure or premises shall be either authentic period styling or high quality contemporary design. The design and location of all items of street furniture must be approved prior to placement. Special permits must be obtained if street furniture is to be located within public right-of-way. Where possible, all new utility lines shall be underground.*
9. *Drives and Parking (Paving or Ground Cover Materials) and Walks.*  
*The use of masonry units compatible with adjacent building materials is encouraged. Pedestrian walks, courts, sitting areas, etc., shall be surfaced by a permanent material including textured concrete, brick pavers, cobblestone or street pavers or any other material consistent with adjacent surfaces. Asphalt paving shall not be acceptable on any areas for pedestrian use, exclusively, and acceptable on vehicular use areas only.*  
*All off-street parking shall be located behind or to the side of commercial structures. Where visible from the street, screening with visually opaque*

*landscaping or 5' minimum high masonry, shrubbery or concrete wall shall be necessary.*

10. *Signs.*

*Signs within the commercial district shall be in accordance with the zoning ordinance except that in no case will the following be allowed:*

- . Non-appurtenant advertising signs.*
- a. Pylon signs in excess of 25' in height.*
- b. Wall signs above the second floor window sill level.  
Wall signs should be designed to complement the existing building and never cover windows or other architectural elements. Where more than one wall sign exists on a single structure or a series of related structures, all signs should be basically similar in character and placement. Office buildings without first floor retail establishments shall have no more than one wall sign per facade located below the second floor window sill line designating only the name and address of the building.*
- c. Roof top signs.*
- d. Projecting signs are not acceptable if they obstruct the view of adjacent signs, obstruct windows or other architectural elements or extend above the second floor window sill level. Only one projecting sign is allowed per street frontage for each establishment.*
- e. Flashing or rotating elements.*
- f. Painted wall signs.*

*These standards shall not be construed to prevent the ordinary maintenance or repair of any exterior feature in the Historic District which does not involve a change in design, material, color, or outward appearance, nor to prevent the demolition of any structure or detail which the building inspector certifies as dangerous and unsafe. Any building feature or detail so removed shall be replaced by a material consistent with the original appearance. No building or structure within the Historic District shall be demolished, and no permit shall be issued for the demolition of any such building or structure, unless the Landmarks and Urban Design Commission and the Community Development Agency both shall find that the building or structure is in such a state of deterioration and disrepair or is so unsound structurally as to make rehabilitation impracticable.*

*In the event an element of these proposed uses, construction and restoration standards is not consistent with the zoning ordinance for the City of St. Louis, or other City codes or ordinances, the more restrictive shall apply.*

Attachment II

*PART VIII - LEGISLATIVE FINDINGS WITH RESPECT TO REVIEW OF CERTAIN DEMOLITIONS  
SECTION FIFTY-FOUR. Findings.*

*The Board of Aldermen of the City finds and declares as follows:*

*A. St. Louis contains a stock of residential and commercial buildings which is characterized by certain common architectural styles and quality construction.*

*B. This building stock imparts a distinct and distinguished appearance to St. Louis which is of benefit and is attractive to visitors.*

*C. Adaptive reuse of residential and commercial buildings in St. Louis has often proved to be an economically feasible and potentially profitable alternative to demolition and should be encouraged.*

*D. Evaluation of the economic feasibility and potential profitability of adaptive reuse is a legitimate function of the Preservation Board and Cultural Resources Office.*

*PART V - HISTORIC DISTRICTS AND LANDMARKS - CONSTRUCTION, ALTERATION AND  
DEMOLITION*

*SECTION THIRTY-NINE. Permit required when: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site*

*No Owner or other person shall ..... demolish ..... any designated feature or Exterior Architectural Feature with respect to any Improvement situated within an Historic District,.... nor shall such person cause or permit any such work to be performed upon such property, unless an application shall have been filed with the building commissioner and a permit obtained therefor from the building commissioner. The building commissioner shall immediately upon receipt of any such application for permit forward a copy of such application to the Cultural Resources Office for review.*

*SECTION FORTY. Preliminary design review of proposed construction or Exterior Alterations: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site. The Preservation Board may establish procedures for preliminary design review by the Cultural Resources Director and the staff of the Cultural Resources Office of proposed construction or Exterior Alterations where Landmark or Historic District standards may be expected to apply. If, after a preliminary design review as above, an application for permit is received by the building commissioner which conforms to the plans and specifications as approved at the preliminary design review, the building Commissioner may issue the permit.*

*SECTION FORTY-ONE. Determination of compliance or recommendation required before permit approved: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site. No permit for any such construction, alteration or demolition shall be issued by the building commissioner unless the Cultural Resources Director shall have determined that the proposed work complies with the applicable Historic District or Landmark or Landmark site standards, or the Preservation Board or Cultural Resources Director has recommended that the application for permit be approved.*

*SECTION FORTY-TWO. Consideration of permit application: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site. If the proposed construction, alteration or demolition is not covered by any duly approved design standard for the Historic District, Landmark or Landmark*

*Site in which the Improvement is situated, the Cultural Resources Office or the Preservation Board shall review the application for permit, as provided by the rules of the Preservation Board. In making such review, the Preservation Board or Cultural Resources Office, as the case may be, shall consider such application in light of the Historic District plan and Historic District standards with respect to the Historic District, or the Landmark plan and standards, as the case may be, the intent of this ordinance, the effect of such proposed construction, alteration or demolition on the significant features or characteristics of the Historic District or Landmark or Landmark Site which were the basis for the Historic District or Landmark or Landmark Site designation and such other considerations as may be provided by rule of the Preservation Board. The Preservation Board or the Cultural Resources Office, as the case may be, shall forward its determinations or recommendations with respect to the application to the building Commissioner within forty five (45) days from the date of application for permit. The building commissioner shall deny the application for permit if the Preservation Board or the Cultural Resources Office, as the case may be, recommends that the permit be denied or if the Applicant refuses to accept conditions to approval that may be required by the Cultural Resources Office or Preservation Board or by the building Commissioner on direction of the Cultural Resources Office or the Preservation Board.*

*SECTION FORTY-THREE. Granting or denial of permit application: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site.*

*The building commissioner shall in any case grant or deny the application for a permit within fifty (50) days from the date of application.*

*SECTION FORTY-FOUR. Appeal on actions or determinations: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site.*

*Any person aggrieved by, or any officer, department, board, bureau or commission of the City affected by, the action of the building Commissioner with respect to a requested permit based on the Cultural Resources Office's application of the Landmark or Historic District standards to a requested permit or based on the recommendations or determinations by the Preservation Board or Cultural resources Office pursuant to Sections Thirty-Nine through Forty-Three, may appeal the action of the building commissioner to the Preservation Board for review and hearing. Such appeal shall be known as a preservation appeal and shall be taken within thirty (30) days after the action of the building commissioner by filing a notice of appeal with the Cultural Resources Office specifying the grounds of such appeal.*

*SECTION FORTY-FIVE. Hearing on filed appeal: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site. Within forty five (45) days after the filing of appeal to the Preservation Board, the Preservation Board shall hold a hearing thereon. The Preservation Board shall hear the recommendations and evidence submitted by the Cultural Resources Office and by any officer, department, board, bureau or commission desiring to be heard thereon and shall permit the appellant and other parties to the appeal an opportunity to appear and be heard by the Preservation Board and to submit evidence. The Preservation Board may permit any other interested person an opportunity to appear and be heard by the Preservation Board. The Preservation Board may continue or adjourn the hearing or schedule additional hearings to permit a full hearing of the appeal. The Preservation Board shall cause all proceedings in a preservation appeal to be suitably recorded and preserved.*

*SECTION FORTY-SIX. Attempt to reconcile proposed action with applicable standards: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site.*

*The Preservation Board shall endeavor to reconcile the construction, alteration or demolition proposed by the Applicant for permit with the applicable Historic District or Landmark standards. If an application for permit is revised or resubmitted in accordance with such a reconciliation, then the building Commissioner shall approve the necessary permit, provided that any conditions for such permit under the building code or other ordinances have otherwise been met.*

*SECTION FORTY-SEVEN. Consideration of claim that property cannot be put to reasonable beneficial use without approval of proposed work: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site.*

*If the Applicant for permit claims that the property involved cannot be put to a reasonable beneficial use without the approval of the proposed construction, alteration or demolition the Applicant shall present evidence at the hearing before the Preservation Board, establishing such claim, and in the case of income producing property, the Applicant shall also present evidence whether the Applicant is able to obtain a reasonable return on the Applicant's investment from the property without the approval of the proposed construction, alteration or demolition. If such a claim is presented, the Preservation Board shall consider the possibility of preserving the property, including plans for its use in economically productive ways. The Preservation Board may hear evidence thereon at the hearing or may continue the hearing for a reasonable time to permit the preparation and presentation of evidence thereon to the Preservation Board by the Cultural Resources Director, the Cultural Resources Office, or any other person, including members of the Preservation Board. After consideration of the evidence, the Preservation Board shall make a determination whether the property can be put to a reasonable beneficial use without the approval of the proposed work; and in the case of income producing property, the Preservation Board shall also determine whether the Applicant can obtain a reasonable return on its investment from the property without the approval of the proposed work.*

*SECTION FORTY-EIGHT. Considerations in review of proposed work: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site.*

*In its review of the proposed construction, alteration or demolition, the Preservation Board shall consider whether the proposed work would violate the intent of this ordinance and the intent of the applicable Historic District or Landmark or Landmark Site designation ordinance as reflected in the Historic District or Landmark preservation plan, whether the proposed work would adversely affect the characteristics of the district or site which were the basis for the Historic District, Landmark or Landmark Site designation, whether there have been changes in the circumstances or conditions in or affecting the Historic District, Landmark or Landmark Site since its designation, and other relevant considerations, such as the availability of economically feasible alternatives to the proposed work.*

*SECTION FORTY-NINE. Decision or determination: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site.*

*A. Unless there shall have been a reconciliation, the Preservation Board shall reverse or affirm, with or without conditions or modifications, the action of the Building Commissioner with respect to the requested permit or make such order, decision or determination as ought to be made. The Preservation Board shall make its decision within fifty five (55) days after the filing of appeal to the Preservation Board, except that if the Applicant for permit submits evidence in support of a claim that the property cannot be put to a reasonable beneficial use without the approval of the proposed construction, alteration or demolition, the Preservation Board shall have forty five (45) days following completion of the hearing on the preservation appeal to make its decision, including any determinations required to*

*be made under Section Forty-Seven of this ordinance. The Preservation Board shall promptly notify the parties and the Building Commissioner in writing of its decision.*

*B. If the Preservation Board determines that the property cannot be put to a reasonable beneficial use without the approval of the proposed construction, alteration or demolition, the Preservation Board shall recommend that the application for permit be granted (subject to applicable building code requirements), except that the Preservation Board may delay the granting by the Building Commissioner of the permit for construction, alteration or demolition for up to one hundred (100) days to pursue alternatives for preserving such property. Such period of delay shall be measured from the date of the Preservation Board's decision of the preservation appeal. The determination to delay the granting of such permit shall require the affirmative vote of at least five of the seven members of the Preservation Board and a finding by the Preservation Board that the proposed construction, alteration or demolition will have a significant adverse effect on the Historic District or the Landmark or Landmark Site. If, during such period of delay, new or additional material information is discovered or becomes available to the Preservation Board relating to the reasonable beneficial use of the property or to alternatives for preserving such property, the Preservation Board may, during such period of delay and upon notice to the parties, reopen the hearing to take additional evidence and may revise its findings or decision based on such evidence.*

*SECTION FIFTY. Further appeals: Demolition, Construction, Alteration - Historic District or Landmark/Landmark Site.*

*Any person or persons jointly or severally aggrieved by, or any officer, department, board, bureau or commission of the City affected by, the decision of the Preservation Board upon a preservation appeal may appeal such decision to the Planning Commission for review in accordance with Section Fifty-Three of this ordinance and the Missouri Administrative Procedure Act. The Planning Commission's decision may be further appealed to Circuit Court for review pursuant to the Missouri Administrative Procedure Act.*



CITY OF ST. LOUIS  
**PLANNING & URBAN  
 DESIGN AGENCY**  
 CULTURAL RESOURCES OFFICE  
 FRANCIS G. SLAY, Mayor

**D.**

**Date:** November 23, 2009  
**To:** City of St. Louis Preservation Board  
**From:** Andrea Gagen, Preservation Planner, Cultural Resources Office  
**Subject:** Appeal of a staff denial for the installation of vinyl windows  
**Address:** 5841 Pershing Avenue  
**District:** Skinker-DeBaliviere Local Historic District      **Ward:** 28



**5841 PERSHING**

**Owner:**

Bernard A. & Brenda F. Asen

**Applicant:**

Sears Home Improvement/Dion Johnson

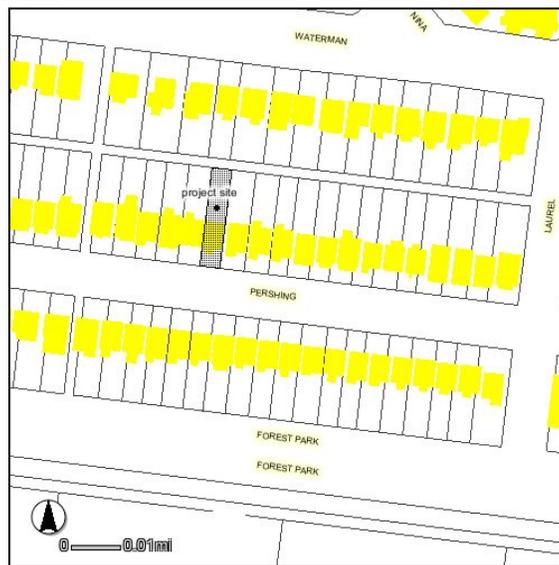
**Purpose:**

To retain vinyl windows installed on the front of the building.

**Recommendation:**

That the Preservation Board uphold the denial of the windows as they do not meet the Skinker-DeBaliviere Historic District standards.

**Proposal**



The applicant wishes to retain twenty-two (22) vinyl windows which were installed without a permit. Seven (7) of these windows are located on the front facade of the house.



**2003 PHOTO SHOWING ORIGINAL MULTI-LIGHT WINDOWS**



**1<sup>st</sup> & 2<sup>nd</sup> STORY VINYL FRONT FACADE WINDOWS**



**HISTORIC MULTI-LIGHT WINDOWS ON A NEIGHBORHOOD BUILDING**

**Background**

The Cultural Resources Office received an application for the installation of twenty-two (22) Wincore vinyl windows at 5841 Pershing Ave. The applicant, Sears Home Improvement, had previously

installed the windows without a permit and wrapped the trim. The Building Division stopped the work after receiving a Citizens Service Bureau (CSB) complaint.

Seven (7) of the windows are located on the front facade of the building. The owners did contact the Cultural Resources Office before the installation of the windows and were told that they were in an historic district. This information was apparently not passed on to the applicant, although a reference to the possibility was made. The applicant did not follow up on that information, and no permits were obtained. A 2003 photo of the building shows that the original windows had multi-light upper sashes; the replacement windows do not replicate these muntin patterns as they have a single light upper sash.

The windows installed on the front facade of the building do not meet the Skinker-DeBaliviere Historic District standards and therefore, the application was denied. The applicant has appealed the decision and it is being brought before the Preservation Board.



**DETAIL OF WINDOWS AND ALUMINUM WRAPPING**

### **Site and Surrounding Area**

The building is located in a predominantly residential area in the Skinker-DeBaliviere Local Historic District. The property is located near the middle of the block on the north side of Pershing Ave. between Laurel and Des Peres.



**BUILDINGS EAST OF 5841 PERSHING**



**ACROSS PERSHING**

## Relevant Legislation

Excerpt from Ordinance #57688, Skinker-DeBaliviere Historic District:

### RESIDENTIAL APPEARANCE STANDARDS

#### d. Details (for permit required work):

Architectural details on existing structures, such as columns, pediments, dormers, porches, and bay windows should be maintained in their original form if at all possible. Renovations involving structural changes to window or door openings are permit required work and thus must be reviewed by the Landmarks and Urban Design Commission. Design of these renovations should be compatible in scale, materials, and color with existing features of the building and with adjacent historical structures. When on the front of a building, wood or factory-finished colored metal is the preferred material for frames of new and replacement storm windows and screens and storm and screen doors. Awnings on the front of a house should be canvas or canvas-type materials.

**Does not comply. The windows are not compatible in scale and material with the existing features of the building and with adjacent historical structures.**



**SOUTHEAST ON PERSHING**



**SOUTHWEST ON PERSHING**

## Community Consultation

Neither the Alderperson nor any community group has commented on the proposed new construction.

## Comments

The seven (7) windows on the front of the building at 5841 Pershing do not comply with the Skinker-DeBaliviere Historic District and were installed without a permit. The size, proportions and site lines of the vinyl windows are not appropriate for a historic building. The windows do not replicate the original windows in the following manner:

- Jambs are much wider than those original to the building;
- Dimension of lift rail is much smaller;
- Dimension of the meeting rail is more narrow;
- The back meeting rail is visible, as it extends below the front rail;
- The original windows were 9-over-1, these are 1-over-1;
- Total glass area of the window has been reduced;

- The aluminum wrapping on the trim obscures the detail of the brickmold and mullions and gives the windows a flatter appearance.

The Building Division received a complaint regarding the installation of these windows and stopped the work. The applicant is now applying for a variance to retain the windows. The contract for the purchase and installation of the windows appears to hold the applicant, Sears Home Improvement, responsible for obtaining permits prior to commencement of work.

### **Conclusion**

The Cultural Resources Office recommends that the Preservation Board uphold the staff denial of the vinyl windows as they do not meet the Skinker-DeBaliviere Historic District standards.

Contact:

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CITY OF ST. LOUIS  
**PLANNING & URBAN  
DESIGN AGENCY**  
CULTURAL RESOURCES OFFICE  
FRANCIS G. SLAY, Mayor

E.

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**Date:** November 23, 2009  
**To:** City of St. Louis Preservation Board  
**From:** Bob Bettis, Preservation Planner  
**Subject:** Appeal of a staff denial to retain non-compliant doors at front entry  
**Address:** 2745 Accomac Avenue  
**District:** Fox Park Neighborhood Historic District – Ward 7



2745 ACCOMAC AVENUE

**Owner/Appellant:**

Brett Factory

**Purpose:**

To retain a non-compliant front door configuration

**Recommendation:**

The Preservation Board should uphold the staff denial as the installed doors do not comply with the historic district standards.



**Background**

On May 15, 2009, the Cultural Resources Office received a Citizens Service Bureau complaint for work being completed at 2745 Accomac Ave. without a permit. Upon inspection it was discovered that two new front doors had been installed, and both original transoms and trim were removed. The owner of the property did not respond to correspondence from the Cultural Resources Office and was referred to Housing Court. Upon receipt of a court summons, the owner made application for the non-compliant work on September 8, 2009.

The owner does not wish to modify his design so the project was scheduled for the November 23, 2009 Preservation Board.



WEST

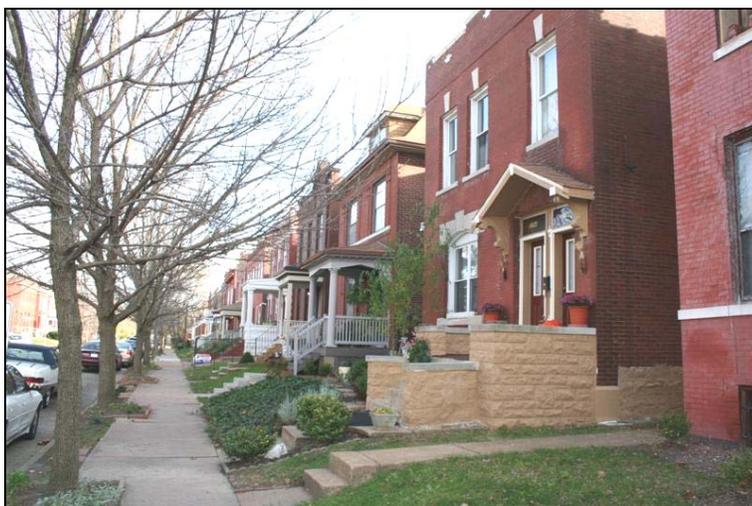


EAST

CONTEXT

**Site and Surrounding Area**

2745 Accomac is a converted two-family two-story Revival style in the Fox Park Historic District. The property is located on the north side of Accomac between Ohio to the east and California to the west, two blocks north of Fox Park. Buildings surrounding 2745 Accomac are residential, primarily single-family brick buildings of similar architectural style and date of construction. The surrounding buildings are all well-maintained and are contributing resources to the Fox Park Historic District.



CONTEXT ACROSS ACCOMAC LOOKING EAST

**Relevant Legislation**

*Per the Fox Park Neighborhood Historic District Standards, Ordinance #66098:*

## 204 Doors

*Comment: Doors, like windows, are an integral part of a building's street facade. Primary entrance doors are one of the strongest first impressions of a building. Door types found in the Fox Park Historic District are limited to a few different types. Doors of earlier Federal style buildings are solid, simple in construction and without ornament except for four or six panels. Victorian doors are much more ornate, often with elaborate carvings, recessed panels or other architectural detailing and typically have a glazed area in the upper half to three quarters of the door (See Figure I)*

*Doors shall be one of the following:*

*The original wood door restored*

*A new wood door that replicates the original*

*A finished metal door of a style which replicates the original; or*

*Based on a Model Example*

**Does not comply.** The alterations made to the front entry have completely changed the character of the front entry. The proportions and style of the original doors have been lost; and all of the original door transoms, center mullion and other trim have been removed. The owner did not provide a Model Example, but he would not be able to, as the renovation of the entry is entirely contemporary in design.



**DETAIL OF NEW DOORS**

### 204.2 Transoms:

*Existing transoms must be maintained as part of the entry at all Facades.*

**Does not comply:** The original transoms have been removed to accommodate the taller doors.



**PROPER DOOR CONFIGURATIONS/EXAMPLES**

### **Community Consultation**

At this writing, we have not received any written communication concerning the project from the Alderman for the Ward or the neighborhood.

### **Comments**

2745 Accomac, built in 1907, is a simple Classical Revival style building. Popular from the 1880's until the 1940's, these styles utilized a wide variety of detailing like ornate porches, parapets, and window treatments to make a simple building form appear elegant. The original door configuration was a key element to the appearance of this house that has very minimal ornamentation. The installation of the new doors and removal of the transoms and door trim has severely affected the character of the building. The new doors are too tall and out of scale with the original building.

The owner has not provided any evidence of economic hardship.

### **Conclusion**

Staff recommends that the Preservation Board uphold the staff denial as the installed doors do not comply with the Fox Park Historic District Standards.

### Contact:

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CITY OF ST. LOUIS  
**PLANNING & URBAN  
 DESIGN AGENCY**  
 Cultural Resources Department

**F.**

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**Date:** November 23, 2009  
**To:** City of St. Louis Preservation Board  
**From:** Bob Bettis, Cultural Resources Office  
**Subject:** Appeal of a staff denial to install vinyl windows and wrap trim  
**Address:** 1900-02 Withnell Ave.  
**District:** Benton Park Local Historic District      **Ward:** 9



**1900-02 WITHNELL AVE.**

**Owner/Appellant:**  
 Richard Schramm

**Purpose:**  
 To install three vinyl windows and wrap wood trim

**Staff Recommendation:**  
 The Preservation Board should uphold the staff denial of the application as the proposed windows and covering of wood trim do not comply with Benton Park Local Historic district standards.



**Proposal**

The owner wishes to replace three windows and retain vinyl wrap on several windows on a residential building in the Benton Park Historic District.



**SOUTH**



**CONTEXT**

**WEST**

**Background**

On August 10, 2009 the Cultural Resources Office received a Citizens Service Bureau Complaint for wood trim being covered with vinyl at a home at 1900 Withnell Avenue. Upon receipt of the violation notice, the owner applied for a permit for the completed work. In addition to the trim work, the owner also applied to install three vinyl windows that face Lemp Avenue. As the proposed work did not meet the Benton Park Historic District Standards and no remedy could be reached with the owner, the permit was denied. The owner appealed the decision on November 3, 2009, and the appeal was subsequently scheduled for the next Preservation Board meeting.



**DETAIL OF WINDOWS TO BE REPLACED**

**Site and Surrounding Area:**

1900-02 Withnell Ave., constructed in 1925, is a two-story residential building designed in the Craftsman style in the Benton Park Historic District. The property is located at the southwest corner of Withnell and Lemp. Buildings surrounding 1900-02 Withnell are residential, primarily single-family brick buildings of Victorian architecture dating from the 1890's.

The surrounding buildings are all well-maintained and are contributing resources to the Benton Park Local Historic District.



**ORIGINAL BRICKMOLD ON EAST FACADE**



**EAST ELEVATION**

## Relevant Legislation

Excerpt from Ordinance #67175, Benton Park Historic District:

203.L

*Windows on a public façade shall be one of the following:*

*A replacement window which duplicates the original and meets the following requirements:*

- 1. Replacement windows or sashes shall be made of wood or finished aluminum.*
- 2. The profiles of muntins, sashes, frames and moldings match the original elements in dimension and configuration.*
- 3. The number of lites, their arrangement, size and proportion shall match the original or be based on a Model Example.*
- 4. The method of opening shall be the same as the original with the following exception: double-hung windows may be changed to single-hung.*

**Does not comply:** The proposed replacement windows do not replicate the proportions and appearance of the original windows. In addition, the wrapping of brick molds, sills, and mullions will greatly alter the building's historic appearance. The owner did not provide a Model Example.

## Community Consultation

As of this writing, the Cultural Resources Office has received no comments from the Ward Alderman or any neighborhood group.

## Comments

1900-02 Withnell Avenue is a Craftsman style building. The Craftsman style was noted for a simplified design that emphasized traditional building methods and handcrafts. Most of the architectural expression for this building style is found in the design of windows and doors. The vinyl windows proposed by the owner will seriously affect the building's historic character and integrity. The proposed windows are flat and contemporary in appearance; the lift and meeting rails are narrower, and the jambs are wider than the original window.

The owner has stated that the proposed work is the final phase of a multi-year project that began thirteen years ago prior to the installation of the local historic district. Regardless of that fact, any work conducted after the historic district was put into place must conform to the design guidelines of the historic district. To date the owner has not submitted any evidence for economic hardship.

## Conclusion

Staff recommends that the Preservation Board uphold the staff's denial of the application as the work is not in compliance with the historic district standards.

## Contact:

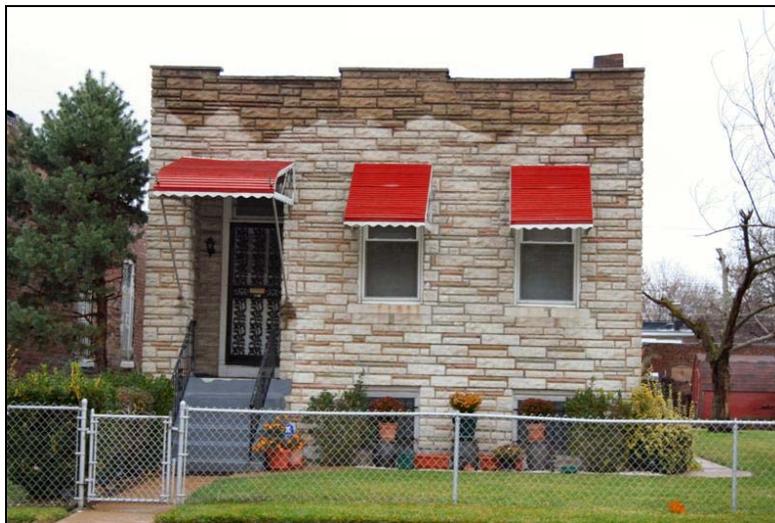
Bob Bettis                      Planning and Urban Design, Cultural Resources Office  
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**G.**

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**Date:** November 23, 2009  
**To:** City of St. Louis Preservation Board  
**From:** Andrea Gagen, Preservation Planner, Cultural Resources Office  
**Subject:** Appeal of a Staff Denial to construct a garage  
**Address:** 2610 Whittier  
**District:** The Ville Local Historic District **Ward: 4**



**2610 WHITTIER**

**Owner/Applicant:**

Levester and Gretchen Mullins

**Purpose:**

To construct a garage which will be visible from Whittier.

**Recommendation:**

That the Preservation Board uphold the staff denial as the garage does not meet the Ville Historic District Standards.



**Proposal**

The owner proposes construct a 24' x 36' frame garage with vertical metal siding and a metal roof at the rear of the side yard at 2610 Whittier.



**2610 WHITTIER – HOUSE & SIDE YARD**



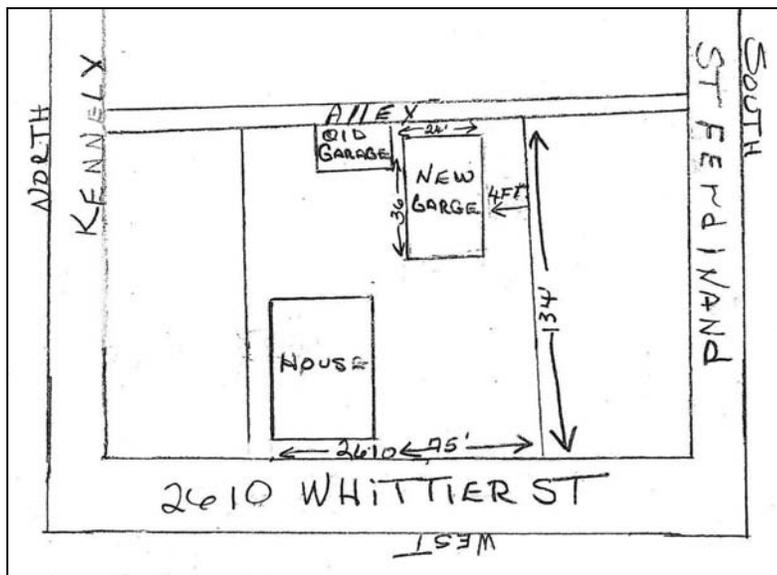
**SIDE YARD**



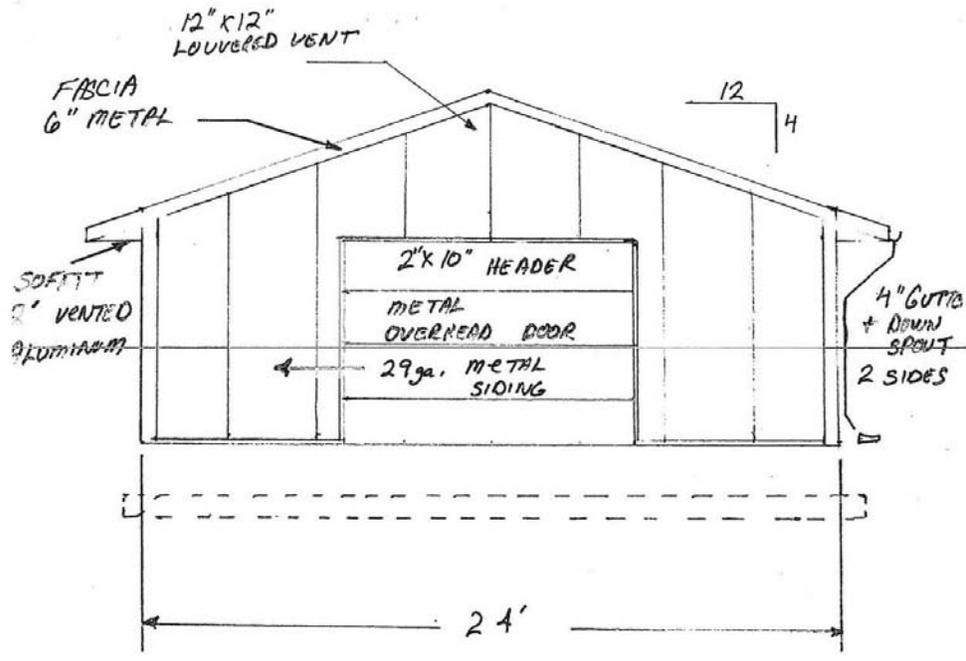
**PROPOSED LOCATION OF NEW GARAGE**

**Background**

The Cultural Resources Office received an application for a permit to construct a frame garage in October 2009. The garage is proposed to be 24' x 30' in size and is situated just south of the existing garage. The proposed garage would be sided in color-finished galvanized metal vertical siding and galvanized metal roofing. The vehicular entry will be from the side facing Whittier St., with a 10' wide door. No drive has been proposed at this time, although under Building Code one is required for access. The owner wishes to store a boat and other vehicles in the garage. Because the garage does not comply with the Ville Historic District standards, the permit was denied. The owner has appealed and it is being brought before the Preservation Board.



**PROPOSED SITE PLAN**



**PROPOSED STREET FACING ELEVATION**

**Site and Surrounding Area**

The building is located on Whittier St. between St. Ferdinand and Kennerly in a primarily residential neighborhood. The Homer G. Phillips Senior Living Community is directly across Whittier from the property.



**EXISTING GARAGE AT ALLEY**



**BUILDINGS NORTH**



**LOOKING NORTH ON WHITTIER**



**LOOKING SOUTHWEST**



**ACROSS STREET**



**BUILDINGS SOUTH**

**Relevant Legislation**

Excerpt from Ordinance #60236 (as Amended, B.B. No. 444), The Ville Historic District:

**F. Roof Materials:**

Roof materials should be of slate, tile, copper, or asphalt shingles where the roof is visible from the street (brightly colored asphalt shingles are not acceptable). Design of skylights or solar panels, satellite receiving units, where prominently visible from the street should be compatible with existing building design.

**Does not comply. Proposed roof material is metal.**

M. The standards found in Section 2C and 2D are not applicable to garages or out buildings to be constructed or renovated behind the rear edge of the main building and visible from the street. The general overall appearance of the building must be visually compatible with the surrounding structures.

**Does not comply. The general appearance of the building is not visually compatible with the surrounding structures due to its scale and siding type.**

### **Community consultation**

Alderman Moore supports the demolition of the current garage and the construction of a safer garage in its place. There has been no response from any community organization.

### **Comments**

The proposed garage is not compatible with the surrounding structures, and therefore does not comply with the Ville Historic District standards. The garage will be approximately the same width as the house in front, with nearly as much square footage. The vertical metal siding and metal roofing are more appropriate for a rural property, than an urban one, especially in a local historic district. Although the Ville may not be as intact as many of the other local historic districts, inserting non-conforming structures diminishes the historic context that remains.

The single garage door is proposed to face Whittier, which is incompatible with a neighborhood where garage entries are from the alley. There are no current plans to create a drive to access the garage, although it is a Building Code requirement.

### **Conclusion**

That the Preservation Board uphold the staff denial as the garage does not meet the Ville Historic District Standards.

### **Contact:**

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CITY OF ST. LOUIS  
**PLANNING & URBAN  
 DESIGN AGENCY**  
 Cultural Resources Department

**H.**

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**Date:** November 23, 2009  
**To:** City of St. Louis Preservation Board  
**From:** Bob Bettis, Cultural Resources Office  
**Subject:** Appeal of a staff denial to construct a retaining wall  
**Address:** 6026 Washington Boulevard  
**District:** Skinker-DeBaliviere Local Historic District      **Ward: 28**



**6026 WASHINGTON BOULEVARD**

**Owner/Applicant:**

Robert Bynum

**Purpose:**

To retain a non-compliant retaining wall

**Staff Recommendation:**

The Preservation Board upholds the staff denial as the installed retaining wall is not compliant with the Skinker-DeBaliviere Local Historic District Standards.



**Background**

On April 24, 2009, the Cultural Resources Office received a Citizens Service Bureau complaint about work being done without a permit at 6026 Washington. Upon inspection it was discovered that a new retaining wall had been installed in front of the house without a permit. The owner of the property did not respond to correspondence from the Cultural Resources Office and was referred to Housing Court. Upon receipt of a court summons, the owner made application for the non-compliant work on October 29, 2009.

Because the completed retaining wall did not comply with the historic district standards, the application was scheduled for the next Preservation Board meeting.



**LOOKING WEST ON WASHINGTON**



**LOOKING WEST FROM SITE**

**Site and Surrounding Area:**

6026 Washington, a two-story residential building built in 1910, is a contributing building to the Skinker-DeBaliviere Certified Local historic district. The house is located on the south side of Washington Boulevard in the middle of the block between Des Peres to the east and Rosedale to the west. Surrounding properties consist of single-family houses, Craftsman and Revival styles, constructed from 1890 to 1920.



**DETAIL OF RETAINING WALL**

**Proposal:**

The owner wishes to retain a non-compliant concrete block retaining wall located in front of the house in the Skinker-DeBaliviere Local Historic District.



LOOKING SOUTHWEST

**Relevant Legislation**

Excerpts from Ordinance #57688, Skinker-DeBaliviere Historic District:

***RESIDENTIAL APPEARANCE STANDARDS***

*(Proposed "A," "B" and "C" Zoning Districts)*

*g. Walls, Fences and Enclosures:*

*Front -*

*In Parkview, no fence, wall, or hedge may be erected in front of the building line. In the Catlin Tract, no wall or fence may be erected in front of the building line; no hedge in front of the building line may exceed four feet in height.*

Elsewhere in the district, front yard dividers or enclosures are permitted, but they shall be of brick, stone, brick-faced concrete, ornamental iron, or hedge and should not exceed four feet in height. Earth-retaining walls are permitted, to be constructed of compatible materials, not to exceed maximum grade of the lot.

**Does not comply.** The retaining wall is in front of the building line and is composed of tumbled concrete landscaping block, which is incompatible with the existing fabric of the neighborhood. The majority of the block retains the original front yard grade. In addition to the use of an inappropriate material, the design of the wall, particularly the

planters at the terrace steps, is very contemporary and detracts from the historic character of the street.

### **Community Consultation**

As of this writing, the Cultural Resources Office has received no comments from the Ward Alderman or any neighborhood group.

### **Comments**

The new retaining wall has destroyed the continuity of the historic terrace along Washington Blvd. These terraces are an important element of the historic streetscape. The appellant applied for a permit to construct a new rear deck in November of 2008 and was fully aware of the rules that apply to the historic district.

### **Conclusion**

The Cultural Resources Office staff recommends that the Preservation Board uphold the staff denial as the installed retaining wall does not comply with the Skinker-Debaliviere Local Historic District Standards.

### **Contact:**

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**I.**

**Date:** November 23, 2009  
**To:** City of St. Louis Preservation Board  
**From:** Bob Bettis, Preservation Planner, Cultural Resources Office  
**Subject:** Appeal of Staff Denial to retain paint on glazed brick  
**Address:** 1819 Russell Ave.  
**Jurisdiction:** McKinley Heights Local Historic District      **Ward 7**



**1819 RUSSELL**

**Applicant/Owner:** Scott Jenny

**Purpose:**  
 To retain paint applied to a masonry wall without a permit

**Recommendation:**  
 The Preservation Board uphold the staff denial as the completed work does not conform to the McKinley Heights Historic District design guidelines.



**Background**

The Cultural Resources Office staff received a complaint for work being completed without a permit at the subject address on September 25, 2009. Upon inspection, it was discovered that all of the white glazed brick on the front façade had been painted brown. Upon receipt of the violation notice, the owner applied for a permit in hopes of getting a variance to retain the paint. The owner stated that due to the method that the paint was adhered to the wall, it would be impossible to remove. The project was scheduled for the November 23, 2009 Preservation Board.



**CONTEXT WEST**



**SITE LOOKING SOUTH**



**CONTEXT TO THE SOUTHEAST**

**Site and Surrounding Area**

The site is located near the northwest intersection of Russell, 18<sup>th</sup>, and Gravois in the McKinley Heights Historic District. Buildings surrounding the site are primarily residential and are contributing resources to the local historic district.

**Relevant Legislation**

Excerpt from Ordinance #67901, McKinley Heights Historic District:

*202 Exterior Walls*

*202.1 Exterior Masonry Wall*

*Painting: Painting of unpainted masonry walls is prohibited. Masonry walls that are painted may be repainted the same color. The color shall be the same color as the underlying material.*

**Does not comply:** The owner painted all of the white glazed brick brown.



**CURRENT DETAIL**



**BEFORE**

**Community Consultation**

There has been no communication from the Alderwoman of the 7<sup>th</sup> Ward or the McKinley Heights neighborhood group in regards to this project.

**Comments**

The owner of the property had another violation on the same property in June of this year and therefore was fully aware that a permit from the Cultural Resources Office was required for any exterior work.

The owner has put a bonding agent over the glazed brick in order to allow the paint to adhere properly. Staff is not aware of a method to remove the paint without damaging the underlying glaze. Simply repainting the masonry white as the owner suggests, would not reverse the damage that has been done to the building façade., nor would it return the building to its historic appearance. Photo evidence shows that there was a relatively small amount of damage to the glazed brick and had the owner consulted staff, they would have suggested more appropriate means of correcting the damage.

**Conclusion**

The Cultural Resources Office recommends that the Preservation Board uphold the staff denial of the application as the completed work does not meet the McKinley Heights Historic District Standards. Since the Cultural Resources Office believes the situation is irreversible, the owner should be referred to Housing Court.

**Contact:**

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