Historic Preservation Board
Kathy Kvasnicka, Chair
Amy Adkins
Penny Rankin, Vice-Chairperson
Al Mowrer
Ginny White
Vacancy

Historic Preservation Board Agenda
Regular Meeting*
Fort Lupton City Hall – 130 S. McKinley Ave.
Thursday, May 6, 2021 – 6:15 P.M.

(Order & Contents Subject to Change by Action of the Historic Board)

****To attend this meeting virtually (optional), please refer to the last page of the Agenda for instructions.***

Call to Order – Roll Call

Approval of Agenda

Consent Agenda – Consent Agenda items are considered to be routine and will be enacted by one motion and vote. There will be no separate discussion of Consent Agenda items unless a member so requests, in which case the item may be removed from the Consent Agenda and considered at the end of Discussion Items.

a. Approval of the Minutes of the April 1, 2021 Meeting

Public and Visitor Input – This portion of the Agenda is provided to allow members of the audience to present comments to the Board. The Board may not respond to your comments this evening, rather they may take your comments and suggestions under advisement or your question may be directed to the appropriate staff member for follow-up.

Action Items

a. HAM2021-003 (Public Hearing): Application for Rescission of Local Historic Designation of the Seymour and Birdie Rhode House Located at 149 Denver Avenue to the Fort Lupton City Council

Discussion Items

a. Saving Places Conference Recap
b. Monthly Historic Review Quiz

Future Business

a. Next Board Meeting on June 3, 2021

Adjourn

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Historic Preservation Board Meeting Attendance Information

The meeting will be held in person at Fort Lupton City Hall (130 S. McKinley Ave.), or remotely through GoToMeetings. Instructions on virtual meeting attendance and conduct will be provided prior to the start of the meeting.

Virtual Meeting Instructions

To participate remotely, we encourage you to test the phone number and links provided above prior to the start of the meeting, as each device requires initial adjustment. It is also recommended to log into the meeting early, and if you encounter any issues to call 303-304-4498 or email PlanningDept@fortluptonco.gov immediately.

When calling in, please be sure to mute your microphone on your computer, phone or tablet. Planning staff and/or the Chairman of the Historic Preservation Board will provide instructions on when and how comments can be made by the public virtually.

RECORD OF PROCEEDINGS
FORT LUPTON HISTORIC PRESERVATION BOARD
April 1, 2021

The Historic Preservation Board of the City of Fort Lupton met in session virtually via GoToMeeting, on Thursday, April 1, 2021. Vice-Chair Penny Rankin called the meeting to order at 6:22 pm.

ROLL CALL

Those present were Vice-Chair Penny Rankin and Members Amy Adkins, Kathy Kvasnicka, Al Mowrer, and Ginny White. Also present was Planning Director Todd Hodges, City Planner II Alyssa Knutson and Administrative Assistant Magaly Morales-Tejada.

APPROVAL OF THE AGENDA

Kathy Kvasnicka made a motion to approve the agenda and Al Mowrer seconded.
Motion passed unanimously.

APPROVAL OF THE CONSENT AGENDA

Kathy Kvasnicka made a motion to approve the February 4, 2021 and the March 4, 2021 minutes. Ginny White seconded.
Motion passed unanimously.

PUBLIC AND VISITOR INPUT

It was noted that there were no members of the public on the online platform present to make comments not otherwise related to the agenda; the public comment portion was closed.

ACTION ITEM

Election of Chairperson

Planner Alyssa Knutson stated that Cristian Gonzales-Torres resigned from the board, therefore a new Chair needed to be elected.

Member Al Mowrer nominated Vice-Chair Penny Rankin, Ms. Rankin refused the nomination.

Vice-Chair Rankin nominated Kathy Kvasnicka, Al Mowrer seconded.
Motion passed unanimously.

HAM2021-001 (Public Hearing): Application for Rescission of Local Historic Designation of the Seymour and Birdie Rhode House Located at 149 Denver Avenue to the Fort Lupton City Council.

Planner Alyssa Knutson on behalf of the Historic Preservation Board gave the following advisement:

> Tonight's meeting shall be held virtually so as to ensure the health and safety of the general public and the City of Fort Lupton Historic Preservation Board and staff.
>
> The intent and purpose of the virtual appearance option is to allow the City to be innovative in providing the general public the most meaningful access possible in light of the current challenges present as a result of the Covid-19 pandemic. Therefore, subject to social distancing and public health orders, members of the general public will be offered the opportunity to be electronically present for meetings at the City, subject to existing health conditions.
>
> An electronic link has been made available for tonight's meeting on the City's website and social media platforms and as posted at City Hall, so that the general public, Historic Preservation Board and staff may participate electronically via the internet or on the phone.

Prior to discussion of HAM2021-001, Chair Kathy Kvasnicka recused herself due to her participation in the Planning Commission discussion of this item on March 11, 2021.

Planner Alyssa Knutson presented the item. She stated that this application is to rescind historic designation of the property at 149 Denver Ave. and remove it from the local historic registrar. She stated that the property was historically designated in 2008 and is historically known as the Seymour and Birdie Rhode house. Ms. Knutson stated that this property was found to have significance at the local and national level based on 2 criteria – that it embodies the distinctive features of the Queen Anne style of architecture and that Seymour and Birdie Rhode founded the first bank in Fort Lupton where Birdie's role as a female bank president was unusual at the time. She stated that the application to rescind was submitted by the property Owner, Salvador Flores, who was present at the hearing. She stated that all notification requirements had been met. Ms. Knutson stated that the process for removing a designation from the local registrar is the same as adding the property – it is a 3 step process, the first being a meeting before the Planning Commission to provide a recommendation to the Historic Preservation Board. She stated that the Planning Commission meeting was held on March 11, 2021 and it was voted unanimously to deny recommending approval of de-designation. Ms. Knutson stated that the next step in this process is tonight's public hearing, where the board shall provide a reasonable opportunity to all interested parties to voice their opinions regarding this matter. After this hearing the board shall transmit its recommendation to City Council for final consideration. Ms. Knutson stated that the applicant was present and may wish to provide a presentation on behalf of his application.

Ms. Knutson addressed the applicant, Salvador Flores, and asked if he had a statement on behalf of his proposal for rescission of designation.

Mr. Flores stated no.

Ms. Knutson asked Planning Director Todd Hodges if he felt anything should be added.

Mr. Hodges stated possibly background on the Planning Commission meeting.

Ms. Knutson stated that the minutes from the Planning Commission meeting were included in the packet that was sent to Board members and the applicant and was available to the public online.

Ms. Knutson asked Mr. Flores if he was sure there was nothing he would like to add on behalf of his application.

Mr. Flores stated that he sees no benefit to his property being historically designated.

Administrative Assistant Magaly Morales-Tejada addressed the applicant and asked the following questions in Spanish (the applicant's best understood language):

She asked if he understood that the Members of the Historic Preservation Board are appearing tonight via virtual connection and will not be appearing in person.

Mr. Flores stated yes.

Ms. Morales-Tejada asked if he consented to the applicable members voting on his submittal, even though said members are not present in person.

Mr. Flores stated no.

Ms. Morales-Tejada addressed Planner Knutson and stated that the applicant denied consent of the applicable members voting on his submittal virtually.

Ms. Knutson addressed the applicant and stated that if he does not consent then the hearing would need to be continued to an in-person meeting. She asked Planning Director Todd Hodges if he agreed with this statement.

Mr. Hodges agreed and stated that there was no way to continue with tonight's hearing if the applicant does not consent to the virtual meeting.

Ms. Knutson asked the applicant if he would like to continue this hearing to such a date at which it can be held in person.

Mr. Flores stated yes.

Ms. Knutson asked Planning Director Todd Hodges on his recommendation for a future date.

Mr. Hodges stated that May 6, 2021 would be the next available date for this hearing, if for some reason the hearing cannot be held in person at such date, it will be continued.

Ms. Morales-Tejada addressed the applicant and stated that that the hearing would be continued to May 6, 2021 at 6:15pm

Mr. Flores acknowledged this continuance.

Ms. Knutson addressed the applicant and stated that the Planning Department would be following up with him prior to the next hearing date.

HAM2021-002 Request for Report of Acceptability for St. John Building (nka Wholly Stromboli) (410 Denver Ave./701 4th St.)

Planner Alyssa Knutson presented this item. She stated that this report of acceptability for exterior work was submitted by Melissa Rickman, the owner of the building at 410 Denver Ave/ 701 4th St. She stated that this building is historically designated and historically known as the St. John building. Ms. Knutson stated that the Fort Lupton Municipal Code requires a report of acceptability for exterior improvements of historically designated properties. She added that for work requiring building permits there is generally a two-step review process, conceptual and final review, however the board may choose to waive conceptual review for work determined to not have significant impact on the site and staff recommends that the board considers each project separately to determine the need for conceptual and/or final review. Ms. Knutson stated that the applicant had a presentation for the board.

The applicant, Melissa Rickman, addressed the board and read a personal statement on the need for these improvements to the building. Ms. Rickman stated that the project presented before the board tonight would be completed in stages and would take about 12-18 months to complete. She stated that these improvements include: replacement of all windows, restoration and refinishing of the brick and faux flagstone, addition of a covered patio, reestablishing the South entrance as the main entrance, replacing the metal storefront door with an antique wood door, and repair, replace and paint the corbels, cornice and top section of brick. Ms. Rickman stated that the windows needed to be replaced due to a number of issues including ice buildup and moisture causing issues to the framing as well as safety concerns with the current single pane glass panel.

Member Al Mowrer asked if they would be using a double pane, tempered glass of the same size.

Ms. Rickman stated yes. Ms. Rickman's contractor, Jessica Marble, stated that the single pane glass windows of that size cause a safety concern and therefore need to be double pane, tempered glass.

Ms. Rickman continued her presentation and stated that on the North side of the building they are proposing to close the transom on top and replace the window and the door.

Ms. Knutson asked about the original wood framing on the south side of the building and if they would be trying to save that wood framing.

Ms. Rickman stated that there is no wood framing on the south side of the building and is actually aluminum framing.

Ms. Rickman discussed the brick and flagstone, she stated that there are multiple issues with the brick and flagstone throughout the exterior of the building including unsightly paint splatters, holes and discoloration that she proposes to address with a staining and restoration process, which would maintain the grout lines of the original brick.

Member Mowrer stated that he was aware that there is a problem with the brick which is why the current brick is painted, he stated they would come across this issue when removing the brick.

Ms. Rickman clarified that she would not be removing the brick, simply staining it. Ms. Rickman continued and addressed the corbels, cornice and color scheme. She stated that she is proposing a tan, grey and bronze color palate for the building. She stated that that she was proposing grey stained flagstone, stained blonde brick, bronze painted corbels, cornice and storefront window frames and grey paint in the area above the cornice. Ms. Rickman stated that she is also proposing an outdoor covered patio at the north façade of the building facing downtown. She stated that the patio would consist of a new ornate fence, a roll up garage door, stamped concrete designed to match the hardwood flooring of the inside of the building and barn lighting that would match the exterior of the rest of the building.

Member Mowrer asked how far out the patio would be.

Ms. Rickman stated that it would be 10ft, within about 2 feet of the sides of the building.

Member Mowrer asked if the east side dining would still be used.

Ms. Rickman stated that it would be returned to parking.

Mr. Mowrer asked if there are any safety concerns with the patio facing the Pizza Hut parking lot next door.

Jason Fast, on behalf of Ms. Rickman, answered that they would re-grade the north side in order to build the patio which would cause a natural barrier between Pizza Hut's parking lot and the patio.

Ms. Rickman ended her presentation with a proposal to add a small bistro patio to the south entrance of the building and replace the existing door with an Edwardian style door.

Vice-Chair Rankin asked what the current entrance would become.

Ms. Rickman stated that per city/fire codes it would need to become an emergency exit.

Discussion on the determination of conceptual and final review occurred.

Chair Kvasnicka stated that a lot of this had been previously brought before the board and asked for opinions from the board.

Member Mower stated he believes Ms. Rickman would preserve the historical integrity of the building.

Chair Kvasnicka stated that she likes the proposal and feels as though giving the building new life is important.

Chair Kvasnicka called for a motion to waive conceptual review and move to final review. It was moved by Al Mowrer and seconded by Ginny White. Motion passed unanimously.

Chair Kvasnicka called for a motion to approve the presented project. It was moved by Ginny White and seconded by Al Mowrer. Motion passed unanimously.

DISCUSSION ITEMS

Discussion with Christy Romano, Events Coordinator.

Ms. Knutson stated that she had previously mentioned that the City now has an event planner who would take on the main role of conducting city events.

Christy Romano, Events Coordinator, stated that they have been working on identifying what events could be bolstered, complemented and emphasized. She stated that she loves the cemetery walk idea and proposes incorporating it with the tours given during Trapper Days to attract more people as well as make it easier to find volunteers.

Mr. Mowrer stated they wanted to do that in 2020 but was affected by COVID.

Chair Kvasnicka reiterated that they had previously talked about doing this and she liked the idea.

Ms. Romano stated that they are also working on incentives for more people to take the tour.

Discussion on these incentives occurred.

Planner Knutson stated she would continue working closely with Ms. Romano on city events.

SHF Grant Opportunity

Planner Knutson stated that she wanted to remind the board of the SHF grant opportunity and that she would be coordinating with Chair Kvasnicka on it.

Saving Places Conference Recap

Due to technical difficulties with Chair Kvasnicka, Ms. Knutson recommended that this item be discussed at the next meeting due to Chair Kvasnicka's integral involvement on this item.

FUTURE BUSINESS

Next board meeting on May 6, 2021 at 6:15 p.m.

ADJOURNMENT

Vice-Chair called for a motion to adjourn at 7:35 p.m. It was moved by Al Mowrer and seconded by Ginny White.

Submitted by:

_____
Magaly Morales-Tejada, Administrative Assistant

Approved by Historic Preservation Board

_____
Kathy Kvasnicka, Chairperson

CITY OF Fort Lupton EST 1836
COME PAINT YOUR FUTURE WITH US

Historic Preservation Board

130 S. McKinley Avenue
Fort Lupton, CO 80621
Phone: 303.857.6694
Fax: 303.857.0351
www.fortlupton.org

HAM 2021-003

CONSIDER AN APPLICATION FOR RESCISSION OF LOCAL HISTORIC DESIGNATION OF THE SEYMOUR AND BIRDIE RHODE HOUSE LOCATED AT 149 DENVER AVENUE AND PROVIDE A RECOMMENDATION TO THE FORT LUPTON CITY COUNCIL

I. Agenda Date: *Board Meeting – May 6, 2021*

II. Attachments:

A. Proposed Resolution
B. Application for Rescission of Local Historic Designation
C. Minutes from the Planning Commission Meeting
D. Staff Report from the Planning Commission Meeting
E. Article XVII Historic Preservation
F. Application for Historic Designation & Architectural Inventory Form
G. Notice to Planning Commission of the Public Hearing
H. Notice to Property Owner of Public Hearing
I. Newspaper Publication Affidavit
J. Sign Posting Affidavit

III. Issue/Request:

The Applicant, Salvador Flores, has submitted a request for rescission of historic designation on the local historic registrar of the Seymour & Birdie Rhode House located at 149 Denver Avenue. The reason for the request is identified on the Application for Local Historic Designation or Rescission of Local Designation, included in the Historic Preservation Board packet. Additional information is also included in the Minutes from the Planning Commission meeting.

Additional information on this proposal is included in the material attached to this Historic Action Memorandum.

VI. Legal / Political Considerations:

The Applicant is requesting approval to rescind the historic designation of the Property. Pursuant to Section 18-353 of the Fort Lupton Municipal Code ("Code"), a historic site or district designation may be amended or rescinded in the same manner as the original designation was made.

Designations (and rescission of designations) are processed under Chapter 18, Article XVII of the Fort Lupton Municipal Code ("Code") and require a three step review process. This includes:

1. Planning Commission review of the proposed designation rescission;
2. Historic Preservation Board hearing; and
3. City Council action by ordinance to rescind the designation.

This Public Hearing before the Historic Preservation Board is Step 2 of the three step review process. The Planning Commission held a meeting on March 11, 2021 as required under Section 18-345 of the Code. The Planning Commission unanimously recommended denial of the proposed rescission of designation of the Property. Additional information on this recommendation can be found under the Staff Recommendation section of this Memorandum.

Pursuant to Section 18-347, following Planning Commission review, at least four members of the Historic Preservation Board shall conduct the hearing. Reasonable opportunity shall be provided for all interested parties to express their opinions regarding the proposed designation or designations. However, nothing contained herein shall be construed to prevent the Historic Preservation Board from establishing reasonable rules to govern the proceedings of the hearings or from establishing reasonable limits on the length of individual presentations. The hearings shall be recorded, minutes written by staff and provided to each City Council member. Written presentations, including the report of the Planning Commission, shall be included in the record of the hearing.

Finally, upon receipt of the recommendations transmitted by the Historic Preservation Board, the City Council may by ordinance designate property as a historic landmark, site or district. Due consideration shall be given to the written view of owners of affected property and in its discretion the City Council may hold public hearings on any proposed landmark, historic site or district designation.

With respect to notification requirements, staff states the following:

All notification requirements below have been met, and proof has been included in the Historic Preservation Board packet materials for reference.

Written notice of the time, date, place and subject of the hearing shall be sent by certified mail not less than thirty (30) days prior to the hearing to all owners of record on the date of the resolution who own the real property being proposed for designation as a historic site or historic district. Such notice shall be deemed delivered upon the passage of five (5) days from the deposit of the notice in the mail.

Signs indicating that recommendation for historic designation is being considered by the Historic Preservation Board shall be posted by the Board for a period of not less than fifteen (15) days immediately preceding the hearing on all property proposed for historic designation and on the boundaries of all areas proposed for historic district designations. Such signs shall be prominently displaced and easily readable from abutting public ways. A legal notice indicating the nature of the hearing, the property involved and the time, date and place of the hearing, shall be published in a local newspaper of general circulation one (1) time at least fifteen (15) days prior to the hearing.

Written notice of the proposed historic designation, including the identification of the property, the basis for commencing with the designation procedure and the time, date and place of the hearing, shall be given to the Planning Commission not later than thirty (30) days prior to the hearing.

VII. Alternatives/Options:

The Board has the following options:

1. *Recommend to City Council approval of the request for rescission of designation;*
2. *Do not recommend to City Council approval of the request for rescission of designation;*
3. *Delay a decision in order to request additional information.*

VIII. Financial Considerations:

None.

IX. Staff Recommendation:

Pursuant to Section 18-345 of the Code, The Planning Commission may recommend approval, rejection or modification of the proposed designation and its recommendation shall contain a statement of the basis for the recommendation. The recommendation shall be delivered to the Historic Preservation Board in written form at or prior to the hearing. Therefore, the recommendation provided here is the Planning Commission's recommendation to the Historic Preservation Board, rather than the staff recommendation. To view staff's original recommendation, you may review the staff report provided to Planning Commission.

Planning Commission Recommendation is as follows:

During its March 11, 2021 meeting, the Planning Commission voted unanimously to recommend denial of the application to rescind the designation.

The basis for the denial is detailed in the minutes from the March 11, 2021 meeting, which are included with the Historic Preservation Board packet materials. The Planning Commission generally found that the applicant has not submitted required paperwork to the City for work performed on the property, and has not submitted applications to the State to receive financial benefits. It was determined that if the applicant were to submit these items, that he would be able to make changes to the property.

HISTORIC PRESERVATION BOARD
RESOLUTION NO. H2021-01

A HISTORIC PRESERVATION BOARD RESOLUTION RECOMMENDING APPROVAL OF AN APPLICATION FOR RESCISSION OF LOCAL HISTORIC DESIGNATION OF THE SEYMOUR AND BIRDIE RHODE HOUSE LOCATED AT 149 DENVER AVENUE TO THE FORT LUPTON CITY COUNCIL.

WHEREAS, the Historic Preservation Board hereby recommends this resolution to the City Council pursuant to its authority under Code Section 18-347 of the City of Fort Lupton, Colorado, to rescind the designation of 149 Denver Avenue (aka Seymour & Birdie Rhode House) as a local historic landmark.

WHEREAS, the Historic Preservation Board finds that: 1) on February 22, 2021 Salvador Flores, the owner of the property at 149 Denver Avenue, Fort Lupton, Colorado, applied to the City of Fort Lupton Historic Preservation Board consenting in writing to rescind the designation of said local historic landmark; 2) on March 11, 2021 the Fort Lupton Planning Commission reviewed the application pursuant to Section 18-345 and recommended denial of the application for rescission of designation of said local landmark; 3) on April 1, 2021 the Historic Preservation Board held a public hearing on the proposed designation meeting the requirements of Section 18-344; and 4) on April 1, 2021 the Historic Preservation Board recommended that the City Council approve the proposed designation.

NOW THEREFORE BE IT RESOLVED that the Historic Preservation Board has reviewed the application and supporting information, and any testimony presented in response to this application. Based upon the facts presented on this date, the Historic Preservation Board hereby recommends approval of the rescission of designation of 149 Denver Avenue (aka Seymour & Birdie Rhode House) as a local historic landmark to the Fort Lupton City Council.

APPROVED THIS 6TH DAY OF MAY 2021 BY THE HISTORIC PRESERVATION BOARD OF THE CITY OF FORT LUPTON, COLORADO.

_____
Chairperson

Attest:

_____
Planning Director

Form PLAN011

CITY OF Fort Lupton EST 1836

Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621

Phone: 303.857.6694

www.fortluptonco.gov

RECEIVED FEB 22 2021 BY: Jessica Dunyon

Project No. _____

APPLICATION FOR LOCAL HISTORIC DESIGNATION OR RESCISSION OF LOCAL DESIGNATION

A. CONTACT INFORMATION

Applicant Name: Salvador Flores

Company: _____

Phone: 720 472-8795 Email: salvadorflores999@gmail.com

Address: 149 Denver Ave Fort Lupton Co 80621

B. PROPERTY DESCRIPTION

Site Address for Property to be Locally Designated or Rescinded of Designation:

FTL 15140 L1 thru 4 blk21 twomlys Sub

Historic Property Name (if applicable): Seymour & Birdie Rhode House

Please submit the type of application you are applying for:

☐ Local Property Designation (Complete Sections A, B, C, D, F)

☑ Rescission of Local Designation (Complete Sections A, B, E, F)

Are you the owner of the Property that is the subject of this Application for Local Historic Designation or Rescission of Local Designation?

☑ Yes ☐ No

If you are not the owner, please provide information whether you have discussed this Application with them and the nature of those discussions:

_____

_____

C. HISTORIC DESIGNATION CRITERIA

In order to be designated for preservation as a Fort Lupton local landmark a site, structure, object or district one of the four criteria listed below must be met. Please mark all criteria that the Property qualifies under.

☐ Historical importance. The site, structure, object or district has character, interest or value as part of the development, heritage or cultural characteristics of the City, state or nation; is the site of a historic event with an effect upon society; is identified with a person or group of persons who had

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BY:

some influence on society; or exemplifies the cultural, political, economic, social or historic heritage of the community.

☐ Architectural importance. The site, structure, object or district portrays the environment of a group of people in an era of history characterized by a distinctive architectural style; embodies those distinguishing characteristics of an architectural-type specimen; is the work of an architect or master builder whose individual work has influenced the development of the City; or contains elements of architectural design, detail, materials or craftsmanship which represent a significant innovation.

☐ Geographic importance. The site, structure, object or district, because of being part of or related to a square, park or other distinctive area, should be developed or preserved according to a plan based on a historic, cultural or architectural motif or due to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood, community or City.

☐ Inclusion in National Register of Historic Places. Inclusion of any property within the City in the National Register of Historic Places as provided in the National Historic Preservation Act of 1966 shall be construed as local historic site designation, and subject to the same protections as any local historic site.

D. REQUIRED DOCUMENTS FOR HISTORIC DESIGNATION

The following information must be attached to this Application:

☐ A written statement that includes (you may submit as separate attachments, or one written document):

- Description of the Property proposed for local designation. Include any significant alterations to the Property and, if known, indicate plans for future additions, changes or alterations to the Property.
- A detailed outline of the reasons why such property should be locally designated. Include a clear narrative on how the Property meets the Criteria identified under Section C of this Application.
- The proposed boundaries of the Property for local designation, and why the boundaries were determined as proposed by the Application.
- A narrative of the historic and current functions of the Property.
- Provide a Statement of Significance covering: a) Area of Significance; b) Period of Significance; c) Significant Dates; d) Significant Persons.
- Provide any bibliographical references used to complete the information for this Application.

☐ If an Architectural Inventory Form has been completed, submit that with the Application (it may serve to meet several of the criteria required for the written statement).

☐ Provide the legal description of the Property in Word format.

☐ Proof of ownership of the Property, if the Applicant is the owner.

E. APPLICATION FOR RESCISSION OF DESIGNATION

Provide an explanation of why the Property's local historic designation should be rescinded. You may use the space below, or attach a separate document(s) if you require more space or have attachments:

As I have stated before on the Pre-Application on 8-25-2018 my ex-wife was the one that submitted this application and I just never seen any benefits for us I want to take my home out of the historical list because I need to fix my home and everytime I do anything to my home, I get tickets even when I have the proper permits, I just dont feel this is my home at all because I have to ask for every litte detail I need to do in my own home

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F. CERTIFICATIONS

Only sign one of the two certifications below, whichever is applicable.

Owner Certification

I hereby certify that I am the legal owner of record of the Property that is the subject of this Application, and consent to this Application for local historic designation of the Property identified in this Application.

Owner: Salvador Flores Date: 2-22-2021

Non-Owner Certification

I hereby certify that I am not the legal owner of record of the Property that is the subject of this Application, and am proceeding with this Application on behalf of the Property.

Owner: _____ Date: _____

For Office Use Only

Received Date: _____

If the application is not complete, state reasons why it is incomplete:

_____

_____

_____

Deemed Complete Date: _____

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
March 11, 2021

The Planning Commission of the City of Fort Lupton met in session virtually via GoToMeeting, on Thursday, March 11, 2021.

Chair Mike Simone called the meeting to order at 6:00 p.m.

ROLL CALL

Roll was taken and those present were Chair Mike Simone, Vice-Chair Bushrod White and Commission Members Carlos Barron, Kathy Kvasnicka, and Paul Weber. Also in attendance were Planning Director Todd Hodges, City Planner II Alyssa Knutson, City Planner I Maria Lancto, and Planning Administrative Assistant Magaly Morales-Tejada.
Chair Simone gave the following advisement:

> Tonight's meeting shall be held virtually so as to ensure the health and safety of the general public and the City of Fort Lupton Planning Commission and staff.
>
> The intent and purpose of the virtual appearance options is to allow the City to be innovative in providing the general public the most meaningful access possible in light of the current challenges present as a result of the Covid-19 pandemic. Therefore, subject to social distancing and public health orders, members of the general public will be offered the opportunity to be electronically present for meetings at the City, subject to existing health conditions.
>
> An electronic link has been made available for tonight's meeting on the City's website and social media platforms and as posted at City Hall, so that the general public, Planning Commission and staff may participate electronically via the internet or on the phone.

APPROVAL OF AGENDA

Chair Simone called for a motion to approve the agenda. It was moved by Bushrod White and seconded by Carlos Barron.

CONSENT AGENDA

Chair Simone called for a motion to approve the consent agenda. It was moved by Bushrod White and seconded by Kathy Kvasnicka.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
March 11, 2021

PUBLIC COMMENT

Chair Simone asked if there was anyone who would like to comment on an item not on the agenda tonight. Hearing none, he closed Public Comment.

ACTION ITEMS

Continuance of Public Hearing for United Fulton Augmentation Station Project

Planner Alyssa Knutson presented the request for continuance. She stated that staff had submitted a request for publication to the newspaper which had unfortunately not been published. Ms. Knutson stated that in order to provide the public sufficient notice staff recommends continuing the hearing until March 25, 2021 at 6:00 PM - this date would ensure that there were at least 15 days of newspaper notification of the hearing.

Chair Simone addressed the applicant, Drew Damiano, and asked if he agreed with this continuance.

Drew Damiano stated yes.

Chair Simone opened up the public comment portion of the Hearing for the continuance action item. Hearing no one from the public wishing to speak, Chair Simone closed the Public Hearing.

Chair Simone called for a motion to continue the hearing until March 25, 2021 at 6:00 PM.

Kathy Kvasnicka motioned, Bush White seconded.

P2021-008: Consideration of Rescission of the 149 Denver Avenue (aka Seymour [sic] & Birdie Rhode House) Historic Designation

Planner Alyssa Knutson presented this action item. She explained that the Planning Commission does not make the final decision on designations/rescission of designation, however the Fort Lupton City Code does require that the Planning Commission provide a recommendation to the Historic Preservation Board. Ms. Knutson stated that the applicant had submitted an application to rescind designation and additional information was available in the staff report sent to the commissioners. Ms. Knutson stated that the applicant was available to discuss.

There were technical difficulties connecting to the applicant, Mr. Flores, and staff tried to get in contact him. Ms. Knutson gave a brief general overview of benefits of designation to

the Planning Commission and number of designations currently in the City. After a few minutes the applicant was able to connect.

Mike Simone addressed the applicant, Salvador Flores. He asked if he had anything to add or present on behalf of his application.

Mr. Flores stated no.

He asked if Mr. Flores understood that Members of the Planning Commission may be appearing tonight via virtual connection and may not be appearing in-person.

Mr. Flores stated yes.

Chair Simone asked if he consented to the applicable members voting on their submittal, even though said members are not present in person.

Mr. Flores stated yes.

Chair Simone asked if he understood that he had the right to continue this public hearing to such a date to allow a full in-person public hearing.

Mr. Flores stated yes.

Chair Simone asked if he has agreed to voluntarily waive that right on behalf of the applicant or themselves by proceeding tonight electronically.

Mr. Flores stated yes.

Chair Simone asked if he voluntarily signed and submitted the written waiver and consent to proceed electronically tonight.

Mr. Flores stated yes.

Chair Simone asked if he waived his right to proceed in an in-person public hearing and have consented to proceed forward voluntarily tonight in this virtual planning commission meeting, is that correct.

Mr. Flores stated yes.

Chair Simone opened up the public comment portion of the Hearing for the Site Plan action item. Hearing no one from the public wishing to speak, Chair Simone closed the Public Hearing.

Chair Simone asked Mr. Flores if he felt he had a full opportunity to participate in the public hearing.

Mr. Flores stated yes.

Chair Simone opened up the hearing to Planning Commissioners' comments and questions.

Member Bush White asked why the applicant wanted to rescind designation from his property.

Mr. Flores stated that the initial designation was made by his ex-wife and provided additional background on the original designation. He stated his ex-wife told him that they would be able to get financial help to make repairs to the house, and that the windows in particular need work and can't be opened. He then stated that after designation he asked about funding for repairs, but was told that there was no funding. He stated that the building is the only thing that is designed, but that other projects he was working on in the yard got stopped by code enforcement for not getting approval from the Historic Preservation Board. He also provided additional information regarding projects that he has done/wants to do around the exterior of the home that he stated he does not want to go to the Historic Preservation Board for approval on.

Member Kathy Kvasnicka stated she does not recall Mr. Flores bringing any requests forward to the Historic Preservation Board that he wanted to do. She asked if the applicant has previously presented projects to the Historic Preservation Board that have been denied.

Mr. Flores stated that his ex-wife submitted paperwork to the Board. He stated he would like to keep the house like it is, but it is old and a lot of money to repair. He stated that he needs to make repairs with different materials because it is old and that he has submitted paperwork.

Chair Simone asked staff if the applicant has been receiving tax breaks from the City for this designation.

Planner Alyssa Knutson stated that there is no funding that would come directly from the City, but rather the State. She stated that these benefits are only available if the applicant submits all paperwork to the State.

Chair Simone asked to clarify if the applicant would be responsible for paying back anything if the property is rescinded.

Ms. Knutson stated that he would not.

Member Bush White asked if code enforcement was causing issues for the applicant and how this falls under their authority based on the Historic Preservation aspects of the home.

Planning Director Todd Hodges stated that zoning/code enforcement works with planning and has worked under his direction on any fines for this property. He stated that historically designated structures require approval from the Historic Preservation Board prior to starting work. He stated that the applicant has received violation notices due to the applicant doing work on the property with no building permits or Historic Preservation approval.

Chair Simone asked Mr. Hodges to clarify staff's neutral recommendation to the planning commission on this agenda item.

Mr. Hodges stated that staff debated on the staff recommendation a lot. He stated that staff has worked with Mr. Flores quite a bit, and that he has not gone through the appropriate process for getting permits or Historic Preservation approval for changes to the house or his property. Mr. Hodges stated that even if the property is no longer designated, building permits would still be required, he would just no longer go to the Historic Preservation Board. He continued that financial benefits are through the State, and that Mr. Flores has not submitted the applications to receive those benefits. Mr. Hodges added that historic designation prevents the ability to demolish the building, although he wouldn't think it would be. He added that the Planning & Building Department does still have authority over demolition permits and would hopefully be able to work to prevent that from occurring if it were ever discussed. Mr. Hodges concluded that staff does also believe in property rights and that the applicant has been interested removing the house from being designated for a number of years.

Ms. Knutson reiterated that it was a difficult decision for staff. She stated that it were her personal decision it would remain designated, however the neutral recommendation kept in mind property rights and difficulties in getting Mr. Flores to go to the Historic Preservation Board for approvals. She stated a shed was placed without permits that would probably have not been approved by the Historic Preservation Board and has not been painted red as directed by the Board, so it's been a difficult position for staff to be in. She concluded that she hopes nothing happens to the house because of its significance.

Chair Simone asked each Planning Commissioner for their thoughts.

Member Barron stated that he is learning and didn't yet have an opinion either way.

Member Weber stated he would like the property to stay designated. He felt that the property owner could have followed through with pursuing the benefits provided.

Before Member Kvasnicka's comments, Ms. Knutson stated that Member Kvasnicka is on the Historic Preservation Board, but she will be asked to recuse from this hearing before the Board and therefore she can comment on the matter this evening. Member Kvasnicka stated she does not agree with the rescission. She feels this is one of the few properties whose significance can be pinpointed, and the improvements could have been worked out with the Historic Preservation Board.

Vice-Chair White didn't see a barrier to making improvements to the property. Vice-Chair White stated he feels it should stay a historic site.

Chair Simone asked staff for an opinion on if the Historic Preservation Board has been unreasonable in dealing with permits and applications.

Ms. Knutson stated she can easily say no. She cited St. Andrews Church, which was fully converted from a church into a residence by working with the Historic Preservation Board. She stated the Board is happy to work with people, they just need an application to review.

Chair Simone stated this is a difficult decision, and he believes Mr. Flores should be able to do what he wants with his house. At the same time is it historical and doesn't want any chance of it being demolished. He felt if it is just a financial issue that is difficult, because the repair concerns could be addressed and the City would work with him. He added that it sounds like the Historic Preservation Board and staff is being reasonable. He is leaning towards denial.

Member Barron added he is for property rights, but he is leaning more towards keeping it designated.

Chair Simone asked for a motion to approve P2021-0008. Paul Weber motioned to approve, Kathy Kvasnicka seconded. Motion to recommend approval of the rescission of designation was denied unanimously by a roll call vote.

DISCUSSION ITEMS

Review of Meeting Discussion

A review of meeting discussions took place.

Development Code Update

A discussion of the Development Code Update took place.

RECORD OF PROCEEDINGS
FORT LUPTON PLANNING COMMISSION
March 11, 2021

FUTURE BUSINESS

The next meeting of the Planning Commission is scheduled for March 25, 2021 at 6:00 PM.

ADJOURNMENT

Chair Mike Simone adjourned the meeting at 6:45 PM.

Submitted by

_____
Magaly Morales-Tejada, Planning Assistant

Approved by Planning Commission

_____
Mike Simone, Chair

REQUEST FOR RESCISSION OF LOCAL HISTORIC DESIGNATION OF 149 DENVER AVENUE (AKA SEYMOUR & BIRDIE RHODE HOUSE)
STAFF REPORT
PROJECT NO. LUP2021-0008 / PLAN NO. HIS2021-0001

PROJECT DESCRIPTION

Project No.: LUP2021-0008 / Plan Nos. HIS2021-0001

Project name: Request for Rescission of Local Historic Designation of 149 Denver Avenue (aka Seymour & Birdie Rhode House)

Owner's Name: Salvador Flores ("Applicant")

Location of Request:

The Property is located at 149 Denver Avenue, which is on the southwest corner of 2nd Street and Denver Ave (Parcel No. 147106132013) (the "Property").

Nature of Request:

The Property is a locally designated landmark within the City of Fort Lupton. Historic designation requires that exterior work be reviewed by the Historic Preservation Board to ensure that changes are in conformance with the Municipal Code, as well as the Secretary of Interior's Standards for Rehabilitation. In exchange, the property is eligible for tax credits for eligible work completed on the home (if required applications are submitted and approved by the State Historic Preservation Office).

Applicant has submitted a request for rescission of historic designation on the local historic registrar. The reason for the request is identified on the Application for Local Historic Designation or Rescission of Local Designation, included in the Planning Commission packet.

The Historic Preservation Board will hold a hearing on this matter on April 1, 2021 at 6:15 PM. Planning Commission may recommend approval, rejection or modification of the proposed designation [or rescission] and its recommendation shall contain a statement of the basis for the recommendation. The recommendation shall be delivered to the Historic Preservation Board in written form at or prior to the hearing.

Site Size: 13,832 square feet, or 0.318 acres, more or less.

Zone District: C-1 General Commercial

Existing Use: Private residence.

Hearing/Meeting Dates: Planning Commission – March 11, 2021 at 6:00 PM; and
Historic Preservation Board – April 1, 2021 at 6:15 PM
City Council – April 20, 2021 at 7:00 PM.

Hearing Location: Virtually via GoToMeeting.

Staff Recommendation:

The building is an important landmark in the City of Fort Lupton, and has been found to have significance at the local, as well as national level. More information on this is found under the Conformance with City Standards, Regulations and Policies section of this Staff Report, and also in the attached Architectural Inventory Form. Currently, prior to exterior changes, including demolition, Historic Preservation Board approval must be obtained. Removal of the Property would remove this requirement.

Applicant has not stated an intent to make significant exterior changes and/or demolition to the Property, and in particular the main structure on the Property. However, the future desires of the owner or a new owner may change.

With that being said, staff takes a neutral stance on recommendation for approval, rejection or modification of the proposed rescission of historic designation of 149 Denver Avenue (aka Seymour & Birdie Rhode House).

SUMMARY OF PREVIOUS APPLICATIONS

On March 10, 2008 the owners of the property at 149 Denver Avenue, Fort Lupton, Colorado applied to the City of Fort Lupton Historic Preservation Board consenting in writing to designate said structure as a local historic landmark; on May 13, 2008 the Fort Lupton Planning Commission reviewed the application pursuant to Section 18-345 and had no objection to, and found no conflicts with the proposed designation;

on June 5, 2008 the Historic Preservation Board held a public hearing on the proposed designation meeting the requirements of Section 18-344; on June 5, 2008 the Historic Preservation Board recommended that the City Council approve the proposed designation; and on July 24, 2008 the City Council adopted Ordinance 2008-903 to designate the Property.

APPLICATION PROCESS

The Applicant is requesting approval to rescind the historic designation of the Property. Pursuant to Section 18-353 of the Fort Lupton Municipal Code ("Code"), a historic site or district designation may be amended or rescinded in the same manner as the original designation was made.

Designations (and rescission of designations) are processed under Chapter 18, Article XVII of the Fort Lupton Municipal Code ("Code") and require a three step review process. This includes:

1. Planning Commission review of the proposed designation rescission;
2. Historic Preservation Board hearing; and
3. City Council action by ordinance to rescind the designation.

This is Step 1 of the three step review process. Planning Commission shall review the proposed designation rescission with respect to:

(1) Its relationship to the zoning ordinance of the City and the Comprehensive Plan of the City;

(2) The effect of the designation upon the surrounding neighborhoods; and

(3) Such other planning consideration as may be relevant.

The Planning Commission may recommend approval, rejection or modification of the proposed designation and its recommendation shall contain a statement of the basis for the recommendation. The recommendation shall be delivered to the Historic Preservation Board in written form at or prior to the hearing.

Following the Planning Commission review, at least four members of the Historic Preservation Board shall conduct the hearing. Reasonable opportunity shall be provided for all interested parties to express their opinions regarding the proposed designation or designations. However, nothing contained herein shall be construed to prevent the Historic Preservation Board from establishing reasonable rules to govern the proceedings of the hearings or from establishing reasonable limits on the length of individual presentations. The hearings shall be recorded, minutes written by staff and provided to each City Council member. Written presentations, including the report of the Planning and Zoning Commission, shall be included in the record of the hearing.

Upon receipt of the recommendations transmitted by the Historic Preservation Board, the City Council may by ordinance designate property as a historic landmark, site or district. Due consideration shall be given to the written view of owners of affected property and in its discretion the City Council may hold public hearings on any proposed landmark, historic site or district designation.

NOTIFICATION REQUIREMENTS

Written notice of the time, date, place and subject of the hearing shall be sent by certified mail not less than thirty (30) days prior to the hearing to all owners of record on the date of the resolution who own

the real property being proposed for designation as a historic site or historic district. Such notice shall be deemed delivered upon the passage of five (5) days from the deposit of the notice in the mail.

Signs indicating that recommendation for historic designation is being considered by the Historic Preservation Board shall be posted by the Board for a period of not less than fifteen (15) days immediately preceding the hearing on all property proposed for historic designation and on the boundaries of all areas proposed for historic district designations. Such signs shall be prominently displaced and easily readable from abutting public ways.

A legal notice indicating the nature of the hearing, the property involved and the time, date and place of the hearing, shall be published in a local newspaper of general circulation one (1) time at least fifteen (15) days prior to the hearing.

Written notice of the proposed historic designation, including the identification of the property, the basis for commencing with the designation procedure and the time, date and place of the hearing, shall be given to the Planning Commission not later than thirty (30) days prior to the hearing.

CONFORMANCE WITH CITY STANDARDS, REGULATIONS AND POLICIES

As stated earlier in this report, Planning Commission review is Step 1 of the three step review process.

Staff presents the following findings Planning Commission to assist with the Commission's review of the proposed designation rescission with respect to:

(1) Its relationship to the zoning ordinance of the City and the Comprehensive Plan of the City;

The Property is zoned C-1 General Commercial. Therefore, the use as a residence is legally nonconforming. There is no issue with it remaining a residence, and historic designation of the Property does not have any effect on the zoning ordinance of the City.

The Comprehensive Plan does not have any relevant relationship to designation or rescission of designation of the property.

(2) The effect of the [rescission of] designation upon the surrounding neighborhoods; and

Removal of the Property from the local historic register would allow for the owner to make alterations without Historic Preservation Board approval. It would also allow for the ability to demolish the structure(s) on the Property. Although it has not been identified as the owner's intent to make significant alterations or to demolish the structure, in the future the owner or a new owner may do so.

The Seymour & Birdie Rhode House has been identified as eligible for individual designation to the National Register of Historic Places on the local (and possibly state) level of significance in relation to two criteria. First for embodying the distinctive features of the Queen Anne style of architecture. While the home and its grounds have experienced some changes since the residence was constructed in 1902, its Queen Anne detailing and overall integrity remain largely intact.

Secondly for its historic significance, the Property served as the home of Seymour and Birdie Rhode from 1902 into the 1950s. The couple founded Fort Lupton's first bank. Birdie's role as the bank's president was unusual for the time and may be significant on a state level in the area of social history. The bank has been demolished as this home is now the only building associated with these local business leaders.

Therefore, if there were to be future significant alterations or demolition, it would impact the neighborhood visually on the neighborhood since the home has been in existence since 1902. In addition, the Property is zoned C-1 General Commercial, so any new construction would be commercial on this lot.

(3) Such other planning consideration as may be relevant.

Not applicable.

For more information on this development, please refer to the Planning Commission packet provided. Additional documents are available for review at the Fort Lupton City Hall.

ARTICLE XVII - Historic Preservation

Sec. 18-341. - Definitions.

The following words, terms and phrases, when used in this Chapter, shall have the meanings ascribed to them in this Section:

Alteration means any act or process which changes one (1) or more of the exterior architectural features of a designated historic structure.

Board means the Historic Preservation Board created in Section 2-221.

Construction means the erection of any on-site improvements of any parcel of ground located on a historic site, whether the site is presently improved or unimproved, or the erection of a new principal or accessory structure on such property.

Demolition means any act or process that destroys in part or in whole a landmark or a structure upon a historic site.

Exterior architectural feature means the architectural design, style, general arrangement and components of all the outer surfaces of a structure or improvement, including but not limited to the color, texture, materials, type and style of all windows, doors, lights, signs and other fixtures appurtenant to said structure or improvement.

Historic site, landmark or *district* means any site, structure, object or improvement and its surrounding environs or a group of structures, objects or improvements and their surrounding environs:

a. Which has a special character or special historic or aesthetic interest or value as part of the development, heritage or cultural characteristics of the City, state or nation;

b. Wherein any event of major historic significance with a measurable effect upon society took place;

c. Which is closely identified with a person or group of persons who have had some measurable influence on society;

d. Wherein the board cultural, political, economic or social heritage of the community is exemplified;

e. Which faithfully portrays the environment of a group of people in an era of history characterized by a distinctive architectural-type specimen or which is the work of an architect or master builder whose individual work has influenced the development of the City;

f. Which, because of being a part of or related to a square, park or other distinctive area, should be developed or preserved according to plan based upon a historic, cultural or architectural significance;

g. Which, due to unique location or singular physical characteristic, represents an established, familiar and significant visual feature of the neighborhood, community or City; or

h. Officially designated as a historic site or historic district pursuant to the provisions of this Article.

Improvement means any building, structure, place, work of art or other object constituting a physical betterment of real property or any part of such betterment, including improvements on public property.

Owner means any person having such right or title to, or interest in, any improvement so as to be legally entitled, upon obtaining the required permits and approvals from the City agencies having jurisdiction over building construction, to perform with respect to such property any construction, alteration, removal, demolition or other work as to which such person seeks the authorization of

approval of the Historic Preservation Board, the Administrator of Planning and Zoning or the City Council.

Permit means any permit issued by the City pertaining to construction, alteration, removal or demolition of a building or feature within a designated historic site or landmark.

Reasonable use means taking into consideration the standards for designation for historic preservation and determining the use to be just, proper, fit and appropriate to the end in view, not immoderate or excessive, but being fair and suitable.

Relocation means moving a historic structure or object to a different location.

Repair and maintenance means work done on a structure or object in order to correct any deterioration, decay or damage to any part thereof in order to restore the same as nearly as practical to its condition prior to such deterioration, decay or damage.

Structure means that which is built or constructed, an edifice or building of any kind or any piece of work artificially built up or composed of parts joined together in some definite manner.

Working day means any day except Saturday, Sunday and any national, state or local holiday (or day of observation) during which the Building Permit and Inspection Department is not open for regular business.

(Ord. 651, 1994)

Sec. 18-342. - Standards for designation of sites, structures, objects and districts for preservation.

A site, structure, object or district may be designated for preservation if it meets one (1) or more of the following criteria:

(1) Historical importance. The site, structure, object or district has character, interest or value as part of the development, heritage or cultural characteristics of the City, state or nation; is the site of a historic event with an effect upon society; is identified with a person or group of persons who had some influence on society; or exemplifies the cultural, political, economic, social or historic heritage of the community.

(2) Architectural importance. The site, structure, object or district portrays the environment of a group of people in an era of history characterized by a distinctive architectural style; embodies those distinguishing characteristics of an architectural-type specimen; is the work of an architect or master builder whose individual work has influenced the development of the City; or contains elements of architectural design, detail, materials or craftsmanship which represent a significant innovation.

(3) Geographic importance. The site, structure, object or district, because of being part of or related to a square, park or other distinctive area, should be developed or preserved according to a plan based on a historic, cultural or architectural motif or due to its unique location or singular physical characteristics, represents an established and familiar visual feature of the neighborhood, community or City.

(4) Inclusion in National Register of Historic Places. Inclusion of any property within the City in the National Register of Historic Places as provided in the National Historic Preservation Act of 1966 shall be construed as local historic site designation, and subject to the same protections as any local historic site.

(Ord. 651, 1994)

Sec. 18-343. - Designation procedure.

(a) Initiation of procedure. Whenever in the opinion of the Historic Preservation Board, upon its own motion or upon application of any citizen or owner of property in the City, a site, structure, object or district meets the criteria of a historic site, the Board shall contact the owner or owners of such historic site or district outlining the reasons and effects of designation as a landmark or district and, if possible, shall secure the owner's consent to such designation. If the Board is unable to personally contact such owner, it shall be sufficient for the City Clerk to send a written request by certified mail, return receipt requested, for the consent to designation of such property, addressed to the owner of the property as shown on the most recent records of the County Assessor at the address shown on such records.

(b) Board review without owner's consent. Following such contact, if an owner does not notify the City Clerk in writing that the owner objects to such designation of the property within fifteen (15) days from the date of receipt of the request for consent to designation, or the owner objects in writing to such designation, the Clerk shall notify the Board and the City Council of such and the Board, upon the affirmative vote of at least four (4) of its members, may proceed by officially adopting a resolution stating that:

(1) The preliminary investigation by the Board indicates that the described property is eligible for designation as a historic site, landmark, object or district;

(2) The reason the Board feels that it should proceed without the consent of the owner to such designation; and

(3) Scheduling a public hearing by the Board on the question of designation, hereinafter called a designation hearing at a specified time, date and place and directing that the notice of hearing be given as described in Section 18-344 below.

Failure to send notice by mail to any such property owner where the address of such owner is unknown and not a matter of public record shall not invalidate any proceedings in connection with the proposed designation.

(c) Board review with owner's consent. If the owner consents in writing to such designation, the Board, upon the affirmative vote of a majority of the members present, may adopt a resolution scheduling a public hearing by the Board on the question of designation, hereinafter called a designation hearing, at a specified time, date and place and directing that the notice of hearing be given as described in Section 18-344 below. All applications submitted in accordance with this Section shall include a description of the property proposed for designation and a detailed outline of the reasons why such property should be designated and why the boundaries of the property should be determined as described in the application. No motion or application of a specific historic site or historic district may be made more than once during any twelve (12) consecutive months, or twice during any five-year period, unless ownership changes.

(Ord. 651, 1994)

Sec. 18-344. - Notice of hearing.

Notice of designation hearing shall be given as follows:

(1) Written notice of the time, date, place and subject of the hearing shall be sent by certified mail not less than thirty (30) days prior to the hearing to all owners of record on the date of the resolution who own the real property being proposed for designation as a historic site or historic district. Such notice shall be deemed delivered upon the passage of five (5) days from the deposit of the notice in the mail.

(2) Signs indicating that recommendation for historic designation is being considered by the Historic Preservation Board shall be posted by the Board for a period of not less than fifteen (15) days immediately preceding the hearing on all property proposed for historic designation and on the boundaries of all areas proposed for historic district designations. Such signs shall be prominently displaced and easily readable from abutting public ways.

(3) A legal notice indicating the nature of the hearing, the property involved and the time, date and place of the hearing, shall be published in a local newspaper of general circulation one (1) time at least fifteen (15) days prior to the hearing.

(4) Written notice of the proposed historic designation, including the identification of the property, the basis for commencing with the designation procedure and the time, date and place of the hearing, shall be given to the Planning and Zoning Commission not later than thirty (30) days prior to the hearing.

(Ord. 651, 1994)

Sec. 18-345. - Planning and Zoning Commission review.

(a) The Planning and Zoning Commission shall review the proposed designation with respect to:

(1) Its relationship to the zoning ordinance of the City and the Comprehensive Plan of the City;

(2) The effect of the designation upon the surrounding neighborhoods; and

(3) Such other planning consideration as may be relevant.

(b) The Planning and Zoning Commission may recommend approval, rejection or modification of the proposed designation and its recommendation shall contain a statement of the basis for the recommendation. The recommendation shall be delivered to the Historic Preservation Board in written form at or prior to the hearing.

(Ord. 651, 1994)

Sec. 18-346. - Interim control.

No building permit shall be issued by the Building Permit and Inspection Department for alteration, construction, relocation or demolition of a site, structure or object under consideration for historic designation or any site, structure or object within a district under consideration for historic district designation from the date of the hearing of the Historic Preservation Board at which a designation is first presented for consideration of any kind until final disposition of the designation by the City Council unless such alteration, construction, relocation or demolition is authorized by resolution of the City Council as necessary for public health, welfare or safety. In no event shall the delay in issuance of a building permit due to the provisions of this Section be for more than ninety (90) days.

(Ord. 651, 1994)

Sec. 18-347. - Hearing.

(a) At least four (4) members of the Historic Preservation Board shall conduct the hearing. If at least four (4) members are not present, the members present may adjourn the meeting to another date within two (2) weeks. If any hearing is continued, the time, date and place of the continuation shall be established and announced to those present when the current session is to be adjourned. Such information shall be promptly forwarded, by regular mail, to the owners of record as established and addressed pursuant to Section 18-344.

(b) Reasonable opportunity shall be provided for all interested parties to express their opinions regarding the proposed designation or designations. However, nothing contained herein shall be construed to prevent the Historic Preservation Board from establishing reasonable rules to govern the proceedings of the hearings or from establishing reasonable limits on the length of individual presentations. The hearings shall be recorded, minutes written by staff and provided to each City Council member. Written

presentations, including the report of the Planning and Zoning Commission, shall be included in the record of the hearing.

(Ord. 651, 1994)

Sec. 18-348. - Findings and recommendations of the Board.

(a) The Historic Preservation Board shall act officially on each proposed designation within thirty-five (35) days of the hearing. The Board may approve, reject or modify any proposal, but no proposal may be extended beyond the boundaries of the land described in the original resolution unless the initiation and hearing procedure is repeated for the enlarged boundaries. No ruling may deny the owner a reasonable use of his or her property.

(b) The Board shall set forth in its records the findings of fact which constitute the basis for its decision. If the Board fails to act within the thirty-five-day period, the designation shall be deemed to have been rejected and the designation procedure shall thereby be terminated.

(Ord. 651, 1994)

Sec. 18-349. - Transmittal to City Council.

(a) Within fifteen (15) days after reaching its decision, the Historic Preservation Board shall transmit to the City Council and the owner of the property its recommendation on the designation of a historic site or historic district, including the description of the property involved and the findings upon which the recommendation was based.

(b) If more than one (1) property is involved in the designation procedure, the Historic Preservation Board may approve in part and terminate in part. Each part shall then be treated as a separate action. In no event may any property be added to the area described in the initiation resolution without instituting a new designation procedure.

(Ord. 651, 1994)

Sec. 18-350. - City Council action.

Upon receipt of the recommendations transmitted by the Historic Preservation Board, the City Council may by ordinance designate property as a historic landmark, site or district. Due consideration shall be given to the written view of owners of affected property and in its discretion the City Council may hold public hearings on any proposed landmark, historic site or district designation.

(Ord. 651, 1994)

Sec. 18-351. - Recording with County Clerk.

Within fifteen (15) days of the effective date of an ordinance designating property as a landmark, historic site or district, the City shall record among the real estate records of the County Clerk and Recorder either:

(1) A certified copy of the ordinance designating the specified property as a historic site or historic district; and listing the individual properties included therein; or

(2) A notice stating that the specified property has been designated as a historic site or historic district and citing the ordinance and the effective date of the ordinance which made the

designation effective. The notice may also contain a brief summary of the effects of such designation as set forth in this Article.

(Ord. 651, 1994)

Sec. 18-352. - Final notification to owner.

Within ten (10) days after the recording of the ordinance or the notice of designation of property as a historic site or historic district, the secretary of the Historic Preservation Board shall send to the owner of each property so designated by certified mail a letter outlining the reasons for such designation and the obligations and restrictions created by such designation. Such letter shall also contain a request that the owner or his or her successors or assigns notify the secretary of the Board prior to:

(1) Preparation of plans for the reconstruction or alteration of the exterior of improvements located on such property; and/or

(2) Preparation of plans for the construction, alteration, relocation or demolition of improvements on such property.

(Ord. 651, 1994)

Sec. 18-353. - Amendment or rescission of designation.

A historic site or district designation may be amended or rescinded in the same manner as the original designation was made.

(Ord. 651, 1994)

Sec. 18-354. - Work requiring building permit.

(a) Action on an application for a building permit, including any permit for the demolition of a building, shall be deferred by the Building Inspector except as provided in Section 18-359, until the application is accompanied by a report of acceptability from the Historic Preservation Board for the proposed work when the proposed work involves any of the following:

(1) Alteration or reconstruction of or addition to the exterior of any improvement which constitutes all or part of a historic site;

(2) Demolition or relocation of any improvement or object which constitutes all or part of a historic site; or

(3) Construction or erection of or addition to any improvement upon any land included on a historic site.

(b) In order to obtain a report of acceptability, the applicant shall submit the application for a building permit, including sketches, plans and other requirements as determined by the Historic Preservation Board, to the Board through the Planning and Zoning Commission. All such application shall be reviewed by the Board in two (2) phases to determine compliance with this Article as follows:

(1) Conceptual review. Conceptual review is an opportunity for applicants to discuss requirements, standards and policies that apply to historic sites or structures within a historic district. Problems can be identified and solved prior to final review of the application. After review of the application by the Historic Preservation Board, the Planning and Zoning Commission shall furnish the applicant with written comments regarding the conceptual review. Conceptual approval of any proposed work may be limited to certain portions of the work as deemed appropriate by the Board. Conceptual approval does not guarantee final approval of proposed work. If, upon review of the proposed work, the Board determines that conceptual review is not necessary given the absence

of a significant impact on the historic site or historic district involved, it may be waived by the Board and the Board may then proceed to consider the proposed work on final review at the same meeting.

(2) Final review. If an application or parts thereof are conceptually approved, it shall be finally reviewed by the Historic Preservation Board at a subsequent meeting of the Board. During final review, the Board shall consider the application or parts thereof that have received conceptual approval and any changes made by the applicant since conceptual review.

(Ord. 651, 1994)

Sec. 18-355. - Work not requiring building permit; application for approval.

(a) Except as otherwise provided herein, no land surface within any real property designated as a historic site or district shall be changed and no improvements shall be erected, removed, restored, demolished or altered, including alteration of color, without prior written approval of the Historic Preservation Board. No addition shall be made to any real property designated as a historic site, landmark or district in such a manner or of such a character as to change the exterior appearance or exterior architectural features, which change shall be visible from any public street, park or other public place, without prior written approval of the Board.

(b) Any person desiring to remove, demolish or in any way change the exterior appearance or the exterior architectural features of improvements on real property designated as a historic site or district or desiring to change the land surface of any such real property shall submit to the Historic Preservation Board an application for approval and a specific statement of the work proposed, together with such details as the Board may require.

(Ord. 651, 1994)

Sec. 18-356. - Approval of proposed work.

(a) If upon receipt of an application for a building permit pursuant to Section 18-354, or upon receipt of an application pursuant to Section 18-355, the Historic Preservation Board finds that the proposed work is of a nature that will not erode the authenticity or destroy any distinctive exterior feature of the improvements and is compatible with the distinctive characteristics of the historic site or historic district and within the spirit of purposed of this Article, the Board shall advise the applicant in writing by issuing a report of acceptability and shall affix its seal to the plans and specifications for the approved work. In the case of an application for a building permit, upon receipt of the Board's report of acceptability, the Building Inspector shall proceed with the review of the application for a building permit. No change which would defeat the purpose of this Article shall be made in an application for a building permit or the plans and specifications for the proposed work approved by the Board without resubmittal to the Board and approval of such changes in the same manner as the original application.

(b) In determining the decision to be made concerning the issuance of a report of acceptability, the Historic Preservation Board shall consider the following criteria:

(1) The effect of the proposed work upon the general historical and/or architectural character of the historic site, landmark or district;

(2) The architectural style, arrangement, texture and materials of existing and proposed structures and their relation to the structures in the district;

(3) The effects of the proposed work in creating, changing or destroying the exterior architectural features of the structure upon which such work is to be done;

(4) The effect of the proposed work upon the protection, enhancement, perpetuation and use of the historic site or historic district;

(5) The Standards for Rehabilitation and Guidelines of Rehabilitating Historic Buildings; and

(6) Such additional criteria, as established by the Historic Preservation Board, which it deems to be in the best interests of the City.

(Ord. 651, 1994)

Sec. 18-357. - Denial of building permit.

If the proposed work is not approved by the Historic Preservation Board, the Building Inspector shall deny the application for the Building permit and shall advise the applicant. No reapplication shall be submitted pursuant to Section 18-354, et seq., under the original plans and specifications found unacceptable by the Board except upon a showing of changed circumstances sufficient to justify the reapplication.

(Ord. 651, 1994)

Sec. 18-358. - Action of Board on unacceptable proposed work.

(a) If the proposed work is not acceptable, the Historic Preservation Board, acting with all due diligence, shall explore with the applicant all means for substantially preserving the historic structure or historic district which would have been affected by the required permit. These investigations may include, by way of example and not of limitation:

(1) Feasibility of modification of the plans;

(2) Feasibility of any alternative private use of the structure which would substantially preserve the original character; or

(3) Possibility of public acquisition for a public purpose of the structure involved.

(b) If the Historic Preservation Board is unsuccessful in developing either alternate plans or an appropriate public or private use for such structure, which are acceptable to the applicant, it shall notify the owner and the Building Inspector in writing. No work, erection, construction, reconstruction or alterations or demolitions of landmarks or structures in historic districts shall be allowed except on approval of the Board as provided in this Article.

(Ord. 651, 1994)

Sec. 18-359. - Remedying of dangerous conditions.

In any case where the Building Inspector, the Fort Lupton Fire Protection District, or any other public authority having the power, orders or directs the construction, reconstruction, alteration, repair, relocation or demolition of any historic improvement for the purpose of remedying conditions determined by that officer, department or authority to be imminently dangerous to life, health or property, nothing contained herein shall be construed as making it unlawful for any person to comply with such order. Any such officer, department or authority shall take immediate steps to notify the Historic Preservation Board of the proposed issuance of any such order or directive and may include in such order or directive any timely received requirements or recommendations of the Board.

(Ord. 651, 1994)

Sec. 18-360. - Final decision.

Decisions of the Historic Preservation Board regarding the acceptability of applications for building permits under Section 18-354 or applications for approval of work not requiring a building permit under Section 18-355 shall be considered final decisions. There shall be no appeals or variances to the City Council or Board of Adjustment.

(Ord. 651, 1994)

Sec. 18-361. - Extension of time limits.

Any time limit set forth in this Article may be extended by mutual consent of the Historic Preservation Board and the applicant, or the Board, the Planning and Zoning Commission and the applicant, whichever is applicable.

(Ord. 651, 1994)

Sec. 18-362. - Normal maintenance and repair of the structure as defined in kind.

Nothing in this Article shall be construed to prohibit the accomplishment of any work on any historic site or historic district which will neither change the exterior appearance (including color and materials) nor the exterior architectural features of improvements or structures, nor the character or appearance of the land itself and which is considered necessary as a part of normal maintenance and repair.

(Ord. 651, 1994)

Sec. 18-363. - Notification of state or national designation.

The Planning and Zoning Administrator shall promptly notify the Historic Preservation Board of any known national or state designations of landmark structures or landmark districts within the City.

(Ord. 651, 1994)

Sec. 18-364. - Violations and penalties.

Any person violating any provision of this Article shall be subject to the penalty provided by statute and Code. In case any building or structure is erected, constructed, reconstructed, altered, added to or demolished in violation of this Article, the City or any proper person may institute an appropriate action or proceeding to prevent such unlawful action. The imposition of any penalty hereunder shall not preclude the City or any proper person from instituting any proper action or proceeding to require compliance with the provisions of this Article and with administrative orders and determinations made hereunder.

(Ord. 651, 1994)

Sec. 18-365. - Adoption of the Standards for Rehabilitation and Guidelines of Rehabilitating Historic Buildings.

As a technical guide to the Board, the City does ordain that a certain document which is on file and available for inspection by the public in the office of the Planning and Zoning Administrator being marked and designated as:

> "The Standards for Rehabilitation and Guidelines of Rehabilitating Historic Buildings, a section of the Secretary of the Interior's Standards for Historic Preservation Projects, revised in 1990 as part of Department of the Interior Regulations (36 CFR Part 67, Historic Preservation Certification) and

available from the U.S. Government Printing Office, Superintendent of Documents, Mail Stop: SSOP, Washington, DC 20402-9328"

be hereby adopted as the code of the City relating to the rehabilitation of historic buildings of all materials, construction types, sizes and occupancy, encompassing the exterior and interior of historic buildings and also relating to landscape features and the building's site and environment, as well as attached, adjacent or related new construction.

(Ord. 651, 1994)

Sec. 18-366. - Application of Standards.

The Standards are to be applied to specific rehabilitation projects in a reasonable manner, taking into consideration economic and technical feasibility.

(Ord. 651, 1994)

Sec. 18-367. - Severability.

If the application of any provision of this Article to any lot, building or other structure or a tract of land is declared to be invalid by a decision of any court of competent jurisdiction, it is hereby declared to be the legislative intent that the effect of such decision shall be limited to that lot, building or other structure or tract of land immediately involved in the controversy, action or proceeding in which the judgment or decree of invalidity was rendered. Such decision shall not affect, impair or nullify this Article as a whole or the application of any provision to any other lot, building or other structure or tract of land.

(Ord. 651, 1994)

Secs. 18-368—18-380. - Reserved.

Fort Lupton Historic Preservation Board

APPLICATION FOR LOCAL DESIGNATION

PROPERTY UNDER CONSIDERATION FOR LOCAL DESINGATION:

149 DENVER AVENUE, FORT LUPTON, CO 80621

OWNER: MARIA FLORES

City of Fort Lupton
Planning and Building Department

Performance, Integrity, Teamwork, Accountability and Service

Tom Parko, Planning Director
130 S. McKinley Avenue
Fort Lupton, Colorado 80621

(303) 857-6694 x 125
Fax (303) 857-0351
Email: tparko@fortlupton.org
http://www.fortlupton.org

March 14, 2008

Maria Flores
149 Denver Avenue
Fort Lupton, Colorado 80621

Dear Mrs. Flores:

Thank you for taking the time to meet with me on Monday March 10th to review the primary application for local historic designation on your property. The application has been finalized and I am preparing a report to the Fort Lupton Historic Preservation Board at this time.

My staff report and the designation application for 149 Denver Avenue will go before the HPB on April 3rd at 6:30 P.M. Please make an effort to attend this meeting. I discussed with you on March 10th the designation process. Once the HPB accepts the application it must go before the Planning and Zoning Commission. If approved by the Planning Commission it will go back before the HPB for a public hearing. If the HPB finds that the property is eligible for designation they will forward a formal recommendation of approval to the Fort Lupton City Council. The City Council has the final authority on this matter.

I will prepare a detailed schedule with dates and times before the formal process begins. Please note that according to **Municipal Code Section 18-346** you cannot apply for or be issued a building permit for alteration, construction, relocation, or demolition of the site, structure or object at 149 Denver Avenue while the property is being considered for local designation.

As always, if you have any questions please do not hesitate to contact me at the number listed above. I can also be reached by email at tparko@fortlupton.org.

Sincerely,

Digitally signed by Tom Parko
DN: cn=Tom Parko, o=City of Fort Lupton, ou=Planning and Building Department, email=tparko@fortlupton.org, c=US
Date: 2008.03.19 13:37:06 -06'00'

Tom Parko, CFM
Planning Director

FORT LUPTON HISTORIC DESIGNATION
Primary Application

1. Name of Property

a. Historic Name: Seymour & Birdie Rhode House
b. Other Names: Flores House / Maria's Beauty Salon
c. Please write and attach a historical narrative of the property (Attachment 1).
d. Please include, if available, historic and current photographs of the property.

2. Location of Property

Address: 149 Denver Avenue
City: Fort Lupton
State: Colorado
Zip Code: 80621

3. Classification of Property

a. Property Ownership:
( ) Public (✓) Private ( ) Other _____
b. Category of Property:
(✓) Structure ( ) Site ( ) District ( ) Object

4. Function or Use of Property

a. Please write and attach a narrative of the historic and current functions of the property (Attachment 2).

5. Description of Property

a. Please write and attach a description of the property, delineating any significant alterations to the property and, if known, indicate plans for future additions, changes or alterations to the property (Attachment 3).

6. Statement of Significance

a. Areas of Significance:
Historical & Architectural Importance.
Please see Attachment 4.

b. Period of Significance:
Between 1902 and 1952.

c. Significant Dates:
Constructed in 1902.

d. Significant Persons:
Seymour and Birdie Rhode. The couple founded and successfully operated Fort Lupton's first bank. Birdie was the banks first president, which was unusual for women during this time period..

7. **Bibliographical References**

a. Please list below any attached bibliographical references.

Colorado Cultural Resource Survey & Architectural Inventory Form.

8. **Geographical Data**

a. Boundary Description:

Please See Attachment B

b. Boundary Justification:

" "

9. **Property Owner(s)**

a. Name(s) and Address(es):
FLORES, Maria
149 Denver Avenue
Fort Lupton, CO 80621

b. Legal Description:
FTL 15/40 Li thru 4 BLK 21 Twombly Sub.
Township 01N, Range 66W, 6 PM

Please sign your name and the date below.

Maria Flores
Name

03-10-08
Date

Thank you for taking the time to thoroughly fill out this primary application.

DRAFT

OAHP1403
Rev. 9/98

ATTACHMENT Nos. 1, 2, 3, 4

Colorado Cultural Resource Survey

Architectural Inventory Form

(Page 1 of 8)

Official Eligibility Determination
(OAHP use only)
Date_____ Initials_____
____Determined Eligible- NR
____Determined Not Eligible- NR
____Determined Eligible- SR
____Determined Not Eligible- SR
____Need Data
____Contributes to eligible NR District
____Noncontributing to eligible NR District

I. Identification

1.	Resource Number:	5WL5646
2.	Temporary Resource Number:	Not Applicable
3.	County:	Weld
4.	City:	Fort Lupton
5.	Historic Building Name:	Seymour & Birdie Rhode House
6.	Current Building Name:	Flores House / Maria's Beauty Salon
7.	Building Address:	149 Denver Ave. Fort Lupton, CO 80621
8.	Owner Name & Address:	Salvadore Flores 149 Denver Ave. Fort Lupton, CO 80621

II. Geographic Information

9. P.M. 6th Township 1N Range 66W

NE 1/4 of the SE 1/4 of the SE 1/4 of the NE 1/4 of Section 6

10. UTM Reference Zone: 13 Easting: 516180 Northing: 4436590

11. USGS Quad Name: Fort Lupton, Colorado

Year: 1994 Map scale: 7.5'

12. Legal Description: Lots 1 to 4, Block 21

Addition: Twombly's Addition Year of Addition: 1902

13. Boundary Description and Justification: The boundaries of this property correspond with its clearly defined urban lot lines and legal description. These boundaries include all of the historic resources associated with this property, including the building(s) and features described below.

III. Architectural Description

14. Building Plan (footprint, shape): Irregular Plan

15. Dimensions in Feet (approximate): 34' x 54'

16. Number of Stories: 1-1/2

17. Primary External Wall Material(s) (enter no more than two): Brick, Shingle

18. Roof Configuration: (enter no more than one): Cross Gabled Roof

19. Primary External Roof Material (enter no more than one): Composition Roof

20. Special Features (enter all that apply): Porch, Dormer, Decorative Shingles, Chimney, Fence, Tower, Attached Garage

21. General Architectural Description: This corner lot contains a two-story masonry residence that faces toward the east. Centered on the property, the home rests upon what appears to be a concrete foundation with stone facing above grade. The building's exterior walls are constructed of brickwork laid in common bond coursing on the first floor, and the second story is clad in fishscale shingles. The home's front entrance, with a wood panel door and metal storm door, is found on its northeast cutaway corner. An open, three-sided porch projects from the home at this location. This porch, three steps up from the front sidewalk, consists of a masonry floor, open metal rail, and a three-sided hipped roof supported by three wood columns. Rising above the entrance and porch is

a short wood frame octagonal tower. This tower has walls covered with fishscale shingles, three 3-over-1 double hung sash windows with wood frames, and a bell-cast octagonal roof with asphalt shingles and a tin cap.

The building's southeast corner holds the entrance to a hair salon, reached by way of a small wood deck and handicap ramp. This entry has a wood panel door and storm door. Secondary entrances are found on the west and north elevations. The west elevation has a panel door and storm door that enter the rear enclosed porch. The northwest corner of the home has an overhead garage door (wood panel, 6 lights) providing access to a single-car attached garage.

Fenestration on the home consists primarily of 1-over-1 double hung sash windows with wood frames and surrounds. On the front of the house is a three-sided bay containing these original windows. The southeast one-story room has a band of multi-light windows along its south elevation that each holds a central casement surrounded by multiple fixed lights. One set of these same windows is found on the east elevation next to the hair salon door. The rear of the house has two pairs of 2-light sliding windows on the garage and bands of 1-over-1 windows flanking the rear entrance.

Typical of Queen Anne style homes, the roof on this residence is complex. Its central portion is pyramidal, and is surrounded by intersecting gables to the north, south and east. The entire roof is finished with asphalt shingles and boxed eaves. Dormers project from the roof to the north, south and west. The single dormers on the north and south slopes of the pyramidal roof are each wood-framed with fishscale shingles, a pair of 1-over-1 double hung sash windows, and a gabled roof. The single dormer on the west slope of the rear gabled roof is similar to the others but has a single small fixed horizontal window. A tall narrow brick chimney with a pair of horizontal brick bands near the top projects upward from the north slope of the pyramidal roof.

22. Architectural Style/Building Type: **Queen Anne**

23. Landscaping or Special Setting Features: **Surrounding the home are grassed and landscaped yard areas, although the rear yard has been partially paved. The front yard is bisected by a concrete walk that runs diagonally from the street sidewalk at the corner to the front porch. A modern metal fence borders the south and west yard areas.**

24. Associated Buildings, Features or Objects:

Old Garage - The old garage is located in the southwest corner of the property along the rear alley. This 14' x 16' wood frame building rests upon a concrete foundation and its exterior walls are finished with horizontal siding. It also has a hipped roof with asphalt shingles and a panel door and sliding wood garage door on the north elevation. The building was constructed sometime after 1936 to hold both a single auto and an adjoining shop or storage space.

New Garage - The new garage is located in the northwest quadrant of the property along the rear alley. This 24' x 24' wood frame building rests upon a concrete foundation and has walls finished with horizontal siding. It also has a gabled roof with asphalt shingles, a two-light sliding window on the north, and an overhead garage door on the south. The building was constructed in 1992 to serve as a two-car garage.

IV. Architectural History

25. Date of Construction: Estimate: Actual: 1902

Source of Information: Weld County Assessor, Property Profile (parcel #147106132013)

26. Architect: Unknown

Source of Information: Not Applicable

27. Builder/Contractor: Unknown

Source of Information: Not Applicable

28. Original Owner: Seymour & Birdie Rhode

Source of Information: Interview with David Norcross & Nancy Penfold, Fort Lupton Museum, 26 September 2007; Cleon Roberts. *Fort Lupton, Colorado: The First Hundred and Forty Years.* Fort Lupton Museum, 1976

29. Construction History (include description and dates of major additions, alterations, or demolitions): The home on this property was constructed in 1902 with open porches on the front and rear, and over the next two decades remained unchanged. By 1930, it had been expanded toward the west with the construction of an enclosed porch and an attached garage. A small shed, now gone, was located off the southwest corner of the house, although this might have been the old garage now found in the southwest corner of the property. The old garage was certainly not present in its current location prior to 1936. The one-story addition to the southeast corner of the residence was constructed sometime in the years after World War II, possibly in conjunction with the 1975 remodeling of the interior for use as offices. In the past two decades, several alterations have been made to the property. First, in 1992 the detached modern garage was constructed and the surrounding yard area paved with concrete. Then in 1996 the home received attention to its siding, soffits and fascia. Finally, in 2006 the wood ramp, deck and door for the hair salon were installed, along with the wrought iron fence that encloses portions of the rear yard.

30. Original Location: Yes

V. Historical Associations

31. Original Use(s): **Domestic / Single Dwelling**

32. Intermediate Use(s): **Not Applicable**

33. Current Use(s): **Domestic / Single Dwelling**
Commerce & Trade / Specialty Store

34. Site Type(s): **Single Family Residence / Hair Salon**

35. Historical background: **Between 1902 and the 1950s, this home was occupied by the family of Seymour and Birdie Rhode. The couple is well-known locally for founding the first bank in Fort Lupton. Established in 1900, the Fort Lupton State Bank was initially housed on the main floor of the Winbourn Hotel on the northwest corner of 4th St. and Main Ave. Seymour served as the institution's cashier and Birdie held the title of president, a remarkable position for a woman to hold in any bank, large or small, at that time. The bank was launched with total assets of $25,000 and on its first day of business received deposits in excess of $3,500. In addition to banking, the couple was involved in the sale of fire and life insurance policies.**

With their bank thriving, Seymour and Birdie had a Queen Anne style home constructed for themselves in 1902 at 149 Denver Ave. Eight years later, they erected their own bank building on the northwest corner of 4th St. and Denver Ave. Seymour and Birdie continued to operate their bank through at least the 1940s and were involved in the Fort Lupton community into the post-WWII period. During the 1950s, the home finally passed out of family ownership. While it continued to be occupied as a residence, in 1975 the building was remodeled for office use. This work appears to have primarily involved the interior, but may also have involved construction of the one-story addition to the southeast corner of the building. In recent years, this portion of the building has been converted into a hair salon.

36. Sources of information:

Fort Lupton City Directories (1933, 1942)
Colorado State Business Directories (1900-1950)
Weld County, Assessor's Records (parcel #147106132013)
City of Fort Lupton, Building Permits File
Sanborn Fire Insurance Maps (1908-1936)
Interview with David Norcross & Nancy Penfold, Fort Lupton Museum, 26 September 2007
Cleon Roberts. *Fort Lupton, Colorado: The First Hundred and Forty Years.* Fort Lupton Museum, 1976
Adam Thomas. *Crossroads in Eden: Development of Fort Lupton, 1835-2000.* Historical Context Report prepared for the City of Fort Lupton, 2003.

VI. Significance

37. Local landmark designation: **None**

38. Applicable National Register Criteria

	A.	Associated with events that have made a significant contribution to the broad pattern of our history
X	**B.**	Associated with the lives of persons significant in our past
X	**C.**	Embodies the distinctive characteristics of a type, period, or method of construction, or represents the work of a master, or possess high artistic values, or represents a significant and distinguishable entity whose components may lack individual distinction
	D.	Has yielded, or may be likely to yield, information important in history or prehistory

Qualifies under Criteria Considerations A through G (see Manual)

Does not meet any of the above National Register criteria

Applicable Fort Lupton Criteria

	A.	Historical Importance 1:	Has character, interest, or value as part of the development, heritage or cultural characteristics of the city, state or nation
		Historical Importance 2:	Is the site of an historic event with an effect upon society
X		Historical Importance 3:	Is identified with a person or group of persons who had some influence on society
		Historical Importance 4:	Exemplifies the cultural, political, economic, social or historic heritage of the community
	B.	Architectural Importance 1:	Portrays the environment of a group of people in an era of history characterized by a distinctive architectural style
X		Architectural Importance 2:	Embodies those distinguishing characteristics of an architectural type or specimen
		Architectural Importance 3:	Is the work of an architect or master builder whose individual work has influenced the development of the city

Architectural Importance 4: Contains the elements of architectural design, detail, materials or craftsmanship which represent a significant innovation

C. Geographic Importance 1: Because of being part of or related to a square, park or other distinctive area, should be developed or preserved according to a plan, cultural, or architectural motif

Geographic Importance 2: Due to its unique location or singular physical characteristic, represents an established and familiar visual feature of a neighborhood, community or the city

Does not meet any of the above Fort Lupton designation criteria

39. Area(s) of significance: **Commerce / Architecture / Social History**

40. Period of significance: **1902-1957**

41. Level of significance: National **No** State **Yes** Local **Yes**

42. Statement of significance: **This historic property is eligible for individual designation to the National Register of Historic Places on the local (and possibly state) level of significance in relation to two criteria. First, it is eligible under Criterion C for embodying the distinctive features of the Queen Anne style of architecture. Numerous elements of this building are characteristic of this style. Regarding historic significance, the property served as the home of Seymour and Birdie Rhode from 1902 into the 1950s. Together the couple founded and successfully ran Fort Lupton's first bank. In addition, Birdie's role as the bank's president was an unusual one for a woman of the time period and may be significant on a state level in the area of social history. The bank has been demolished and this home is now the only building associated with these prominent local business leaders. For these reasons, the house is individually eligible for National Register listing under Criterion B.**

In light of the criteria for local designation, the property appears to be eligible for individual listing in Fort Lupton because of its association with prominent banking couple Seymour and Birdie Rhode (Criterion A-3). In addition, the home is likely to be locally eligible for its excellent embodiment of characteristics of the Queen Anne style of architecture (Criterion B-2).

43. Assessment of historic physical integrity related to significance: **While this home and its grounds have experienced some changes since the residence was constructed in 1902, its Queen Anne detailing and overall integrity remain largely intact. Many of the changes have taken place behind the house, involving early additions to the rear of the home and the construction of two garages in the rear yard. The relatively small addition to the front southeast corner is one-story in height, compatible in design and materials, and does not diminish from the overall**

historic character of the home. None of these changes have significantly diminished its architectural significance as what appears to be the most important example of the Queen Anne style in Fort Lupton. This property clearly retains and exhibits an adequate degree of architectural integrity to be considered architecturally significant in relation to National Register standards. In addition, its good integrity makes it eligible for local designation, as discussed above.

VII. National Register Eligibility Assessment

44. National Register eligibility field assessment: **Eligible**

45. Is there National Register district potential? **Yes**

Discuss: **This property is associated with what appears to be an adequate concentration of historically intact properties in downtown Fort Lupton that share a common historic context. Historic district potential is found to include the properties fronting onto Denver Ave. and Main Ave., and those located between 1st St. and 9th St. The property at 149 Denver Ave. is likely to be considered contributing to any future historic district in this area.**

If there is National Register district potential, is this building contributing: **Yes**

46. If located in an existing National Register district, is it contributing: **Not Applicable**

VIII. Recording Information

47. Photograph numbers: **149 Denver Ave.**

Negatives filed at: **Tatanka Historical Associates, Inc.**

48. Report title: **Intensive-Level Survey of Historic Buildings Downtown Fort Lupton, Colorado**

49. Date(s): **30 October 2007**

50. Recorder(s): **Ron Sladek, President**

51. Organization: **Tatanka Historical Associates, Inc.**

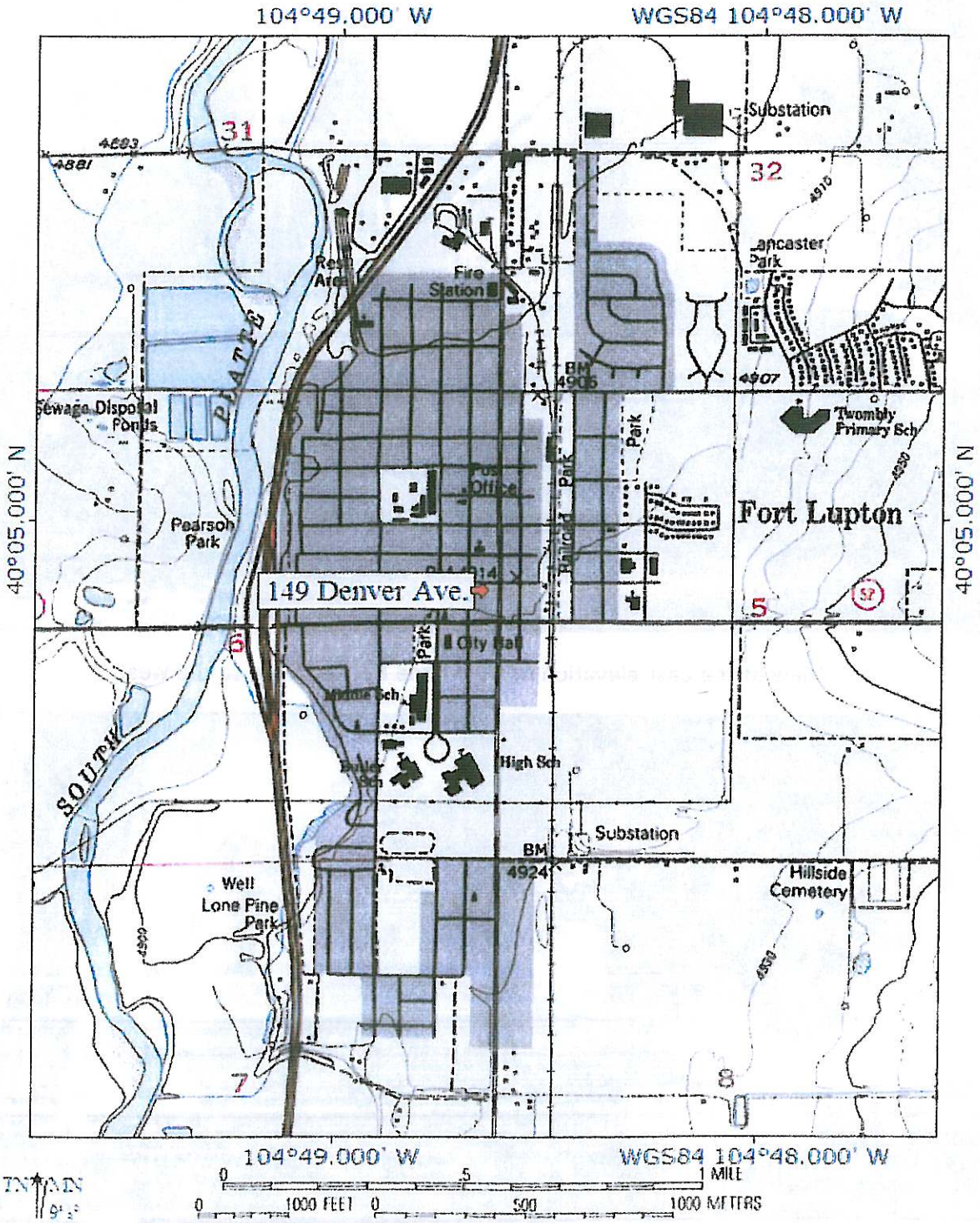
52. Address: **P.O. Box 1909, Fort Collins, CO 80522**

53. Phone number(s): **970 / 221-1095**

NOTE: Please attach a sketch map, a photocopy of the USGS quadrangle map indicating resource location, and photographs.

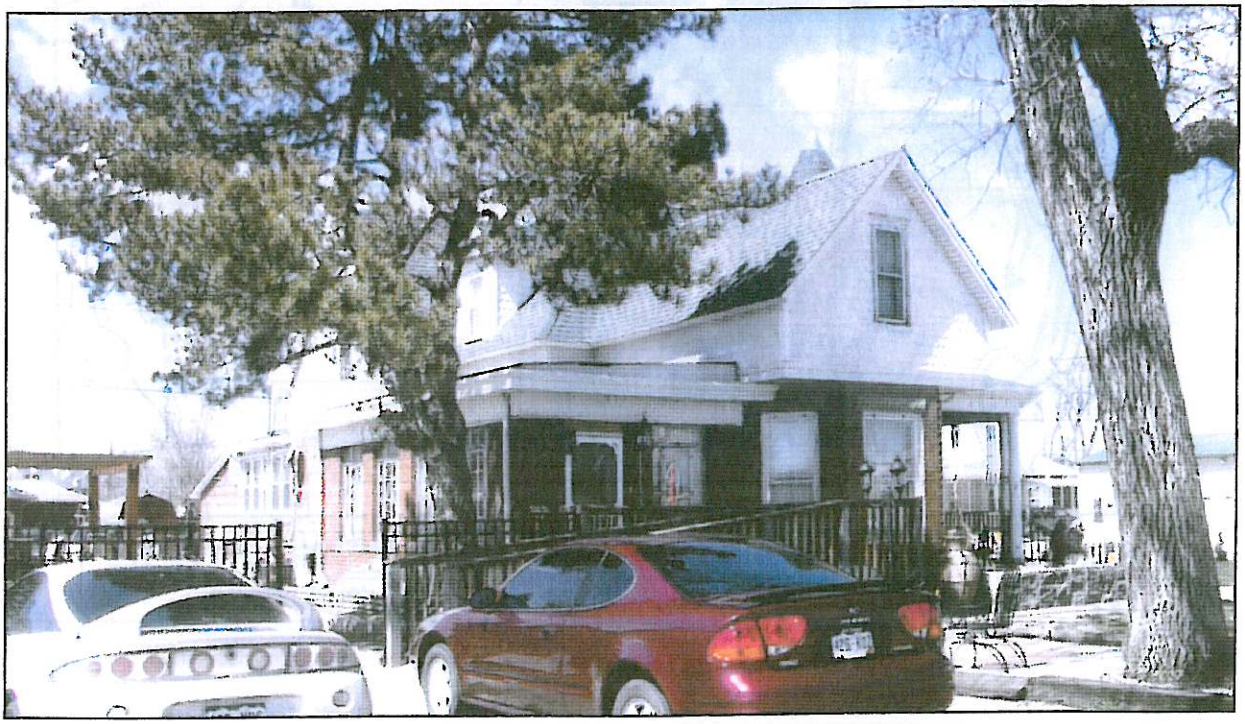
Resource Number: 5WL5646 Address: 149 Denver Ave.

USGS 7.5' Topographic Map
Fort Lupton, 1994



Additional Photographs

View of the east elevation of the Rhode House. View to the west.



View of the south and east elevations. View to the northwest.

Additional Photographs

View of the north and west elevations. View to the southeast.

View of the southwest corner of the house and the new garage. View to the east.

Additional Photographs

View of the old garage along the rear alley. View to the southeast

View of the new garage along the rear alley. View to the southeast.

149 Denver Avenue

Attachment No. 5

CITY OF Fort Lupton EST 1836
COME PAINT YOUR FUTURE WITH US

Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621
Phone: 303.857.6694
Fax: 303.857.0351
www.fortlupton.org

March 1, 2021

NOTICE OF APPLICATION FOR RESCISSION OF 149 DENVER AVENUE (AKA SEYMOUR & BIRDIE RHODE HOUSE) AS A LOCAL HISTORIC SITE DESIGNATION PURSUANT TO SECTION 18-344(4) OF THE FORT LUPTON MUNICIPAL CODE

Fort Lupton Planning Commissioners:

Notice is hereby given that the City of Fort Lupton Historic Preservation Board shall hold a public hearing concerning an application for rescission of 149 Denver Avenue (aka Seymour & Birdie Rhode House) as a local historic property and rescission of its listing on the local historic designation registrar. Notice is pursuant to Section 18-344(4) of the Fort Lupton Municipal Code ("Code").

The public hearing is to be held before the Historic Preservation Board on April 1, 2021 at 6:15 PM or as soon as possible thereafter. The public hearing shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that there are City Hall closures due to COVID-19 at the time of the hearings, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov

Pursuant to Section 18-345 of the Code, the Planning Commission shall review the proposed application for rescission at a public meeting on Thursday, March 11, 2021 at 6:00 PM. At said meeting, the Planning Commission may recommend approval, rejection or modification of the proposed designation and its recommendation shall contain a statement of the basis for the recommendation. The recommendation shall be delivered to the Historic Preservation Board in written form at or prior to the hearing.

Sincerely,

Alyssa Knutson, AICP
Planner II
City of Fort Lupton

CITY OF
Fort Lupton
EST 1836
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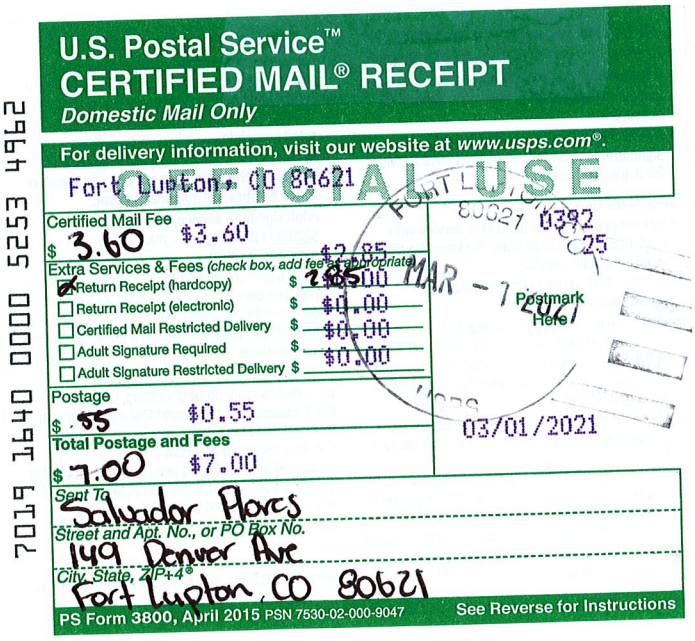
CERTIFICATE OF MAILING

I, the undersigned, hereby certify that on the 1st day of March 2021, a true and correct copy of the foregoing Notice of Public Hearings for the Seymour and Birdie Rhode House Rescission of Historic Designation was sent via certified mail, return-receipt requested to the following addresses:

Salvador Flores
149 Denver Ave
Fort Lupton, CO 80621

City Official



CITY OF Fort Lupton EST 1836
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Planning & Building

130 S. McKinley Avenue
Fort Lupton, CO 80621
Phone: 303.857.6694
Fax: 303.857.0351
www.fortlupton.org

CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton Historic Preservation Board shall hold a public hearing concerning an application for rescission of 149 Denver Avenue (aka Seymour & Birdie Rhode House) as a local historic property and rescission of its listing on the local historic designation registrar. Notice is pursuant to Section 18-344(3) of the Fort Lupton Municipal Code.

The public hearing is to be held before the Historic Preservation Board on April 1, 2021 at 6:15 PM or as soon as possible thereafter. The public hearing shall be held at the Fort Lupton City Hall, 130 S. McKinley Avenue in Fort Lupton, Colorado. In the event that there are City Hall closures due to COVID-19 at the time of the hearings, the public hearings will be held remotely, accessible to the public by phone and internet. Information on how to attend the hearings will be provided in the agenda as posted on the City's website, www.fortluptonco.gov

ALL INTERESTED PERSONS MAY ATTEND

LEGAL DESCRIPTION

LOTS 1, 2, 3 AND 4, BLOCK 21, TWOMBLY'S SUBDIVISION, TOWN OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

CIUDAD DE FORT LUPTON
AVISO DE AUDIENCIA PÚBLICA

Por la presente se da aviso que la Junta de Preservación Histórica de la Ciudad de Fort Lupton tendrá una audiencia pública sobre una solicitud de rescisión de 149 Denver Avenue (aka Seymour & Birdie Rhode House) como propiedad histórica local y la rescisión de su inclusión en el registro de designación histórica local. Este aviso es conforme a la Sección 18-344 (3) del Código Municipal de Fort Lupton.

La audiencia pública se llevará a cabo ante la Junta de Preservación Histórica el 1 de abril de 2021 a las 6:15 p.m. o tan pronto como sea posible a partir de entonces. La audiencia pública se llevará a cabo en el Ayuntamiento de Fort Lupton, 130 S. McKinley Avenue en Fort Lupton, Colorado. En dado caso de que existan cierres del Ayuntamiento por COVID-19 en el momento de las audiencias, las audiencias públicas se realizarán de forma remota, accesible al público por teléfono e internet. La información sobre cómo asistir a las audiencias se proporcionará en la agenda publicada en el sitio web de la Ciudad, www.fortluptonco.gov

TODAS LAS PERSONAS INTERESADAS PUEDEN ASISTIR

DESCRIPCIÓN LEGAL

LOTS 1, 2, 3 AND 4, BLOCK 21, TWOMBLY'S SUBDIVISION, TOWN OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

CITY OF FORT LUPTON
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Fort Lupton is in receipt of an application submitted by Salvadore Flores for a rescission of a local historic designation pursuant to Section 18-344(4) of the Fort Lupton Municipal Code for a property located 149 Denver Avenue in the C-1 General Commercial Zone District, pursuant to the City of Fort Lupton Municipal Code Notice Requirements.

A public hearing will be held before the Historic Preservation Board on Thursday, April 1, 2021, at 6:15 P.M., or as soon as possible thereafter.

The public hearing shall be held in the City Hall, 130 South McKinley Avenue, Fort Lupton, Colorado, or at such other time or place in the event this hearing is adjourned. In the event that City Hall is closed to the public at the time of the hearings due to COVID-19, the public hearing will be held remotely, accessibly to the public by phone and internet. Information on how to attend the hearing will be provided in the agenda as posted on the City's website, www.fortluptonco.gov. Further information is available through the Planning & Building Department at (303) 857-6694.

LEGAL DESCRIPTION

LOTS 1, 2, 3 AND 4, BLOCK 21, TWOMBLY'S SUBDIVISION, TOWN OF FORT LUPTON, COUNTY OF WELD, STATE OF COLORADO.

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www.fortluptonco.gov

Sign Posting Affidavit

Seymour & Birdie Rhode House Rescission of Historic Designation
Project No. LUP2021-0008/ Plan No. HIS2021-0001

2ND ST.	DENVER AVE.

I, Magaly Morales Tejada hereby acknowledge that I witnessed that the aforementioned property was posted in accordance with City Codes. Said public hearing notice was posted on this 17 day of March, 2021.

Signature of City Official

The foregoing instrument was acknowledged before me by Magaly Morales-Tejada this 30 day of March, 2021. Witness my hand and seal.

My commission expires 12-31-22.

Notary Public

(SEAL)

AMBER PHILLIPS
NOTARY PUBLIC
STATE OF COLORADO
NOTARY ID 20144004824
MY COMMISSION EXPIRES DECEMBER 31, 2022