

Leavenworth Preservation Commission

Wednesday, November 2, 2016 5:00 PM

Commission Chambers

100 N 5th Street

Leavenworth, Kansas

AGENDA

1. Call to order, determine a quorum
2. Introductions:
 - New Board Member – Debi Denney
3. Motion on minutes from April 6, 2016 meeting
4. Old Business:

None
5. New Business:
 - 2016-18 LPC – 614 Cherokee
 - Revised Minor Certificate of Appropriateness
6. Other Business/Correspondence:
 - FYI - Minor Certificates of Appropriateness (4)
 - 501 Delaware St
 - 201 N Broadway St
 - 114 Spruce St
 - 1128 5th Ave
7. Adjournment

CITY OF LEAVENWORTH PRESERVATION COMMISSION

COMMISSION CHAMBERS, CITY HALL

100 N 5th Street, Leavenworth, Kansas 66048

Wednesday, April 6, 2016, 5:00 PM

The Leavenworth Preservation Commission met Wednesday, April 6, 2016. Chairman Ken Bower called the meeting to order. Other commissioners present were: Ed Otto, John Karrasch, Rik Jackson and Stephen Hansen. Commissioners Rebecca Stewart and Deborah Monahan were not present. Also present for the meeting were City Planner Julie Hurley, and Administrative Assistant Cheryl Bogner.

The chairman noted a quorum was present and called for a motion to accept the minutes from March 2, 2016 as presented. Mr. Karrasch moved to accept the minutes, seconded by Mr. Otto and approved by a vote of 4-0 (Bower Abstains).

OLD BUSINESS:

City Planner Hurley reviewed Certified Local Agreement (CLG) between the City and the Kansas State Historic Preservation Office. Ms. Hurley noted this is a five (5) year agreement and noted a motion would be required to recommend the agreement to the City Commission for approval. Mr. Jackson moved to recommend the Certified Local Agreement to the City Commission for their approval and signature. Mr. Hansen seconded the motion and passed by a vote of 5-0.

Mr. Bower requested the board be advised when the City Commission would review the agreement for approval so board members could attend and answer questions, if necessary.

NEW BUSINESS:

No new business.

OTHER BUSINESS:

The Preservation Commission was provided drawings/sketches of the Carnegie Lofts project at 601 South 5th Street. Ms. Hurley stated a review of the project is not required as the proposed work is for the interior only, but wanted board members to be aware of the project. She stated the building department has reviewed the plans extensively. Ms. Hurley pointed out that tenants will utilize double stacked parking with each living space having its own stall. Handicap parking is provided and noted the parking area will not be covered. An elevator is not planned for this remodel.

The city planner provided a copy of the chapter (draft) from the Development Regulations that relates to Historic Preservation. She noted the Regulations have undergone a comprehensive review and overhaul, however no policy changes are proposed at this time. Ms. Hurley articles/chapters will be reviewed separately in the near future to determine if policy changes need to be made.

Expiring Terms for two board members - One suggestion was offered as a potential board member while the city planner indicated she would confirm whether or not board members wanted to continue to serve on the LPC. Additionally, board members briefly talked about suggested backgrounds/expertise of the current board.

Chairman Bower asked for a status report on the Luigi's property on Cherokee Street. Mr. Bower noted the expected work was not completed yet and some time has gone by since the board met with the owner to discuss the project. City Planner Hurley noted she was aware of the progress on the property and commented the owners have begun work on the bakery portion of the project. The city planner will follow-up with a courtesy letter requesting a status update on the total project.

With no further business to discuss, the meeting was adjourned at 5:23 pm.

cb



1270

Acct'g. Z04
Fee \$200.00
(non-refundable)

Paid 10/3/16

MAJOR CERTIFICATE OF APPROPRIATENESS Landmark Impact Determination

*CAROL BLACKWELL 8007 W. 153rd Ter
Overland Park KS 66223*

Printed Name and Address of Property Owner: BLACKWELL PROPERTIES LLC

Property Address of Landmark or Contributing Property for review: 614 Cherokee

Nature of Repair or Alteration/demolition: Remove door on second floor
Return to original window

Historical or Architectural significance:

National Register

Kansas Register

Leavenworth Landmark Register

Listed on Historic Resource Survey

Other Contribution: _____

Physical Description of Demolition/Improvement work: Remove second story door
& replace back to original structure design

Determination: No detrimental effect as proposed of 3 windows across
face of building on second
story

Reasoning for this determination (attach necessary documentation including site plan, elevation, architectural detail, or rendering, in keeping with Secretary of Interior standards or special considerations for historic characteristics, patterns size, acceptable substitutions and other general design criteria). This will be reviewed by the Preservation Commission at its next regular monthly meeting. Following approval, the appropriate permit may be issued. This action does not trigger a public hearing, but the board may make changes with consent of the owner/applicant.

Detrimental Effect on Historic Property Balcony was removed because
the weight of it was causing the
wall to bow. Now door needs
removal.

Reasoning for this determination (check all that apply):

Significant Deviation from general character of the historic property(ies)

Height/scale/spatial inappropriateness

Inappropriate façade/window/entrance elements

Inappropriate roof form/horizontal/vertical elements

Other (requires documentation)

(Attach all necessary documentation to show how the proposed improvements are inappropriate for the site or building).

I felt a leaning
wall was a potential
public hazard.

Remedies to correct detrimental effect: Project owner may undertake the following improvements which would remedy the above named inappropriate factors (cite secretary's standards with each suggested remedy, attach additional materials as necessary):

For Office Use:

Date of Public Hearing: 11/2/16

Date of Notice of Public Hearing published 10/11/16

Date Notice sent to property owners within historic district, as appropriate: 10/11/16

Date of request for appeal to City Commission, if appropriate: _____

Date scheduled for City Commission review and action, if appropriate: _____

Final Action:

Deny, as proposed

Approve as proposed

Approve with modifications

City of Leavenworth,

September, 30, 2016

We wish to restore the facade of 614 Cherokee Street back to its original Structured design. We have been unable to obtain photos of when the building was erected. The library and City Zoning office photos stop around 4th and 5th Street block of Cherokee. The Street past 5th seems to be underdeveloped, and the photos for the late 1800^{'s} as well. I remember I also had this problem when I was working to get the same building (614 Cherokee) on the National Historical Registry. I bought 614 and 616 Cherokee Street in 2004. The Realtor stated that the present owner had lived on the second floor and operated a beauty shop located on the main floor. This owner had added the door and balcony on to the 614 Cherokee building. I removed the balcony upon the advice of City engineer - Hal Burdette, and my two engineers from CEO Structural

engineers. The heavy balcony was causing the wall to bow, I felt it could possibly become a public hazard. I met with the engineers Thursday (9/29/16) at 614 Cherokee. The bow in the wall has been eliminated now that the weight has been lifted from it. As you can see from these photos courtesy of the public library. All the buildings along Cherokee and Delaware have three matching windows on the second floor.

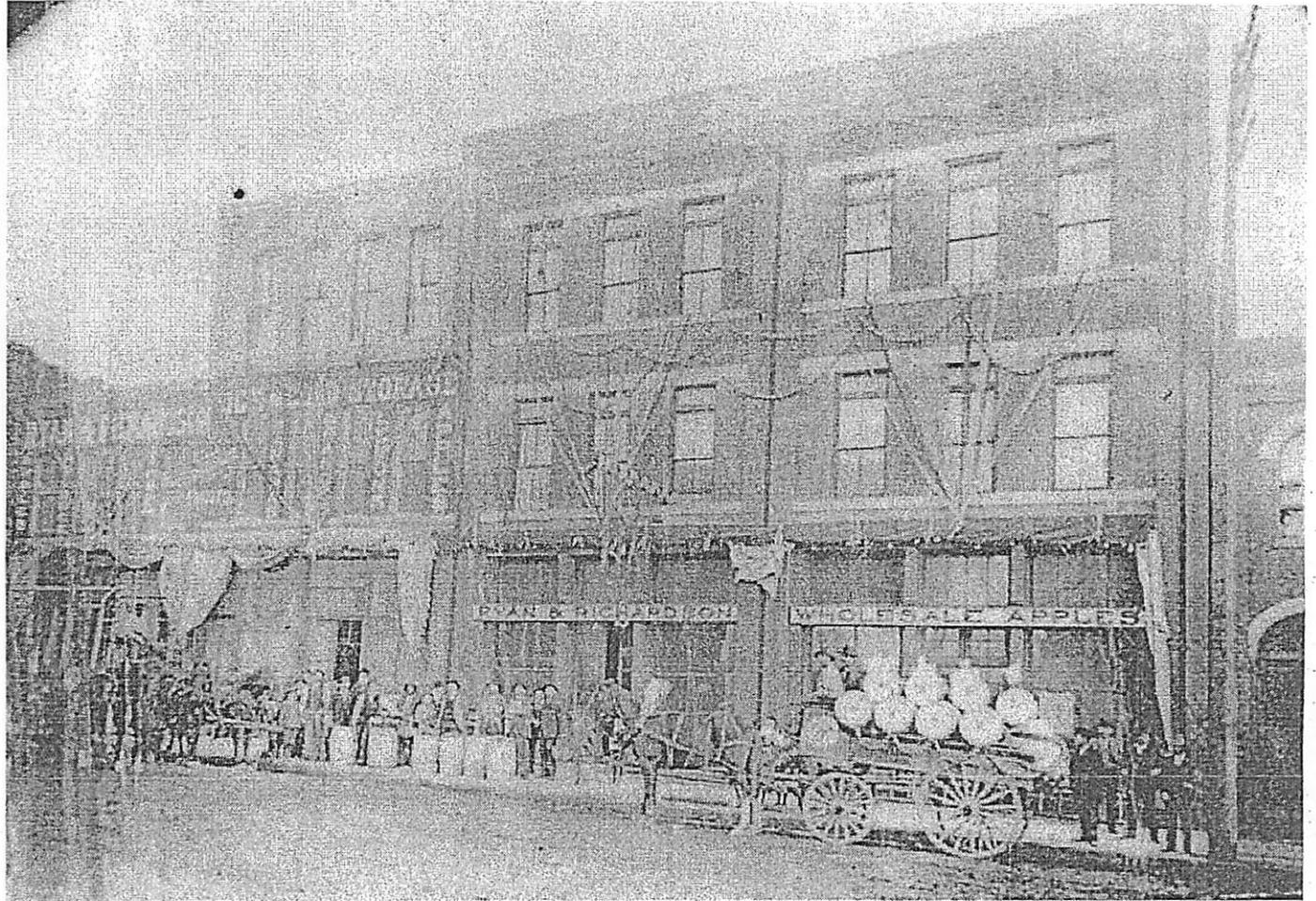
I simply wish to return the building (614 Cherokee) to that original structure. I am concerned that the tall glass door could pose as a potential danger to the occupants and children who reside in the building.

Thank You.

Carl Blackwell
Blackwell Properties LLC

913-209-4455

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Description

Scene during Apple Carnival in 1893 on Cherokee St. Visible are Ryan and Richardson Ice and Cold Storage, Wholesale Fruits. There are many men in front of the stores, as well as horses and wagons. The Leavenworth library was on the second floor of this building.

Copyright images/c



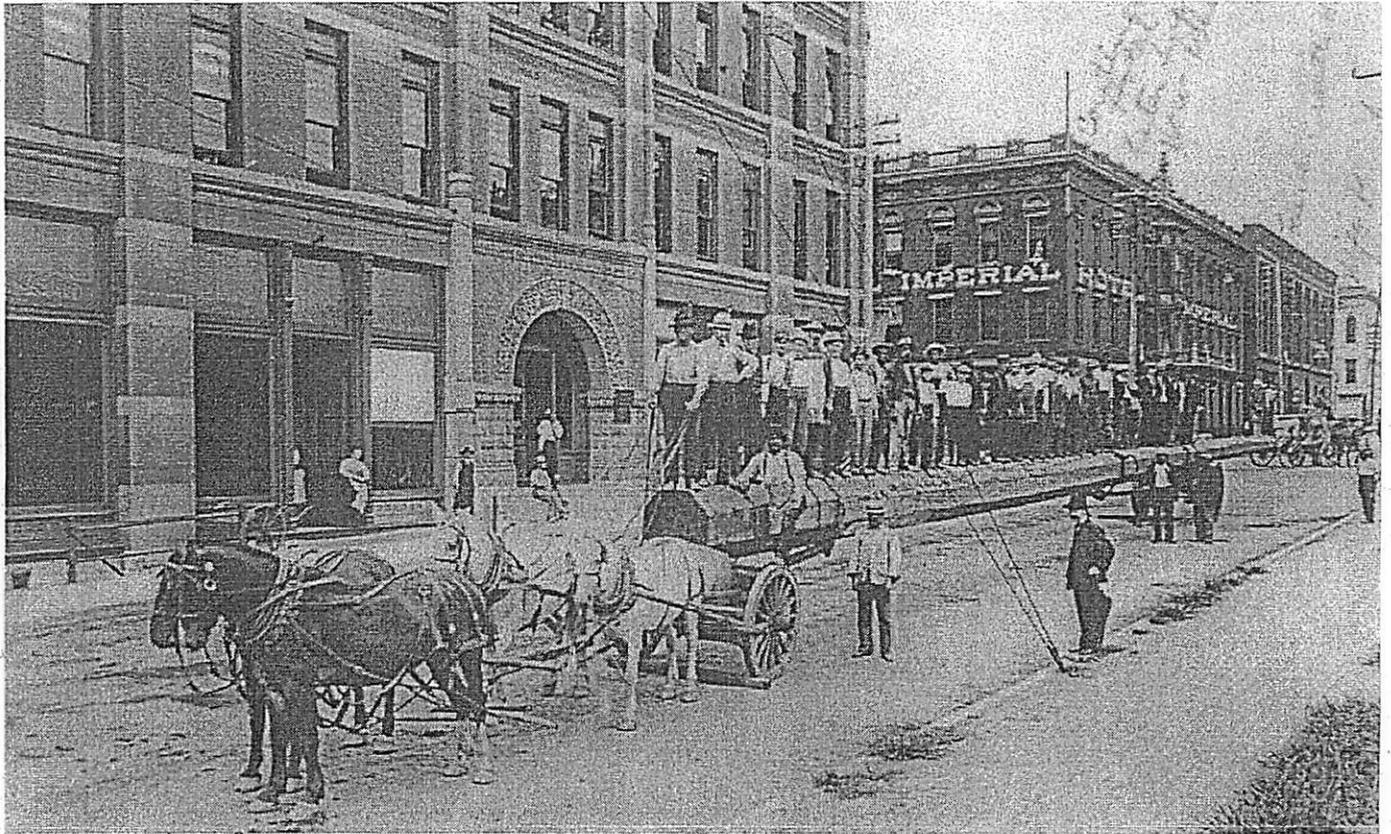
C. E. Kern, ?

c1868

Description

Lower part (east end) of Delaware Street, near the Missouri River. Visible are Hines and Eaves Bank, Freling & Bro. Trunk Factory (15), H. W. Goff Gas and Steam Pipe (20), Fairchild & Pierce (12-14), Stettaur & Einstein (17) School Furniture, Books and Stationary, The Commercial Printing Office (21 & 23).

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Harrison Putney

c. 1880

Description

35 men and boys stood on a flagpole being transported to the Soldiers Home. The scene was on 4th street, south of Cherokee. The Imperial Hotel is in the background.

Metropolitan Life Insurance Co. is on the second floor of the Leavenworth Post Building. (in the background)

This print was made before the damage to the glass plate negative owned by David Phillips
c:\pp4\images\002\LVPL JJ050075a.TIF

ARTICLE 9. HISTORIC PRESERVATION

9.01. Purpose

The purpose of this article of the development regulation is to:

- A. Preserve buildings and sites of historic and architectural importance and safeguard the heritage and culture of Leavenworth;
- B. Stabilize and improve property values in such locations of historic resources and thus strengthen the economy of the city;
- C. Promote and encourage restoration, rehabilitation, and maintenance of historic properties, neighborhoods and districts and thus combat blight and decay;
- D. Foster civic pride in Leavenworth and the appearance of the community; thereby protecting and enhancing the city's attraction to tourists and visitors and providing support and stimulus to business and industry;
- E. Promote the restoration and productive use of historically and architecturally significant structures, property and areas for the culture, education, enjoyment and economic welfare of the city's citizens and visitors; and
- F. Promote the study of history, culture, and architectural design.

9.02. General

- A. A historic resources preservation code establishing the Leavenworth Preservation Commission, providing for the designation of Leavenworth landmarks and historic property districts, and regulating improvements to and demolition or clearance of buildings, sites, structures, or objects listed as landmarks or located in historic districts.
- B. The City is authorized, under the Kansas Historic Preservation Act, KSA 75-2724, to participate in the Certified Local Government (CLG) program by establishing a partnership with the Historic Preservation Department, Kansas State Historical Society,
- C. The City Commission finds and determines that it is desirable to identify and promote the City's prehistoric, historic and cultural heritage, to enhance the attractiveness of the City, thereby promoting business and tourism,
- D. The Code is intended to enhance and promote Leavenworth's contribution to the history of the State of Kansas as well as to this nation.

9.03. Applicability

This Code shall apply to all historically and architecturally important structures, properties, and districts located within the City limits, which have demonstrated and have been determined to be significant through nomination and placement on local, state, or national registers of historic properties.

9.04. Leavenworth Preservation Commission

- A. **Creation:** The Leavenworth Preservation Commission (hereafter in this article "commission") is created to inventory, promote, list, record, protect, preserve and enhance places, areas, features or sites within the City that have special significance of an architectural, archaeological, cultural or historical sense. The commission shall advise the City Commission and cooperate with other historic agencies and organizations concerning preservation of the City's historic and cultural heritage.
- B. **Membership:** The commission shall consist of seven Leavenworth residents by appointment by the mayor with concurrence by the City Commission. The membership shall include at least one architect, one real estate professional, one planning commissioner, and one historian (amateur or professional), as well as members at large. Appointments shall be for a term of three years, except that the first commission shall be appointed as follows: three for three-year terms, two for two-year terms and two for one-year terms. The mayor may reappoint, as above, persons who have met the minimum attendance requirement and who otherwise have served adequately. The mayor may remove any member of the commission, for cause. Vacancies shall be filled by appointment as above within 60 days, such appointment for the remainder of the unexpired term.
- C. **Rules of Procedure:** The commission shall adopt bylaws or rules of procedure, which specify attendance requirements, conflict of interest, officer/selection process, quorum, agenda formulation, notice, and such other appropriate matters. Minutes of the meeting will be distributed to commission members, the City Manager and the State Historic Preservation Officer (SHPO).
- D. **Annual Report:** The commission shall prepare an annual report of its activities to be submitted to the City Commission and SHPO. The report shall include an account of the number and type of cases reviewed and their disposition, a listing of new designations made during the year and a record of current and appointed commission members. The report should also assess progress in preserving historically important structures and assess the need for future changes to the Code. The report shall conclude with a statement of goals for the ensuing year and shall be duly authorized by majority vote of the commission.
- E. **Authority and Responsibilities:**
1. **Jurisdiction:** The geographic area of authority shall be the area contained within the Leavenworth corporate limits.
 2. **Mission:** The commission's central purpose is the designation and the protection of historic properties in compliance with the Kansas Historic Preservation Act (KSA 75-2724 et seq.). Matters arising under the statute shall require notification of the SHPO.
 3. **Nomination Reviews:** The commission shall review all proposed nominations for local, state, and national registers of historic properties. All nominations shall be evaluated by a professional in a specific discipline, if not represented on the commission, prior to commission recommendation.

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9.04 Leavenworth Preservation Commission

4. *Certified Local Government (CLG):* The SHPO may, by mutual agreement with the City, delegate responsibilities to the commission.
5. *Training:* Each commission member shall attend at least one information or training meeting each year as approved by the SHPO.
6. *Historic Inventory:* The commission shall review and maintain the historic property inventory to add properties, which may be eligible for designation as landmarks or districts in accordance with procedures established by the SHPO. In addition to the Kansas Historic Structures Inventory form, the City shall use the Urban Study Unit Manual prepared by the SHPO for the preservation planning process. Copies of all inventory materials shall be submitted to the SHPO.
7. *Transparency:* The City shall provide for adequate public participation in all aspects of the implementation of this Code. All meetings shall be open to the public pursuant to KSA 75-4318. The commission shall meet at least four times each year. Agenda materials provided to commission members shall be open to the public. Decisions shall be made in a public forum and minutes of all meetings shall be kept on file and available for public inspection. Minutes shall be considered notice of any action or decision.
8. *Programming:* The commission shall have the discretion to establish other programs and services, including but not limited to: create public information programs, use of City funds to promote preservation activities, review other departmental plans being considered that may affect historic structures or properties, and cooperate with local groups or agencies to provide the widest possible promotion of historic programs and places.
9. *Participation Incentives:* The commission shall review and recommend local incentives that may encourage Landmark designation in Leavenworth. These may be in the form of retail discounts, tax rebates, permit fee waivers, utility reductions, and other means to stimulate interest in historic preservation available only to designated Landmark properties. Such incentives shall be by agreement between the city, the Landmark owner and the respective business or utility providing the reduction or rebate.
10. *Review of Public Projects:* The commission shall review and recommend policies regarding historic, public streetscape, lighting, and signage in historic districts to encourage their development. Resources available to create such places may include general or special tax authority as well as assessment processes.
11. *Grants and Gifts:* The commission shall prepare applications for City Commission approval for any gift, grant, bequest, devise, lease, fee, development right, easement, covenant, or conveyance for the purpose of preservation, including state, federal, or corporate grants or bequests.
12. *Code Review:* The commission shall review the provisions of this Code at least every five years to make comprehensive or individual changes deemed appropriate. The commission may make recommendations for amendment at any time deemed necessary to improve the enforceability of the Code.

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9.04 Leavenworth Preservation Commission

13. *Compensation and Expenses:* Commission members shall serve without compensation except for necessary expenses sustained in mandatory attendance at state historic preservation meetings and/or training as described above. The City Commission shall establish budget authority to provide for historic preservation administration and promotion activities.

9.05. Administration

- A. *Department:* The Planning and Zoning Department shall be responsible for the administration of this Code and performing the staff function for the commission. The department is authorized to enforce the provisions of, and to develop such application forms and procedures consistent with, this Code. The department shall process all applications for Landmark designations in accordance with Section 11.11 as described herein.
- B. *Department Director:* The Planning and Zoning Department Director shall review all building permit applications to determine if a Landmarks property may be affected by a proposed development. If so, the Director shall follow the procedure to either issue a certificate of appropriateness or begin a review process in accordance with the provisions further described herein. The Director shall forward the commission's recommendations to the City Commission, record and file all landmark designations, and maintain the Map of Landmarks and keep all agendas, minutes, reports, findings, determinations, and correspondence for the commission.
- C. *Landmark Impact Determination:* No historic property may be occupied or used in a different manner unless/until the Director has made a Landmark Impact Determination, which shall be attached to a certificate of appropriateness (see Sections 11.11 through 11.17). Such determination shall include: Name and address of owner, address of historic property, nature of repair/alteration/demolition, historic or architectural significance, physical condition of the property, county appraised value of the property, detrimental effect of the permit, if any, and the Director's recommendation to approve or deny a certificate of appropriateness.

9.06. Enforcement

- A. *Building Permit Required:* It shall be unlawful for any person, firm or corporation to enlarge, alter, repair, convert, demolish or change the use of any property listed on the National Register of Historic Places, or located within a registered Historic District, without first obtaining a building or other permit as lawfully required for such purpose by the City of Leavenworth, Kansas.
- B. *Maintenance:* Normal property maintenance which does not require a permit from the City shall be exempt from the provisions of this Code, unless and/or until a permit for work to be done is required by other City development regulations.
- C. *Sufficient Documentation Required:* No building permit shall be issued until the property owner has submitted accurate building elevations, site plan and construction drawings and material lists in sufficient detail to enable the City to conclude that the project meets the

appropriateness test as set by the Secretary of the Interior's standards for historic preservation and the special terms of this Code.

- D. **Compliance with Plans Presented Required:** Building construction shall be halted if inspection staff notes that the project description presented to the City for approval differs in any way from the construction practices being performed on-site. During this stop-construction period, the City shall require compliance with the original approved depiction. The owner may appeal the order to the Leavenworth Preservation Commission by submitting amendments to the original plan and construction may proceed upon their approval. If the Leavenworth Preservation Commission denies the amendment the owner may appeal to the City Commission.
- E. **Orders to Cease Construction:** The Director, upon discovery that a demolition or improvement to a property is being made without review of the appropriate permit, shall issue notice to cease to the owner and shall take all appropriate measures to prevent such unlawful act. Notice shall explain the nature of the violation in clear terms and shall allow the owner to give satisfactory evidence that the action will be corrected within 30 days or an appropriate action to comply with the provisions of this Code will be initiated. Failure to comply may result in citation to municipal court and may result in the City taking corrective action to abate the offense and assess the costs of such abatement to the owner.
- F. **Assessment of Compliance Costs:** If the City has filed proper notice and the time has elapsed for correction by the owner, the City may take corrective action and any and all costs incurred by the City under the provisions of this article shall be assessed against each lot or piece of ground, chargeable therewith as a special assessment, and the City Clerk shall certify the assessment to the County Clerk for collection as other special assessments are collected.

9.07. Appeals

Any property owner aggrieved by any section of this Article may apply for an appeal. Appeals shall be to the Leavenworth Preservation Commission. Any decision of the commission may be further appealed to the City Commission. All rulings by the City Commission shall be final and binding on all parties unless appealed to a court of valid jurisdiction.

9.08. Variances

Any property owner, or authorized representative, may apply for a variance from specific guidelines for historic preservation as set and amended by the Secretary of the Interior Department. Variance applications shall be made to the Leavenworth Preservation Commission whose decisions are final. Before the commission may grant a variance from the specific regulation, it must make a finding that all five conditions below are affirmed:

- A. Such variance would not be contrary to the health, safety or best interest of the public;
- B. A literal enforcement of the provision will result in an unnecessary hardship to the property owner;
- C. There is a condition unique to the property which was not created by the property owner;

- D. There is no adverse effect on surrounding properties, and,
- E. The variance would not be contrary to the general spirit or intent of this Article.

9.09. Historic Resources Survey

The commission shall annually update the historical resources survey to identify buildings, structures, sites, neighborhoods and areas that may have historical, cultural, or architectural importance to the community. As part of the survey, the commission shall evaluate studies by other organizations and compile appropriate descriptions, facts, and photographs. All such materials shall be documented in accordance with the survey manual prepared by the SHPO.

9.10. Identification of Landmarks and Historic Districts

The commission shall identify the most significant resources with potential for designation as a local Landmark or historic district, devise and adopt procedures to initiate and consider their nomination to local, state and national registers and prepare and adopt a heritage conservation and promotion plan containing goals, objectives and policies to preserve the community's historic resource.

9.11. Leavenworth Landmarks Register

The commission shall establish a register of local historic places to be called the Leavenworth Landmarks Register. The register will contain a complete description of all buildings, structures, sites, and objects designated as landmarks and a description of boundaries of any area designated a historic district. All landmarks and districts shall be identified on the Landmarks Register Map, on file in the office of the City Clerk and the Community Development Department. Updated copies of the map will be provided to the reference section of the Leavenworth Public Library.

9.12. Nomination of Landmarks and Historic Districts

Using the required public hearing process nominations for landmark or historic district designation shall be made by application submitted by the owner of a landmark or by written consent signed and acknowledged by seventy-five percent of all property owners within the defined boundaries of a proposed historic district. Each owner or owners of any legal parcel of record shall have one vote in the district per parcel, regardless of parcel size to determine this threshold. Lots that have been historically combined to create one parcel or building site shall be considered one parcel for this purpose. The commission shall review each application and shall apply the following criteria to determine eligibility to the local register:

- A. Character, interest, or value as part of the development, site, or structure that contributes significantly to the heritage or cultural characteristics important to the development of the city, state, or nation.
- B. Identification with a person or persons who significantly contributed to the development of the city, state, or nation.
- C. Architectural style valuable to the study of a period, or to the type, method of construction, materials used, design elements, detailing materials, or craftsmanship embodied in the

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9.12 Nomination of Landmarks and Historic Districts

structure, or identification with a master builder, architect or craftsman whose work influenced the development of the city, state or nation.

- D. Location of a prehistoric or historic site, occupation, or activity possessing significant archeological value.
- E. The weight of any one criterion may be sufficient to accept the nomination and criteria not listed above may be contributed in the nomination, which may render the nomination sufficient for placement on the register. All applications shall be submitted to the Community Development Department, City Hall, 100 N. 5th Street, Leavenworth, KS (Department).

9.13. Report and Recommendation

Within thirty (30) days after close of the public hearing, the commission shall adopt and submit its recommendation to the City Commission that the nominated property does or does not meet the criteria for placement on the register with the following considerations: significance or lack of significance of the nominated property as it relates to the above stated criteria and integrity or lack of integrity of the nominated property as it relates to historical features. Recommendations will be accompanied by a locator map of the subject property and such other photographs or renderings deemed pertinent to the nomination process.

9.14. City Commission Designation

The City Commission shall consider the nomination at the next available regular commission meeting, after the protest petition period has elapsed. The City Commission shall approve acceptable nominations by Code approved by roll call vote. Denials may be by simple motion as recorded in the minutes of the meeting. Any landmark or historic district nomination denied by the City Commission shall not be reconsidered for a period of one year. The Commission may take any of the following actions:

- A. Accept the recommendation of the commission, or reverse the recommendation of the commission.
- B. Amend by reduction or enlargement of the landmark or historic district.
- C. Amend or rescind previous placements on the register (after following the procedure for placement).

9.15. Designation

Within seven (7) days after approval, the City Commission shall forward notice of designation of any landmark or historic district to the SHPO, in the format necessary to request placement on the state and national registers of historic places. All appropriate state and local officials shall receive notice of the designation as well. Designation shall not alter the uses permitted by the existing zoning classification or district regulations affecting the property.

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9.16 Procedure for Demolition, Alteration or Expansion

9.16. Procedure for Demolition, Alteration or Expansion

Upon receipt of an application for any demolition, alteration or expansion of a landmark, a property within an historic district, the commission and department shall initiate a process to determine if such permitted action is appropriate. All applications, except for proposed demolition of a landmark or historic district property, shall be reviewed, issued, or denied in accordance with the process outlined herein.

- A. **Determination of Appropriateness:** Department staff shall prepare a certificate of appropriateness before any alteration or demolition permit may be issued for any landmark or historic district property. Certificates shall be classified as either a minor certificate of appropriateness or a major certificate of appropriateness. All certificates shall include the Director's landmark impact determination.
- B. **Minor Certificates of Appropriateness:** Minor certificates shall be issued for any demolition or alteration work involving the following types of permits which can be demonstrated by the owner to have no adverse effect on a landmark or historic district: demolition of non-contributing structures, most interior improvements except those noted as pertinent to a landmark designation, changes to signs, fences, public walkways, public streets, public alleys, public retaining walls and public utilities that do not contribute to the historic character of a landmark or historic district property.
- C. **Monthly Reports:** Such certificates shall be authorized by the Director and reported monthly to the commission. Such certificates may use a standardized checklist of pre-stated reasons and will be issued within twenty-four (24) hours of receipt except on Fridays, Saturdays, Sundays and holidays observed by the City.
- D. **Major Certificate of Appropriateness:** Major certificates shall be subject to review and approval by the commission and may be authorized for the following types of permits: interior space rehabilitation when such space was an important component in approval of the landmark nomination; any exterior alteration or expansion of a landmark or historic district property; any proposed new construction on a landmark property or within a historic district; and demolition of part or all of a landmark or building or structure in a historic district.
- E. **Criteria to Determine Appropriateness:** The commission shall adopt principles and guidelines establishing criteria for new construction, alterations, additions, moving, and demolition of landmarks or properties in an historic district, including but not limited to, the following:
 - 1. Non-binding conceptual reviews are encouraged and the Leavenworth Preservation Commission shall wherever possible provide written and graphical examples of similar suitable projects.
 - 2. Specific design criteria for exterior alterations of landmarks or historic district properties shall be based on the US Secretary of the Interior's Standards for Rehabilitation as published in Section 36, Code of Federal Regulations, Part 67 as revised from time to time, and by further reference to such specific design criteria as the commission may require;

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9.16 Procedure for Demolition, Alteration or Expansion

3. New construction and additions to existing structures shall be sensitive to and take into account the special historic district or landmark characteristics including height, scale, orientation, site coverage, spatial separations, facade and window patterns, entrance and porch size and general design, materials, texture, architectural detail, roof forms, vertical or horizontal elements, walls, fences, landscaping and other features;
- F. **Demolition Delay:** Demolition applications for landmarks or historic district properties shall be denied for a period not to exceed 180 days if a proposed public or private re-use of the property is unknown. The maximum period of delay may be reduced whenever the commission determines the owner will suffer extreme hardship or will be deprived of all beneficial use of the property by virtue of the delay. In either instance, the commission shall use the delay to negotiate with the owner and interested parties to find a means to preserve the landmark or historic district property. If the proposed re-use of the property is known, the use will be examined for relationship and compatibility with the landmark or historic district before demolition of a contributing or landmark structure may proceed. This section also applies to properties nominated or landmark or historic district designation. Once redevelopment plans are known, the commission will determine appropriateness.

9.17. Signs

The commission shall review and approve or deny all requests for signs to be located on a landmark or within an historic district in accordance with the following criteria:

- A. Signs shall be designed and placed to be an integral part of the property design, in proportion to the landmark and compatible with the environment in historic districts.
- B. Signs should be relative to the services and shall not block, obscure or distract from the landmark's or historic district's significant design elements.
- C. Wherever possible, actual historic signage should be maintained and restored to original significance regarding design, materials, craftsmanship, or placement.
- D. In Commercial and Industrial Zoning Districts, illuminated signs shall be designed to reduce glare and shall not detract from the landmark's or district's historic character.
- E. Freestanding signs and monument placards explaining the landmark's or district's significance or age shall be compatible with the landmark or district, but are otherwise encouraged. Signs shall be regulated for a distance of not more than 300 feet from a landmark or historic district.
- F. Signs to be placed upon a National Register Landmark property shall not be subject to the public hearing process and may be approved as a minor certificate of appropriateness if the terms of Section 11.19 are met. Landmark signs which do not meet all of the stated terms shall be set for review by the Leavenworth Preservation Commission at its next regular meeting with appeal to the City Commission if denied.
- G. Signs within Commercial or Industrial Historic Districts shall not be subject to the public hearing process and may be processed as a minor certificate of appropriateness if the terms of Section 11.19 are met. Signs within Commercial or Industrial Historic Districts which do

not meet all of the terms of this Section shall be set for review by the Leavenworth Preservation Commission at its next regular commission meeting with appeal to the City Commission if denied.

H. Signs within Residential Historic Districts shall be subject to the following procedure:

1. Any sign larger than two square feet proposed to be located within a Residential Historic District or within 300 feet of such District shall require a review by the Leavenworth Preservation Commission prior to issuance of any sign permit.
2. The commission shall review the sign for compliance with the terms of this subsection and shall modify, approve or deny the permit following a scheduled informal hearing set for its next regular meeting. Such informal hearing shall be preceded by written notice to each of the properties within the affected historic district.
3. This is not a formal public hearing process as described elsewhere in this Code for appeals. No notice is required to be advertised. Letters shall be sent by regular mail. Failure to receive notice of such informal hearing shall in no way void the hearing process. The letter mail distribution shall be based upon the addresses of the properties within the district as filed with the nomination for the district in records kept and maintained by the Planning and Zoning Department, City of Leavenworth, Kansas. Such notice shall be mailed at least five workdays prior to the date set for the informal hearing. It shall state the date, time and place of the informal hearing and that the Leavenworth Preservation Commission will meet to discuss a sign permit request and shall give the address where the sign may be located.
4. Should a legal, non-historic commercial or industrial zoned property be located within 300 feet of a Residential Historic District, then the Leavenworth Sign Code shall be used to issue sign permits and no further Historic review shall be required.
5. During the informal hearing the chair may elect to hear public testimony in favor of or opposed to the sign as designed. The commission may encourage modification of the sign to assure historic integrity and compatibility with the character of the historic landmark or district, or the commission may grant or deny the sign permit as presented. The owner of the sign may appeal the decision of the commission to the City Commission, if denied.
6. Appeals shall be in writing received by City staff within seven days of the date of denial.

9.18. Retention of Accessory Structures and Landscaping

- A. Existing characteristics such as trees, walls, stairs, paving materials, fencing, walkways, and other site features that reflect the landmark or district's significance shall be retained and protected from demolition or alteration.
- B. Landscaping shall be appropriate to the scale and feature of the landmark or historic district.
- C. Accessory structures shall be appropriate to and compatible with the architectural features of the primary structure. Non-contributory structures shall not distract or detract from the landmark or historic district properties.

DEVELOPMENT REGULATIONS
ARTICLE 9. HISTORIC PRESERVATION

9.18 Retention of Accessory Structures and Landscaping

- D. Design criteria shall be applied more stringently to projects of greater significance than those of lesser impact. Accessory facilities are not subject to the public hearing process and will be reviewed at the next regular commission meeting with appeal to the City Commission if denied. Appeals must be submitted in writing within seven days of date of denial.

9.19. Public Properties

Existing historically or architecturally significant public properties shall be nominated to local, state, and federal registers upon authorization by the City Commission after review and approval by the commission of appropriate nominating materials. Unless specifically required elsewhere, normal nomination procedures may be waived.

- A. Normal property maintenance shall be exempt from the provisions of this Code unless or until a permit for work to be done is required by other City development regulations
- B. Demolition, exterior alteration, or expansion of landmark properties owned by such entities shall follow the procedures enumerated in these Development Regulations.

9.20. Promotion of Other Functions

To further the purposes of this Code and to assure maximum public knowledge and involvement in the preservation of Leavenworth's history, the City may enter into agreements with other units of government, other agencies and private corporations. Specifically, the City shall negotiate an agreement with the SHPO whereby the state may delegate certain responsibilities to the City, including, but not limited to, the review of building and/or demolition permit applications for compliance with the above stated historical regulations and objectives.

- A. ***Types and purposes of grants, or other agreements:*** The commission may recommend and the City Commission may authorize such agreements which address:
1. Designation of landmarks and historic districts;
 2. Administration and use of preservation fund resources;
 3. Improvements to landmarks and historic districts;
 4. Maintenance of landmarks and historic district properties;
 5. Other mutually acceptable provisions such as contracts with public or private consultants and acceptance of grants or other resources to further the objectives and functions of the commission.

9.21. Promotion

The commission shall be the City's point of contact for all historic associations and organizations within the City, state and nation and shall provide such assistance as practical to promote and develop historical, archeological, or prehistoric interest in Leavenworth within the established budget for the operation of the commission. Activities such as submitting pass-through grants on

behalf of these agencies, providing assistance with tax credit and other financial incentives directed toward historic property preservation, and providing basic research materials to interested parties will be conducted by the department as directed by the commission and as authorized by the City Commission through the various agreements. The commission is expected to provide accurate information to news media when appropriate to further the objectives of historic property preservation.

9.22. Public Hearing Process

Except where otherwise specifically excepted, the following process shall be used whenever historic landmarks or districts are proposed or whenever permit applications are received to alter, expand, or demolish part or all of a landmark or historic district property.

- A. Landmark nomination as additionally described above shall be processed as follows:
1. The commission or department generates or receives a nomination and determines the appropriateness of the nomination based on age and character of the property being nominated.
 2. The department advertises the date, time, place and purpose of a public hearing at least 20 days prior to the date set and sends notice to all property owners within 200 feet of such proposed nomination [allow 30-45 days for this process].
 3. The commission conducts the hearing and after a 14-day protest period elapses, recommends approval or denial of the nomination to the City Commission [allow 20-30 days for this process].
 4. The City Commission accepts or reverses the recommendation and approves or denies the nomination.
 5. If approved, proper notifications are made and the property or district is declared a landmark or historic district [allow 10-14 days for designation notification].
 6. If denied, reasons therefore are presented to the owner, in writing, with remedies which the owner may address and resubmit in a future nomination of the same property [requires one-year delay before a future nomination may be submitted].

9.23. Alteration, Expansion or Demolition - Major

Alteration, expansion, or demolition applications requiring a Major Certificate of Appropriateness shall be processed as follows:

- A. The department receives application for a permit which triggers the determination warranting a major certificate of appropriateness and notifies the applicant within 24 hours that a formal review is required before a certificate of appropriateness can be issued [allow one-two days for this process].
- B. Applicant submits request for review in writing within seven days [allow one-seven days for this process].

DEVELOPMENT REGULATIONS
ARTICLE 9. HISTORIC PRESERVATION

9.23 Alteration, Demolition, or Expansion - Major

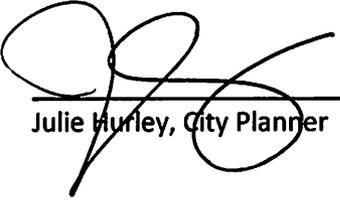
- C. Department prepares and publishes notice of time, date, place and purpose of public hearing, such notice to be published at least twenty days prior to the date of the hearing [allow 30-45 days for this process]. Notice is also sent by regular mail to all property owners within an affected historic district.
- D. The commission conducts the public hearing and determines if the certificate of appropriateness can be issued and submits its decision, in writing with appropriate documentation to the applicant within 10 days. If the certificate of appropriateness can be issued, the permit may be granted by building inspector or other regulating department as appropriate [allow 1-5 days for this process for residential projects, allow 30-60 days for major residential (more than four units per building), commercial or industrial projects]. If the requested action is determined inappropriate in order to protect the historic character or integrity of the property, then the applicant may file an appeal, in writing, within seven days asking that the application be reconsidered by the City Commission [allow 5-10 days for this process]. A protest period of at least 14 days must elapse from the date of the public hearing until the appeal may be heard by the City Commission [this time runs concurrently with the notification process, allow an additional 5-10 days for scheduling]
- E. The City Commission holds a regularly scheduled meeting and upholds or reverses the decision of the commission.
- F. The decision of the City Commission is conveyed, in writing, to the applicant [allow 5-10 days for this process]. If the certificate of appropriateness is issued, the permit may be granted by the building inspector or other regulating department as appropriate [allow 1-5 days for residential or 30-60 days for major residential (more than four units per building), commercial or industrial projects].

LEAVENWORTH PRESERVATION COMMISSION

**State Law Review – DOWNTOWN HISTORIC DISTRICT
614 Cherokee**

November 2, 2016

PREPARED BY:



Julie Hurley, City Planner

APPROVED BY:



Paul Kramer, City Manager

OWNER & APPLICANT:

Carol Blackwell, Blackwell Properties

SUBJECT:

A State Law review under the US Secretary of the Interior's Standards for Rehabilitation for the proposed exterior alteration of the property located 614 Cherokee Street, in the Leavenworth Downtown Historic. A Major Certificate of Appropriateness is required for the proposed exterior changes to the building.

STAFF ANALYSIS:

The applicant is proposing to remove an existing exterior door on the second floor of the building and restore the façade to an appearance commensurate with buildings of the original time period. At some point in the past, a balcony had been added to the exterior of the second story and a window replaced with the door. The balcony has already been removed for safety and structural reasons.

REQUIRED REVIEWS:

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.
The exterior modification is being made to bring the appearance of the structure back into conformance with buildings of the original time period.
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.
No removal of historic materials or features is proposed. The (now removed) balcony and door were added previously, and their removal will bring the building into conformance with its original character.
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.
The proposed changes would be in harmony with existing structures in the historic district, and present a more accurate historical appearance.

4. Most properties change over time; those changes that have acquired historic significance in their own right shall be retained and preserved.
There are no prior changes with known historic significance to the building.
5. Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
No existing historic features, finishes or construction techniques will be altered.
6. Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.
The proposed changes do not involve replacement of any historic features.
7. Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
No chemical or physical treatments are proposed.
8. Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
No known significant archeological resources exist for preservation.
9. New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
The proposed changes do not destroy any historic materials that characterize the property.
10. New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.
No new additions are proposed.

STAFF RECOMMENDATION:

The staff recommends **APPROVAL** of this request based on the analysis and findings included in this report.

ACTION/OPTIONS:

- Approval, based upon a point by point review of Preservation Commission findings as stated.
- Disapproval, based upon a point by point review of Preservation Commission findings as stated. (applicant may appeal to the City Commission)
- Motion, to Table item until the next meeting for the purpose of further study.
- Motion, to forward to the SHPO for review.

**Minor Certificate of Appropriateness
Historic Resource Preservation Ordinance
Leavenworth, Kansas**

Date of application _____. All information is subject to verification. Willful falsification may lead to issuance of a “stop work” order on your project.

1. Address of Property _____
 National Register
 Kansas Register
 Landmarks Register
 Historic District
Name of District: _____

2. Project Type:
 Replacement of roofing materials with like-kind materials
 Repair of architectural elements such as porches, fascia, windows, doors, with like-kind replacement materials
 Installation of mechanical, plumbing, or electrical systems that require minimal changes
 Installations of awnings and signs on commercial properties
 Interior modifications that do not affect character-defining elements of the structure
 Installation of fire safety equipment, or minor alterations to meet the Americans with Disabilities Act
 Public improvements including improvements to streets, curbs, sidewalks, parking areas, parks, and other amenities
 Subdivision of property, or vacation of streets or alleys
 Minor exterior building changes
 Sidewalk dining
 Minor exterior building additions to accessory structures
 Other projects: _____

3. Describe improvements and give reason why such improvement does not detract from the historic character of a registered property or historic district (attach supporting materials as necessary): _____

4. Printed name of owner: _____
Telephone Number: _____

Signature of property owner

APPROVED FOR ISSUANCE
Date: _____

Julie Hurley, City Planner

cc: KS Historic Preservation Office
6425 SW 6th St
Topeka, KS 66615-1099

Minor Certificate of Appropriateness
Historic Resource Preservation Ordinance
Leavenworth, Kansas

Date of application 5/17/2016. All information is subject to verification. Willful falsification may lead to issuance of a "stop work" order on your project.

1. Address of Property 501 DELAWARE ST

- (check one) National Register []
Kansas Register []
Landmarks Register []
Historic District []

2. Permit Requested:

- Interior Building Permit for Registered Property or Environs Contributing Structure []
(If registered, such improvements do not impact historically significant interior features)
Exterior Building Permit for Environs Contributing Structure []
New Accessory Building Permit for Environs Contributing Structure []
Alteration or Addition Building Permit for Environs Contributing Structure []
Sign Permit []
Fence Permit []
Curb Cut Permit []
Sidewalk Permit []
Retaining Wall Permit []

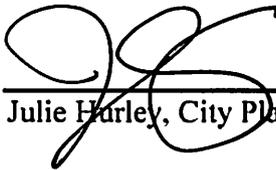
3. Describe improvements and give reason why such improvement does not detract from the historic character of a registered property or historic district (attach supporting materials as necessary)

PROJECTING WALL SIGN FOR 501 DECO GALLERY

4. Printed name of owner: _____
Telephone Number: _____

Signature of property owner

cc: KS Historic Preservation Office
6425 SW 6th St
Topeka, KS 66615-1099

<p style="text-align: center;">APPROVED FOR ISSUANCE Date: <u>5/24/16</u></p> <p style="text-align: center;"> _____ Julie Harley, City Planner</p>



PERMANENT SIGN PERMIT APPLICATION
City of Leavenworth, Kansas Planning & Zoning Department
100 N 5th Street Leavenworth, Kansas 66048

This application cannot be processed unless fully completed and all required documents are provided.
If you have any questions about completing the form, please call the Department of Planning and Zoning.

Business/Entity Displaying Sign 501 Deco Gallery

Site Address 501 Delaware Erecting Sign? Y N

Phone (913)3680-5119 Cell () Fax ()

Owner of Property Christian and Rachel Meadows Phone (913)-680-5119

Address 501 Delaware Leavenworth Property Owner's Signature Rachel Meadows
Street # and Name City State (Required)

Contact for Application Ann Hoins (913)651-5432
Telephone Email

Sign Contractor: Company Name Young Sign Co. Inc. ann@youngsigncompany.com
Address 326 Choctaw Leavenworth Business License # 71304
Street # and Name City State Email

Phone () Cell () Fax () Erecting Sign? Yes No

Sign Contractor's Signature Ann Hoins Date 04-19-16

Sign Information: Wall Free Standing Other Projecting

Sign Height 2 ft Sign Length 5 ft Total Sign Area 10 sq ft

Logo Height ft Logo Area sq ft

Attached Sign, also needs: Building Height 30 ft Building Width 30 ft Total Area 900 ft Sign % of Area 1.1 %
* The direction the sign will face (circle one) North South East West

Monument Sign, also need: Height of Monument ft

Attached to this Sign Permit Application is a plan, sketch, drawing, blueprint or similar presentation drawn to scale, showing pertinent structural details per the Sign Code in the City's Developments Regulations

SIGN FEES: 50 SQFT OR LESS - \$50 GREATER THAN 50 BUT LESS THAN 100 SQ FT - \$75 100 SQ FT OR GREATER - \$100

As business owner or agent, I hereby certify this sign application and attached plans to be correct and agree to abide by the sign code in the City's adopted Development Regulations and stipulations, if any, as described in this permit. I understand that an incomplete application can result in a delay of processing this application.

Signature of Business Owner/Agent Ann Hoins Date 4/19/16

Payment By Check - make check payable to City of Leavenworth By Cash - Payable at City Hall
 By Credit Card - on-line or in person at City Hall

FOR OFFICE USE ONLY Fee: 350 Acctg. CE 4 Date Remitted: 5-12-16 BW
Cash Credit Card Check # 63766

Minor Certificate of Appropriateness for Historic District Approved Denied

Staff Reviewer/Approver [Signature] Date 5/24/16

Draw Sketch Here or Attach Sketch, drawn to scale, and provide an aerial view of the property showing the location of the sign/structure. Provide all measurements relating to the sign and it's location.

See attached

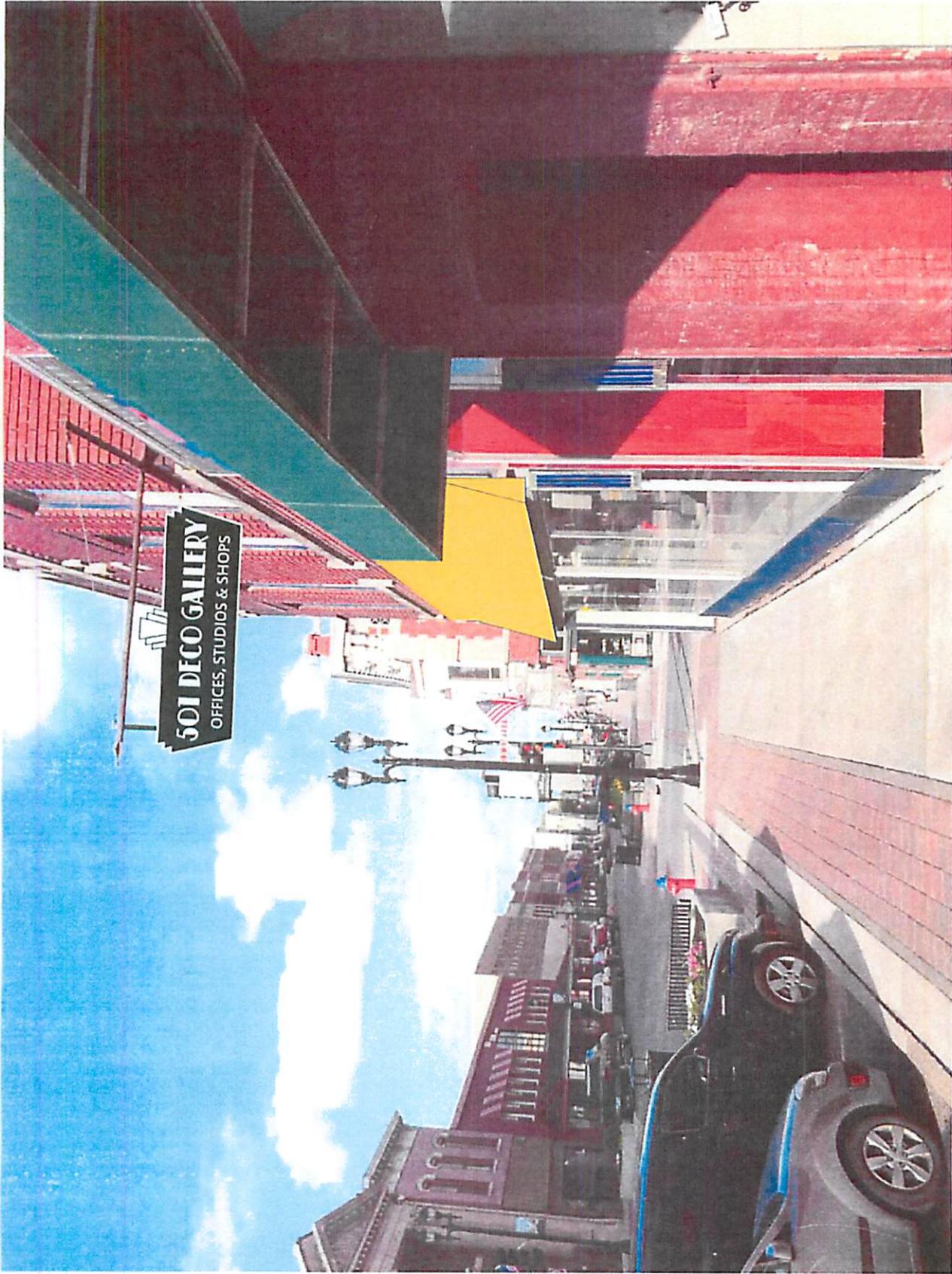
Summary of Permanent Sign Permit Application Requirements and Review Process per City Code

- Applications for Permit:** All applications shall be filed by the owner of the property or their authorized agent, or a licensed sign erector/contractor. Refer to the city's Development Regulations for information concerning signs. Sign applications must include the following:
 - Name, address, contact number, and email address of owner(s) of property
 - Name, address, contact number and email address of sign company/sign erector contractor
 - Street address where sign will be located
 - Detailed plans showing style, size, height, shape, colors, materials and location
 - A sketch, plan or drawing, to scale, of the proposed sign and property
 - Signature of owner(s), or their designated agent, authorizing sign placement/installation

Issuance of Sign Permits:

- Upon receipt of the application and associated fee(s), the Planning & Zoning Department will review the plans, etc. If additional information is required, staff will contact you. The application may require a site visit by staff prior to approval.
- No new sign permit will be issued for a freestanding sign or façade identification sign located on any property that presently has a non-conforming sign, until such non-conformity is corrected.
- If the sign permit complies with the Development Regulations; the sign permit will be issued.
- Signs excluded from permit requirements:** Directional signs, holiday decorations, home security signs, neighborhood watch signs, address signs, real estate signs, signs carried by a person, costumed people promoting a business or event. (Refer to the Development Regulations for a complete list)

- Computation of sign faces:** Single faced signs, wall signs and banners are based on square footage. Multi-Faced Signs are based on square footage of both sides of the sign, unless two identical faces are placed back to back so that both faces cannot be viewed from any point at the same time, then the sign area shall be computed as the measurement of one of the two faces.



501 Deco Gallery (Rachel Meadows, owner)
501 Delaware St. - Leavenworth
Young Sign Co. Inc.
contact: Ann Hoins 913-651-5432

one, double sided projecting sign
non illuminated - 23.65" tall x 59" wide
Existing bracket to be painted black

1.75" diameter pole at site--must be painted black to freshen
48" wide/outside to outside for 1" tubing supports by 24.25" painted black



23.65" x 59" wide overall



326 Chocoma, Leavenworth, KS 66048
Phone 913.657.5432, Fax 913.651.5435

Copyright 2016 by Young Sign Co., Inc.
These are the property of Young Sign Co., Inc. and are the result of the original work of its employees.
They are submitted to your company for the sole purpose of your consideration whether to purchase these signs or to
purchase from Young Sign Co., Inc. a sign manufactured according to these plans. Distribution or exhibition of these
plans to anyone other than employees of your company, or use of these plans to construct a sign similar to the one
shown herein, without the express written consent of Young Sign Co., Inc. is prohibited. The sign must be
remanufactured and have less than \$700.00 in compensation for time and effort expended in creating these plans.

DATE 05/06/16

DESIGNER Ann Hoins

ann@youngsigncompany.com

501 Deco Gallery
501 Delaware
contact: Rocky Meadows

Minor Certificate of Appropriateness
Historic Resource Preservation Ordinance
Leavenworth, Kansas

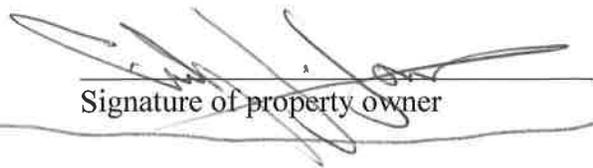
Date of application 5/16/2016. All information is subject to verification. Willful falsification may lead to issuance of a "stop work" order on your project.

1. Address of Property 201 NORTH BROADWAY
(check one) National Register []
Kansas Register []
Landmarks Register []
Historic District [X] NORTH BROADWAY HISTORIC DISTRICT

2. Permit Requested:
Interior Building Permit for Registered Property or Environs Contributing Structure []
(If registered, such improvements do not impact historically significant interior features)
Exterior Building Permit for Environs Contributing Structure []
New Accessory Building Permit for Environs Contributing Structure []
Alteration or Addition Building Permit for Environs Contributing Structure []
Sign Permit []
Fence Permit []
Curb Cut Permit []
Sidewalk Permit []
Retaining Wall Permit []

3. Describe improvements and give reason why such improvement does not detract from the historic character of a registered property or historic district (attach supporting materials as necessary): KITCHEN REMOVAL, REMOVE TWO WINDOWS ON BACK OF HOUSE

4. Printed name of owner: Cindy J. Jones
Telephone Number: (801) 698-2499



Signature of property owner

cc: KS Historic Preservation Office
6425 SW 6th St
Topeka, KS 66615-1099

APPROVED FOR ISSUANCE
Date: 5/16/16


Julie Hurley, City Planner

~~(not listed on historic register)~~



City of Leavenworth

100 N. 5th St.
Leavenworth, KS 66048
(913)684-0378

PERMIT NUMBER

437

Issue Date: 05/16/2016

Permit Type: RESIDENTIAL RENOVATION

Parcel Number	Street Address
0772604404005000	201 NORTH BROADWAY STREET
Zone Code	Jurisdiction
RMF	LEAVENWORTH

Owner Information	Applicant Information
Name: JONES, ANDREW W & CINDY J Phone: 801-698-2499	Name: HEARTLAND KITCHEN AND BATH Phone: 913-991-0294

Contractor Information	
Name: HEARTLAND KITCHEN AND BATH Address: 16109 S LAURELWOOD Phone: 913-787-1530	License Number: License Exp. Date: Insurance Exp. Date: 04/23/2017

Building Information	
Proposed Use: R-3 Construction Type: V-B Occupancy Group: RESIDENTIAL Estimated Cost of Construction: \$ 30,000	Finished Sq. Ft: 984 Unfinished Sq. Ft: Garage Sq. Ft: Number of Stories:

Project Description: SINGLE FAMILY RENOVATION

Scope of Work:

KITCHEN RENOVATION

I, the undersigned, hereby agree to comply with all applicable laws regulating the work. I have also received a copy of this document and understand that it is my responsibility to inform this office of any change of contractor by completing and submitting a change of contractor form if necessary. Separate permits are required for electrical, plumbing, heating, ventilating or air conditioning. It is the responsibility of the owner/applicant to identify and abide by all easements, covenants and other regulations related to land use that may be affected by the construction work for which this permit is issued.

Signature of Owner/Contractor

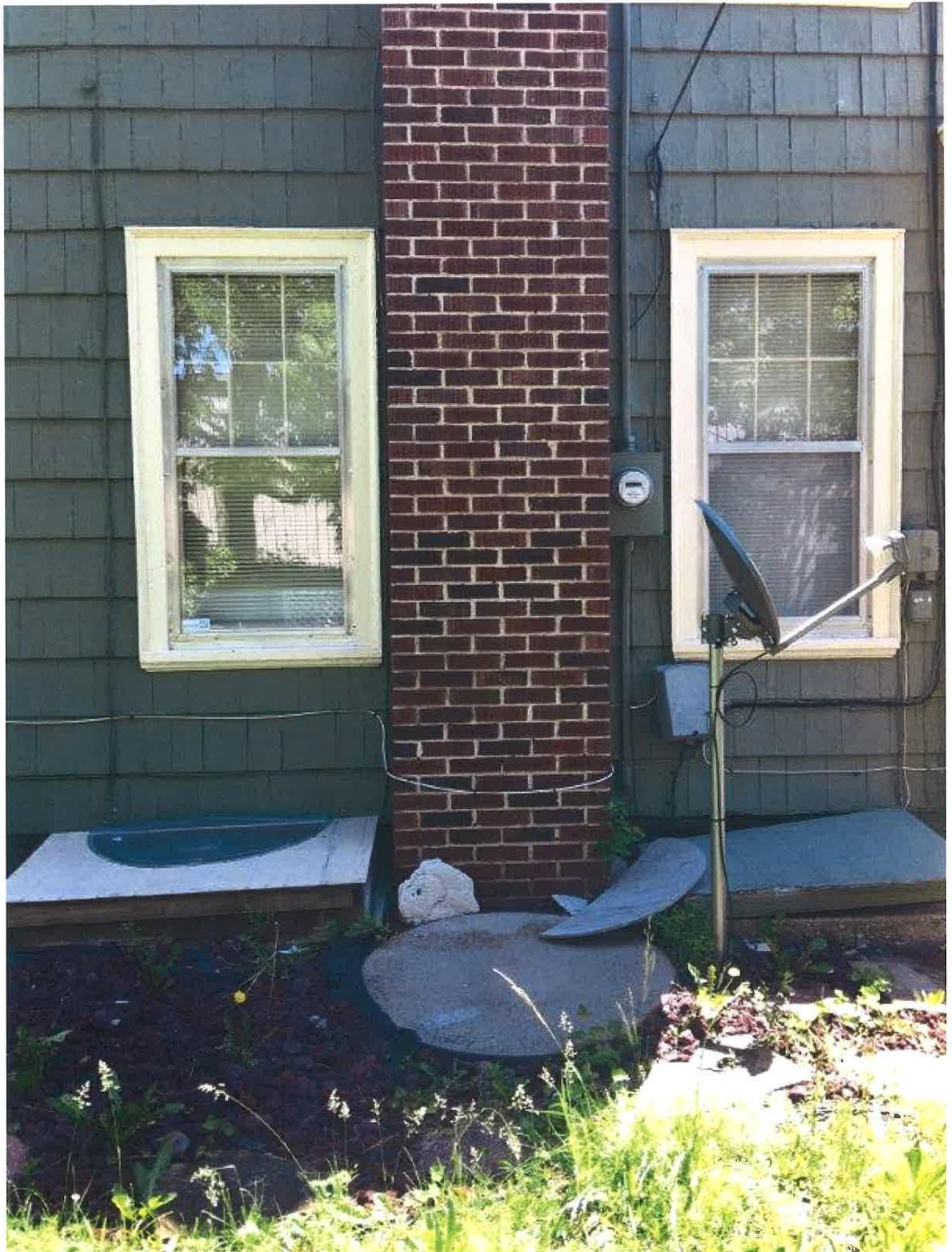
Signature of Approving Official

Date: 05/16/2016

**ANY PERMIT ISSUED EXPIRES SIX (6) MONTHS AFTER ISSUANCE IF NO INSPECTIONS HAVE BEEN MADE.
ANY PERMIT ISSUED SHALL EXPIRE SIX (6) MONTHS AFTER ISSUANCE IF THE WORK IS DISCONTINUED.**

Application Number	430	TOTAL FEES:	\$ 377.00
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ORIGINAL COPY



App. # 597

Minor Certificate of Appropriateness
Historic Resource Preservation Ordinance
Leavenworth, Kansas

Permit # 627, Date of application 6/8/16 All information is subject to verification. Willful falsification may lead to issuance of a "stop work" order on your project.

1. Address of Property 114 Spruce

- (check one) National Register []
- Kansas Register [X]
- Landmarks Register []
- Historic District [X]
- Environs--Contributing Structure []
- Environs--Non-Contributing Structure [], if checked, stop here, issue permit.

2. Permit Requested:

- Interior Building Permit for Registered Property or Environs Contributing Structure []
(If registered, such improvements do not impact historically significant interior features)
- Exterior Building Permit for Environs Contributing Structure []
- New Accessory Building Permit for Environs Contributing Structure []
- Alteration or Addition Building Permit for Environs Contributing Structure [X]
- Sign Permit []
- Fence Permit []
- Curb Cut Permit []
- Sidewalk Permit []
- Retaining Wall Permit []

3. Describe improvements and give reason why such improvement does not detract from the historic character of a registered property or historic district (attach supporting materials as necessary): REMOVE & REPLACE EXISTING DECK, NO CHANGES PROPOSED

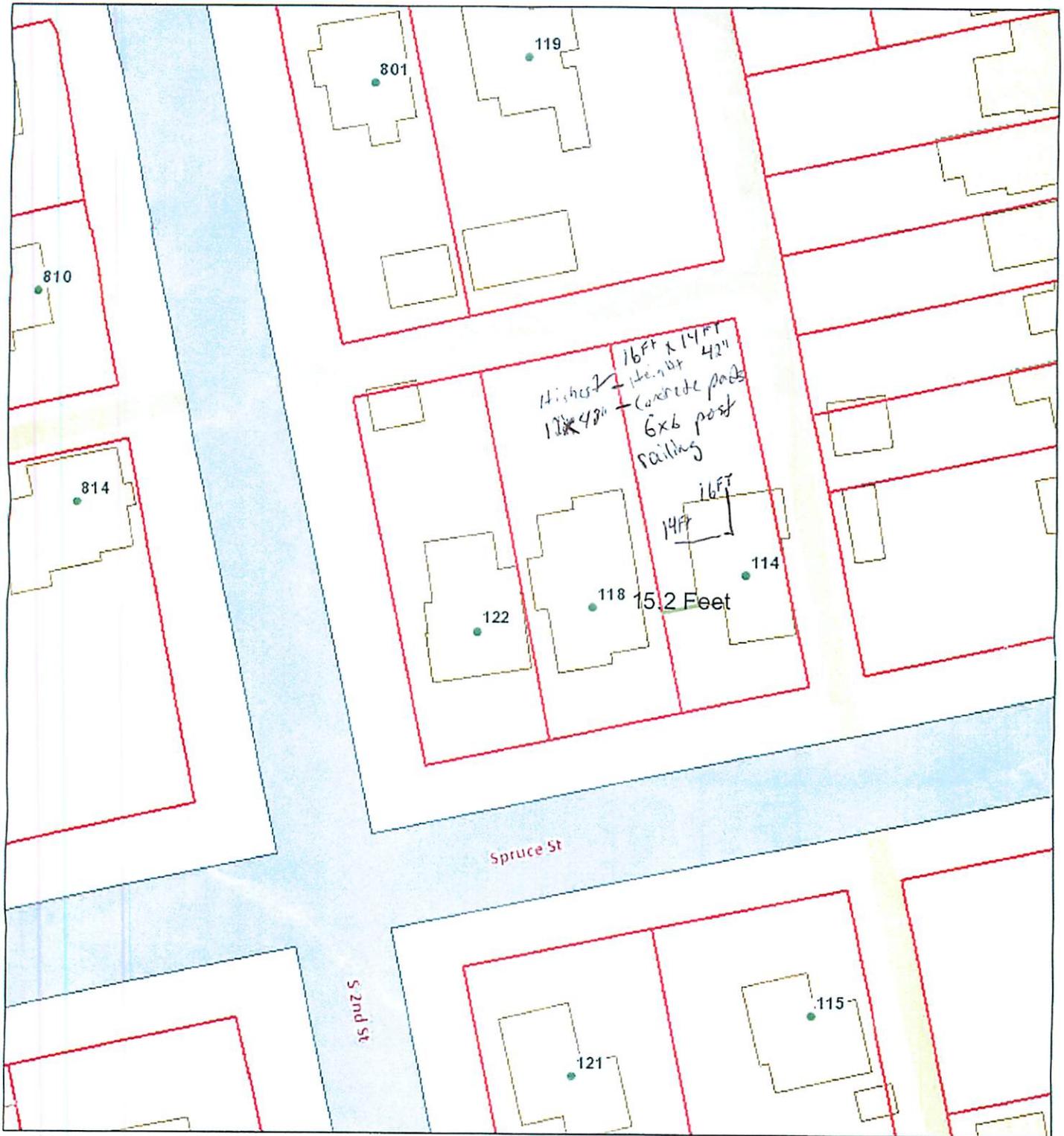
4. Printed name of owner: RALPH & KATHY COMBS
Telephone Number: (913) 682-0036

Katherine Combs Green
Signature of property owner

<p>APPROVED FOR ISSUANCE Date: <u>6/15/16</u></p> <p><u>Julie</u> Julie Hurley, City Planner</p>

cc: KS Historic Preservation Office
6425 SW 6th St
Topeka, KS 66615-1099

114 Spruce-Rebuild Deck in Rear of Home



May 20, 2016

Lines

Override 1

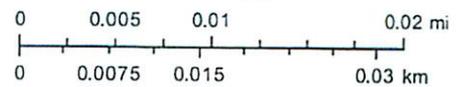
AddressPoints_COLKS

Parcels

Parcels

Buildings

1:632



William Day
913-683-1582



City of Leavenworth

100 N. 5th St.
Leavenworth, KS 66048
(913)684-0378

PERMIT NUMBER

627

Issue Date: 06/16/2016

Permit Type: SINGLE FAMILY DECK/PORCH

Parcel Number	Street Address
0773601002007000	114 SPRUCE STREET
Zone Code	Jurisdiction
R16	LEAVENWORTH

Owner Information	Applicant Information
Name: COMBS-GREEN,KATHY & COMBS,RAL Phone: 913-682-0036	Name: ALL DAY IMPROVEMENT AND REMODE Phone: 913-683-1582

Contractor Information	
Name: ALL DAY IMPROVEMENT AND REMODELING Address: 1001 CENTRAL STREET Phone: 913-683-1582	License Number: License Exp. Date: Insurance Exp. Date:

Building Information	
Proposed Use: R-3 Construction Type: V-B Occupancy Group: RESIDENTIAL Estimated Cost of Construction: \$ 3,360	Finished Sq. Ft: 1,295 Unfinished Sq. Ft: Garage Sq. Ft: Number of Stories:

Project Description: SINGLE FAMILY DECK/PORCH

Scope of Work:

REMOVE AND REBUILD DECK

I, the undersigned, hereby agree to comply with all applicable laws regulating the work. I have also received a copy of this document and understand that it is my responsibility to inform this office of any change of contractor by completing and submitting a change of contractor form if necessary. Separate permits are required for electrical, plumbing, heating, ventilating or air conditioning. It is the responsibility of the owner/applicant to identify and abide by all easements, covenants and other regulations related to land use that may be affected by the construction work for which this permit is issued.

Signature of Owner/Contractor

Signature of Approving Official

Date: 06/16/2016

**ANY PERMIT ISSUED EXPIRES SIX (6) MONTHS AFTER ISSUANCE IF NO INSPECTIONS HAVE BEEN MADE.
ANY PERMIT ISSUED SHALL EXPIRE SIX (6) MONTHS AFTER ISSUANCE IF THE WORK IS DISCONTINUED.**

Application Number	597	TOTAL FEES:	\$ 91.00
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ORIGINAL COPY

Minor Certificate of Appropriateness
Historic Resource Preservation Ordinance
Leavenworth, Kansas

Date of application 08/30/2016. All information is subject to verification. Willful falsification may lead to issuance of a "stop work" order on your project.

1. Address of Property 1128 5TH AVE, LEAVENWORTH, KS 66048
(check one) National Register
Kansas Register
Landmarks Register
Historic District
Name of District _____

2. Permit Requested:

Interior Building Permit for Registered Property or Environs Contributing Structure
(If registered, such improvements do not impact historically significant interior features)
Exterior Building Permit for Environs Contributing Structure
New Accessory Building Permit for Environs Contributing Structure
Alteration or Addition Building Permit for Environs Contributing Structure
Sign Permit
Fence Permit
Curb Cut Permit
Sidewalk Permit
Retaining Wall Permit
Other _____

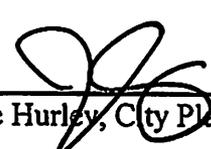
3. Describe improvements and give reason why such improvement does not detract from the historic character of a registered property or historic district (attach supporting materials as necessary): Erecting a 6Ft Privacy fence, requested by the garden club. The materials and color will be congruous with the style of the building.

4. Printed name of owner: Leavenworth Historical Society
Telephone Number: (913)-682-7759



Signature of property owner

cc: KS Historic Preservation Office
6425 SW 6th St
Topeka, KS 66615-1099

APPROVED FOR ISSUANCE Date: <u>10/25/16</u>
 _____ Julie Hurley, City Planner

#1107

FENCE APPLICATION/PERMIT

Fee: \$ 20.00

Fee non-refundable



CITY OF LEAVENWORTH, KANSAS
100 N 5th Street, Leavenworth, KS 66048
(913) 680-2627 (913) 680-2702 - Fax

Date Paid: _____
Received By: _____
Account # CE2

Address of Fence Location 1128 5th Ave, Leavenworth, KS 66048
Applicant's Name Miguel Angel Hunt Phone # (913)-265-8553
Applicant's Address 12560 West 82nd Terrace, Lenexa, KS 66215
Applicant's E-mail miguel hunt phone@gmail.com (or) miguel hunt music@gmail.com

Fill out this section only if different than applicant
Property Owner's Name Leavenworth Historical Society Phone # (913) 682-7759
Property Owner's Address 1128 5th Ave, Leavenworth, KS 66048
Property Owner's E-mail leavenworthhistory@kc.twc.bc.com

Contractor's Name Miguel Angel Hunt
Contractor's Address 12560 West 82nd Terrace, Lenexa, KS 66215
Contractor's Phone # (913) 265-8553 Contact Person Miguel Angel Hunt
Contractor's Email miguel hunt phone@gmail.com (or) miguel hunt music@gmail.com

Type of Fence: Privacy Fence Material: cedar X
Type of Work: New Fence Addition to Existing Fence ** Fence will be painted white.*
Fence Height: 6 Feet Total Length: 96 Feet
Note: The smooth surface of a solid fence must face the exterior of the property.

NOTE: Application must include a site plan with all applicable information that shows size of lot, streets, all buildings on the property, existing fences, and new fence location.

I consent to this application and hereby certify that information contained on this application and in the accompanying materials is correct to the best of my knowledge. I agree to abide by, and conform to, all applicable City Codes regarding this permit.

Signature of Applicant: Miguel Angel Hunt Date: Aug. 30th, 2016
Signature of Property Owner: Marylyn Brown Date: Aug. 30, 2016

OFFICE USE ONLY: APPROVED DENIED Zoning Classification: _____

Restrictions/Comments (if any): _____

Signature of Reviewing Code Enforcement Officer: [Signature] Date Reviewed 10/25/16

Historic Districts/Properties Certificate of Appropriateness Yes / No Approved / Denied

FENCE APPLICATION/PERMIT REGULATIONS

It shall be unlawful for any person, property owner or fence construction company to erect or install fencing without first obtaining a Fence Permit and paying the permit fee as set out in Appendix F.

The following information is required to be submitted with Fence Permit applications. Incomplete applications will not be accepted. Application must include a site plan with applicable information that shows size of lot, streets, all buildings on the property, existing fences and new fence location. Note: No permit is required if repairing less than four (4) ft. of existing fencing.

Fence Types:

- ◇ Open fences are those fences constructed of wood, masonry, metal, woven wire, or other material whose surface area is greater than 50% open.
- ◇ Solid fences are those fences constructed of wood, masonry, metal, planting, hedge or other material whose surface area is or may become less than 50% open.

RESIDENTIAL AREAS:

- ◇ Fences in residential areas of the City shall be either of open or solid type construction.

Front yards:

- ◇ Open fences and hedges may be installed in all front yards on the property lines but may not exceed 48 inches above the natural contour of the ground.
- ◇ No solid fences shall be constructed or reconstructed closer to the street line than the front wall of the residential structure. The front wall of the residential structure shall be determined by excluding porches, roof overhangs, dormers, or other extensions.
- ◇ Where a residential property abuts a commercial or industrial property or use and where screening has not been installed or is not required, the residential property owner may install a solid or open screening fence on the property line not to exceed 72 inches in height above the natural contour of the ground along the property line that abuts the commercial or industrial property or use.

- ◇ Barbed wire and electric fences are prohibited in all residential areas.

Side and Rear Yards:

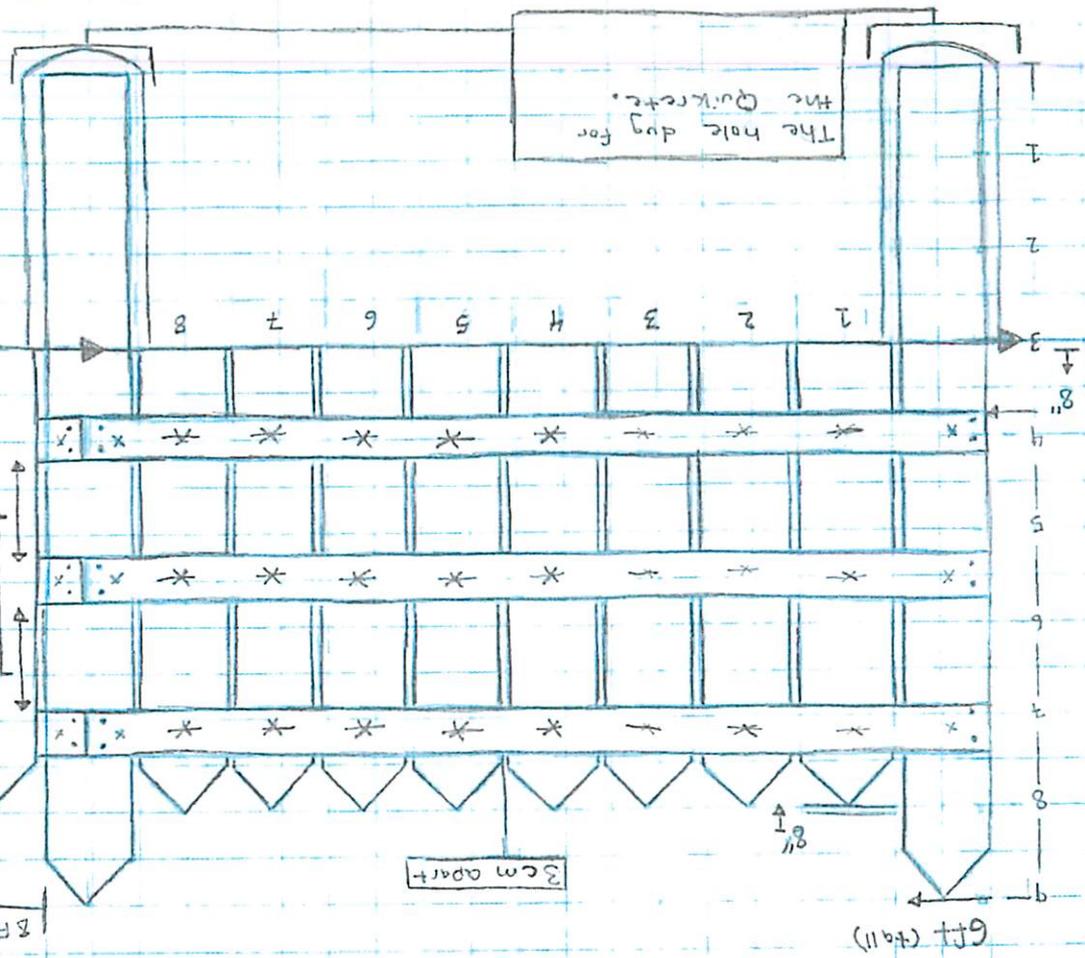
- ◇ Open fences and hedges may be installed in all side and rear yards on the property line by may not exceed 72 inches above the natural contour of the ground.
- ◇ Solid fences may be installed on the rear property line and on the side property line to a point aligning with the front wall of the residential structure, not exceeding 72 inches.
- ◇ No solid fences shall be constructed or reconstructed closer to the street line than the front wall of the residential structure, which shall be determined by excluding porches, roof overhangs, dormers, or other extensions.
- ◇ Any corner lot is considered to have two frontages. The addressed side of property will comply with Paragraph F in the Development Regulations and the other street side may be built with a setback of 15 feet from the property line, or 50% of the existing setback if the distance from the house to the property line is less than 15 feet.

COMMERCIAL AREAS:

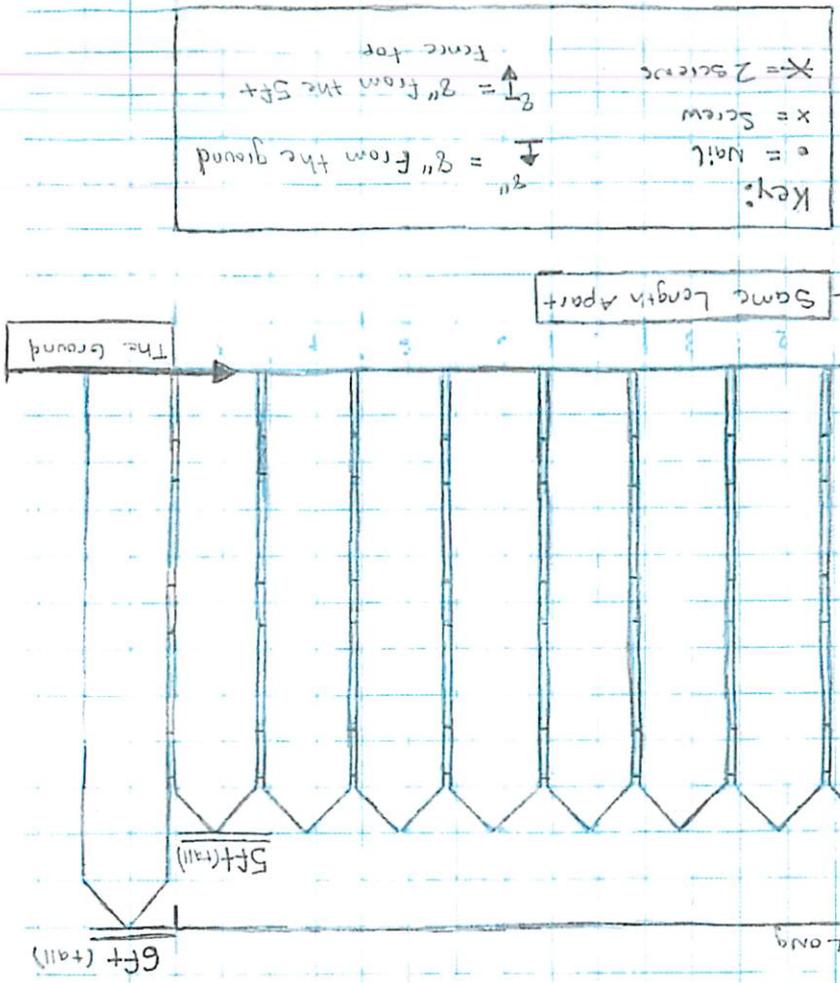
- ◇ Decorative fences shall be permitted in the CBD upon approval by the Development Review Committee.
- ◇ Decorative fences shall not exceed four feet in height.
- ◇ Decorative fences shall be made of aluminum, steel, wrought iron, masonry, wood, or combinations thereof.
- ◇ Decorative fences shall be limited to black, white, and metallic colors.

For a complete copy of the Fence Regulations visit our website at www.lvks.org/DevelopmentRegulations, or visit the Planning and Zoning Department at City Hall, 100 N. 5th St., Leaveworth, KS. (913)680-2627.

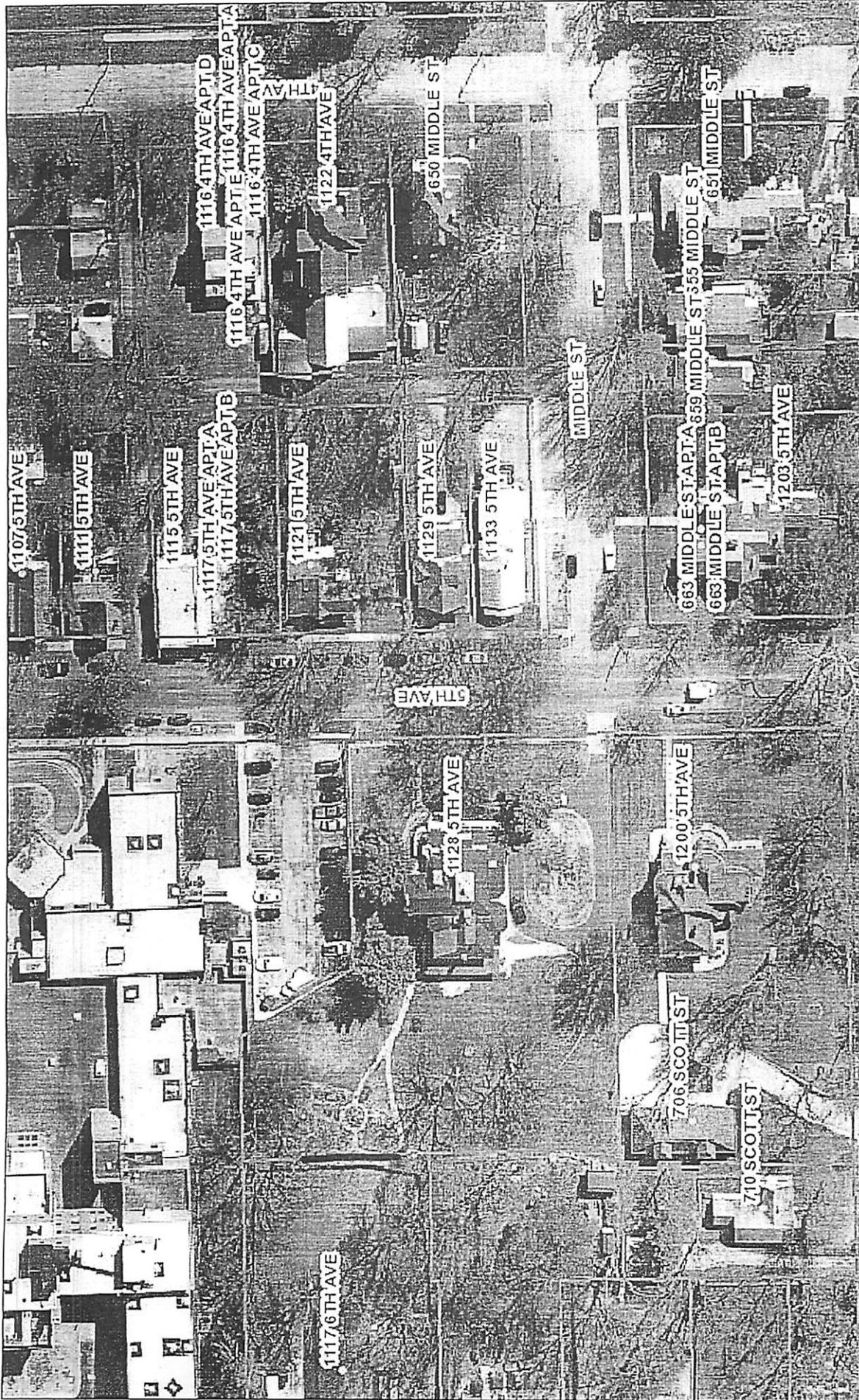
Back View



Front View



MIGUEL A. HONT
9/9/16



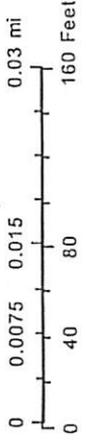
August 30, 2016

AddressPoints_ng911

Parcels

City of Leavenworth, Kansas GIS Web Mapping

1:1,029





City of Leavenworth

100 N. 5th St.
Leavenworth, KS 66048
(913)680-2627

CASE NUMBER

1107

FENCE PERMIT

Parcel Number	Street Address
0773504014010000	1128 5TH AVENUE

Owner Information	Applicant Information
Owner: LEAVENWORTH HISTORICAL SOCIETY INC Owner Address: 1128 5TH AVE LEAVENWORTH, KS 66048 Phone: 913-682-7759	Applicant: Applicant Address: Phone:

Use Requested	Zoning
6' privacy fence	R16

Remarks:

City Planner: 
Julie Hurley

Date: 10/25/2016

Please be aware that private covenants and restrictions may apply to this property. Applicant must comply with all private covenants and restrictions for this property.