


# COUNCIL COMMUNICATION

	Number: <b>23-430</b>	Meeting: <b>October 2, 2023</b>
	Agenda Item: <b>74</b>	Roll Call: <b>23-1377</b>
	Submitted by: <b>Cody Christensen, Development Services Director</b>	

## AGENDA HEADING:

On requests from Riva Walters (owner), represented by Jennifer De Kock (legal counsel), for the following:

Part A) Consideration of an extension of time in which to file an appeal of a conditional approval of a Certificate of Appropriateness on property located at 685 20th Street. If Council grants this request, Council shall consider the following:

Part B) Set date of Public Hearing on an appeal of a conditional approval of a Certificate of Appropriateness on property located at 685 20th Street for the construction of a fence in the front yard. (10/23/2023)

## SYNOPSIS:

Certificate of Appropriateness CAHP-2023-000071 was conditionally approved by the Historic Preservation Commission on August 16, 2023. The appeal period expired on September 6, 2023. The applicant has requested additional time due to illness. Section 58-31(f) of the Historic Preservation Ordinance allows the City Council to waive the appeal deadline upon a showing of good and sufficient cause. Staff does not contest the request for additional time based on the documented reasoning and provision for doing so within the Municipal Code. The full record will be provided to the City Council for the hearing if the appeal is accepted.

## FISCAL IMPACT: NONE

## ADDITIONAL INFORMATION:

- Certificate of Appropriateness CAHP-2023-000071 was conditionally approved by the Historic Preservation Commission on August 16, 2023. The Certificate of Appropriateness (COA) was filed on August 23, 2023. Therefore, the 10-day appeal period ended on September 6, 2023.
- The applicant has requested additional time due to illness. Section 58-31(f) of the Historic Preservation Ordinance allows the City Council to waive the appeal deadline upon a showing of good and sufficient cause. Staff does not contest the request for additional time to appeal based on the documented reasoning and provision for doing so within the Municipal Code.
- CAHP-2023-000071 allows the installation of a black ornamental fence around the perimeter of the front yard subject to the following conditions: (1) the fence shall be set back from the front property line and align with the gate at the top of the front walkway steps, and (2) compliance with

all applicable building codes and the fence shall be constructed in accordance with a fence permit by the Permit and Development Center.

- The applicant is appealing condition #1, which impacts the placement of the fence. The full record will be provided to the City Council for the hearing if the appeal is accepted.

**PREVIOUS COUNCIL ACTION(S): NONE**

**BOARD/COMMISSION ACTION(S):**

Board: Historic Preservation Commission

Date: August 16, 2023

Resolution Number: CAHP-2023-000071

Action: Issuance of a Certificate of Appropriateness subject to the following conditions: (1) the fence shall be set back from the front property line and align with the gate at the top of the front walkway steps, and (2) compliance with all applicable building codes and the fence shall be constructed in accordance with a fence permit by the Permit and Development Center.

**ANTICIPATED ACTIONS AND FUTURE COMMITMENTS:**

- Hearing of the appeal should the request for additional time to submit an appeal be granted.

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