

ORDINANCE No. 111885

COUNCIL BILL No. 104276

*Law Department*

The City of

*WP*

AN ORDINANCE relating to historic preservation, imposing controls upon the Fisher/Howell House, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code ( Ordinance 106348).

Honorable President:

Your Committee on \_\_\_\_\_

to which was referred the within Co report that we have considered the s

COMPTROLLER FILE No. \_\_\_\_\_

Introduced: MAY 14 1984	By: Street
Referred: MAY 14 1984	To: Land Use
Referred:	To:
Referred:	To:
Reported: SEP 10 1984	Second Reading: SEP 10 1984
Third Reading: SEP 10 1984	Signed: SEP 10 1984
Presented to Mayor: SEP 11 1984	Approved: SEP 17 1984
Returned to City Clerk: SEP 18 1984	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained:

RECD UMB SEPT 11 1984

OK

Department

# The City of Seattle--Legislative Department

## REPORT OF COMMITTEE

Date Reported  
and Adopted

President:

Committee on

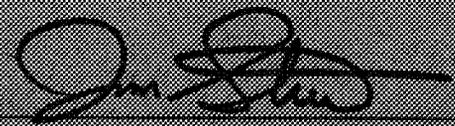
Land Use

was referred the within Council Bill No.

104276

that we have considered the same and respectfully recommend that the same:

Do Pass



Committee Chair

JEF:pm  
4/10/84  
IV:ORDIN1.1

ORDINANCE 111885

AN ORDINANCE relating to historic preservation, imposing controls upon the Fisher/Howell House, a Landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348).

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), 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 3, 1982, voted to approve the nomination of the Fisher/Howell House at 2819 Franklin Avenue East in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on December 15, 1982, the Board voted to approve the designation of the Fisher/Howell House as a Landmark under SMC Chapter 25.12; and

WHEREAS, on March 16, 1983, 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 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 Fisher/Howell House more particularly described as:

Block 21, Lot 17, Denny-Fuhrman Addition  
to the City of Seattle

as a Landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

1.) It embodies the distinctive visible characteristics of an architectural style, or period, or of a method of construction;  
is hereby acknowledged.

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

3 A Certificate of Approval must be obtained or the time for  
4 denying a Certificate of Approval must have expired before the  
5 owner may make alterations to:

- 6 1.) The entire exterior of the structure; and
- 7 2.) The site from the front of the house to the street.

8 Any in-kind maintenance and repair of the above features and  
9 characteristics shall be excluded from the Certificate of  
10 Approval requirement.

11 Section 3. The following incentives are potentially  
12 available to the owner although the listing is not inclusive:

- 13 1.) Section 24.74.020 of the Seattle Municipal Code,  
14 entitled Special Exceptions, and SMC Sections 23.44.26  
15 and 23.45.124 entitled Administrative Conditional Uses,  
16 authorize, on an application basis, certain uses not  
17 otherwise permitted within the zone in which the  
18 Landmark is located.
- 19 2.) Historic Preservation Grants-in-Aid funds, on an  
20 application basis, should the property be entered  
21 in the National Register of Historic Places; and
- 22 3.) Benefits available under the Tax Reform Act of 1976  
23 and the Economic Recovery Act of 1981 and its  
24 amendments should the property be entered in the  
25 National Register of Historic Places.
- 26 4.) Building and Energy Code exceptions on an application  
27 basis.

28 Section 4. Enforcement of this Ordinance and penalties for  
its violation shall be as provided in Section 25.12.910 of the  
Seattle Municipal Code.

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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 Director of the Department of Construction and Land Use.

(To be used for all Ordinances except Emergency.)

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 10<sup>th</sup> day of September, 1984,  
and signed by me in open session in authentication of its passage this 10<sup>th</sup> day of  
September, 1984.

*Harmon R. Rice*  
President of the City Council.

Approved by me this 17<sup>th</sup> day of September, 1984.

*Charles R. Ryan*  
Mayor.

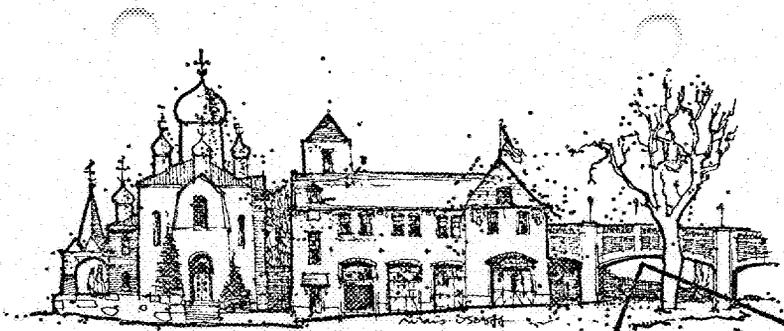
Filed by me this 18<sup>th</sup> day of September, 1984.

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

(SEAL)

Published

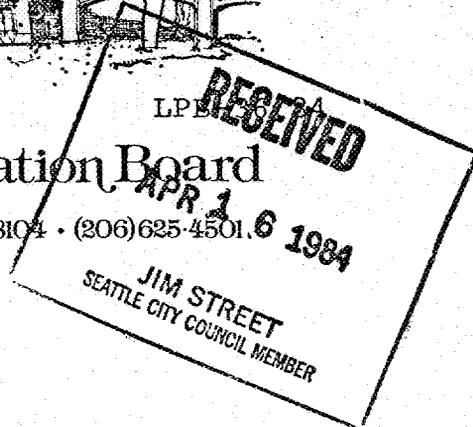
By *Art Dull*  
Deputy Clerk.



The City of Seattle

## Landmarks Preservation Board

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



April 11, 1984

The Honorable Jim Street  
Seattle City Council  
11th Floor, Municipal Building  
Seattle, Washington 98104

Subject: Proposed Controls and Incentives - Landmarks:

Hoge Building  
Wallingford Police and Fire Station  
Fisher/Howell House  
U. S. Assay Office/German Club  
Stuart/Balcom House and Gardens  
Bowen/Huston Bungalow

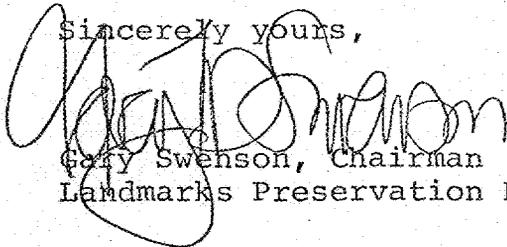
Dear Councilman Street:

Controls and Incentives recommendations have been approved by the Seattle Landmarks Preservation Board for the six properties listed above. In all of these cases, the owners of the properties are in agreement with the designation and the controls and incentives which are recommended. There is no known opposition to these actions.

The Board requests your sponsorship and support of these ordinances. The Landmarks Board staff has sent draft ordinances for these properties to James Fearn of the Law Department. He has prepared the ordinances in final form and will transmit them to your office this week.

The entire Board appreciates your concern for these matters.

Sincerely yours,



Gary Swenson, Chairman  
Landmarks Preservation Board

cc: James Fearn  
Frank Kirk

GS:jcn

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

RECORDED THIS DAY  
Oct 5 12 12 PM '84  
BY THE DIVISION OF  
RECORDS & ELECTIONS  
KING COUNTY

JEF:pm  
4/10/84  
IV:ORDIN1.1

84/10/05 #0703 B  
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ORDINANCE 111885

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WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), 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 3, 1982, voted to approve the nomination of the Fisher/Howell House at 2819 Franklin Avenue East in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on December 15, 1982, the Board voted to approve the designation of the Fisher/Howell House as a Landmark under SMC Chapter 25.12; and

WHEREAS, on March 16, 1983, 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 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 Fisher/Howell House more particularly described as:

Block 21, Lot 17, Denny-Fuhrman Addition  
to the City of Seattle

as a Landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

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

is hereby acknowledged.

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

3 A Certificate of Approval must be obtained or the time for  
4 denying a Certificate of Approval must have expired before the  
5 owner may make alterations to:

- 6 1.) The entire exterior of the structure; and  
7 2.) The site from the front of the house to the street.

8 Any in-kind maintenance and repair of the above features and  
9 characteristics shall be excluded from the Certificate of  
Approval requirement.

10 Section 3. The following incentives are potentially  
11 available to the owner although the listing is not inclusive:

- 12 1.) Section 24.74.020 of the Seattle Municipal Code,  
13 entitled Special Exceptions, and SMC Sections 23.44.26  
14 and 23.45.124 entitled Administrative Conditional Uses,  
15 authorize, on an application basis, certain uses not  
16 otherwise permitted within the zone in which the  
Landmark is located.  
17 2.) Historic Preservation Grants-in-Aid funds, on an  
18 application basis, should the property be entered  
19 in the National Register of Historic Places; and  
20 3.) Benefits available under the Tax Reform Act of 1976  
21 and the Economic Recovery Act of 1981 and its  
22 amendments should the property be entered in the  
National Register of Historic Places.  
23 4.) Building and Energy Code exceptions on an application  
24 basis.

25 Section 4. Enforcement of this Ordinance and penalties for  
26 its violation shall be as provided in Section 25.12.910 of the  
27 Seattle Municipal Code.

1 Section 5. The City Clerk is hereby directed to record  
2 this ordinance with the King County Director of Records and  
3 Elections, deliver two copies to the City Historic  
4 Preservation Officer, 400 Yesler Building, and deliver one copy  
5 to the Director of the Department of Construction and Land Use.

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(To be used for all Ordinances except Emergency.)

FILED for Record at District of  
Return to.

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

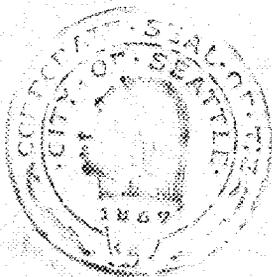
STATE OF WASHINGTON )  
COUNTY OF KING ) SS  
CITY OF SEATTLE )

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

TIM HILL  
Comptroller and City Clerk

By: *Grant Dell*  
Deputy Clerk



8410050703

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 10<sup>th</sup> day of September, 1984,  
and signed by me in open session in authentication of its passage this 10<sup>th</sup> day of  
September, 1984.

*Harmon B. Rice*  
President of the City Council.

Approved by me this 17<sup>th</sup> day of September, 1984.

*Charles Roy*  
Mayor.

Filed by me this 18<sup>th</sup> day of September, 1984.

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

(SEAL)

Published

By: *Grant Dell*  
Deputy Clerk.

# City of Seattle

## ORDINANCE 11885

AN ORDINANCE relating to historic preservation, imposing controls upon the Fisher/Howell House, a landmark designated by the Landmarks Preservation Board under Chapter 25.12 of the Seattle Municipal Code (Ordinance 106348).

WHEREAS, the Landmarks Ordinance, Chapter 25.12 of the Seattle Municipal Code (SMC), 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 3, 1982, voted to approve the designation of the Fisher/Howell House at 2819 Franklin Avenue East in Seattle as a landmark under SMC Chapter 25.12; and

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

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as a landmark based upon satisfaction of the following criteria of SMC Section 25.12.350:

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

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 entire exterior of the structure; and
- 2.) The site from the front of the house to the street.

Any in-kind maintenance and repair of the above features and characteristics shall be excluded from the Certificate of Approval requirement.

Section 3. The following incentives are potentially available to the owner although the listing is not inclusive:

- 1.) Section 24.74.029 of the Seattle Municipal Code, entitled Special Exceptions, and SMC Sections 21.44.26 and 21.45.124 entitled Administrative Conditional Uses, authorize, on an application basis, certain uses not otherwise permitted within the zone in which the

landmark is located.

- 2.) Historic Preservation Grants-in-Aid funds, on an application basis, should the property be entered in the National Register of Historic Places; and
- 3.) Benefits available under the Tax Reform Act of 1976 and the Economic Recovery Act of 1981 and its amendments should the property be entered in the National Register of Historic Places.
- 4.) Building and Energy Code exceptions on an application basis.

Section 4. Enforcement of this Ordinance and penalties for its violation shall be as provided in Section 25.12.910 of the Seattle Municipal Code.

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 Director of the Department of Construction and Land Use.

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 10<sup>th</sup> day of September, 1984

and signed by me in open session in authentication of its passage this 10<sup>th</sup> day of September, 1984  
*James Hill*  
President of the City Council

Approved by me this 17<sup>th</sup> day of September, 1984  
*Charles P. Jones*  
Mayor

Filed by me this 18<sup>th</sup> day of September, 1984

Attest: *James Hill*  
City Comptroller and City Clerk

(SEAL)

By: *Art Dulle*  
Deputy Clerk

Publication ordered by TIM HILL, Comptroller and City Clerk  
Date of official publication in Daily Journal of Commerce, Seattle, September 20, 1984  
(C-67)

# 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. 111885

was published on September 20, 1984

*B. Blavi*

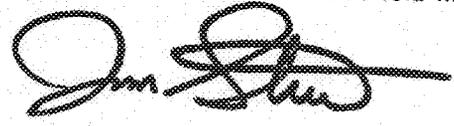
Subscribed and sworn to before me on

September 20, 1984

*Yvonne Summers*  
Notary Public for the State of Washington,  
residing in Seattle.

**SPONSORSHIP**

THE ATTACHED DOCUMENT IS SPONSORED FOR FILING WITH THE CITY COUNCIL BY THE MEMBER(S) OF THE CITY COUNCIL WHOSE SIGNATURE(S) ARE SHOWN BELOW:



_____	_____
_____	_____
_____	_____
_____	_____
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**FOR CITY COUNCIL PRESIDENT USE ONLY**

COMMITTEE(S) REFERRED TO: \_\_\_\_\_  
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\_\_\_\_\_

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PRESIDENT'S SIGNATURE