

**ITEM 1** Brian Dabb requests a Certificate of Appropriateness for a three-lot subdivision in the R1.6 (One Family Residential) Zone, in order to create two new building lots adjacent to a registered historic residence, located at 905 East Center Street. Foothills Neighborhood. Dustin Wright (801) 852-6414 [dwright@provo.org](mailto:dwright@provo.org) PLLDR20240025

Applicant: Brian Dabb

Staff Coordinator: Dustin Wright

Property Owner: DABB, BRIAN R

Parcel ID#: 22:018:0070

Acreage: 0.51

Number of Properties: 1

Current Zone: One Family Residential  
R1.6

**ALTERNATIVE ACTIONS**

1. **Continue** to a future date to obtain additional information or to further consider information presented. The next available meeting date is May 15, 2024, at 12:30 p.m.

2. **Approve** the requested Certificate of Appropriateness for three lots and the removal of the existing garage. This action would not be consistent with the recommendations of the Staff Report. The Landmarks Commission should state new findings.

**Landmarks Designation:**

The property is listed on the Provo Landmarks Register.

**Relevant History:**

This item was continued from the March 20, 2024, hearing. The applicant has provided a concept parking plan in attachment 5. The construction date c. 1900. Resolution 1998-106 added this property to the Landmarks Register in 1998.

**Summary of Key Issues:**

- This parcel used to be two separate parcels. The home on one of the parcels was demolished and the properties were combined into one parcel.
- The existing garage is contributing to the overall landmarked site having acquired historic significance and should be retained and preserved.
- Removing the garage would bring the property out of compliance with zoning requirements. Adding a new covered parking structure to the property to meet zoning codes would then alter the existing historic character of the property.
- Dividing the parcel back into two would be appropriate, but creating a third parcel will have negative impacts on the overall historic site.

**Staff Recommendation:**

Deny the request for a Certificate of Appropriateness for a three-lot subdivision and removal of the existing garage at 905 E Center St. Approve a Certificate of Appropriateness for a two-lot subdivision with the following conditions: A final subdivision plat application is submitted and approved by the city. The lot will be divided like before, and the west parcel will have the existing garage and home.

## **BACKGROUND**

The applicant is requesting a Certificate of Appropriateness from the Landmarks Commission to divide the land of a landmarked property and remove an accessory structure. This item was continued from the last hearing and the applicant was asked to provide a plan that would show they would provide the required parking on the smaller lot.

The property located at 905 E Center was placed on the Provo Landmarks Register in 1998. The adjacent home at 911 E Center was demolished several years ago and the property owner combined that parcel with this one. The property owner would now like to divide this parcel into three lots. To accomplish this, the existing garage on the property would have to be removed and the original historic lot would have to be reduced in size. New covered parking would have to be built on the site to replace the existing garage because it is a zoning requirement. The new covered parking would then sit on the property in a new location, altering the historic character of the site.

The existing garage is contributing to the historic character of the property. It is identified as a contributing outbuilding of the historic site form. The date of the garage is unknown as there are no building permit records for it, but it can be seen in the 1965 aerial image.

These proposed changes affect the historic character of the landmark site and require the Landmarks Commission to consider if the proposed modifications would be appropriate or if they would compromise the historic integrity of the existing landmark by following the guidelines established in the Provo City Code that are included in the Staff Report.

## **FINDINGS OF FACT**

Applicable "Standards for Rehabilitation" in section 16.06.010 of the Provo City Code:

- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- (2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- (3) Each property shall be recognized as a physical record of its time, place, and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- (4) Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.

## **STAFF ANALYSIS**

This item was continued from the last hearing to have the applicant provide plans for the proposed location of the parking on the smaller lot (attachment 5). The property currently meets the parking requirements for a single-family home. Removing the existing garage and decreasing the lot size will take the property out of compliance. The

proposed location that was submitted to staff does not comply with zoning setbacks and would most likely exceed lot coverage requirements as well and therefore would not be permitted.

Staff have reviewed the request to subdivide the property into three parcels and remove the existing garage. Following the standards for determining appropriateness listed in the Finding of Fact, the staff finds that it would not be appropriate to create three lots and remove the existing garage.

Changes to buildings, site, or environment of a historic property should be avoided to retain and preserve the historic character of the property (Standard 1). Removing structures and reducing the size alter that historic character and its prominence (Standard 2 and 3).

While the garage was probably not built concurrently with the home, aerial imagery shows that it has been there for at least sixty years and has acquired historic significance and should be retained and preserved (Standard 4).

As it is now, the covered parking requirements of the zone are in compliance with this property. If the garage is removed, then it would not be complying. The owner would then need to build a new structure somewhere on the property which would then alter the existing character of the property; this is another reason why removal of the existing garage, that contributes to the historic character of the property already, would not be appropriate to remove.

The area where a home was demolished to the east of the existing home sat on its own parcel. After it was demolished, the owner decided to combine the parcels. The staff finds that this lot could be recreated and that it would not have an impact on the historic nature of this site. This is included in the staff recommendation.

### **STAFF RECOMMENDATION**

Deny the request for a Certificate of Appropriateness for a three-lot subdivision and removal of the existing garage at 905 E Center St.

Approve a Certificate of Appropriateness for a two-lot subdivision with the following conditions:

1. A final subdivision plat application is submitted and approved by the city.
2. The lot will be divided like before, and the west parcel will have the existing garage and home.

### **ATTACHMENTS**

1. Site Location
2. Images
3. Historic Site Form
4. Applicant's 3 Lot Concept
5. Proposed Parking Location

**ATTACHMENT 1 – SITE LOCATION**



**ATTACHMENT 2 – IMAGES**

**1965 Aerial Image**







house manager. This building is a good example of the English Tudor style, with steep roof pitch, plaster exterior walls and small window panes.

**44 VAN WAGENEN HOUSE • 905 East Center Street**

Constructed around 1900, this Victorian Box Style house features a classical columned porch and balcony. Since 1935, the home has been owned by members of the Van Wagenen family, including Alma Van Wagenen, Mayor of Provo in 1928-29 and Harold Van Wagenen, Mayor of Provo in 1956-57.

**45 JUSTIS JOHNSON HOUSE • 939 East Center Street**

Justis W. Johnson was the owner of the property when this house was constructed.



**ATTACHMENT 3 – HISTORIC SITE FORM**

H I S T O R I C   S I T E   F O R M  
(UHCS version)  
Utah State Historic Preservation Office

1. IDENTIFICATION =====

Name of Property: BEAN/BROWN HOUSE  
Address: \*905 E CENTER STREET  
City, County: PROVO, UTAH COUNTY

UHCS ID#: 275304

2. DOCUMENTATION/STATUS =====

Evaluation: (A) ELIGIBLE/SIGNIF.

Dates Surveyed or Added to Filing System:

General/Misc. File: /

Reconnaissance Survey: 05/96

Intensive Level Survey: 07/96

National Register Listing:

National Register Status:

Thematic or Multiple Property:

Other Documentation

106 Case Number:

HABS/HAER Number:

3. BUILDING INFORMATION =====

Date(s) of Construction: c. 1900

Height (in stories): 2

Plan/Type: RECTANGULAR BLOCK

Original Use: SINGLE DWELLING

Materials: REGULAR BRICK

Styles: VICTORIAN: OTHER

Themes:

Outbuildings (total/contrib.): 1/1

Comments: BOX STYLE

Printout Date: 8/26/96



4. ARCHITECTURAL DESCRIPTION

Building Style/Type: Box Style/Side Passage No. Stories: \_\_\_\_\_

Foundation Material: Plaster over stone Wall Material(s): Painted Brick

Additions:  none  minor  major (describe below) Alterations:  none  minor  major (describe below)

Number of associated outbuildings 1 and/or structures \_\_\_\_\_.

Briefly describe the principal building, additions or alterations and their dates, and associated outbuildings and structures. Use continuation sheets as necessary.

This single-family dwelling faces south on a corner lot and is served by a two-car garage in the northeast corner of the lot. The main entry is articulated with sidelights, a transom and a classical, columned porch and balcony on the west side of the front elevation. The side-passage plan has its major stairway in the southwest corner of the building. Formal but asymmetrical, the front elevation features both picture and operable windows, and a hip roof with exposed rafter tails and a central dormer. Aside from the painted brick and awnings over the western windows, the exterior appears unaltered except for a small, one story rear addition.

rear

Parcels in 1998 Nomination



**ATTACHMENT 4 – 3 LOT CONCEPT**



