

ORDINANCE No. 117097

109

COUNCIL BILL No. 110104

The City of

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

Honorable President:

Your Committee on HCove

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

Do pass 4-2

Full Com

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

Introduced: APR - 4 1994	By: <u>Harris</u>
Referred: APR - 4 1994	To: <u>ACOVE</u>
Referred:	To:
Referred:	To:
Reported: APR 10 1994	Second Reading: APR 10 1994
Third Reading: APR 10 1994	Signed: APR 10 1994
Presented to Mayor: APR 10 1994	Approved: APR 10 1994
Returned to City Clerk: APR 10 1994	Published:
Vetoed by Mayor:	Veto Published:
Passed over Veto:	Veto Sustained: <u>OK</u>

*Law Department*

The City of Seattle--Legislative Department

Date Reported  
and Adopted

REPORT OF COMMITTEE

City President:

Committee on

*ACDC*

was referred the within Council Bill No. *110104*  
that we have considered the same and respectfully recommend that the same:

*pass 2-0 (JS, SH) on 4/14/94*

*Full Council Vote 9-0*

*Sherry D. Harris*

Committee Chair

ORDINANCE 117097

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

WHEREAS, Chapter 25.12 of the Seattle Municipal Code (SMC), (the Landmarks Ordinance) 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 January 21, 1981, voted to approve the nomination of the Samuel Hyde House at 3726 East Madison Street in Seattle as a Landmark under SMC Chapter 25.12; and

WHEREAS, after a public hearing on March 4, 1981, the Board voted to approve the designation of the Samuel Hyde House and its site as a Landmark under SMC Chapter 25.12; and

WHEREAS, on May 20, 1981, the Board and the then owners of the designated property agreed to controls and incentives; and

WHEREAS, on December 28, 1981, the City Council passed Ordinance 110355 imposing those controls; and

WHEREAS, Ordinance 110355 contained an error in the legal description of the designated property; and

WHEREAS, on February 16, 1994, the Board and the current owners of the designated property agreed to controls and incentives; and

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

BE IT ORDAINED BY THE CITY OF SEATTLE AS FOLLOWS:

**Section 1. DESIGNATION.** That the designation by the Landmarks Preservation Board of the Samuel Hyde House and its site, more particularly described as:

That portion of Lots 8, 9 and 10, lying northwesterly of East Madison Street; and all of Lots 11 and 12; all in Block 6, John J. McGilvra's 2nd Addition to the City of Seattle, according to the plat thereof, recorded in Volume 1 of Plats, page 80, in King County, Washington

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

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

4 is hereby acknowledged.

5           **Section 2. CONTROLS.** The following controls are hereby  
6 imposed on the features and characteristics of the Samuel Hyde  
7 House and its site which were designated by the Board for  
8 preservation:

9           A. Except as provided in subsections B, C, and D  
10 below, a Certificate of Approval must be obtained from the  
11 Landmarks Preservation Board pursuant to SMC 25.12.670 et  
12 seq., or the time for denying an application for a  
13 Certificate of Approval must have expired, before the owners  
14 may make alterations or significant changes to:

- 15           a) the entire exterior of the house and the  
16 carriage house; and  
17           b) the entire site, including major landscape  
18 elements and the garden wall, excluding minor  
19 plantings.

20           B. If after examination of plans and specifications the  
21 Historic Preservation Officer determines that any of the  
22 following exterior alterations is consistent with the  
23 purposes of the Landmarks Preservation Ordinance, the  
24 Historic Preservation Officer may approve the alteration  
25 without need for further action by the Board: the addition or  
26 elimination of duct conduits, HVAC vents, grilles, exterior  
27 fire stairs, safety railings, pipes, and other similar wiring  
28 or mechanical elements necessary for the normal operation of  
29 the building, and skylights for the carriage house, and the  
30 penetration of the north garden wall for access, provided no  
31 penetration shall be made within twenty (20) feet of the  
32 northeast corner of the wall. If the Historic Preservation  
33 Officer disapproves such alterations, the owners may submit

1 revised plans and specifications to the Historic Preservation  
2 Officer or may apply to the Board for a Certificate of  
3 Approval for the alterations.

4 C. No Certificate of Approval shall be required, and  
5 any changes may be permitted without further review, for the  
6 following:

- 7 1) any in-kind maintenance or repairs of the  
8 features noted in Section A;
- 9 2) removal of the concrete pad currently located  
10 on the north portion of the site;
- 11 3) installation of security features that are  
12 unobtrusive and that can be removed without  
13 damage to the buildings or site;
- 14 4) installation of fence addition as shown on the  
15 plan attached hereto as Exhibit A;
- 16 5) installation of exterior garden lighting.

17 D. STATEMENT OF INTENT

18 The owner shall file with the City's Historic  
19 Preservation Officer a Statement of Intent not less than  
20 thirty (30) days prior to making alterations or significant  
21 changes to the following described features: In the main  
22 house: the wood panelling, molding and trim, the painted  
23 murals, and general layout of the following first floor  
24 rooms: the central hall, the reception/music room, the  
25 parlor, the dining room, and the breakfast room, and the  
26 Tiffany-style window on the stair landing. No statement of  
27 intent shall be required for alterations or significant  
28 changes to the floor and wall coverings, paint, light  
29 fixtures, or other changes that would not permanently affect  
30 the features described above. The Landmarks Preservation  
31 Board and/or the City Historic Preservation Officer may, upon  
32 receipt of such notice, provide written comments within 21  
33 days to the owner suggesting alternatives whereby said

1 features might be preserved. In the event such comments are  
2 received, the owner agrees to consider said comments in good  
3 faith and incorporate said suggestions as it deems  
4 appropriate.

5 E. POTENTIAL CHANGES TO THE PROPERTY

6 1. Potential changes to the exterior of the  
7 Samuel Hyde House and site that are known at the time of  
8 preparing this document are listed below. The purpose of  
9 describing these potential changes is for the owner and the  
10 Landmarks Preservation Board to acknowledge the character and  
11 extent of changes that are anticipated. However, unless  
12 excluded from Landmarks Preservation Board review elsewhere,  
13 these changes will require a Certificate of Approval from the  
14 Landmarks Preservation Board pursuant to their review under  
15 the Design Guidelines set forth below.

- 16 a. Addition of an accessory structure to be  
17 located between the north side of the  
18 property and E. Galer Street.  
19 b. Use of the area between the north side of  
20 the property and E. Galer Street for  
21 additional parking.  
22 c. Exterior alterations necessary for the  
23 conversion of the carriage house to  
24 another use.

25 2. Design Guidelines

26 New additions, exterior alterations, or related new  
27 construction shall not destroy historic materials that  
28 characterize the property. The new work shall be  
29 differentiated from the old and shall be compatible with the  
30 massing, size, scale, and architectural features to protect  
31 the historic integrity of the property and its environment.  
32 New additions and adjacent or related new construction shall  
33 be undertaken in such a manner that if removed in the future,

1 the essential form and integrity of the historic property and  
2 its environment would be unimpaired.

3 F. CODE COMPLIANCE

4 The procedures outlined above in Sections A-D of this  
5 agreement are for compliance with SMC 25.12, and do not  
6 affect the owner's obligations with regard to other permits  
7 and plans required by the Seattle Municipal Code.

8 **Section 3. INCENTIVES.**

9 A. Economic incentives may be made available as set  
10 forth in the Controls and Incentives Agreement between the Owner  
11 and the Board, as they become available in the future.

12 B. SMC Titles 23 and 24 provide for special exceptions  
13 which may be available for uses not normally permitted in a  
14 particular zoning classification by means of an administrative  
15 conditional use.

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

19 **Section 5.** The entry in the Table of Historical Landmarks  
20 contained in Chapter 25.32, SMC, for the Samuel Hyde House is  
21 hereby amended to substitute the number of this Ordinance.

22 **Section 6.** The City Clerk is hereby directed to record this  
23 ordinance with the King County Director of Records and Elections,  
24 deliver two copies to the City Historic Preservation Officer and  
25 deliver one copy to the Director of the Department of Construction  
26 and Land Use.

27 **Section 7.** This ordinance shall take effect and be in force  
28 thirty days from and after its passage and approval, if approved  
29 by the Mayor; otherwise it shall take effect at the time it shall  
30 become a law under the provisions of the City Charter.

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PASSED by the City Council the 18 day of April,  
1994, and signed by me in open session in authentication of its  
passage this 18 day of April, 1994.

*James Steuf*  
President of the City Council

Approved by me this 19 day of April, 1994.

*Norman B. Rice*  
Norman B. Rice, Mayor

Filed by me this 19 day of April, 1994.

*Margaret Carter*  
Deputy Clerk

(SEAL)

Published \_\_\_\_\_

HYDEHSE.ord



The City of Seattle

## Landmarks Preservation Board

700 Third Avenue · 4th floor · Seattle, Washington 98104 · (206) 684-0228

March 29, 1994

LPB 63/94

Councilmember Sherry Harris  
Seattle City Council  
1100 Municipal Building  
Seattle, Washington 98104

Dear Councilmember Harris:

The Landmarks Preservation Board is submitting the following ordinance for consideration by the Land Use Committee and the City Council:

Samuel Hyde House, 3726 East Madison Street

A Controls and Incentives Agreement has been signed with the property owner.

It is our understanding from Steve Craig of your staff that this item is scheduled for your Committee meeting of April 26. The Landmarks Preservation Board appreciates your willingness to consider the ordinance at the April 26 meeting.

Please contact Elizabeth Chave at 684-0380 or Karen Gordon at 684-0381 if you have any questions. Thank you.

Sincerely,

Rev. Dennis A. Andersen  
Chair, Landmarks Preservation Board

MIN. FENCE HEIGHT: 1'-4"  
DO NOT CONTINUE FENCE  
WHERE MIN. HEIGHT CANNOT  
BE MAINTAINED

DECORATIVE CAP  
OPTIONAL 1/2"  
DECORATIVE CIRCLES

3/4 x 1  
1/2 x 1  
1/2 x 1/2

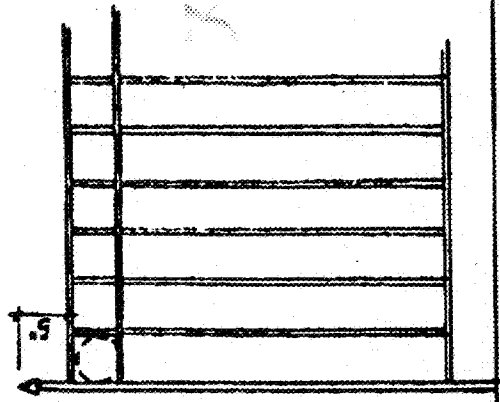
4" MP

3" CROWN

1/2 x 1/2

BACK WALL

6'-0" MAX  
N.P.

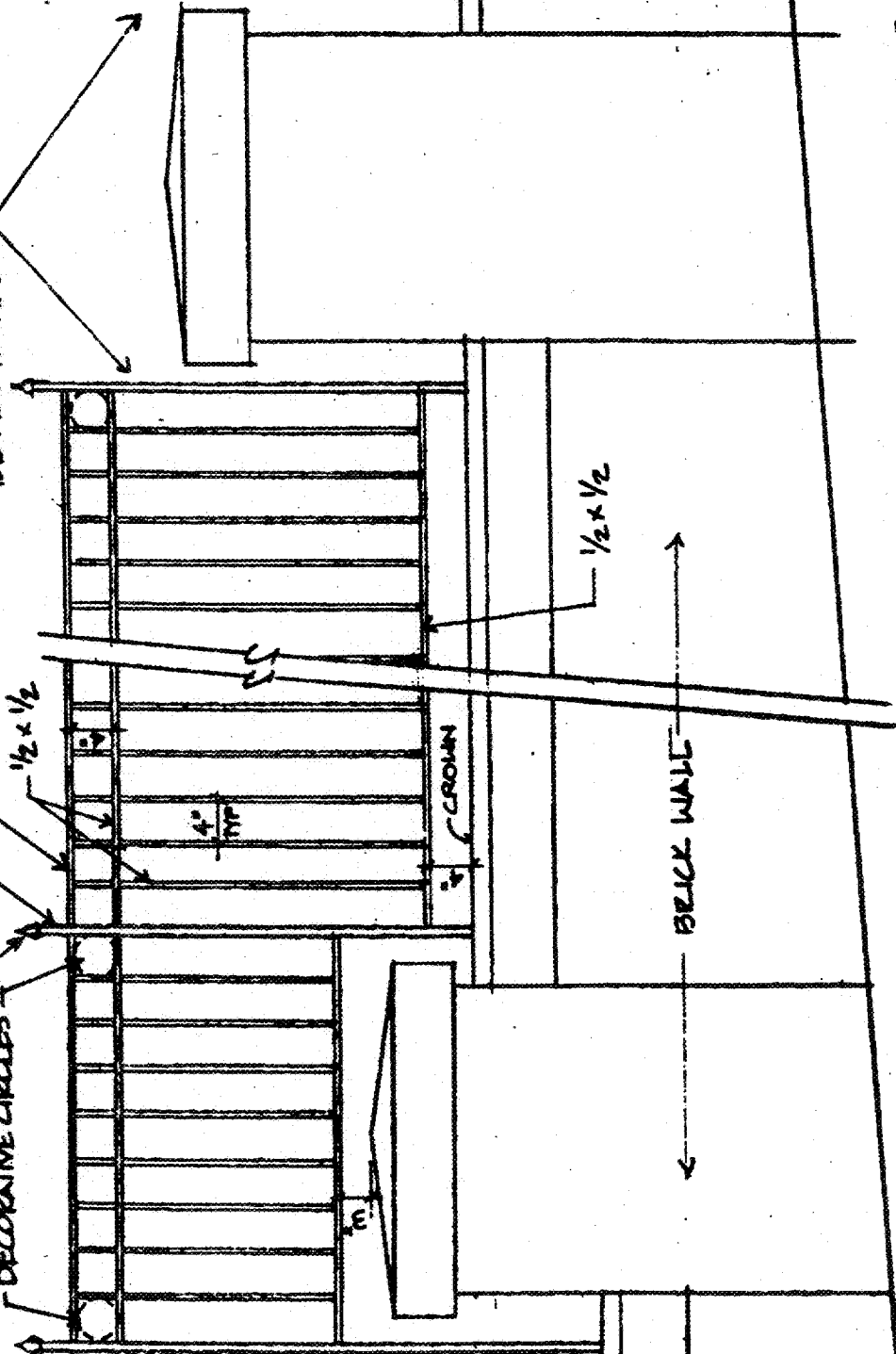


NOTES

- 1. FENCE COLOR - BLACK
- 2. DRIVEWAY GATES TO MATCH
- 3. ENTIRE PERIMETER OF PROPERTY TO BE FENCED

SCALE: 3/4" = 1'-0"

**PROPOSED METAL FENCE**  
9826 E. MADISON  
SEATTLE, WA



MAY 9 2 51 PM '84

RECEIVED DEPT OF  
HEALTH AND SERVICES  
KING COUNTY

ORDINANCE 117097

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WHEREAS, Chapter 25.12 of the Seattle Municipal Code (SMC), (the Landmarks Ordinance) 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 January 21, 1981, voted to approve the nomination of the Samuel Hyde House at 3726 East Madison Street in Seattle as a Landmark under SMC Chapter 25.12; and

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WHEREAS, on May 20, 1981, the Board and the then owners of the designated property agreed to controls and incentives; and

WHEREAS, on December 28, 1981, the City Council passed Ordinance 110355 imposing those controls; and

WHEREAS, Ordinance 110355 contained an error in the legal description of the designated property; and

WHEREAS, on February 16, 1994, the Board and the current owners of the designated property agreed to controls and incentives; and

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

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C. No Certificate of Approval shall be required, and any changes may be permitted without further review, for the following:

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- 2) removal of the concrete pad currently located on the north portion of the site;
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- 5) installation of exterior garden lighting.

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The owner shall file with the City's Historic Preservation Officer a Statement of Intent not less than thirty (30) days prior to making alterations or significant changes to the following described features: In the main house: the wood panelling, molding and trim, the painted murals, and general layout of the following first floor rooms: the central hall, the reception/music room, the parlor, the dining room, and the breakfast room, and the Tiffany-style window on the stair landing. No statement of intent shall be required for alterations or significant changes to the floor and wall coverings, paint, light fixtures, or other changes that would not permanently affect the features described above. The Landmarks Preservation Board and/or the City Historic Preservation Officer may, upon receipt of such notice, provide written comments within 21 days to the owner suggesting alternatives whereby said

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29 by the Mayor; otherwise it shall take effect at the time it shall  
30 become a law under the provisions of the City Charter.

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1 PASSED by the City Council the 18 day of April,  
2 1994, and signed by me in open session in authentication of its  
3 passage this 18 day of April, 1994.

4  
5 [Signature]  
6 President of the City Council

7 Approved by me this 19 day of April, 1994.

8  
9 [Signature]  
10 Norman B. Rice, Mayor

11 Filed by me this 19 day of April, 1994

12 [Signature]  
13 Deputy Clerk

14 (SEAL)  
15 Published \_\_\_\_\_

16 HYDEHSE.ord

23 STATE OF WASHINGTON  
24 COUNTY OF KING  
25 CITY OF SEATTLE )=

26 I, JUDITH E. PIPPIN, CITY CLERK OF THE CITY OF SEATTLE, DO HEREBY  
27 CERTIFY THAT THE WITHIN AND FOREGOING IS A TRUE AND CORRECT  
28 COPY OF Ordinance 117097

29 AS THE SAME APPEARS ON FILE AND OF RECORD IN THIS DEPARTMENT.

30 IN WITNESS WHEREOF, I HAVE HEREUNTO SET MY HAND AND AFFIXED  
31 THE SEAL TO THE CITY OF SEATTLE, THIS 27th day of April, 1994

32 [Signature]  
33 Deputy Clerk

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mk:  
March 25, 1994

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

ORDINANCE FOR HISTORIC PRESERVATION

TIME AND DATE STAMP

**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:

\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

\_\_\_\_\_

*[Handwritten Signature]*

FOR CITY COUNCIL PRESIDENT USE ONLY

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

\_\_\_\_\_  
PRESIDENT'S SIGNATURE