



Agenda Item:

064

COUNCIL COMMUNICATION City Manager's Office

GENERAL INFORMATION

Agenda Date: 9/13/04

Communication

No.: 04-441

Agenda Item Type: Resolution

Roll Call

No.:

Submitted by: Larry Hulse, Community Development Director

SUBJECT—

Request from Irene and Donna Palen (owners) to appeal the July 28, 2004 decision of the Historic Preservation Commission **DENYING** a request for a Certificate of Appropriateness to replace the front steps and concrete porch with a wood deck, railing and steps at 818 15th Street (Sherman Hill Historic District).

SYNOPSIS—

Section 58-31 of the City Code allows any party aggrieved by any decision of the Historic Preservation Commission to appeal the commission's action to the City Council. In deciding such appeal, the City Council shall consider whether the Commission has exercised its powers and followed the guidelines established by law and ordinance and whether the commission's action was patently arbitrary or capricious.

Staff has prepared alternative roll calls. One roll call would affirm the Historic District Commission's decision. The other roll call would reverse the Historic Preservation Commission's decision.

FISCAL IMPACT—

N/A.

RECOMMENDATION—

Staff recommends that the City Council consider the record of this request and public hearing testimony and affirm or reverse the decision of the Historic Preservation Commission.

BACKGROUND—

The Historic Preservation Commission considered the Palen request for a Certificate of Appropriateness to replace the front steps and concrete porch with a wood deck, railing and steps at 818 15th Street (Sherman Hill Historic District) at their July 21, 2004 regular meeting and July 28, 2004 special meeting. The Historic Preservation voted 6-0 to deny the request. The Commission further directed the applicant to remove the wood deck, railing and steps that were constructed without a certificate of appropriateness or a building permit and to replace and repair the concrete stoop, steps and railing consistent with the 1984 picture of the original porch.

The record of this request is attached for the City Council's reference.