

Designating the 23rd Avenue Rowhouse Group
at 812-828 23rd Avenue as an Historic
Landmark.

Ordinance No. 108732

80: B104

AN ORDINANCE relating to historic
preservation, imposing controls
upon the 23rd Avenue Rowhouse
Group, 812-828 - 23rd Avenue,
a Landmark designated by the
Landmarks Preservation Board
under Ordinance 106348.

12/18/79 - UD: H - PASS

COMPTROLLER:
FILE NUMBER _____

Council Bill No. 100839

INTRODUCED: NOV 13 1979	BY: EXECUTIVE REQUEST
REFERRED: NOV 13 1979	TO: URBAN DEVELOPMENT & HOUSING
REFERRED:	
REFERRED:	
REPORTED: DEC 24 1979	SECOND READING: DEC 24 1979
THIRD READING: DEC 24 1979	SIGNED: DEC 24 1979
PRESENTED TO MAYOR: DEC 26 1979	APPROVED: JAN 3 1980
RETD. TO CITY CLERK: JAN 3 1980	PUBLISHED:
VETOED BY MAYOR:	VETO PUBLISHED:
PASSED OVER VETO:	VETO SUSTAINED:

- 1 cc H.C. Recorder
x 2 copies - City Historic Preservation officer

- Polica

PUB ✓
BLDG. (80)
ENG.
B. C.
A. C.
S. E.
C. O.
LIGHT

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE 108732

AN ORDINANCE relating to historic preservation, imposing controls upon the 23rd Avenue Rowhouse Group, 812-828 - 23rd Avenue, a Landmark designated by the Landmarks Preservation Board under Ordinance 106348.

WHEREAS, the Landmarks Ordinance (106348) establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, The Landmarks Preservation Board after a public hearing on November 1, 1979, voted to approve the nomination of the 23rd Avenue Rowhouse Group, 812-828 - 23rd Avenue, Seattle as a Landmark under Ordinance 106348; and

WHEREAS, after a public hearing on December 6, 1978, the Board voted to approve the designation of the 23rd Avenue Rowhouse Group as a Landmark under Ordinance 106348; and

WHEREAS, no negotiations were requested by the owners of the structures at 816-828 - 23rd Avenue, and on February 7, 1979 the Board approved the staff's recommended controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of the controls and incentives; and

WHEREAS, the owner of the structure at 812 - 23rd Avenue and the Board were unable to reach agreement on controls and incentives and the matter was referred to the Hearing Examiner who on June 11, 1979, recommended approval of the staff's recommended controls and incentives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the Twenty-third Avenue Rowhouse Group, more particularly described as Lots 1, 2, 3, 4, 5, and 6, Block 21, Walla Walla Addition to the City of Seattle, as a Landmark based upon satisfaction of the following criteria of Ordinance 106348:

- (1) It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; and

- 1
- 2 (2) It embodies the distinctive visible characteristics
- 3 of an architectural style, or period, or of a
- 4 method of construction; and
- 5 (3) Because of its prominence of spatial location,
- 6 contrasts of siting, age, or scale, it is an
- 7 easily identifiable visual feature of its neighborhood
- 8 or the city and contributes to the distinctive
- 9 quality or identity of such neighborhood or the
- 10 city;

11 is hereby acknowledged.

12 Section 2. The following controls upon alteration of

13 the landmark are hereby imposed:

14 A Certificate of Approval must be obtained or the time

15 for denying a Certificate of Approval must have expired

16 before the owner may make alterations to the exteriors

17 of all buildings and the entire site. Any in-kind

18 maintenance and repair for the above noted features

19 shall be excluded from the above controls.

20 Section 3. The following economic incentives are

21 hereby made available to the owner:

- 22 1. The incentives available to all Seattle Landmarks
- 23 under the City's Zoning Ordinance;
- 24 2. Historic Preservation Grants-in-Aid funds, on an
- 25 application basis, should the property be entered
- 26 in the National Register of Historic Places.

27 Section 4. Enforcement of this Ordinance and penalties

28 for its violation shall be as provided in Section 14.08 of

Ordinance Number 106348.

Section 5. The City Clerk is hereby directed to record

this ordinance with the King County Director of Records and

Elections, deliver two copies to the City Historic Preservation

(To be used for all Ordinances except Emergency.)

Officer, 400 Yesler Building, and deliver one copy to the Superintendent of Buildings.

Section..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 24 day of December, 1979
and signed by me in open session in authentication of its passage this 24 day of
December, 1979

John Miller
President of the City Council.

Approved by me this 3 day of January, 1980

Charles Royer
Mayor.

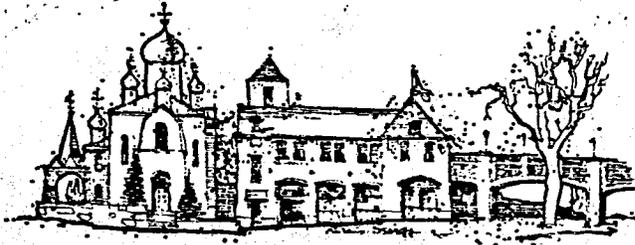
Filed by me this 3 day of January, 1980

Attest: *Jim Hill*
City Comptroller and City Clerk.

(SEAL)

Published.....

By *G. C. Beisert*
Deputy Clerk.



COPY OF WITHIN RECEIVED

SEP 19 1979

Douglas M. Jewett
CITY ATTORNEY

The City of Seattle

Landmarks Preservation Board

400 Vesler Building
319 Pacific Building Seattle, Washington 98104 - (206) 625-4501

September 18, 1979

LPB-246/79

The Honorable Douglas Jewett
City Attorney

ATTN: James Fearn

SUBJECT: Request for Legislation--Landmark Ordinances:
a) The Jolly Roger Roadhouse
b) Anhalt Apartment (1005 E Roy)
c) Twenty-third Avenue Houses Group

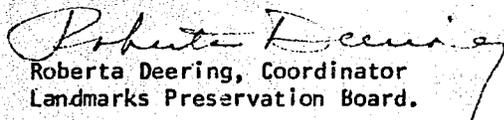
Dear Mr. Jewett:

Enclosed you will find designation proceedings documentation for three Landmark designation ordinances. The Jolly Roger Roadhouse has, in accordance with the City Council's Housing and Urban Development Policy of transmitting non-contested designations directly to the Law Dept. for legislation drafting, previously been transmitted but I understand another set is required and therefore is attached.

The documentation for the Anhalt Apartment and the Twenty-third Avenue Houses had originally been forwarded to the Council, but since no formal objections were raised, the Housing and Urban Development Committee requested I transmit the documentation directly to you with a request for legislation; documentation attached.

I have also attached outline of significant actions for the three ordinances.

Sincerely,


Roberta Deering, Coordinator
Landmarks Preservation Board.

RD:leo

Attachments

TWENTY-THIRD AVENUE HOUSES

Approval of Nomination:	<u>November 1, 1978</u>
Hearing on Designation:	<u>December 6, 1978</u>
Report on Designation Issued:	<u>December 7, 1978</u>
Negotiations requested only from Mr. Sims, owner of 812 - 23rd Ave and No agreement reached.	
Staff recommendations on Controls & Incentives approved:	<u>February 7, 1979</u>
Recommendations on Controls & Incentives for 812 - 23rd Ave filed with Hearing Examiner:	<u>February 22, 1979</u>
No objections from owner filed with Hearing Examiner. Owner did not attend Hearing Examiner Review Hearings.	
Hearing Examiner Recommendation Issued:	<u>June 11, 1979</u>

L.P.S 182/78



City of Seattle
 Department of Community Development/Office of Urban Conservation

Landmark Nomination Form

Name 23rd Avenue Row house group Year Built* 1892-3
(Common, present or historic)

- Landmark
- Landmark Site
- Both

Street and Number 812-828 23rd Avenue

Assessor's File No. #912610 2015--2040

Legal Description Plat Name Walla Walla Block 21 Lot 1-6

Address	File #	Lot #	Owner
812	2040	6	Felton Sims
816	2035	5	Historic Seattle
818	2030	4	Historic Seattle
822	2025	3	Charlene Sterling
824	2020	2	Historic Seattle
828	2015	1	Gannie Harris

Present Owner See above Present Use Residential

Address _____

Original Owner Unknown Original Use Residential

Architect Unknown Builder Unknown

Designation Criteria:

Standards for Designation of Landmark Sites and Landmarks. (Ordinance 106348 Section 3.01). An object, site or improvement which is more than twenty-five (25)* years old may be designated for preservation as a landmark site or landmark if it has significant character, interest or value, as part of the development, heritage or cultural characteristics of the city, state, or nation and if it falls into one of the following categories:

Explain and list documentation supporting each criterion checked: (use additional sheets if needed for detailed descriptions of property, historical significance, etc. as applicable.)

(1) It is the location of, or is associated in a significant way with, an historic event with a significant effect upon the community, city, state or nation; or

(2) It is associated in a significant way with the life of a person important in the history of the city, state, or nation; or

(3) It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; or

See attached criterion #3

(4) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; or

See attached criterion #4

(5) It is an outstanding work of a designer or builder; or

(6) Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city;

See attached criterion #6

23rd Avenue Row Houses

Criterion #3:

The row houses on 23rd Avenue are fine examples of low-income speculative housing of the late Victorian period. Built in the popular "carpenter Gothic" style before the turn of the century and placed close together on narrow lots with only minor variations in design, these low-cost units filled the need for inexpensive quality housing for the expanding city. They may be looked upon as the prototypes for twentieth century tract housing. Homes of this sort were a common feature of newly developed areas of the city at the turn of the century, but a great number of them have since been torn down or remodelled so that they are no longer distinguishable as harmonious groupings.

Criterion #4:

These houses are excellent examples of simple late Victorian row houses. They are of stick style or balloon type wood frame construction sheathed with narrow wood siding. In each case, the main floor siding ran horizontally, while the upper dormer area was laid vertically. The houses face west, fronting on 23rd Avenue, with small entrance porches on the northwest corners of each house. There are slight variations in the roof line and the widths of these porches. The houses have been variously treated over the years; some show original small paneled glass window details and wood friezes below the gables which delineate the dormer and upstairs windows. Some of the porches retain the turned posts which originally graced the entries. Historic Seattle Preservation Authority is currently rehabilitating four of the six houses to their original states.

The floor plans of these houses are examples of "pullman" or "shotgun" style--sitting room, dining room, and kitchen all in a row downstairs, with the bathroom adjacent to the kitchen; and two or three bedrooms upstairs.

Criterion #6:

This row of houses provides a continuous and cohesive street wall along 23rd Avenue. Similar in design and nearly identical in detailing, the buildings will, when all are completely rehabilitated, provide the city with outstanding examples of a type of housing no longer common in the city but which provided charm and style to less affluent neighborhoods of Seattle because of their builder's concern for decoration.

Bibliographic References:

AIA--Seattle Chapter
Steinbrueck, Victor, Seattle Cityscape. Seattle, Univ. of Washington Press
1962.

Photographs:



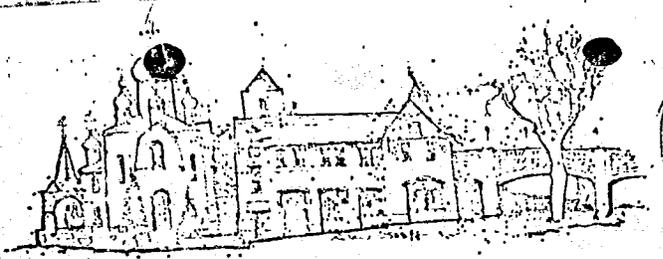
Submitter HISTORIC SEATTLE PRESERVATION
AND DEVELOPMENT AUTHORITY
Address 1214 Smith Tower

Phone 625 4501

Date June 12, 1978

Reviewed *[Signature]*
Historic Preservation Officer

Date 06/13/78



LPB. 347/78

The City of Seattle
Landmarks Preservation Board
400 Yesler Building
Seattle, Washington, 98104 • (206) 625-4501

TO: Seattle Superintendent of Buildings
Property Owners
Interested Parties of Record

APPROVAL OF NOMINATION

NAME OF PROPERTY:

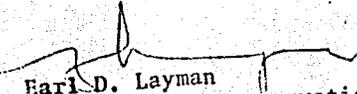
TWENTY-THIRD AVENUE ROW HOUSE GROUP

LEGAL DESCRIPTION: # 912610 2015--2040
Walla Walla Add. Block 21, Lots 1-6

At its meeting of November 1, 1978 the Landmarks Preservation Board voted to approve the nomination of the subject property as a Seattle Landmark. The following particular features and/or characteristics are proposed to be preserved:

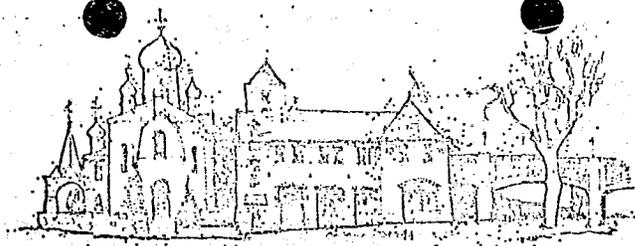
Exteriors of all buildings and site

The Board will hold a Public Hearing on Wednesday December 6, 1978 11:00 am in the Mayor's Conference Room, 12th Floor, Municipal Building, at which the City will consider Approval of Designation. A copy of the Landmarks Preservation Ordinance No. 106348 is enclosed for the owners' information. This ordinance outlines the detailed procedures and processes pertaining to designation, consideration and enactment of designation. If you have any questions you wish to ask prior to the Designation Hearing, please contact Earl Layman or Roberta Deering at 625-4501.


Earl D. Layman
City Historic Preservation Officer

ELD:rj

Administered by The Office of Urban Conservation, The Seattle Department of Community Development



The City of Seattle

Landmarks Preservation Board

400 Yesler Bldg.

Seattle, Washington, 98104 • (206) 625-4501

LPB-367/78

REPORT ON DESIGNATION

NAME OF PROPERTY
& ADDRESS:

TWENTY THIRD AVENUE ROW HOUSE GROUP
818 - 828 23rd Avenue
2

LEGAL DESCRIPTION:

*912610 2015--2040
Walla Walla Addition,
Block 21, Lots 1 - 6

OWNERS:

Historic Seattle Preservation & Development
Authority/816, 818, 824 - 23rd Avenue.
✓ Felton Sims/812 - 23rd Avenue
Charlene Sterling/822 - 23rd Avenue
Gannie Harris/828 - 23rd Avenue

RECOMMENDATIONS FOR DESIGNATION:

On November 1, 1978, the Seattle Landmarks Preservation Board voted to approve nomination of the subject property. Subsequently Board Staff continued research and analysis of the property, and recommend designation with preservation of the following features or characteristics:

Exteriors of all buildings, and the sites extending to
center line of 23rd Avenue

This recommendation is based upon satisfaction of the following criteria of Ordinance 156348, Section 3.01:

- (3) *It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation;*

MORE-

The row houses on 23rd Avenue are fine examples of low-income speculative housing of the late Victorian period. Built in the popular "carpenter Gothic" style before the turn of the century and placed close together on narrow lots with only minor variation in design; these low-cost units filled the need for inexpensive quality housing for the expanding city. They may be looked upon as the prototypes for twentieth century tract housing. Homes of this sort were a common feature of newly developed areas of the city at the turn of the century, but a great number of them have since been torn down or remodelled so that they are no longer distinguishable as harmonious groupings.

- (4) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction;

These houses are excellent examples of simple late Victorian row houses. They are of stick style or balloon type wood frame construction sheathed with narrow wood siding. In each case, the main floor siding ran horizontally, while the upper dormer area was laid vertically. The houses face west, fronting on 23rd Avenue, with small entrance porches on the northwest corners of each house. There are slight variations in the roof line and the widths of these porches. The houses have been variously treated over the years; some show original small paned glass window details and wood friezes below the gables which delineate the dormer and upstairs windows. Some of the porches retain the turned posts which originally graced the entries. Historic Seattle Preservation & Development Authority is currently rehabilitating four of the six houses to approximate their original condition.

The floor plans of these houses are examples of "pullman" or "shotgun" style - - sitting room, dining room, and kitchen all in a row downstairs, with the bathroom adjacent to the kitchen; and two or three bedrooms upstairs.

- (6) Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city;

This row of houses provides a continuous and cohesive street wall along 23rd Avenue. Similar in design and nearly identical in detailing, the buildings will, when all are completely rehabilitated, provide the city with outstanding examples of a type of housing no longer common in the city but which provided charm and style to less affluent neighborhoods of Seattle because of their builder's concern for decoration.

MORE---

REPORT ON DESIGNATION
TWENTY THIRD AVENUE ROW HOUSE GROUP

PAGE THREE
LPB-367/78

REPORT SUBMITTED BY:

[Signature]
Earl D. Layman
City Historic Preservation Officer

06 Dec 78
Date

REPORT APPROVED: By vote of 9:0:0 Landmarks Preservation
Board at Public Hearing on:

[Signature]
Peggy Corley, Chairperson

06 Dec 78
Date
06 Dec 78
Date

REPORT ISSUED:

[Signature]
Earl D. Layman
City Historic Preservation Officer

07 Dec 78
Date

/hg

cc: Peggy Corley
William Justen
Owner



*no negotiations
requested except
on 812-23rd Ave.*

The City of Seattle
Landmarks Preservation Board
400 Yesler Building
XXXXXXXXXXXX Seattle, Washington 98104 • (206) 625-4501

LPB-39/79

STAFF REPORT ON CONTROLS AND INCENTIVES

TWENTY-THIRD AVENUE ROWHOUSE GROUP
812-828 23rd Avenue (five houses)

Mr. Felton Sims, Mr. Gannie Harris, and Charlene Sterling, and the Historic Seattle Preservation and Development Authority, presumed to be the current owners of the several subject properties, were concurrently provided by certified mail on 07 December 1978 with Notice of Report on Designation and Procedures for Negotiations on Controls and Incentives. Since that time no word has been received from any of the above owners except Mr. Sims; although some discussions were held with him and his paralegal counsel, no agreement has been signed. Therefore, pursuant to the provisions of Section 6.02 of Ordinance 106348, Staff have prepared this report in consonance with the Landmarks Board's Approvals of Nomination & Designation.

CONTROLS:

To assure preservation of the specified features and characteristics of the landmarks, the following controls shall be imposed:

1. A Certificate of Approval, issued by the Landmarks Preservation Board, must be obtained, or the time for denying a Certificate of Approval must have expired, before any of the owners may make alterations or significant changes to:
 - the entire exterior of the houses;
 - the entire site, but only as proposed changes would impinge upon or strongly affect the exterior appearances of the houses.

Any in-kind maintenance and repair for the above properties shall be excluded from the controls.

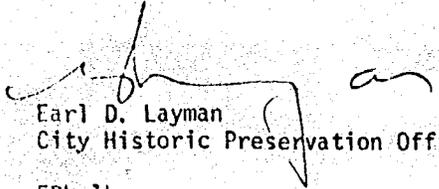
INCENTIVES:

The following economic incentives are hereby noted as available to the owners:

1. The incentives to all Seattle Landmarks under the Zoning Code;

cont.)

2. The availability of Historic Preservation Grants-in-Aid funds, on an application basis, should the properties be entered in the National Register of Historic Places (properties have been entered for some time in the State Register).


Earl D. Layman
City Historic Preservation Officer

EDL:lb

020579



The City of Seattle

Landmarks Preservation Board

400 Yesler Building
919 Arctic Building, Seattle, Washington, 98104 • (206) 625-4501

February 22, 1979

LPB-55/79

Mr. William Snell, Hearing Examiner
Office of the Hearing Examiner
400 Yesler Building
Seattle, Washington 98104

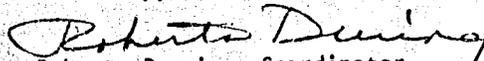
SUBJECT: 812-23rd Avenue, Recommendations on Controls & Incentives.

Dear Mr. Snell:

Enclosed you will find the Landmarks Preservation Board's recommendations on proposed controls and incentives for the subject building. These recommendations, pursuant to the Landmarks Preservation Ordinance 106348 must be filed with you in the event of a failure to reach a written agreement with the owner of the property on controls and incentives, as is the case for this property.

In addition, these recommendations in accordance with Ordinance 106348 are also being served on the owner along with a notification to the owner that objections must be filed with you no later than fifteen (15) days after receipt of the Board's recommendation.

Sincerely,


Roberta Deering, Coordinator
Landmarks Preservation Board

RD:d

Enclosure

Your
Seattle
Community Development



Memorandum

June 5, 1979

LPB-169/79

To: Margaret Klockars, Deputy Hearing Examiner
From: Roberta Deering, Landmarks Preservation Board Coordinator
Subject: Record in matter of hearing of Landmarks Preservation Board recommendations on Controls & Incentives for 812-23rd Ave.

In response to your May 16, 1979 Memorandum I am submitting the following list of actions and dates requested:

- 4.01 Copy of Nomination to owner; and,
- 5.03 Service of written notice of Board Approval of Nomination on owner;

Examination of our file indicates that for these first two actions correspondence to Mr. Sims had been sent to an address which turned out to be incorrect. Notices for the Nomination Approval meeting and notice of Approval of Nomination were returned to our office undelivered.

To the best of my recollection these documents were hand delivered to Mr. Sims at our first staff/owner meeting on January 15, 1979 after we had established Mr. Sims' correct address.

- 6.03 Service of notice giving date when Board is to consider controls and incentives;

Date of Service 12-07-78 (Certified Mail card signed by Mr. Sims 12-11-78)

- 8.01 Notification of impasse in negotiations;
Not applicable.

- 8.03 Service of recommendation on controls & incentives on owner;

Date of First Service 02-14-79 (returned unclaimed on 03-05-79)
Date of Second Service to Mr. Sims c/o son Henry Sims 04-06-79
(Certified Mail card signed by Diana L. Sims 04-07-79)

cc: Mr. Felton Sims

JAN -4-80 00169 8001040575 576 8001040576
LST D RF
JEF:fmh
11/7/79
5.00

RECORDED THIS DAY
JAN 4 12 19 PM '80
BY THE CLERK
RECORDS & ELECTIONS
KING COUNTY

ORDINANCE 108732

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

AN ORDINANCE relating to historic preservation, imposing controls upon the 23rd Avenue Rowhouse Group, 812-828 - 23rd Avenue, a Landmark designated by the Landmarks Preservation Board under Ordinance 106348.

WHEREAS, the Landmarks Ordinance (106348) establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, The Landmarks Preservation Board after a public hearing on November 1, 1979, voted to approve the nomination of the 23rd Avenue Rowhouse Group, 812-828 - 23rd Avenue, Seattle as a Landmark under Ordinance 106348; and

WHEREAS, after a public hearing on December 6, 1978, the Board voted to approve the designation of the 23rd Avenue Rowhouse Group as a Landmark under Ordinance 106348; and

WHEREAS, no negotiations were requested by the owners of the structures at 816-828 - 23rd Avenue, and on February 7, 1979 the Board approved the staff's recommended controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of the controls and incentives; and

WHEREAS, the owner of the structure at 812 - 23rd Avenue and the Board were unable to reach agreement on controls and incentives and the matter was referred to the Hearing Examiner who on June 11, 1979, recommended approval of the staff's recommended controls and incentives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the Twenty-third Avenue Rowhouse Group, more particularly described as Lots 1, 2, 3, 4, 5, and 6, Block 21, Walla Walla Addition to the City of Seattle, as a Landmark based upon satisfaction of the following criteria of Ordinance 106348:

- (1) It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; and

8001040576

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(2) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; and

(3) Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city;

is hereby acknowledged.

Section 2. The following controls upon alteration of the landmark are hereby imposed:

A Certificate of Approval must be obtained at the time for denying a Certificate of Approval must have expired before the owner may make alterations to the exteriors of all buildings and the entire site. Any in-kind maintenance and repair for the above noted features shall be excluded from the above controls.

Section 3. The following economic incentives are hereby made available to the owner:

1. The incentives available to all Seattle Landmarks under the City's Zoning Ordinance;
2. Historic Preservation Grants-in-Aid funds, on an application basis, should the property be entered in the National Register of Historic Places.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in Section 14.08 of Ordinance Number 106348.

Section 5. The City Clerk is hereby directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation

(To be used for all Ordinances except Emergency.)

Officer, 400 Yesler Building, and deliver one copy to the Superintendent of Buildings.

8001040576

Section..... This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 24 day of December, 1979 and signed by me in open session in authentication of its passage this 24 day of December, 1979

John Miller
President of the City Council.

Approved by me this 3 day of January, 1980

Charles Royer
Mayor.

Filed by me this 3 day of January, 1980

Attest: *Jim Hill*
City Comptroller and City Clerk.

(SEAL)

Published..... By *G. C. Geisert*
Deputy Clerk.

8031040576

FILED for Record at Request of

**TIM HILL, CITY COMPTROLLER
101 SEATTLE MUNICIPAL BUILDING
SEATTLE, WA 98104**

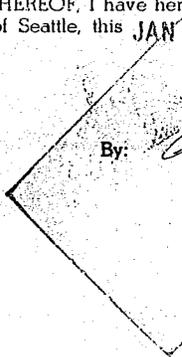
STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)

I, TIM HILL, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this JAN 4 1980

TIM HILL
Comptroller and City Clerk

By: *A. Thomas*
Deputy Clerk



5.00

JEF:fmh
10/31/79

LSI D RF

8001040576
597

8001040577

JAN -4-80

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

ORDINANCE 108733

RECORDED THIS DAY
JAN 4 12 19 PM '80
BY THE CLERK OF THE
RECORDS & ELECTIONS
KING COUNTY

AN ORDINANCE relating to historic preservation, imposing controls upon the Ellsworth Storey Cottages Group, 1706, 1710, 1710 1/2, 1800, 1804, 1808, 1810, 1814, and 1816 Lake Washington Boulevard South, and 1725 and 1729 - 36th Avenue South, Landmarks designated by the Landmarks Preservation Board under Ordinance 106348.

WHEREAS, the Landmarks Ordinance (106348) establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS, The Landmarks Preservation Board after a public hearing on November 15, 1978, voted to approve the nomination of the Ellsworth Storey Cottages Group, as a Landmark under Ordinance 106348; and

WHEREAS, after a public hearing on December 20, 1978, the Board voted to approve the designation of the Ellsworth Storey Cottages Group as a Landmark under Ordinance 106348; and

WHEREAS, on May 21, 1979, the Board and the owners of the designated property agreed to controls and incentives; and

WHEREAS, the Board recommends to the City Council approval of the controls and incentives; Now, Therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the Ellsworth Storey Cottages Group, more particularly described as Block 62, Lot 2 and Block 65, Lots 5 and 8 of Burke's 2nd Addition to the City of Seattle, as a Landmark based upon satisfaction of the following criteria of Ordinance 106348:

- (1) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; and
- (2) It is an outstanding work of a designer or builder; and

8001040577

1
2
3
4
5
6
7
8
9
10
11
12
13
14
15
16
17
18
19
20
21
22
23
24
25
26
27
28

(3) Because of its prominence of spatial location, contrasts of siting, age, or scale, it is an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identify of such neighborhood or the city;

is hereby acknowledged.

Section 2. The following controls upon alteration of the landmark are hereby imposed:

A Certificate of Approval must be obtained or the time for denying a Certificate of Approval must have expired before the owner may make alterations to: 1) the exteriors of each of the structures; 2) the total site. Any in-kind maintenance and repair for the above noted features shall be excluded from the above controls.

Section 3. The following economic incentives are hereby made available to the owner:

1. The incentives available to all Seattle Landmarks under the City's Zoning Ordinance;
2. Historic Preservation Grants-in-Aid funds, on an application basis, should the property be entered in the National Register of Historic Places.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in Section 14.08 of Ordinance Number 106348.

Section 5. The City Clerk is hereby directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, 400 Yesler Building, and deliver one copy to the Superintendent of Buildings.

(To be used for all Ordinances except Emergency.)

8001040577

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 24 day of December, 1977,
and signed by me in open session in authentication of its passage this 24 day of
December, 1977.

John Miller
President of the City Council.

Approved by me this 3 day of January, 1980
Charles Remy
Mayor.

Filed by me this 3 day of January, 1980.

Jim Hill
Attest: City Comptroller and City Clerk.

(SEAL)

Published _____
By *G. C. Geisert*
Deputy Clerk.

8001040577

FILED for Record at Request of

TIM HILL, CITY COMPTROLLER
101 SEATTLE MUNICIPAL BUILDING
SEATTLE, WA 98104

STATE OF WASHINGTON)
COUNTY OF KING) SS
CITY OF SEATTLE)

I, TIM HILL, Comptroller and City Clerk of the City of Seattle, do hereby certify that the within and foregoing is a true and correct copy of the original instrument as the same appears on file, and of record in this department.

IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of The City of Seattle, this JAN 4 1980

TIM HILL
Comptroller and City Clerk

By:

A. Thomas
Deputy Clerk

BEFORE THE HEARING EXAMINER
FOR THE CITY OF SEATTLE

RECEIVED
JUN 11 1979

In the Matter of the Recommendation
of the Landmarks Preservation Board for
property at 812-23rd Avenue

CITY OF SEATTLE
OFFICE OF URBAN CONSERVATION
FILE NO. LP-79-001

Introduction

The Landmarks Preservation Board filed its recommendation on controls and incentives with the Hearing Examiner in Section 9.01, Ordinance 106348 for property at 812-23rd Avenue.

A hearing on the matter was held May 3, 1979. The record was reopened May 16, 1979, for introduction of further evidence, and closed June 5, 1979.

The Landmarks Preservation Board was represented at hearing by Roberta Deering. The property owner, Felton Sims, did not attend.

After due consideration of the evidence elicited during the public hearing, the following findings of fact and conclusions of law shall constitute the decision of the Hearing Examiner.

Findings of Fact

1. The subject property is a house and lot located at 812-23rd Avenue legally described as: Lot 6, Block 21, Walla Walla Addition.
 2. The owner of record is Felton Sims.
 3. On November 1, 1978, the Seattle Landmarks Preservation Board, hereinafter, Board, approved the nomination of the subject property and four or five adjoining properties for designation as a landmark.
 4. The Report on Designation approved by the Board at public hearing on December 6, 1978, and issued December 7, 1978, recommended that the exteriors of all buildings and the sites be preserved.
 5. The property was found to be "associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation", Section 3.01(3), in that the row houses are "fine examples of low-income speculative housing of the late Victorian period" and are considered "the proto-types for twentieth century tract housing."
 6. Further the properties embody "the distinctive visible characteristics of an architectural style, or period, or of a method of construction," Section 3.01(4), as "excellent examples of simple late Victorian row houses." The houses are of stick style or balloon type wood frame construction. Main floor siding runs horizontally while the upper dormer area was laid vertically on each house. Each faces west with small porches at the northwest corner. Each shows concern with decoration - some with original small paned window details, some with wood friezes below the gables, some with the original posts on the porches.
- Finally, the Board found that the property falls into category (6) of Section 3.01 because the "row of houses provides a continuous and cohesive street wall along 23rd Avenue."
7. A copy of the nomination and written notice of Board approval of the nomination were mailed to Mr. Sims but

returned because of an incorrect address. Staff eventually hand delivered the documents to him in January, 1979.

8. Notice stating the date when the Board was to consider controls and incentives was served by certified mail on the owner.

9. Recommendations on controls and incentives were approved by the Board February 7, 1979, and mailed to the property owner February 14, 1979. That mailing was returned to the Department of Community Development. A copy of the recommendations were mailed to the property owner in care of his son on April 6, 1979.

10. The Board recommended the following control:

"A Certificate of Approval, issued by the Landmarks Preservation Board, must be obtained, or the time for denying a Certificate of Approval must have expired, before any of the owners may make alternations or significant changes to:

- the entire exterior of the houses;
- the entire site, but only as proposed changes would impinge upon or strongly affect the exterior appearances of the houses. Any in-kind maintenance and repair for the above properties shall be excluded from the controls."

11. The Board noted that the following incentives may be available to the owner:

1. The incentives to all Seattle Landmarks under the Zoning Code;

2. The availability of Historic Preservation Grants-in-Aid funds, on an application basis, should the properties be entered in the National Register of Historic Places (properties have been entered for some time in the State Register).

No further Council action appears to be necessary as to the economic incentives.

12. The Board staff met with the property owner and his legal advisor but the owner was unwilling to agree on the controls and incentives.

13. The Recommendations on Controls and Incentives were filed with the Office of Hearing Examiner February 22, 1979.

14. The owner did not file any objection to the recommendation on controls and incentives.

15. A prehearing conference was scheduled by the Hearing Examiner April 24, 1979. The property owner did not appear.

16. Official notice of the hearing set for May 3, 1979, was given the owner by certified mail. The notice was received by the owner April 12, 1979. Roberta Deering also spoke on the telephone with the owner after the prehearing conference to ensure that he was aware of the date and reason for the hearing.

Conclusions of Law

1. The Hearing Examiner has jurisdiction in the matter.

2. The notice requirements of Sections 4.01, 5.01, 6.03(a) and 8.03, Ordinance 106348, were substantially met by the Board. From the record it does not appear that the requirements of Sections 5.03 or 6.03, as to Notice of Report on Designation, were complied with, however, no objection having been filed by the owner, those requirements

Yes, complied - cert. mailing of Notice of Report on Design.

are deemed waived.

3. The Board made a prima facie showing that the controls proposed are necessary to preserve the exterior features of the property to assure the the grouping be maintained. The significance of the grouping is set forth in Findings of Fact Nos. 5 and 6. Without the controls, alteration could change "the distinctive visible characteristics" of this Victorian row house and destroy the continuity of the easily identifiable grouping.

4. The controls' effect would be to preserve the exterior architectural characteristics of the structure and site. No limitations would be placed on the owner's right to alter the interior so no affect on the owner's economic use of the site is reasonably foreseeable.

Recommendation

For the foregoing reasons, the Hearing Examiner recommends to the City Council that to assure preservation of the exterior of the building and the site, the following controls be imposed:

Before any alteration or significant change to the house or site which would impinge upon or strongly affect the exterior appearance the house, a Certificate of Approval from the Landmarks Preservation Board be obtained or the time for denying a Certificate of Approval be expired.

Entered this 11th day of June 1979.

M. Margaret Klockars
M. Margaret Klockars
Deputy Hearing Examiner

Notice of Right to Appeal

Any party of record may appeal the findings and recommendation of the Hearing Examiner to the City Council. An appeal must be in writing and filed with the City Council and served on other parties of record within 30 days after the Hearing Examiner's decision is served on the party appealing.

ORDINANCE 19848

AN ORDINANCE relating to historic preservation, imposing controls upon the 3rd Avenue Rowhouse Group, 311-323 — 3rd Avenue, a Landmark designated by the Landmarks Preservation Board under Ordinance 19844.

WHEREAS the Landmarks Ordinance (19844) establishes a procedure for the designation and preservation of structures and areas having historical, cultural, architectural, engineering or geographic importance; and

WHEREAS the Landmarks Preservation Board after a public hearing on November 1, 1979, voted to approve the nomination of the 3rd Avenue Rowhouse Group, 311-323 — 3rd Avenue, Seattle as a Landmark under Ordinance 19844; and

WHEREAS after a public hearing on December 1, 1979, the Board voted to approve the designation of the 3rd Avenue Rowhouse Group as a Landmark under Ordinance 19848; and

WHEREAS no negotiations were requested by the owners of the structures at 316-323 — 3rd Avenue, and on February 7, 1979, the Board approved the staff's recommended controls and incentives; and

WHEREAS the Board recommends to the City Council approval of the controls and incentives; and

WHEREAS the owner of the structure at 316 — 3rd Avenue and the Board were unable to reach agreement on controls and incentives and the matter was referred to the Hearing Examiner who on June 11, 1979, recommended approval of the staff's recommended controls and incentives; Now, therefore,

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

Section 1. That the designation by the Landmarks Preservation Board of the Twenty-third Avenue Rowhouse Group, more particularly described as Lots 1, 2, 4, 5, and 6, Block 31, Walla Walla Addition to the City of Seattle, as a Landmark, based upon satisfaction of the following criteria of Ordinance 19844:

(1) It is associated in a significant way with a significant aspect of the cultural, political, or economic heritage of the community, city, state or nation; and

(2) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction; and

(3) Because of its prominence of spatial location, contrasts of siting, size, or scale, it is an easily identifiable visual feature of its neighborhood or the city and contributes to the distinctive quality or identity of such neighborhood or the city;

is hereby acknowledged.

Section 2. The following controls upon alteration of the landmark are hereby imposed:

A Certificate of Approval must be obtained or the time for denying a Certificate of Approval must have expired before the owner may make alterations to the exterior of all buildings and the entire site. Any in-kind maintenance and repair for the above noted features shall be excluded from the above controls.

Section 3. The following economic incentives are hereby made available to the owner:

1. The incentives available to all Seattle Landmarks under the City's Zoning Ordinance;

2. Historic Preservation Grants-in-Aid funds, on an application basis, should the property be entered in the National Register of Historic Places.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in Section 14.08 of Ordinance Number 19848.

Section 5. The City Clerk is hereby directed to record this ordinance with the King County Director of Records and Elections, deliver two copies to the City Historic Preservation Officer, 400 Taylor Building, and deliver one copy to the Superintendent of Buildings.

Section 6. This ordinance shall take effect and be in force thirty days from and after its passage and approval, if approved by the Mayor; otherwise it shall take effect at the time it shall become a law under the provisions of the city charter.

Passed by the City Council the 24th day of December, 1979, and signed by me in open session in authentication of its passage this 24th day of December, 1979.

JOHN MILLER,
President of the City Council.

Approved by me this 3rd day of January, 1980.

CHARLES ROYER,
Mayor.

Filed by me this 3rd day of January, 1980.

Attest: **TIM HILL,**
City Comptroller and
City Clerk.

(Seal) By: **G. C. GEISERT,**
Deputy Clerk.

Publication ordered by **TIM**

HILL, Comptroller and City Clerk.

Date of official publication in the Daily Journal of Commerce, Seattle, January 7, 1980. (C-212)

The City of Seattle--Legislative Department

MR. PRESIDENT:

Date Reported
and Adopted

Your Committee on *Urban Development ; Housing,*

DEC 24 1979

to which was referred

C.B. 100839

Designating the 23rd Avenue Rowhouse Group at 812-828 23rd Avenue as an Historic Landmark.

Relating to historic preservation, imposing controls upon the 23rd Avenue Rowhouse Group, 812-828 23rd Avenue, a Landmark designated by the Landmarks Preservation Board under Ordinance 106348,

recommends that the same do pass.



Chairman

Chairman

.....
.....
.....
.....
.....
.....
.....

Committee

.....
.....
.....
.....
.....
.....
.....

Committee

C-212

Affidavit of Publication

STATE OF WASHINGTON KING COUNTY—SS.

The undersigned, on oath states that he is an authorized representative of The Daily Journal of Commerce, a daily newspaper, which newspaper is a legal newspaper of general circulation and it is now and has been for more than six months prior to the date of publication hereinafter referred to, published in the English language continuously as a daily newspaper in Seattle, King County, Washington, and it is now and during all of said time was printed in an office maintained at the aforesaid place of publication of this newspaper. The Daily Journal of Commerce was on the 12th day of June, 1941, approved as a legal newspaper by the Superior Court of King County.

The notice in the exact form annexed, was published in regular issues of The Daily Journal of Commerce, which was regularly distributed to its subscribers during the below stated period. The annexed notice, a

Ordinance No. 108732

was published on January 7, 1980

J. Moore
Subscribed and sworn to before me on

January 7, 1980

Barbara A. Lewis
Notary Public for the State of Washington,
residing in Seattle.