

MINUTES OF A SPECIAL MEETING OF THE
YREKA HISTORIC DISTRICT & LANDMARKS COMMISSION
HELD IN THE YREKA CITY COUNCIL CHAMBER IN SAID CITY
ON THE 26TH DAY OF JULY 2011

On the 26th day of July 2011, at 6:00 p.m., the Historic District & Landmarks Commission of the City of Yreka met in the City Council Chamber in said city in a special session. The meeting was called to order by Chair McCoy and present were:

Commissioners: Selma George
 Paul McCoy
 Peter O'Brien
 Maytha Reather
 Jackie Terwilliger

Absent: Don East

PUBLIC COMMENTS

None.

MINUTES

The Commission having received a copy of the minutes of the regular meeting held on July 14, 2011, the minutes were approved on a motion made by Commissioner O'Brien, seconded by Commissioner McCoy, all in attendance voting aye.

USE PERMIT – EXTERIOR MODIFICATION

The Commission reviewed the second part of an application for a use permit to (Part 1) Remove double doors from rear of building and replace with a single steel door, door to be painted the same color as the building – Previously Approved; and (Part 2) installation of a 4' x 6' canopy over the door on the property located at 319 W. Miner Street, Assessor's Parcel No. 054-051-060, C2 (Downtown Commercial) zone, HD (Historic District) General Plan designation. Applicant is Betty Bryan.

Applicant provided the additional information requested by the Commission at the June meeting including a site plan showing neighboring property.

Upon review of Yreka Municipal Code Title 17 (Historical District) the City Attorney informed the Commission that Yreka Municipal Code Section 17.04.180 provides that the Historic Commission need not disapprove an application for a permit to carry out any proposed work in a historic district or on a landmark, if the applicant presents clear and convincing evidence of the facts demonstrating to the satisfaction of the commission that such disapproval will work immediate and substantial hardship on the applicant because of conditions peculiar to the particular improvement, building structure, or other feature involved, and that approval of the application will be

consistent with the purposes of the Historic District Code. If a hardship is found to exist under this section, the commission or council shall make a written finding to that effect, and shall specify the facts and reasons relied upon in making such finding.

To protect the building from further deterioration due to water intrusion, the applicant desires to build a canopy to shed water away from the rear door of the building. It is estimated that without the proposed canopy the building extends two feet into the 10 foot rear setback. The proposed canopy will extend 4 feet further into the rear setback for a total of 6 feet intrusion into the setback. This structure has been in place since 1854, which was prior to the zoning requirements establishing a ten foot rear setback. Pursuant to the site plan provided July 20, 2011, three of the nine buildings located in this block currently encroach into the rear setback to a greater extent than the proposed expansion. One is on the property line, one six inches from the property line, and the other is one foot from the property line. Approval of the application would be consistent with the Historic District Code because it will promote the preservation of the building, which is the purpose of the Code.

Following Commission discussion, Commissioner George made a motion to approve Part 2 of the application for a use permit to install a 4' x 6' canopy over the new door at the rear of the building pursuant to the application submitted May 23, 2011 and modified July 20, 2011 on the property located at 319 W. Miner Street, Assessor's Parcel No. 054-051-060, C2 (Downtown Commercial) zone, HD (Historic District) General Plan designation. Approval is subject to full compliance with all applicable city, state, and federal laws and regulations based on the following findings and conditions:

FINDINGS:

1. The project will expand a non-conforming use by construction of a canopy further extending the building into the rear setback in violation of the City of Yreka setback requirements in the C-2 zone (YMC 16.34.040) which requires a ten (10) foot rear setback. However, Yreka Municipal Code Section 17.04.180 provides that the Historic Commission need not disapprove an application for a permit to carry out any proposed work in a historic district or on a landmark, if the applicant presents clear and convincing evidence of the facts demonstrating to the satisfaction of the commission that such disapproval will work immediate and substantial hardship on the applicant because of conditions peculiar to the particular improvement, building structure, or other feature involved, and that approval of the application will be consistent with the purposes of the Historic District Code. If a hardship is found to exist under this section, the commission or council shall make a written finding to that effect, and shall specify the facts and reasons relied upon in making such finding.

2. To protect the building from further deterioration due to water intrusion, the applicant desires to build a canopy to shed water away from the rear door of the building. It is estimated that without the proposed canopy the building extends two feet into the 10 foot rear setback. The proposed canopy will extend 4 feet further into the rear setback for a total of 6 feet intrusion into the setback. This structure has been in place since 1854, which was prior to the zoning requirements establishing a ten foot rear setback. Pursuant to the site plan provided July 20, 2011, three of the nine

buildings located in this block currently encroach into the rear setback to a greater extent than the proposed expansion. One is on the property line, one six inches from the property line, and the other is one foot from the property line. Approval of the application would be consistent with the Historic District Code because it will promote the preservation of the building, which is the purpose of the Code.

3. The proposed exterior improvements will not be detrimental to the health, safety, peace, morals, comfort, and general welfare of persons residing or working in the neighborhood, and will not be detrimental to the harmonious and orderly growth of the City of Yreka for the reason stated in number 2 above.

4. The proposed exterior improvements will not adversely affect and will be compatible with the external appearance of other existing improvements, buildings and structures on or adjacent to said property.

5. The proposed exterior improvements will not detrimentally alter, destroy or adversely affect any exterior architectural feature of any existing building on the property.

6. The proposed exterior improvement conforms with the purposes of the Historic District ordinance and specifically emphasizes the preservation of architectural styles existing in the area of the City prior to 1910 by protecting the building from further deterioration due to water intrusion.

7. The proposed exterior improvement includes installation of a 4' x 6' canopy over the new door.

CONDITIONS:

1. Permittee authorized to install a 4' x 6' canopy over the proposed door. Installation shall be at the location and as set forth in the application subject to full compliance with applicable city and state codes.

2. The proposed canopy shall not extend into the alley beyond the rear property line as it will interfere with the right of way.

3. Permittee shall comply at all times with the minimum performance conditions for the construction, rehabilitation and preservation of commercial buildings as set forth in Resolution No. HDLC-1 of the City of Yreka.

4. Permittee shall use only those materials for replacement as specified in applicant's application dated May 25, 2011, and modified on July 20, 2011, as approved by the Historic District and Landmarks Commission on July 26, 2011 and shall not change the design, materials or colors approved without the prior approval of the Historic District and Landmarks Commission.

5. Permittee shall obtain a building permit and shall pay the necessary fees therefore prior to making any building, electrical, mechanical, or plumbing alterations/improvements to the structure.

6. The permit shall expire and terminate if not used within one (1) year from the date of approval, unless prior to the expiration of one year, a building permit is issued and construction is commenced or in the event the use permitted is abandoned or not utilized for a period of one year. Approval may be extended upon written application to the Planning Commission before expiration of the first approval.

Commissioner Terwilliger seconded the motion. The motion carried by the following vote:

AYES: George, McCoy, O'Brien, Reather, Terwilliger
NOES: None

COMMISSIONER STATEMENTS AND COMMENTS

Commissioner Reather reported she will be retiring from her job the end of September. She will be leaving the area and therefore submitted her resignation from the Historic District and Landmarks Commission.

There being no further business before the Commission, the meeting adjourned at 6:12 p.m.

Pamela J. Hayden, Planning Director