



PLANNING DIVISION
STAFF REPORT

Historic Preservation Board

November 7, 2023

CASE No.: ADM23-00135	CASE NAME: 111 W. 7 th Place
Appellant:	Jeffrey McVay
Appellant Legal Counsel:	N/A
Location of Request:	111 W. 7 th Place
Site Size:	0.4 acres (17,386 sq. ft.)
Existing Zoning District:	RS-9 – Single Family Residential
General Plan Designation:	Neighborhood
Council District:	District 4
City Staff:	Mary Kopaskie-Brown, Planning Director/Historic Preservation Officer
Hearing Date:	November 7, 2023 / 6:00 p.m.
Request:	Consider an appeal of a Decision of the Historic Preservation Officer issued on September 5, 2023, regarding the denial of a Certificate of Appropriateness for a detached guest house with attached carports
Staff Recommendation:	DENY the appeal and UPHOLD the Historic Preservation Officer’s Decision

A. Factual Background

1. The Subject Property is located at 111 W. 7th Place within the Evergreen Historic District (District) which has a period of significance spanning from 1910 to 1948. The zoning designation for the Subject Property is Single Family Residential (RS-9), with an Historic District (HD) overlay.
2. The request by the applicant includes the construction of a new 1,612 square-foot, single-story, detached guest house, covered patio, and a detached two-bay carport (Proposed Project). A Certificate of Appropriateness is required for the Proposed Project and was reviewed as part of Planning Case ADM23-00135.

The Proposed Project includes a detached guest house with conventional framed construction and features a stucco façade which will be painted to match the main home. The asphalt shingles of the proposed guest house will match the existing home. The materials proposed for the new guest house include stucco and asphalt shingles, with 6" x 6" posts and beams used to support the covered patio.

The Proposed Project also includes a two-bay carport with an asphalt shingle sloping roof. The two-bay carport will have one bay for an RV and one bay for a car. The carport will use the post and beam construction method. The shorter bay of the carport is proposed at a maximum height of 11'-10" tall—sloping down to 9'-8". The taller bay of the carport (for the RV) would stand at a maximum height of 15'-6" tall—sloping down to 14'-3".

The Proposed Project will be located 7 feet west of the existing home and 7 feet from the western property line—consistent with the required interior side yard setback in the RS-9 zoning district. The Proposed Project would be set back 51 feet from the front property line and 20'-3" from the rear property line—consistent with required setbacks.

Per Section 11-30-17 of the Mesa Zoning Ordinance (MZO), a detached structure (guest house and attached carport) may be up to 15 feet in height if located within the 25-foot rear setback and outside of any required side yard. The covered patio of the proposed guest house currently extends 4'-9" into the rear setback and it is outside of the side yard setback. It will stand 11'-10" tall. The Proposed Project is compliant with all applicable zoning regulations.

No changes are proposed for the primary residence.

3. On **September 5, 2023**, the Historic Preservation Officer (HPO) issued a denial for a Certificate of Appropriateness (Decision) for the Proposed Project. The Decision concluded, in part, that the request did not comply with the Secretary of the Interior's Standards for the Treatment of Historic Properties ((Standards), also referred to as "Standards for Rehabilitation")

In addition, the HPO determined the Proposed Project was inconsistent with the City's adopted historic preservation guidelines, City of Mesa Historic Homes of Mesa: An Architectural Preservation Guide (Guidelines) which are used in conjunction with the Secretary of the Interior's Standards when reviewing a Certificate of Appropriateness request.

The HPO's decision to deny the request for a Certificate of Appropriateness was based on the analysis completed and provided as Exhibit A of this staff report.

4. On **September 20, 2023**, Mr. McVay (Appellant) filed a timely appeal of the Decision (Notice of Appeal) (Exhibit C).

The Notice of Appeal filed by the Appellant identified grounds for his appeal, as further discussed in this Staff Report.

B. Development Pattern:

The Proposed Project is located in the northeast quadrant of the Evergreen Historic District. The District is comprised of two subdivisions (North Evergreen Addition (1910) and the Vista Gardens Addition (1947)). The build-out of infrastructure and the development of homes within these subdivisions occurred over multiple decades. The relatively slow build-out of infrastructure and homes is evident by differences in the District's streetscape design and by the evolution of architectural styles seen in the homes. The distribution of architectural styles throughout the District indicates that residential development occurred over several decades, resulting in houses from multiple stylistic eras mixed together within the boundaries of the same District.

The layout of the streets and residential lots within the District are reflective of two distinct periods of development:

- Period 1 – The majority of the District's infrastructure build-out and home development took place shortly after the platting of the North Evergreen Addition and Vista Gardens Addition subdivisions. These subdivisions were designed to feature parkway lawns which separate the sidewalks from the street. The North Evergreen Addition and the Vista Gardens Addition contributed to the transformation of the character of Mesa's neighborhoods from rural to suburban.
- Period 2 – Although part of the North Evergreen Addition and Vista Gardens Addition subdivisions, the northeast quadrant of the District was developed significantly later than the other parts of the District. As a result, the northeast quadrant does not feature parkways as the sidewalks are integrated directly with the curbs and gutters. This quadrant is also distinguished by the variety of parcel sizes resulting from individual lot splits done over time, as opposed to larger-scale subdivision platting done all at once. The homes found in the northeast quadrant of the District are reflective of the late build-out relative to the remainder of the District. The northeast quadrant is characterized by the existence of Ranch homes, which was the dominant housing type constructed in the United States following World War II. Ranch homes are one story and feature low-pitched roofs as a key characteristic.

The existing, primary residence on the Subject Property—built during Period 2 of the Evergreen Historic District's development—exhibits a minimal Early Ranch form with an intersecting gabled roof and simple, slender porch posts. The historical roofline of the primary residence is approximately 11 feet tall. The Subject Property was altered in 2020 with the addition of an attached garage, new windows, a rear addition, a non-historic wall/gate, and a new curb cut. With the previous addition, the roofline of the primary residence is now 12 feet tall—although it is the historical roofline that is used in evaluating the compatibility of the Proposed Project.

The Subject Property was classified as non-contributing to the District prior to the previous modifications being made, and it still is classified as non-contributing. An inventory form, used to

document aspects of historic resources, does not exist to indicate the reason for non-contributing status, but it is likely that the Subject Property was not old enough at the time of the latest survey and inventory conducted for the District (1991). Many Ranch homes were determined ineligible at the time of the inventory because of their age, but were noted to become eligible circa 2004, and it was recommended they be reviewed for integrity at that time.

It is important to note that non-contributing properties within the boundaries of a historic district are subject to the same Standards and Guidelines as contributing properties. Due to the Subject Property's location within the Evergreen Historic District and within the Historic District Overlay (overlay zoning district), the Proposed Project is required to receive a Certificate of Appropriateness prior to commencing work and the Proposed Project is subject to the same review criteria as a property with a contributing status would be. The Subject Property's non-contributing status is not one of the review factors in the Standards and Guidelines, and should not be a criterion on which the Proposed Project is evaluated. This helps ensure that the District, as a whole, retains its integrity and continues to convey significance, particularly with respect to development patterns.

C. City Regulations and Mesa Zoning Ordinance

Section 11-74-3(C) of the MZO outlines the City's review procedures for Certificates of Appropriateness. Section 11-74-3(C)(1) states, "the decision of the HPO shall be based upon compliance of the request with the United States Secretary of the Interior's "Standards for Rehabilitation" appearing in 36 CFR Part 68. Additional guidelines, as proposed by the Historic Preservation Board and approved by the City Council, may also be used by the HPO, provided the guidelines are not inconsistent with the Secretary's Standards. Mesa City Council approved the Historic Homes of Mesa: An Architectural and Preservation Guide in 2001 and the HPO used those guidelines in making her Decision.

The review of the Certificate of Appropriateness request pursuant to the Secretary of the Interior's Standards for Rehabilitation and the City's adopted historic preservation design guidelines is provided as Exhibit A. The tables below show the criteria and indicate if the Proposed Project is consistent or inconsistent with each of the review criteria—and constitutes the basis for the HPO's Decision.

US Secretary of the Interior's Standards for Rehabilitation (Standards)

Standard	Consistent	Inconsistent	N/A
1. A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
3. Each property will be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or elements from other historic properties, will not be undertaken.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
4. Changes to a property that have acquired historic significance in their own right will be retained and preserved.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
5. Distinctive materials, features, finishes, and construction techniques or examples of craftsmanship that characterize a property will be preserved.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
6. Deteriorated historic features will be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature will match the old in design, color, texture and, where possible, materials. Replacement of missing features will be substantiated by documentary and physical evidence.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
7. Chemical or physical treatments, if appropriate, will be undertaken using the gentlest means possible. Treatments that cause damage to historic materials will not be used.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>
8. Archeological resources will be protected and preserved in place. If such resources must be disturbed, mitigation measures will be undertaken.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Standard	Consistent	Inconsistent	N/A
<p>9. New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property.</p> <p>The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.</p> <p>Standards recommend: Constructing a new addition on a secondary or non-character defining elevation and limiting its size and scale in relationship to the historic building.</p> <p>Ensuring that the addition is subordinate and secondary to the historic building and is compatible in massing, scale, materials, relationship of solids to voids, and color.</p>	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
<p>10. New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.</p>	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>

Standard 2 - The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

While the guest house and standard carport aspects of the Proposed Project have been found to be consistent with Standard 2, the Proposed Project has been found to be inconsistent with Standard 2 due to the height of the RV carport in the location it is being proposed. The RV carport is proposed to be 15'-6" tall—approximately 4'-6" taller than the historic roofline of the primary residence. The HPO has determined that the proposed RV carport will alter the existing spatial relationships of the Subject Property and within the District to a degree that will compromise the historical integrity of the Subject Site and the District as a whole.

The placement of the RV carport on the Subject Property would be disruptive to the spatial rhythm and character found within the northeast quadrant of the District—which consists primarily of single-story Ranch homes with low-profile roofs. The RV carport would be more compatible with the existing character and spatial rhythm of the District if it were reduced in height and/or set

back farther from the front property line, where the incompatible scale would be less apparent from the public right-of-way.

It should be noted that the MZO would allow the Proposed Project to be located within the 25-foot rear yard setback—although if located within the setback, the MZO would limit the height of detached accessory structure(s) to 15 feet.

Standard 9 - New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. Standards recommend:

- **Constructing a new addition on a secondary or non-character defining elevation and limiting its size and scale in relationship to the historic building.**
- **Ensuring that the addition is subordinate and secondary to the historic building and is compatible in massing, scale, materials, relationship of solids to voids, and color.**

The Proposed Project with the RV carport is inconsistent with Standard 9. The RV carport of the Proposed Project is incompatible with the established scale of the Subject Property and the District because of the height of the proposed RV carport combined with the proposed location on the Subject Property. With a height of 15'-6", the proposed RV carport is approximately 4'-6" taller than the historic roofline of the primary residence. Given the height disparity between the RV carport and the historic roofline of the primary residence and the height disparity between the proposed RV carport and the ranch homes found in the northeast quadrant of the District, the HPO has determined that the proposed RV carport is incompatible with the size, scale, proportion and massing of the Subject Property and District.

City of Mesa Historic Homes of Mesa:

An Architectural and Preservation Guide: New Addition Design Guidelines: Dos and Don'ts (Guidelines)

Guideline	Consistent	Inconsistent	N/A
1. Construct new exterior additions to the side or the rear of a historic building to retain the streetscape façade and the setback to the street.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
2. Remove non-significant additions or nearby outbuildings to make room for a new exterior addition if removal does not affect the architectural integrity of the building.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Guideline	Consistent	Inconsistent	N/A
3. Design the new addition to complement and enhance the historic building in size, scale, materials, and details. Don't: construct an addition which is larger in size or inappropriate in scale to the original building.	<input type="checkbox"/>	<input checked="" type="checkbox"/>	<input type="checkbox"/>
4. Verify zoning restrictions for heights, setbacks, and building separation to define the buildable area within the property. Take into consideration overhang dimensions when determining the allowable building envelope. Setback and lot coverage variances may be difficult to obtain if zoning problems are self-imposed by the applicant's own design.	<input checked="" type="checkbox"/>	<input type="checkbox"/>	<input type="checkbox"/>
5. Design non-historic site features and landscaping as distinctive but compatible with the building's historic style.	<input type="checkbox"/>	<input type="checkbox"/>	<input checked="" type="checkbox"/>

Guideline 3 - Design the new addition to complement and enhance the historic building in size, scale, materials, and details. Don't: construct an addition which is larger in size or inappropriate in scale to the original building.

The RV carport of the Proposed Project is incompatible with the established size and scale of the Subject Property and the District because of the height of the proposed RV carport combined with the proposed location on the Subject Property. With a height of 15'-6", the proposed RV carport is approximately 4'-6" taller than the historic roofline of the primary residence. Given the height disparity between the RV carport and the historic roofline of the primary residence and the height disparity between the proposed RV carport and the ranch homes found in the northeast quadrant of the District, the HPO has determined that the proposed RV carport is incompatible with the established size and scale Subject Property and District.

The incompatibility of the proposed RV carport with the size and scale of the Ranch home on the Subject Property and the Ranch homes and associated structures on the surrounding properties of the northeast quadrant of the District could be mitigated if the RV carport was not as tall and/or moved farther back from the front property line.

D. Historic Preservation Officer Response to Appeal

In the Appellant's Notice of Appeal, the Appellant responds to the Historic Preservation standards with which staff found the project to be inconsistent.

Standard 2 - The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces and spatial relationships that characterize a property will be avoided.

Appellant Position (Standard 2):

As stated in the review comments this standard is related to the character of the property. With the exception of height in relation to our house, primary staff concerns are related to relationship to the District.

In relation to the property, an earlier renovation and addition to this property received a Certificate of Appropriateness from the City that allowed a significant addition and renovations, which have since made the property non-contributing to the Evergreen Historic District. Understanding that the previous approval happened under different HPO staffing and interpretation of standards, the previously approved renovations and additions have significantly changed character of the property. While we regret the loss of the historic character, we purchased the property after the approved addition and renovations and we believe the current request is consistent with the character of the property we purchased and as previously approved by the City.

Regardless of the recent addition and renovations and related to height, the original structure has a typical roofline of 12 feet. The proposed RV carport has a maximum height of 15.5 feet, which is not out of line with the height of the original structure, particularly when considering the RV carport would be located 16.5 feet behind the front line of the original house and 51.5 feet from the street.

Existing improvements such as a swimming pool preclude the ability to locate the RV carport off Macdonald, and if such relocation were possible our corner lot precludes the ability to build any structure that isn't adjacent to a neighbor's house.

Related to locating the RV carport further back on the property, the larger plan includes a small, 698 SF one- bedroom guest house for my aging parents to live. As livable space, zoning requires that the building be located within the lots buildable area. The existing house and improvements don't allow alternative configurations that includes an RV carport, which as proposed is fully compliant with Zoning Code Requirements. The guest house has been placed as far south on the property while still being within the buildable area, which precludes relocating the RV further south.

Related to the driveway comment, properties with two driveways is a regular condition within the Evergreen Historic District, with more than one existing example along the same block as our property. Understanding that there are Zoning Code standards related to the total width of driveways for a single property, we commit to complying with such standards as part of the proposed project.

Staff Response:

The guest house and standard carport are acceptable as proposed, but the height of the RV carport combined with its location exceeds the levels of appropriateness outlined in the Standards and Guidelines.

Non-contributing properties within the boundaries of a historic district are subject to the same Standards and Guidelines as contributing properties. The Subject Property's non-contributing status is not one of the review factors in the Standards and Guidelines, and should not be a criterion on which the Proposed Project is evaluated. This helps ensure that the District, as a whole, retains its integrity and continues to convey significance, particularly with respect to development patterns.

Based on the elevations provided, the historical roofline of the primary residence is approximately 11 feet tall. After the additions to the home in 2020, the roofline of the primary residence is now 12 feet tall—although it is the historical roofline that is used in evaluating the compatibility of the Proposed Project with the Subject Site and the District. With a height of 15'-6", the proposed RV carport is approximately 4'-6" taller than the historic roofline of the primary residence. Given the height disparity between the RV carport and the historic roofline of the primary residence and the height disparity between the proposed RV carport and the ranch homes found in the northeast quadrant of the District, the HPO has determined that the proposed RV carport will alter the existing spatial relationships of the Subject Property and within the District to a degree that will compromise the historical integrity of the Subject Site and the District as a whole.

Standard 9 - New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment. Standards recommend:

- **Constructing a new addition on a secondary or non-character defining elevation and limiting its size and scale in relationship to the historic building.**
- **Ensuring that the addition is subordinate and secondary to the historic building and is compatible in massing, scale, materials, relationship of solids to voids, and color.**

Appellant Position (Standard 9):

The proposed guest house and RV/carport is not an addition to a non-character defining elevation, it is a detached structure. As such, we don't believe this guideline applies. Having said that, as the RV carport is the primary concern with the proposal, it is important to note that the RV carport only consists of 360 SF of roof area in comparison to the 3,240 SF of existing roof area. The remainder of the guest house proposal, which has a total roof area of 1,612 SF, and has not been

noted as a concern has a maximum height of 11'10". We believe that for this reason, the proposal is subordinate to our non-contributing property. In addition, the overall design of the guest house and RV/carport is differential from the old house but uses materials that are compatible with the no longer contributing historic features of the original house.

While the stated Guidelines are specifically related to additions, in response to staff comments scale and proportion related to the District, there exist many examples of taller structures, including many two-story houses and additions that have been lawfully permitted within the Evergreen Historic District, several of which that are original to the District. It is such variety of architecture that played a large part in our decision to purchase our home in the Evergreen Historic District. As such, we do not believe our proposal would disrupt the scale and proportion of the Evergreen Historic District.

Staff Response:

Standard 9 applies to the Proposed Project as "related new construction." The guest house and standard carport are acceptable as proposed, but the height of the RV carport combined with its location exceeds the levels of appropriateness outlined in the Standards and Guidelines.

It is the height of the proposed RV carport combined with the proposed location on the Subject Property that has been determined to be incompatible with the Subject Property and the District. There are no compatibility concerns with the floor area of the proposed RV carport.

With a height of 15'-6", the proposed RV carport is approximately 4'-6" taller than the historic roofline of the primary residence. Given the height disparity between the RV carport and the historic roofline of the primary residence and the height disparity between the proposed RV carport and the ranch homes found in the northeast quadrant of the District, the HPO has determined that the proposed RV carport will be incompatible with the size, scale, proportion and massing of the Subject Property and District.

The entirety of the District is comprised of multiple distinct developmental patterns and exhibits a variety of architectural styles and scales based on these distinct development patterns. While there are other taller houses and additions present within the District, these taller buildings are not within the northeast quadrant of the Evergreen Historic District. The Subject Property should be assessed for the development pattern present within the context in which it exists. The Subject Property exists within the northeast quadrant of the Evergreen Historic District which has a distinct period of development from the other three quadrants of the District. Unlike the other quadrants of the Evergreen Historic District, the northeast quadrant is characterized by Ranch homes with low-profile roofs, where the RV carport is incompatible—particularly for the proposed placement on the Subject Property

Guideline 3 - Design the new addition to complement and enhance the historic building in size, scale, materials, and details. Don't: construct an addition which is larger in size or inappropriate in scale to the original building.

Appellant Position (Guideline 3):

As noted in our earlier responses, we believe that we have addressed *staff's* concerns related to this standard.

Staff Response:

Guideline 3 applies to the Proposed Project as related new construction. The RV carport of the Proposed Project is incompatible with the established size and scale of the Subject Property and the District because of the height of the proposed RV carport combined with the proposed location on the Subject Property.

The incompatibility of the proposed RV carport with the Subject Property and the District could be mitigated if the RV carport was not as tall and/or it was moved farther back from the front property line.

E. Conclusion

The HPO's Decision abides by the review criteria for a Certificate of Appropriateness set forth in the MZO, which are the Standards and Guidelines. The inclusion of the RV carport in the Proposed Project would have an adverse effect on the District due to the inappropriate height, scale, and placement on the Subject Property.

If the Appellant revised the Proposed Project to exclude the RV carport or if the RV carport were reduced in height and/or relocated to a more suitable location on the Subject Property, the Proposed Project could be deemed appropriate for the historical context of the District and the Subject Property.

For the reasons stated in this report, the HPO recommends the Board **deny** the appeal and uphold the HPO's Interpretation.

Exhibits

- Exhibit A: ADM23-00135 case file
- Exhibit B: Notice of Appeal
- Exhibit C: Images of Streetview
- Exhibit D: Subject Property's Location Within Evergreen HD
- Exhibit E: Evergreen HD National Register Information
- Exhibit F: ADM20-00186 – Case file (CMU Wall)
- Exhibit G: ADM19-00943 – Case file (Home Addition)
- Exhibit H: Appellant HPO Appeal Presentation Slides
- Exhibit I: Appellant HPB Appeal Letter