SALT LAKE CITY COUNCIL STAFF REPORT

DATE:	July 12, 2005
SUBJECT:	**Case No. 016-05 - A request by Mr. Michael Kearns to revoke the City Landmark Site designation of the Malcom A. Keyser Home at 381 E. Eleventh Avenue from the Salt Lake City Register of Cultural Resources.**
AFFECTED COUNCIL DISTRICTS:	District 3
STAFF REPORT BY:	Jennifer Bruno, Policy Analyst
ADMINISTRATIVE DEPT. AND CONTACT PERSON:	Planning Division, Elizabeth Giraud, Senior Planner Cheri Coffey, Deputy Planning Director
NOTICE REQUIREMENTS:	Newspaper advertisement and written notification to surrounding property owners 14 days prior to the Public Hearing

KEY ELEMENTS:

A. An ordinance is being prepared for Council consideration to amend Bill No. 50 of 1978, revoking the City Landmark Site designation of the structure located at 381 Eleventh Avenue (the Malcolm A. Keyser home).

B. This action would facilitate the sale of the property. The petitioner has indicated that two potential buyers have backed out of sales because of the structure's historic designation. The structure is located on a .78 acre parcel.

C. Planning Staff's report to the Planning Commission for their meeting on July 14th is attached for further information. Key points from the Planning Commission staff report are summarized below:

1. The surrounding zoning districts are SR-1 on the North, South, East, West. To the North and South are single-family and duplex developments. To the West is a single-family development and to the East is a triplex.
2. The Avenues Community Master Plan (1987) identifies the property as low-density residential and identifies the structure as a Landmark site.
3. The City's Geographic Information System also identifies the structure as a Landmark Site.
4. All exterior work that has been completed since 1978 where a building permit was issued were approved through the normal preservation planning processes including a re-roofing and fence repair after a 1999 tornado.

5. The site is currently within the H Historic Preservation Overlay District. If the petition is approved, the H Historic Preservation Overlay District will be removed form the property. Any changes to the exterior of the structure currently must meet the regulations of this overlay zone.

6. Because the de-listing of this site is the same procedurally as a zoning map amendment, Planning staff used the following findings, relating to the normal criteria for a zoning map amendment, to aid the Planning Commission in their recommendation to the City Council:

    i. The property has not ceased to meet the criteria for designation as a Landmark Site. The qualities that caused it to be originally designated have not been lost or destroyed.
    ii. Additional information has not been presented indicated that the landmark site does not comply with the criteria for selection of a landmark site as outlined in section 21A.34.020(C)(2).
    iii. The house continues to be significant for its association with businessmen who owned the house during its period of significance (1913-1955).
    iv. The house continues to display physical integrity in terms of location, design, setting, materials, workmanship, feeling and association, as defined by the National Park Service for the National Register of Historic Places.
    v. The house is over fifty years old.
    vi. Additional information has not been found indicating that the landmark site is not of exceptional importance to the city, state, region or nation.
    vii. The proposal is not consistent with purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.
    viii. The 1987 Avenues Community Master Plan identifies this house as a Landmark Site.
    ix. Although required at the time and published in the newspaper, there is no written evidence that the property owner at the time of designation was or was not notified of the proposed designation of the structure.
    x. The Historic Landmark Commission recommends denial of the request.
    xi. The Avenues Community Council did not take a position or submit written comments on this request.

D. Key points from Planning staff's report to the Historic Landmark Commission are summarized below:

1. A survey conducted in 1977 indicated that this structure is a type A historic structure (type A is the highest classification, with structures that are "the finest to be found in the area, based upon an unusual visual or cultural contribution"). Four individual properties outside of the Avenues Historic District were identified in that survey as historically significant sites. While there was no recorded opposition to the designation of property, there was a recorded opposition to the designation of the VA Hospital as a historic landmark. As a result of the opposition of the structure's owner, which at the time was The Church of Jesus Christ of Latter-Day Saints, the Hospital was not listed as a city landmark site. The Malcolm A. Keyser home was listed as a City Landmark Site.

2. Though this house is in the Avenues, it is not located within the boundaries of the Avenues Historic District (1978), which goes up to between 6th and 7th Avenue. It was

designated at the same time as the Avenues Historic District, but as a separate "City Landmark Site." In the 1990s, Planning staff attempted to record the historic designation on the titles of properties that are in the various historic districts. However City Landmark Sites, which are individual properties outside of the historic districts, were apparently overlooked in this process.

i. The ordinance designating the subject property, as well as the Avenues Historic District, required a newspaper advertisement, and written notice to be sent to the property owners. There are no records indicating that notice to the property owner was made or not; however, there is record of a newspaper ad regarding the property (March 28, 1978). There are no records that the owner supported or opposed the initial designation in 1978.

3. The house was constructed in 1913, and is an example of what has become known as the Prairie Style – characterized by horizontal rather than vertical orientation of the building, wide eaves, horizontal bands of contrasting lines to emphasize the horizontal nature of the house, terraced levels, deep porches, obscured front door, stucco finish, and a low hipped roof. [Council staff note: Though the Prairie Style came into vogue in the 1920s, Frank Lloyd Wright began demonstrating this design philosophy in the early 1900s, most famously the Robie House, Chicago, 1908-1910]

4. The staff report refers to the following three criteria for the revocation of the Designation of a Landmark Site, and finds that the applicant does not meet these criteria:

   i. *"The property has ceased to meet the criteria for designation as a Landmark Site because the qualities that caused it to be originally designated have been lost or destroyed or the structure has been demolished."* Planning staff found five building permits for major alterations prior to the designation in 1978. These were all deemed historically appropriate through the survey in 1977. Planning staff also found permits for other alterations from 1993 through 1999, but most were interior and have not significantly affected the historic character of the house.

   ii. *"Additional information indicates that the landmark site does not comply with the criteria for selection of a landmark site as outlined in subsection C2 of this section."* Subsection C2 specifies that the site must satisfy the following:

      a. *"Significance in a local, regional, state or national history, architecture, engineering or culture…"* Planning staff found this site to be both culturally significant (with respect to the original owners, Malcolm Keyser) and architecturally significant (being a significant example of Prairie Style architecture in Utah).

      b. *"Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places."* Planning staff finds that though the house has been altered, the alterations have not resulted in a loss of the historic character of the home.

      c. *"The age of the site must be at least fifty years old, or have achieved significance within the pasty fifty years if the properties are of exceptional importance."* The Malcolm A. Keyser house if over fifty years old. The major additions of the kitchen and the swimming pool (1953), are

both over fifty years old and could thus be considered a part of the history of the house.

iii. *"Additional Information indicates that the landmark site is not of exceptional importance to the city, state, region, or nation."* Planning staff has not uncovered information that indicates that this site is not of exceptional importance to the City.

E. On July 6, 2005, The Historic Landmark Commission agreed with all findings in the Planning staff report, and voted unanimously (with one abstention) to forward a negative recommendation to the Planning Commission. Further, they directed that a process be developed by which land owners are notified property when such designations are made in the future, and requested that this be retroactive. Issues discussed included:

1. The Commissioners were very concerned with the idea that a property owner may buy a home and not know that the property is listed as a historic site. They directed Planning staff to work to ensure that all city landmark sites, both inside and outside historic districts, are designated on the property's title.

2. The petitioner indicated that his concern is not necessarily with the significance of the house, but with the lack of due process with regard to the historic landmark designation of the house. The petitioner also voiced disagreement with the staff report's indication that the house is "high-style" Prairie School, and indicated that the remodels to the house have altered the house to such a degree that there is little to no architectural significance.

3. The daughter of the owner during the 1978 designation (Glayde V. Snow, now deceased) voiced the opinion that her father would not have agreed to historic landmark designation, and argued that he must not have been notified of the designation.

4. A Commissioner raised the issue that it was concerning that a buyer would back out of a sale simply because the house was designated as a City landmark (when some might see that as a positive attribute), and also voiced concern about how significant and potentially detrimental that potential buyer's renovations were going to be that they could not work within the historic renovation guidelines. Planning staff indicated that they had only seen preliminary renderings of the prospective buyer's plans.

5. Ultimately the Commission based their decision on the three criteria set forth by the ordinance for the Revocation of the Designation of a Landmark Site. They stated that most significant changes were made prior to the 1979 designation, and that since the designation, it has not been changed sufficiently to alter the historic character, and further agreed with the findings in the Planning staff report.

F. The City Attorney's office is currently reviewing the claim that due process was not served in notification of the City Landmark designation. They will provide a response to the Planning Commission at the July 13th meeting. The Council will be notified immediately of the Attorney's office opinion on the matter.

G. On July 13th, 2005, the Planning Commission will hold a discussion and public hearing regarding the proposed designation removal. The Council will receive the Planning Commission's recommendation immediately prior to the Council's July 14th public hearing.

This Council staff report was written prior to the Planning Commission's review of this matter.

H. The Greater Avenues Community Council heard this issue on July 6th, 2005. Due to the length of the meeting and other items they were discussing, the Council did not take a formal vote on the matter and did not submit written comments.

MATTERS AT ISSUE/POTENTIAL QUESTIONS FOR ADMINISTRATION:

A. The Council may wish to discuss the legal standards and noticing requirements, both in initial historic site designation, and in terms of notice placed in County records for individual sites outside of historic districts.

B. There was some discussion in the Historic Landmarks Commission meeting, as to whether or not a property owner should have to agree in order for a site to be designated as a historically significant site. The Council may wish to discuss further balancing the obligation of the City to protect the best interest of the City's heritage, with the individual rights of a property owner to redevelop or sell their property as they see fit.

C. The Council may wish to confirm with the Planning Division that the structure is listed as a City Landmark site in the Avenues Community Master Plan (1987), as well as the ordinance. The Planning staff report to the Planning Commission stated that the property was listed as a landmark site in the master plan (Key element C.2).

MASTER PLAN & POLICY CONSIDERATIONS :

A. The Avenues Community Master Plan (1987) states the following goal with respect to historic preservation: "Encourage preservation of historically and architecturally significant sites and the established character of the Avenues and South Temple Historic Districts."

B. The City Vision and Strategic Plan Final Report(1993) includes an Objective that "Salt Lake City is recognized for its efforts to restore and adaptively reuse its historic resources" including developing programs to enhance and preserve the City's cultural history and character as expressed in the City's built environment.

C. The City's Future Commission Final Report (1998) includes recommendations including "Enforce preservation strategies for buildings and neighborhoods." It also includes an assertion that "Our historical heritage, including historic buildings and neighborhoods, is recognized as a vital component of an exciting, livable city." The Report includes a recommendation to "Preserve historic structures, streets, and other landmarks in all new development strategies."

D. The City's Comprehensive Housing Plan policy statements address a variety of housing issues including quality design, public and neighborhood participation and interaction, transit-oriented development, encouraging mixed-use developments, housing preservation, rehabilitation and replacement, zoning policies and programs that preserve housing opportunities as well as business opportunities.

E. The Council's growth policy notes that growth in Salt Lake City will be deemed the most desirable if it meets the following criteria:

   a. Is aesthetically pleasing;
   b. Contributes to a livable community environment;
   c. Yields no negative net fiscal impact unless an overriding public purpose is served; and
   d. Forestalls negative impacts associated with inactivity.

F. The City's 1990 Urban Design Element includes statements that emphasize preserving the City's image, neighborhood character and maintaining livability while being sensitive to social and economic realities.

CHRONOLOGY:

The following is a chronology of events relating to the proposed rezoning and master plan amendment. Please refer to the Administration's chronology for details.

• June 15, 2005	Petition received.
• July 6, 2005	Presentation to Historic Landmark Commission Presentation to Greater Avenues Community Council
• July 13, 2005	Planning Commission Hearing
• July 14, 2005	City Council Hearing

cc: Sam Guevara, Rocky Fluhart, DJ Baxter, Ed Rutan, Lynn Pace, Louis Zunguze, Brent Wilde, Doug Wheelwright, Janice Jardine, Cheri Coffey, Elizabeth Giraud, Marge Harvey, Sylvia Jones, Jan Aramaki, Lehua Weaver, Gwen Springmeyer

File Location: Community Development Dept., Planning Division, Historic Landmark Site Revocation, Malcolm A. Keyser Home, Michael Kearns, 381 East 11th Avenue

DATE: July 8, 2005

TO: Salt Lake City Planning Commission

FROM: Elizabeth Giraud, Senior Planner
Cheri Coffey, Deputy Planning Director

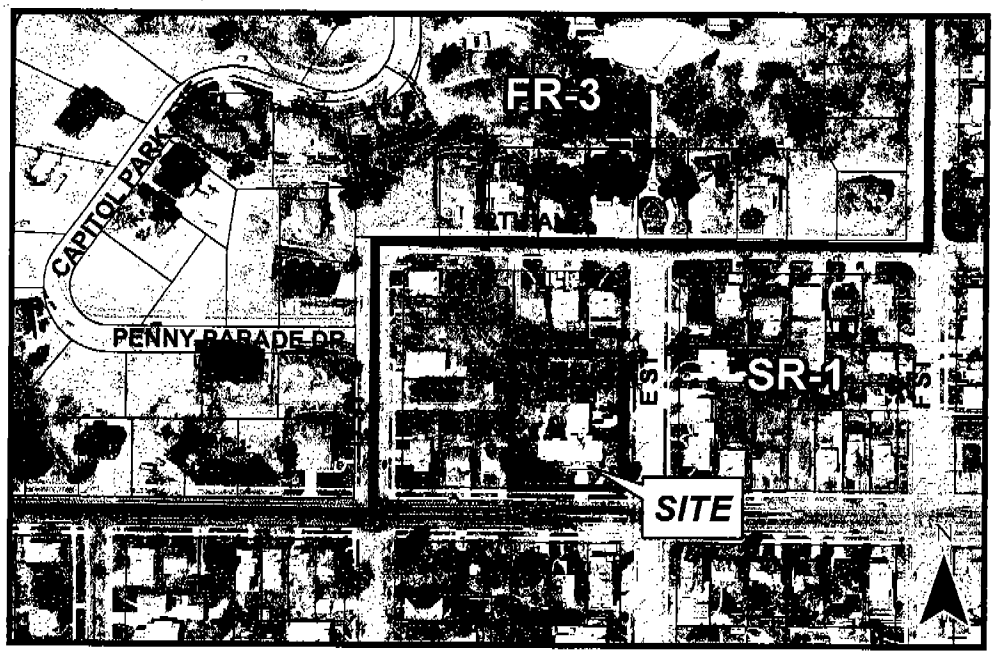
RE: **STAFF REPORT FOR THE JULY 13, 2005 MEETING**

CASE#: Petition 400-05-22
Revocation of Landmark Site Status

APPLICANT: Michael Kearns

STATUS OF APPLICANT: Property Owner

PROJECT LOCATION: 381 East Eleventh Avenue



PROJECT/PROPERTY SIZE: 0.78 Acres

COUNCIL DISTRICT: District 3

REQUESTED ACTION: Revocation of the Designation of Landmark Site Status from the Salt Lake City Register of Cultural Resources.

PROPOSED USE(S):	Single Family Dwelling
APPLICABLE LAND USE REGULATIONS:	-Section 21A.24.080 SR-1 Special Development Pattern Residential District -Section 21A.34.020-D-3 Historic Preservation Overlay District-Revocation of the Designation of a Landmark Site -Section 21A.34.060 Groundwater Source Protection Overlay District-Primary Recharge Area
SURROUNDING ZONING DISTRICTS:	**North** – SR-1 **South** –SR-1 **East** – SR-1 **West** – SR-1
SURROUNDING LAND USES:	**North** – Single Family and Duplex **South** – Single-Family and Duplex **West** – Single Family **East** – Triplex
MASTER PLAN SPECIFICATIONS:	- Avenues Community Master Plan (1987) identifies the property as low-density residential and identifies the structure as a Landmark Site. - The Avenues Master Plan, City Strategic Plan and Final Report of the Futures Commission identify the importance of Historic Preservation.
ACCESS:	E Street and Eleventh Avenue
PROJECT DISCRIPTION	The current owner is asking that the Landmark Site designation be removed from the property.

SUBJECT PROPERTY
HISTORY / BACKGROUND

Association with Malcolm A. Keyser

The Keyser house was constructed in 1913, for Malcolm A. Keyser, a member of a family with extensive business and political ties in Salt Lake City and Utah. Malcolm Keyser lived in the home with his family from its construction until 1919. He was born in 1887 to Aaron and Henrietta Keyser, whose business interests included the Salt Lake Brewery (the remains of which are located at 400/500 South 1000 East), and established the Keyser Moving and Storage Company. Malcolm also served in the Utah State Legislature and Senate during the 1920's and 1930's.

Architecture

The house is an example of Prairie School style architecture. Photographs from the Salt Lake County Archives and the Utah State Historical Society illustrate its strong affiliation with this style (Exhibit 2).

The historical and architectural significance of the property, along with the Staff's findings and determination of the existing integrity of the property, are discussed at greater length below, in the Code Criteria, Analysis and Findings of Fact section of this report.

COMMENTS

Staff routed the request to various City Departments. Those listed below sent responses.

Transportation - The Transportation Division had no objection to the delisting.

Public Utilities - Salt Lake Public Utilities had no objection to the delisting.

Permits –The Permits Office had no objection to the proposed delisting.

Community Council(s) The information was presented to the Avenues Community Council on July 6, 2005. Due to the length of the meeting and other items they were discussing, the Community Council did not take a formal vote on the matter and did not submit written comments.

HISTORIC LANDMARK COMMISSION REVIEW

On July 6, 2005, the Historic Landmark Commission held a public hearing and reviewed this request based on the criteria of Section 21A.34.020(D)(3) of the Zoning Ordinance. There are three criteria that the Historic Landmark Commission must review in making their determination in a request for Revocation of the Designation of a Landmark Site:

a) *The property has ceased to meet the criteria for designation as a Landmark Site because the qualities that caused it to be originally designated have been lost or destroyed or the structure has been demolished.*

b) *Additional information indicates that the landmark site does not comply with the criteria for selection of a landmark site as outlined in subsection C2 of this section (which includes the following criteria):*

C2 a) Significance in a local, regional, state or national history, architecture, engineering or culture, associated with at least one of the following:

i. *Events that have made significant contributions to the broad patterns of history; or*

ii. *Lives of persons significant in the history of the city, region, State of Utah or nation; or*

iii. *The distinctive characteristics of a type, period or method of construction; or the work of a notable architect or master craftsman; or*

iv. *Information important in the understanding of the prehistory or history of Salt Lake City;*

C2 b) Physical integrity in terms of location, design, setting, materials, workmanship, felling and association as defined by the National Park Service for the National Register of Historic Place;

C2 c) The age of the site. Sites must be at least fifty years old, or have achieved significance within the past fifty years if the properties are of exceptional importance.

c) *Additional information indicates that the landmark site is not of exceptional importance to the city, state, region or nation.*

Motion

The Commission passed a motion recommending the City Council deny the request based on public comment and the criteria listed in Section 21A.34.020(D)(3). (*please see Exhibit 16, the Historic Landmark Commission Staff Report.)* The motion is as follows:

Commissioner David Fitzsimmons moved to accept recommendations of staff that we transmit a negative recommendation to the Planning Commission regarding revocation of the designation of the property as a landmark site finding that we are in agreement with the summary of findings.

1) The property has not ceased to meet the criteria for designation as a Landmark Site. The qualities that caused it to be originally designated have not been lost or destroyed.

2) *Additional information has not been presented indicated that the landmark site does not comply with the criteria for selection of a landmark site.*
3) *The house continues to be significant for its association with businessmen who owned the house during its period of significance.*
4) *The house continues to display physical integrity in terms of location, design, setting, materials, workmanship, feeling and association, as defined by the National Park Service for the National Register of Historic Places.*
5) *The house is over fifty years old.*
6) *Additional information has not been found indicating that the landmark site is not of exceptional importance to the city, state, region or nation.*

And, in addition that we recommend to the Planning Commission that a process be developed by which land owners are notified properly when such designations are made in the future. Ms. Mickelsen requested that the motion include that notification should also be retroactive. Mr. Fitzsimmons agreed to include that language in the motion. The motion was seconded by Noreen Hammond. Warren Lloyd, Noreen Hammond, Dave Fitzsimmons, Paula Carl, Scott Christensen and Oktai Parvaz voted "aye." Lee White abstained. There was no one opposed. The motion passed.

Issues raised during the meeting include the following:

Was Due Process served (owner notified) at the Time the Structure was Designated?
The applicant is stating that the previous owner, Dr. Lyndon Snow, was not notified of the designation of the structure in 1978 and would have objected to the designation if he had known about it. The daughter of Mr. Snow, Linda Snow, attended the Historic Landmark Commission meeting and made this claim.

The City Attorney's Office is reviewing the claim of a violation of Due Process and will submit its response to the Commission at the meeting.

The house was listed as an individual Landmark Site as part of a larger project to designate the Avenues Historic District. The City does not have a mailing list from 1978 for this project.

In 1977, a professional survey was conducted creating an architectural inventory of the structures in the Avenues Neighborhood relating to architectural significance and integrity. This information was used to determine the boundaries of the Avenues Historic District. The subject structure was included in "Group A" of the inventory. Group A structures were identified as

> *These structures are the finest buildings to be found in the area, based upon an unusual visual or cultural contribution. Because of their superior architecture or in a few cases, the knowledge the staff of Historic Utah, Inc about the historic background of the building, it is felt that there is enough obvious importance to the building that it should be conserved. Such buildings have reached a level of significance at which no more data*

needs be discovered to identify them as worthy of preservation efforts. They tend to fall into one or more of the following classifications:

1. *Extremely old;*
2. *Finely preserved and maintained*
3. *One of the premier examples of an architectural style*
4. *Confirmed importance in community beginnings and growth to maturity*
5. *Best remaining visual link to an era, event, or development of great historical significance."*

When the proposed boundaries of the Avenues Historic District were drawn, there were four properties that were proposed for listing as individual Landmark Sites. The Malcolm A. Keyser home was one of the four and was included in the same ordinance that adopted the Avenues Historic District. The Historic Landmark Committee voted to recommend approval of the designation on August 23, 1977; the Planning Commission voted to recommend approval of the designation on August 25, 1977. The City Council adopted the ordinance designating the property on March 22, 1978. (Exhibit 6)

The Veterans Hospital was also one of the four properties, included in Group A of the Historic inventory that was outside of the proposed boundaries of the Avenues Historic District. However, the site was removed from the final adopted ordinance due to the unwillingness of the property owner to have the property listed. There was no recorded opposition to the other three sites being individually listed on the Salt Lake City Register of Cultural Resources. (Exhibit 7) However, the City does not have documentation of property owner notification at the time the Avenues and the three sites were designated as a district and individual Landmark Sites.

In 1987, the City adopted the Avenues Master Plan. The master plan includes a list of Landmark Sites located within the Avenues Community. The subject property is listed in the master plan.

The City has not recognized the Structure as a Landmark Site as evidenced by a Lack of Certificates of Appropriateness for alterations to the Site.

The property is listed on the City's Geographic Information System as a Landmark Site and is also identified in the Avenues Master Plan as a Landmark Site. All exterior work that has been completed since 1978 where a building permit was issued, was approved through the normal preservation planning process including re-roofing and repairing of a fence after the 1999 tornado. Certificates of Appropriateness are not required for reroofing projects. A Preservation Planner signed the actual building permit for the fence repair that occurred by the Tornado. Because of the natural disaster and the number of permits needing to be issued to address damage caused by the Tornado, the Preservation Planner was staffed at the Permits Counter to expedite the permitting process. The signature on the actual building permit was in lieu of a Certificate of Appropriateness due to the emergency nature of the situation. (Exhibit 3)

Staff Qualifications
The applicant questioned staff's credentials in making findings relating to the historical and architectural significance of the structure and the historic integrity of the structure. The Preservation Planner was hired due to her education and experience in historic preservation planning and the Planning Staff is confident that she is qualified to make findings on the criteria listed in the zoning ordinance relating to historic preservation.

There is a lack of information identifying this structure as a Landmark Site
As noted by the applicant (Exhibit 8), information of the Landmark Status was not readily available for this property. Although all structures in an historic district have the status noted on their title, the same is not true for Landmark Sites. Given the implication of designation, it is important that a similar notice is extended to Landmark Sites. Staff acknowledges the property owner's point that the City should improve access as to whether or not a building is a Landmark Site. Staff agrees this is an issue and will work to resolve it.

Landmark Site Status severely restricts what alterations can be made and makes it very difficult to sell the property.
Several Historic Landmark Commissioners did not agree with this assertion and stated that they review alterations all of the time. Alterations are allowed as long as they are compatible with the historic structure. They also stated that many people seek to purchase structures because they are designated historic as this adds prestige to the structure.

There are no Benefits to the property owner of having a structure listed on the local register as a Landmark Site.
Staff mentioned that most structures that are locally designated also have National Register Designation which does afford the opportunity for tax credits. Staff also mentioned the opportunity for additional uses, (such as Bed & Breakfasts, Reception Centers and Offices) in Landmark Sites, through the conditional uses process, which are not afforded other properties that have similar underlying zoning. For example a Landmark Site in a single-family zoning district may be allowed to be used as an office, etc. (if the criteria for a conditional use of a Landmark Site area met) whereas a structure not designated as a Landmark Site would not be afforded this opportunity.

Did the structure meet the criteria for listing as a Landmark Site in 1978?
The Historic Landmark Commissioners did not want to second guess what the decision makers in 1978 used to make their determination to designate the site. They did state however, that the site meets today's standards and if the request were made today, they would recommend the site be designated.

ZONING AMENDMENT
CODE CRITERIA / ANALYSIS / FINDING OF FACT

In approving a request for the Revocation of the Designation of a Landmark Site, there are three specific criteria for the revocation and five general criteria relating to a zoning map amendment. The Historic Landmark Commission has made findings relating to the specific

criteria (as noted above). The Planning Commission should rely on the Historic Landmark Commission's motion regarding the specific criteria by reaffirming their findings

In the instance of zoning map amendments, the Planning Commission makes a recommendation to the City Council which is the decision-making authority for map amendments. The Planning Commission must make its recommendation to the City Council based on findings in accordance with the standards discussed below.

Section 21A.50.050 Standards for General Amendments.

A. Whether the proposed amendment is consistent with the purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.

Discussion: The *Avenues Community Master Plan (1987)* includes an Historic Preservation Goal to "Encourage preservation of historically and architecturally significant sites and the established character of the Avenues and South Temple Historic Districts." The plan also lists the Malcolm A. Keyser home as a Landmark Site.

The City Vision and Strategic Plan Final Report(1993) includes an Objective that "Salt Lake City is recognized for its efforts to restore and adaptively reuse its historic resources" including developing programs to enhance and preserve the City's cultural history and character as expressed in the City's built environment.

The City's Future Commission Final Report (1998) includes recommendations including "Enforce preservation strategies for buildings and neighborhoods." It also includes an assertion that "Our historical heritage, including historic buildings and neighborhoods, is recognized as a vital component of an exciting, livable city." The Report includes a recommendation to "Preserve historic structures, streets, and other landmarks in all new development strategies."

Findings: The revocation of the designation of the Landmark Site status of the Malcolm A. Keyser structure, located at 381 East Eleventh Avenue is not consistent with the purposes, goals, objectives and policies of the adopted general plan of Salt Lake City relating to Historic Preservation.

B. Whether the proposed amendment is harmonious with the overall character of existing development in the immediate vicinity of the subject property.

Discussion: The revocation of the designation of the Landmark Site status will not have a physical effect on the immediate vicinity. The Overlay District is only located on the subject property in this portion of the Avenues.

Findings: The proposed amendment will not change the physical makeup of the property and therefore, will be harmonious with the overall character of the existing development in the immediate vicinity of the subject property.

C. The extent to which the proposed amendment will adversely affect adjacent properties.

Discussion: This single family dwelling is surrounding by other low-density residential dwellings. The revocation of the Landmark Site status will not have a physical effect on the property. The use as a single-family home will not change.

Findings: The revocation of the designation of the Landmark Site status will not have an adverse affect on adjacent properties.

D. Whether the proposed amendment is consistent with the provisions of any applicable overlay zoning districts, which may impose additional standards.

Discussion: The property is currently within the H Historic Preservation Overlay District and the Groundwater Source Protection Primary Recharge Area. If the application for Revocation of the Designation of a Landmark Site is approved, the H Historic Preservation Overlay District will be removed from the property.

The Primary Recharge Area regulations restrict many uses and prohibit others in order to prevent contamination of the public drinking water supply as a result of toxic substances entering the water table. The use of the property is not proposed to be changed.

Findings: Any future development plans would be required to meet the standards and regulations of the Groundwater Source Protection Overlay Zoning District. The proposed Revocation of the Designation of a Landmark Site would not create any inconsistencies with this overlay.

If the application is approved, the H Historic Preservation Overlay Zone should be removed from this property. If the application is denied, any changes to the exterior of the structure will be required to meet the regulations of the H Historic Preservation Overlay Zone.

E. The adequacy of public facilities and services intended to serve the subject property, including but not limited to roadways, parks and recreational facilities, police and fire protection, schools, storm water drainage systems, water supplies, and waste water and refuse collection.

Discussion: The use on the property is not proposed to be changed. Staff routed a description of the Revocation request to various City Departments. No department filed any objection to the proposed revocation.

Findings: The public services and utilities are adequate to serve the existing land use on the properties.

SUMMARY OF FINDINGS

The staff has made the following findings:

1. The property has not ceased to meet the criteria for designation as a Landmark Site. The qualities that caused it to be originally designated have not been lost or destroyed.
2. Additional information has not been presented indicated that the landmark site does not comply with the criteria for selection of a landmark site as outlined in section 21A.34.020(C)(2).
3. The house continues to be significant for its association with businessmen who owned the house during its period of significance (1913-1955).
4. The house continues to display physical integrity in terms of location, design, setting, materials, workmanship, feeling and association, as defined by the National Park Service for the National Register of Historic Places.
5. The house is over fifty years old.
6. Additional information has not been found indicating that the landmark site is not of exceptional importance to the city, state, region or nation.
7. The proposal is not consistent with purposes, goals, objectives, and policies of the adopted general plan of Salt Lake City.
8. The 1987 Avenues Community Master Plan identifies this house as a Landmark Site.
9. Although required at the time and published in the newspaper, there is no written evidence that the property owner at the time of designation was or was not notified of the proposed designation of the structure.
10. The Historic Landmark Commission recommends denial of the request.
11. The Avenues Community Council did not take a position or submit written comments on this request.

RECOMMENDATION

Based on the analysis and findings of fact outlined in this staff report, staff has concluded that the Keyser house retains sufficient historic and architectural significance, as well as physical integrity, to merit listing on the Salt Lake City Register of Cultural Resources. Therefore, the Planning Division staff recommends that the Planning Commission transmit a negative recommendation to the City Council regarding the revocation of the designation of the property as a Landmark Site.

Elizabeth Giraud, AICP
Senior Planner

Cheri Coffey, AICP
Deputy Planning Director

Exhibits:

Exhibit 1-Ordinance Designating the Site
Exhibit 2- Photographs
Exhibit 3- Building Permits after 1961
Exhibit 4- 1979 Historic Site Survey
Exhibit 5- 1973 Historic Site Survey and 1977 Architectural Inventory of the Avenues Historic District
Exhibit 6- Minutes of the HLC, PC and City Commission meetings to designate the site
Exhibit 7- Minutes of March 22, 1978 discussion by City Commission relating to the Veterans Hospital
Exhibit 8- Letter from Applicant and Staff Response
Exhibit 9- Building Permits up to 1961

Exhibit 10- Historical information regarding past owners
Exhibit 11- Additional information submitted by Applicant
Exhibit 12- Notification Regulations at Time of Designation
Exhibit 13- Public Comment & Staff Response (where warranted)
Exhibit 14- Correspondence from the Utah State Historic Preservation Office (SHPO)
Exhibit 15- Publication of designation ordinance in newspaper
Exhibit 16- Historic Landmark Commission Staff Report (July 6, 2005)
Exhibit 17- Department Comments

Exhibit 1

Ordinance Designating Site

VOTING	Aye	Nay
Mr. Chairman . . .	✓	
Agraz		
Greener		
~~Hagenson~~ Hall		
Phillips		
Result		

Salt Lake City, Utah, _____, 19__

I move that the Ordinance be passed.

AN ORDINANCE

AN ORDINANCE AMENDING Titles 5 and 51 of the Revised Ordinances of Salt Lake City, Utah, 1965, as amended, relating to building permits in Historic Districts by REPEALING Section 5-5-6(b) and 51-4-5A; and by amending Section 51-32-2 relating to Historic District and Landmark Sites by ADDING Section 51-32-2(3) and (4) providing for the adoption of an Avenues Historic District and designated City Landmark Sites.

Be it ordained by the Board of Commissioners of Salt Lake City, Utah:

SECTION 1. PURPOSE.

It is the purpose of this ordinance to recognize the existence of the unique and charming area within Salt Lake City wherein the structures and streetscapes are significant and beloved by the residents of the City and State because of their historical and architectural value in preserving the rich history and heritage of this City. As revealed in an extensive individual structure inventory completed by the Utah State Historical Society, within the boundaries of this district there are 14 structures already located on various historical registers and 1203 structures which have been determined to be historically significant and even potentiall qualified for placement on historical registers. It is the intent of this ordinance not only to preserve the remaining visual vestiges of our heritage represented by the structures, streetscapes and atmosphere of this area but to encourage new construction and the revitalized growth and interest in this area to enhance rather than detract or destroy forever the atmosphere of this Historic District or the designated Landmark Sites.

SECTION 2. That Sections 51-4-5A(a), (b) and (c) of the Revised Ordinances of Salt Lake City, Utah, 1965, relating to proposed avenues

historic district building permits regulation be, and the same are hereby REPEALED.

SECTION 3. That Section 5-5-6(b) of the Revised Ordinances of Salt Lake City, Utah, 1965, relating to issuance of building permits in the proposed avenue historic district be, and the same is hereby REPEALED.

SECTION 4. That Section 51-32-2 of the Revised Ordinances of Salt Lake City, Utah, relating to Historic Districts and Landmark Sites be, and the same hereby is amended by ADDING new subsection (3) providing for adoption of the Avenues Historic District and subsecti (4) providing for the designation of additional City Landmark Sites located in the Avenues area which are not contained within said Historic District.

Sec. 51-32-2. Historic districts and landmark sites. The following are hereby adopted and designated as Historic Distri or Landmark Sites:

(1) South Temple Historic District * * *

(2) Landmark sites on official registers * * *

(3) Avenues Historic District. The Avenue Historic Distri shall include that area contained within the following boundar

Commencing at the center line of "A" Street and South Temple Street, thence west along the center line of South Temple Street 1300 feet, more or less, to the center line of State Street; thence north along the center line of State Street 780 feet, more or less, to the center line of Second Avenue; thence easterly along the center line of Second Avenue 310 feet, more or less, to the center line of Canyon Road; thence northerly along the center line of Canyon Road 1950 feet more or less to the western extension of a line 165 feet north of the north line of Sixth Avenue; thence east along said line 165 feet north of and parallel to the north line of Sixth Avenue 9210 feet, more or less, to the center line of Virginia Street; thence south along the center line of Virginia Street 2460 feet, more or less, to a point 165 feet north of the northern line of South Temple Street; thence West along a line 165 feet north of and parallel to the north line of South Temple Street 8665 feet, more or less, to the center line of "A" Street; thence south along the center line of "A" Street 231 feet to the point of beginning and EXCEPTING therefrom the city cemetery.

(4) City landmark sites. The following structures are he designated as City Landmark Sites because of their individual historical and/or architectural significance. Such structure shall be listed by the street address or other common descrip

(a) Avenues area.

(1) 259 Seventh Avenue.

(2) Building at rear or behind 259 Seventh Avenue.

(3) 381 Eleventh Avenue.

SECTION 5. In the opinion of the Board of Commissioners o: Salt Lake City, Utah, it is necessary to the health, peace and welfa: of the inhabitants of Salt Lake City that this ordinance become effective immediately.

Passed by the Board of Commissioners of Salt Lake City, Ut this 22nd day of March, 1978.

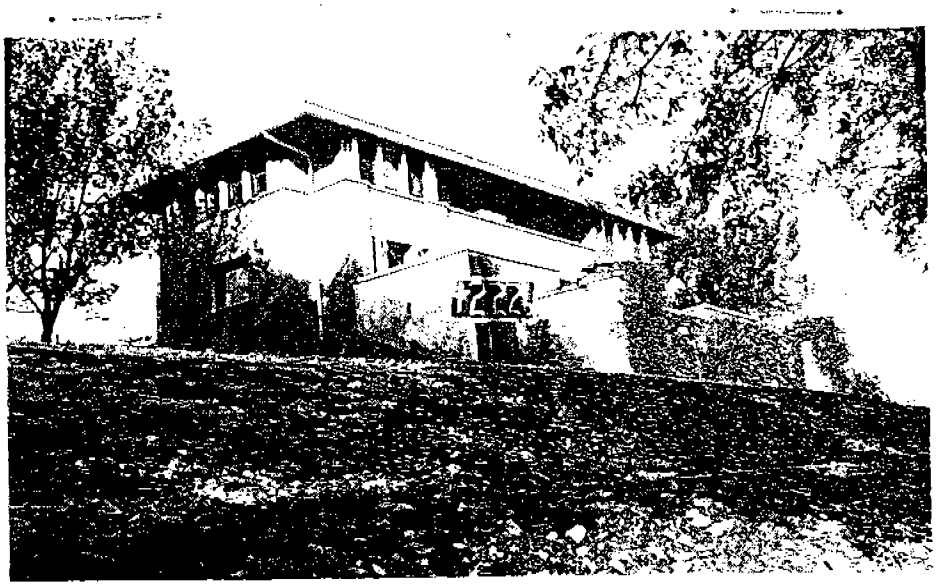
MAYOR

Mildred V. Higham
CITY RECORDER

(SEAL)

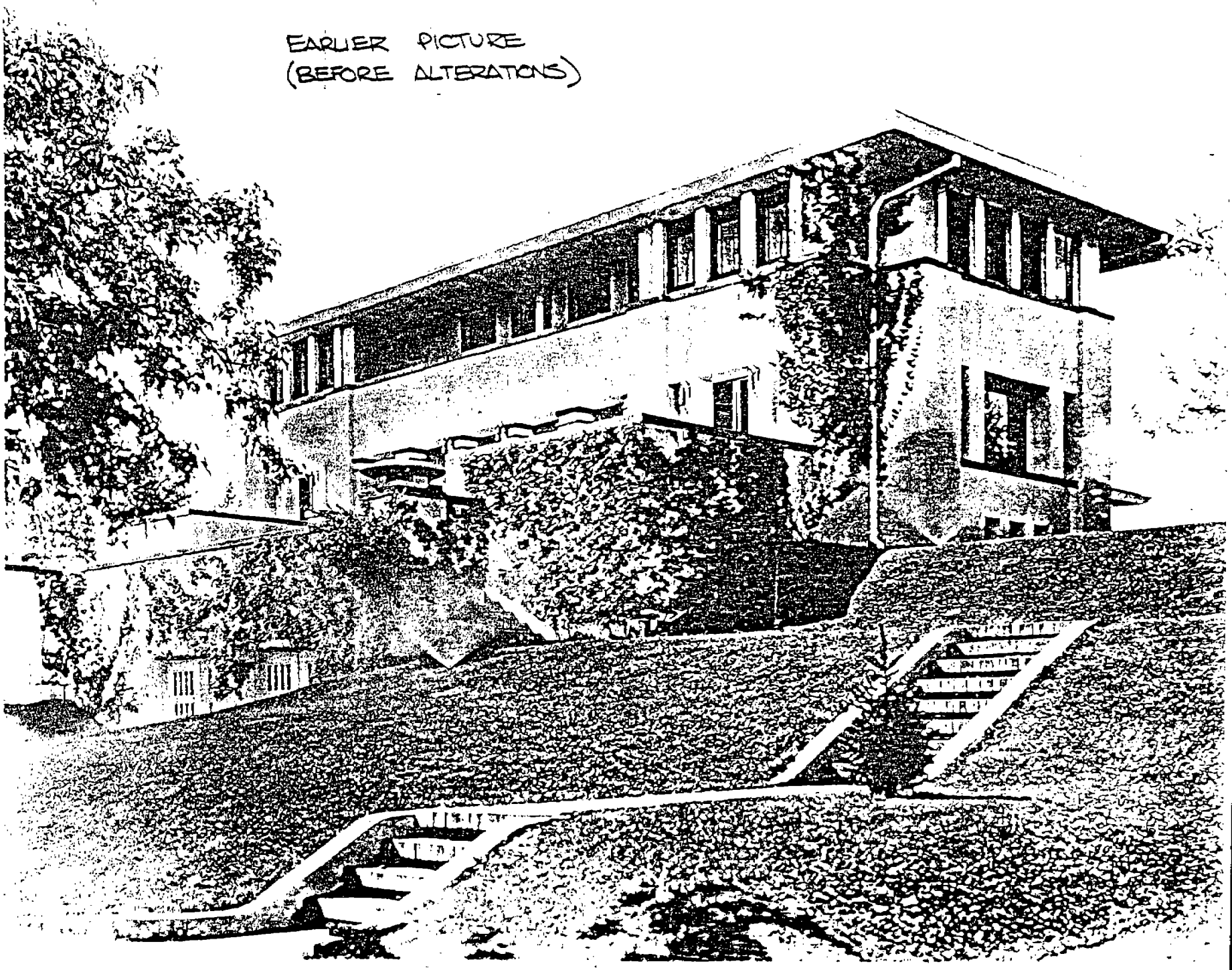
BILL NO. 50 of 1978
Published - March 28, 1978

Exhibit 2
Photographs



Tax Photograph from 1930's

EARLIER PICTURE
(BEFORE ALTERATIONS)



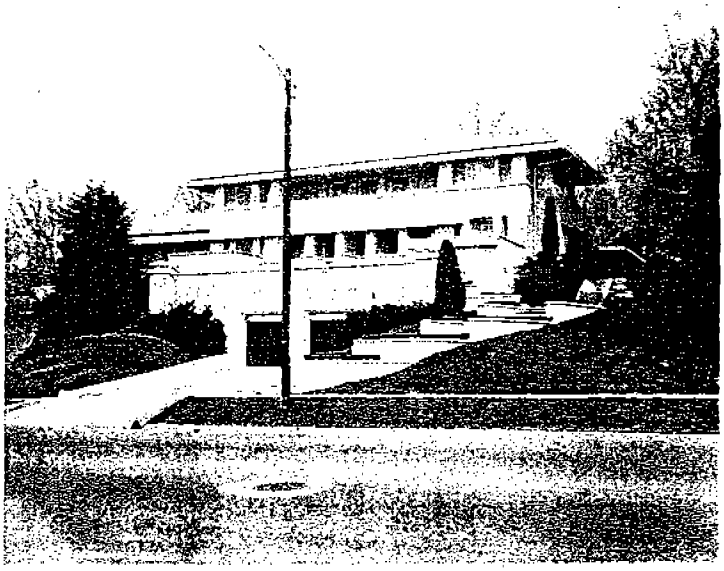
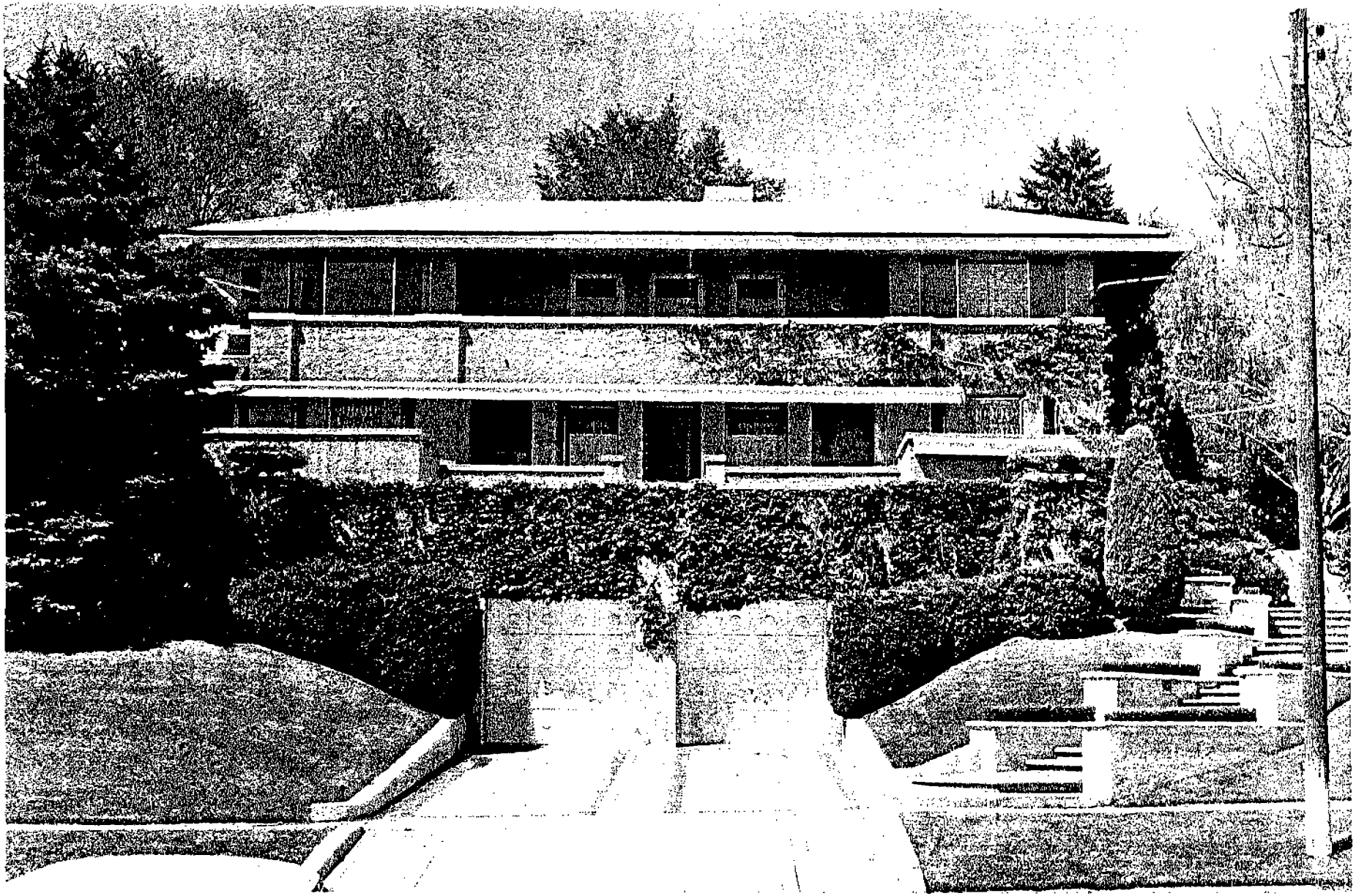
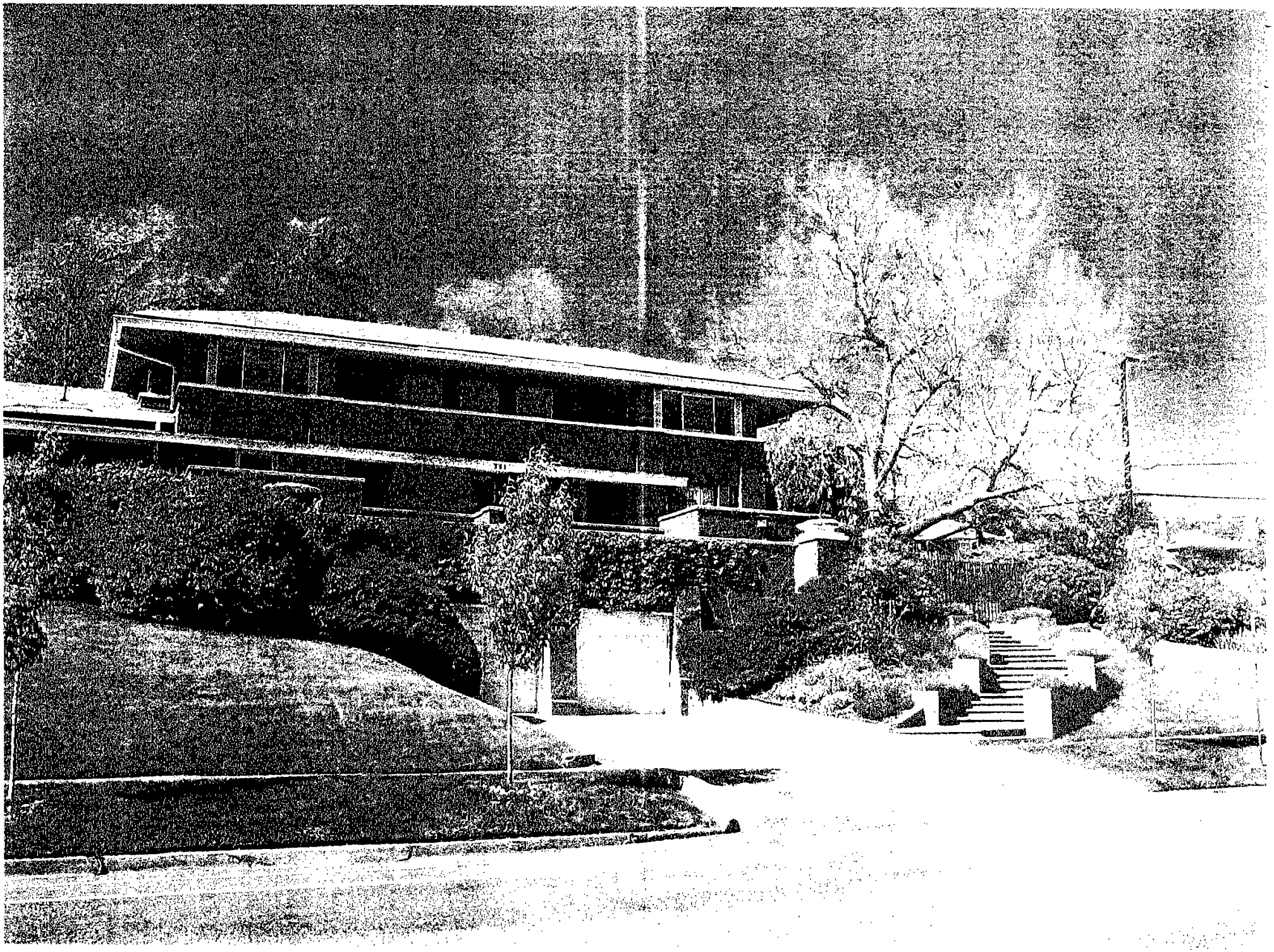
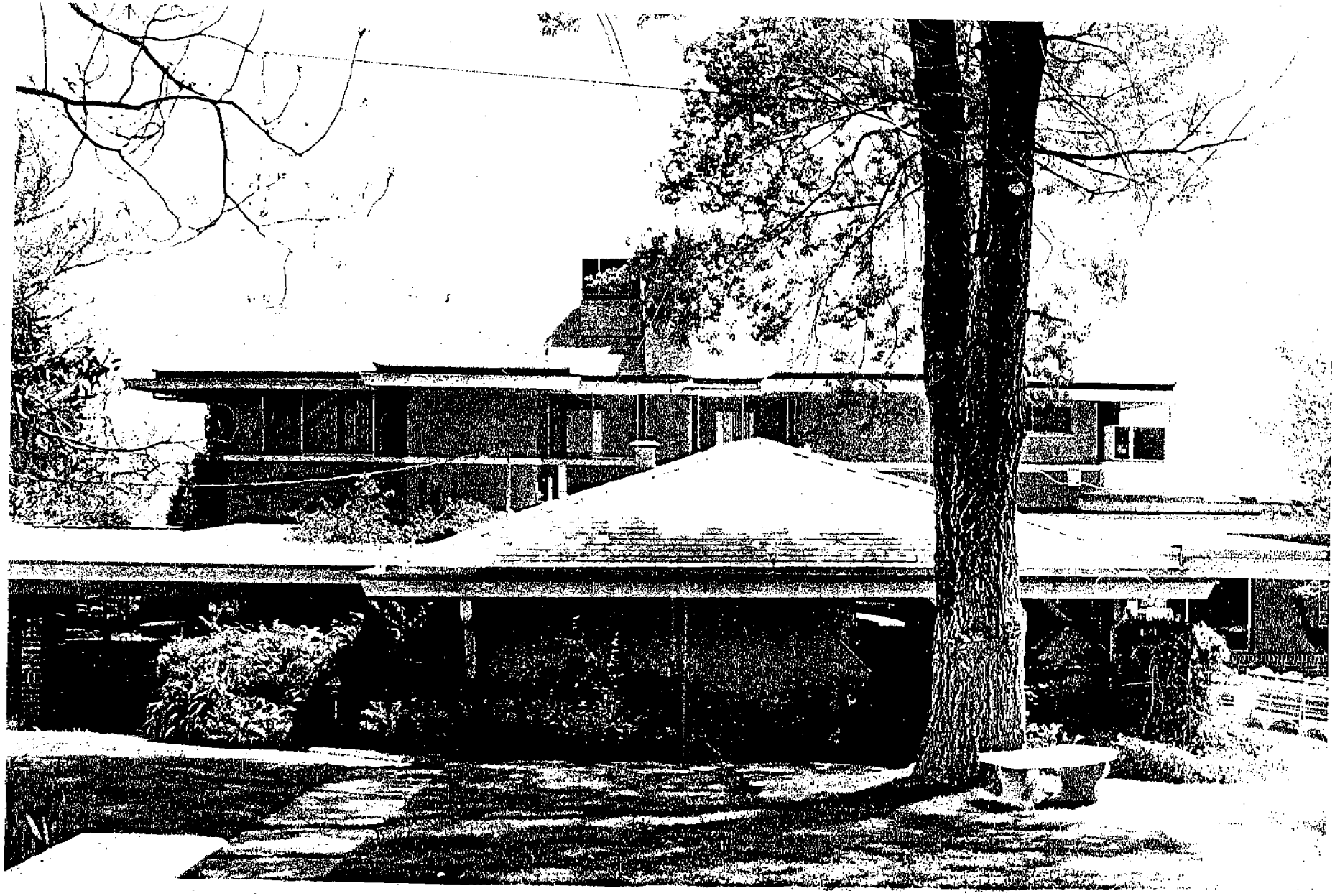


PHOTO TAKEN AT 4-21-65 TAX APPRAISAL

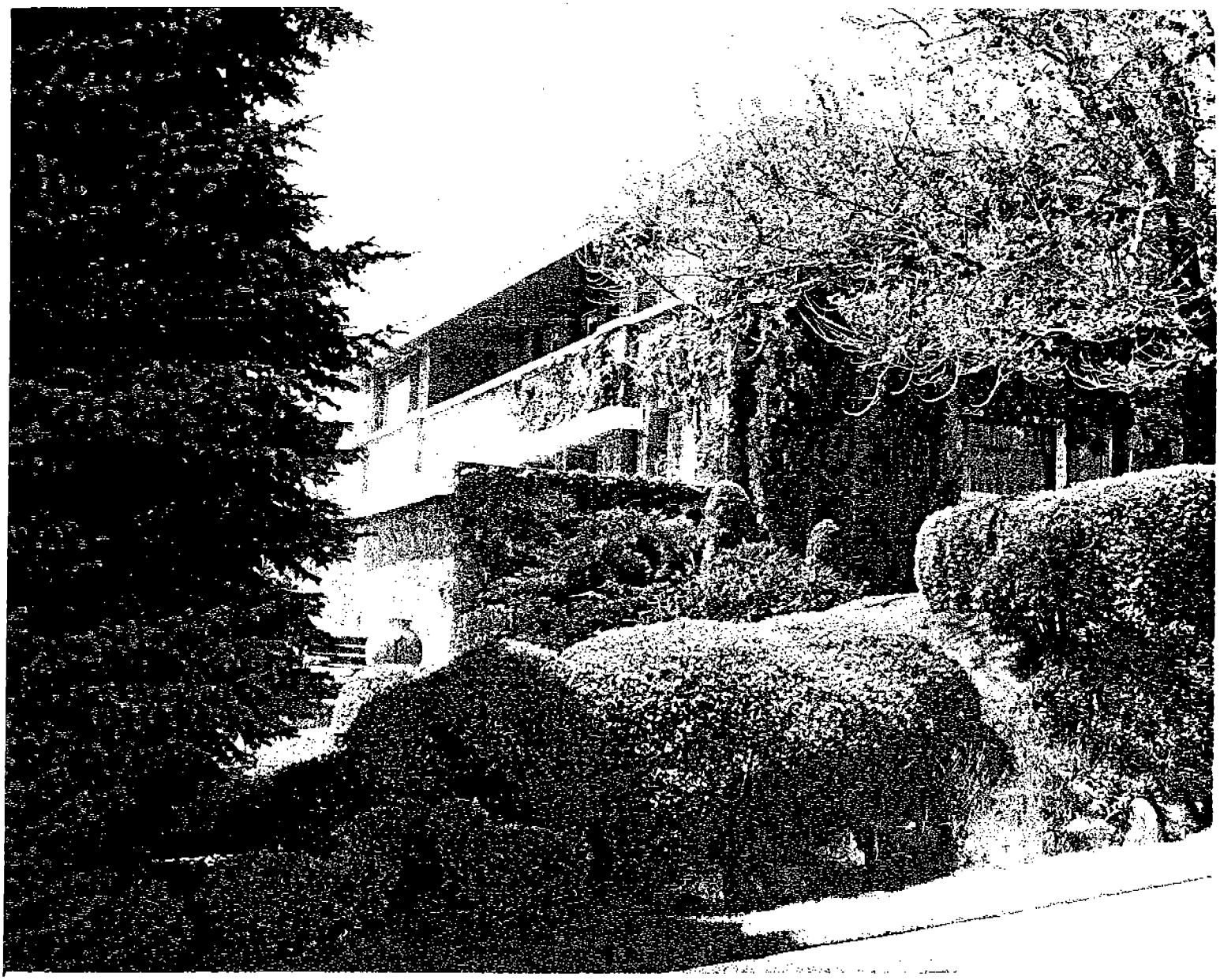






North elevation of house - photo from USHS files

Southeast corner of house - photo from USHS files



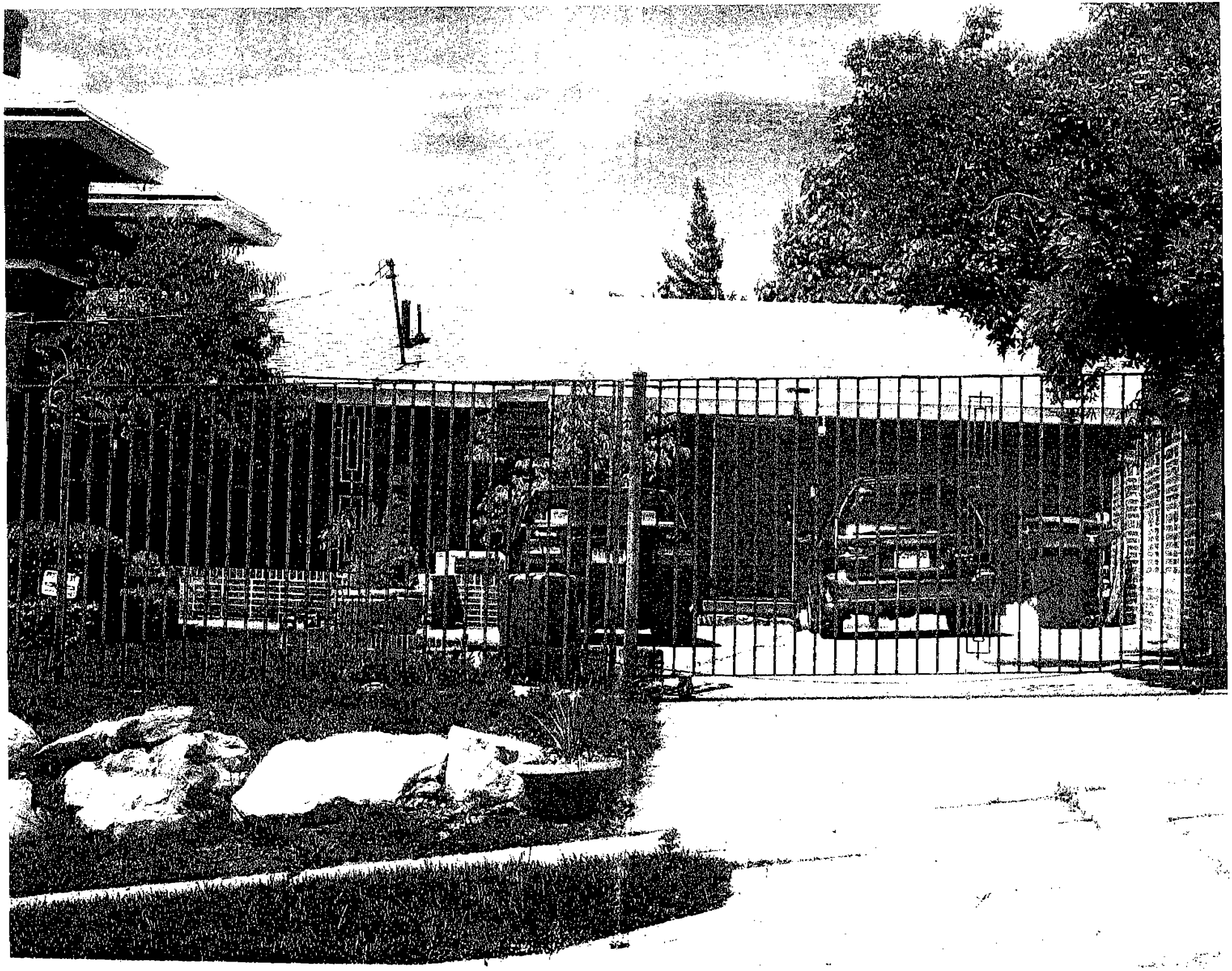


Exhibit 3

Building Permits After 1961

Permit Report for:
381 E 11TH

Permit Number: **11616** Issue Date: 01/06/1993 Flag
Contractor: Not on File Inspector: HOUSING
Job Type: ADDRESS FLAG Job Status" ACTIVE
Valuation: Fee:
Owner:

Last Update: Updated By:
Comments:
KEYSER: MALCOM A HOUSE

FLag - No information associated with the flag.

Permit Number: **97985** Issue Date: 05/16/1995 Building
Contractor: RAY WHITE ROOFING Inspector: JOE SCHMIDTKE
Job Type: BUILDING PERMIT Job Status" FINAL
Valuation: $800.00 Fee: $21.00
Owner: BUGGER

Last Update: Updated By:

Est Cost: $800.00	Constuction	REPAIR	Building	1 FAMILY	
Sq Ft: 300	Kind:		Nmbr	1 Type: Res	0
Garage	Attach Detach:		Buildings:)	Units:	
Certificate Occ: 6/20/1995	Cert	F	Inspect Every: 120		
Frame: Brick:	Brick Var:		Block:		
Steel: Concrete: Concrete	Asphalt:		Stucco:		

Comments:
REROOF

Exterior - Reroofing - Approved by Permits staff. No COA required

---

Permit Number: **101773** Issue Date: 09/06/1995 Building
Contractor: BOARDWALK REMOD & DESIGN Inspector: JOE SCHMIDTKE
Job Type: BUILDING PERMIT Job Status" VOID
Valuation: $12,000.00 Fee: $205.98
Owner: Karin Kane

Last Update: 02/14/2002 Updated By: bc1609

Est Cost: $12,000.00	Constuction	REMODEL	Building	1 FAMILY
Sq Ft: 100	Kind:		Nmbr	Type: Res
Garage	Attach Detach:		Buildings:	Units:
Certificate Occ:	Cert		Inspect Every: 120	
Frame: Brick:	Brick Var:		Block:	
Steel: Concrete:	Asphalt:		Stucco:	

Comments:
Interior remodel, no work on exterior, historical home

Interior

Permit Report for:
381 E 11TH

Permit Number: **101892** Issue Date: 09/11/1995 General
Contractor: NIKI, YO PLUMBING Inspector: ED SCHOENFELD
Job Type: PLUMBING Job Status" FINAL
Valuation: $0.00 Fee: $4.00
Owner: Karin

Last Update: 09/11/1995 Updated By: bc1609

Interior

Comments:
1 washer

Permit Number: **101981** Issue Date: 09/13/1995 General
Contractor: SPARTAN ELECTRIC, INC Inspector: NEAL WRIGHT
Job Type: ELECTRICAL Job Status" FINAL
Valuation: $600.00 Fee: $20.00
Owner: Kane

Last Update: 12/05/1995 Updated By: bc1609

Interior

Comments:
electric to room addition

Permit Number: **109418** Issue Date: 05/31/1996 General
Contractor: NIKI, YO PLUMBING Inspector: TIM COLLINGS
Job Type: PLUMBING Job Status" FINAL
Valuation: $0.00 Fee: $16.00
Owner: KANE

Last Update: 06/11/1997 Updated By: bc1609

Interior

Comments:
INSTALL 4 PLUMBING FIXTURES

Permit Number: **125526** Issue Date: 11/19/1997 Building
Contractor: KIMBALL ROOFING Inspector: JOE SCHMIDTKE
Job Type: BUILDING PERMIT Job Status" FINAL
Valuation: $2,950.00 Fee: $74.75
Owner: Kane

Last Update: 12/05/2000 Updated By: bc1609

Est Cost: $2,950.00 Constuction REROOF Building 1 FAMILY
Sq Ft: 2,200 Kind: Nmbr 1 Type: Res 1
Garage Attach Detach: Buildings: Units:
Certificate Occ: Cert Inspect Every: 120
Frame: Brick: x Brick Var: Block:
Steel: Concrete: Asphalt: Stucco:

Exterior

Comments:
historical home shingle over existing with 25yr arch asphalt shingles, pewter color, 30lb felt over wood shingles, upper roof only

Reroofing. Approved by Permits Staff. No COA required.

Permit Number: **143699** Issue Date: 09/02/1999 Building
Contractor: DAVIS & DAVIS L L C Inspector: JOE SCHMIDTKE
Job Type: BUILDING PERMIT Job Status" FINAL
Valuation: $1,500.00 Fee:
Owner: KARIN L. KANE

Last Update: 12/10/1999 Updated By: hp2503

Est Cost: $1,500.00 Constuction REPAIR Building 1 FAMILY
Sq Ft: 6,300 Kind: Nmbr 1 Type: Res
Garage Attach Detach: Buildings: Units:
Certificate Occ: Cert Inspect Every: 120
Frame: x Brick: Brick Var: Block:
Steel: Concrete: Asphalt: Stucco:

Exterior
Approved by Preservation Staff.
Emergency. No COA required

Comments:
REPLACE EXISTING FENCE. TORNADO DAMAGE. 6' HIGH. GRAPE STAKE TYPE 6 FT CORNER LOT

Permit Number: **144886** Issue Date: 10/12/1999 Building
Contractor: DAVIS & DAVIS L L C Inspector: JOE SCHMIDTKE
Job Type: BUILDING PERMIT Job Status" FINAL
Valuation: $35,900.00 Fee: $552.59
Owner: KARIN KANE

Last Update: 12/05/2000 Updated By: hp2503

Est Cost: $35,900.00 Constuction REMODEL Building 1 FAMILY
Sq Ft: 6,400 Kind: Nmbr 1 Type: Res 1
Garage Attach Detach: Buildings: Units:
Certificate Occ: Cert Inspect Every: 120
Frame: Brick: x Brick Var: Block:
Steel: Concrete: x Asphalt: Stucco:

Interior

Comments:
REMOVE EXISTING KITCHEN AND BATH FIXTURES AND CABINETS, REMOVE NON-BEARING WALLS. INSTALL NEW CABINETS, KITCHEN FIXTURES, NEW GFI CIRCUITS. NEW WIRING FOR LIGHTING. RELOCATE DRAIN LINE.

Permit Number: **144906** Issue Date: 10/13/1999 General
Contractor: RAM ELECTRIC INC Inspector: JEFF HOUSTON
Job Type: ELECTRICAL Job Status" FINAL
Valuation: $1,600.00 Fee: $20.00
Owner: KAREN KANE

Last Update: 12/05/2000 Updated By: bc1609

Comments:
ELECTRICAL WORK

Interior

Permit Report for:
381 E 11TH

Permit Number: **144926** Issue Date: 10/13/1999 General
Contractor: WORTHINGTON PLUMBING CO Inspector: TIM COLLINGS
Job Type: PLUMBING Job Status" FINAL
Valuation: $0.00 Fee: $4.00
Owner: KANE

Last Update: 10/13/1999 Updated By: bc1609

Interior

Comments:
1 PLUMBING FIXTURES

Permit Number: **153627** Issue Date: 08/01/2000 General
Contractor: AAIROW COMFORT INC Inspector: VANWAGENEN, KENT
Job Type: MECHANICAL Job Status" FINAL
Valuation: $0.00 Fee: $27.00
Owner: KANE

Last Update: 03/20/2002 Updated By: ct7370

Interior

Comments:
100C BTU FURNACE AND 3T A/C UNIT

Permit Number: **5003495** Issue Date: 08/12/1999 Flag
Contractor: Not on File Inspector: PERMIT OFFICE
Job Type: ADDRESS FLAG Job Status" FINAL
Valuation: $0.00 Fee:
Owner:

Last Update: 08/01/2000 Updated By: bc1609

Flag - Survey of Tornado Damage.

Comments:
TORNADO. □□ ROOF DRIP EDGE LIFTED UP. SHINGLES BLOWN OFF. GAZEBO TOTALLY FLATTENED BY FALLEN TREE. GLASS DOORS BLOWN IN, TWO 6 BY 7 GLASS WINDOWS DESTROYED.

Exhibit 4

1979 Historic Site Survey

Utah State Historical Society
Historic Preservation Research Office

Structure/Site Information Form

Street Address: 381 11th Avenue — Plat D Bl. 159 Lot

Name of Structure: Malcolm A Keyser Home — T. R. S.

Present Owner: Glayde V. Snow — UTM:

Owner Address: 381 11th Avenue — Tax #:

Original Owner: Malcolm A. Keyser — Construction Date: 1913 — Demolition Date:

Original Use: single family

Present Use: — Occupants:

- [x] Single-Family
- [ ] Multi-Family
- [ ] Public
- [ ] Commercial
- [ ] Park
- [ ] Industrial
- [ ] Agricultural
- [ ] Vacant
- [ ] Religious
- [ ] Other

Building Condition:

- [x] Excellent
- [ ] Good
- [ ] Deteriorated
- [ ] Site
- [ ] Ruins

Integrity:

- [x] Unaltered
- [ ] Minor Alterations
- [ ] Major Alterations

Preliminary Evaluation:

- [x] Significant
- [ ] Contributory
- [ ] Not Contributory
- [ ] Intrusion

Final Register Status:

- [ ] National Landmark
- [ ] National Register
- [ ] State Register
- [ ] District
- [ ] Multi-Resource
- [ ] Thematic

Photography:
Date of Slides: 7/79
Views: Front [x] Side [ ] Rear [ ] Other [ ]
Date of Photographs:
Views: Front [ ] Side [ ] Rear [ ] Other [ ]

Research Sources:

- [ ] Abstract of Title
- [x] Plat Records
- [ ] Plat Map
- [ ] Tax Card & Photo
- [x] Building Permit
- [ ] Sewer Permit
- [x] Sanborn Maps
- [x] City Directories
- [x] Biographical Encyclopedias
- [x] Obituary Index
- [ ] County & City Histories
- [ ] Personal Interviews
- [x] Newspapers
- [x] Utah State Historical Society Library
- [ ] LDS Church Archives
- [ ] LDS Genealogical Society
- [ ] U of U Library
- [ ] BYU Library
- [ ] USU Library
- [ ] SLC Library
- [ ] Other

Bibliographical References (books, articles, records, interviews, old photographs and maps, etc.):

Salt Lake County Records: 1895-1943
Polk, SLC Directories, 1913-1925
Deseret News obits: Malcolm A. Keyser, March 1, 1954, p.B-14; March 2, 1954, p.B-6.
SLC Building Permit #5185, July 1, 1913

Architect/Builder: Pope and Burton/John Timms

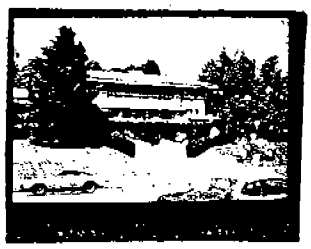
Building Materials: Building Type/Style: Prairie Style

Description of physical appearance & significant architectural features:
(Include additions, alterations, ancillary structures, and landscaping if applicable)

The Keyser house is a large, two story stucco structure with a double garage below. Similarities to house designs of Frank Lloyd include the terraced site, the cubical masses of the garage and walls in the foreground and the central entrance.

Additions have been added to the west and north, most of the original windows have been replaced. The terracing and exterior stairs have been redone. The horizontal coping and exterior ornament, originally dark are now white. The body of the house is now pink. In spite of these changes, the original massing and horizontal, earthbound design make this a significant site.

The Keyser house, though altered, is the best example of the Prairie Style in the Avenues. The style is uncommon on the Avenues, because at the height of its popularity Federal Heights and the East Bench had replaced the Avenues as the more fashionable residential neighborhoods.



Statement of Historical Significance:

- ☐ Aboriginal Americans
- ☐ Agriculture
- ☐ Architecture
- ☐ The Arts
- ☐ Commerce
- ☐ Communication
- ☐ Conservation
- ☐ Education
- ☐ Exploration/Settlement
- ☐ Industry
- ☐ Military
- ☐ Mining
- ☐ Minority Groups
- ☐ Political
- ☐ Recreation
- ☐ Religion
- ☐ Science
- ☐ Socio-Humanitarian
- ☐ Transportation

The original owner of this large home sitting on over a quarter of its block, high at the north end of the avenues was Malcolm A. Keyser. Keyser, a "prominent business man and capitalist" was born July 17, 1887 in SLC to Aaron and Henrietta DePue Keyser. Aaron Keyser, who lived in another part of the city, built many houses on the avenues. Malcolm A. Keyser was the president and secretary treasurer of the M.A. Keyser Fireproof Storage Company and later the M.A. Keyser Moving and Storage Co. He was vice president of both the Aaron Keyser Realty and Insurance Co. and the Utah Paper Box Co. Keyser was a director and member of the executive committees of Walker Bank and Trust Co., Utah Power and Light Co., as well as the director and treasurer of St. Mark's Hospital. He was a member of the United States and SL Chamber of Commerce and the secretary of the Duckville Gun Club.

In 1909 Keyser married Elizabeth C. Callison and at his death in March 1954, was survived by one son, Malcolm A. Keyser Jr., and three daughters: Mrs. Helen K. McClure, Mrs. Joan K. Hansell and Mrs Elizabeth K. Masson. One brother, George D. Keyser, also survived him.

Malcolm A. Keyser took out a building permit for this home in 1913 and lived here until 1919 when he moved to Walker Lane, part of a very prestigious suburb south of SLC.

In 1922 Albert Merrill bought the property. Merrill who was in business with Malcolm A. Keyser's brother, Paul F., (see Merrill-Keyser Co) had been the resident here since 1920 (see 635 9th Ave).

Subsequent owners to present: 1922, Albert Merrill; 1930, Margaret C. Lucas; 1941, Margaret Ingersoll; 1943-present, Glayde V. Snow.

Exhibit 5

1973 Historic Site Survey and 1977 Architectural Inventory for Avenues Historic District

STATE OF UTAH
DIVISION OF STATE HISTORY

HISTORIC SITES SURVEY

County: Salt Lake

(Type or Print - Complete Applicable Sections)

1. NAME

Common: Residence

and/or Historic:

2. LOCATION

Street and Number or Other Description of Location: 381 11th Avenue

City, Town, or Township: Salt Lake City

State: UTAH | Code: 49 | County: Salt Lake County | Code:

3. CLASSIFICATION

CATEGORY (Check One)	OWNERSHIP		STATUS	ACCESSIBLE TO THE PUBLIC
District ☐ Building ☒	Public ☐	Public Acquisition:	Occupied ☒	Yes:
Site ☐ Structure ☐	Private ☒	In Process ☐	Unoccupied ☐	Restricted ☐
Object ☐	Both ☐	Being Considered ☐	Preservation work in progress ☐	Unrestricted ☐
				No: ☒

PRESENT USE *(Check One or More as Appropriate)*

Agricultural ☐	Government ☐	Park ☐	Transportation ☐	Zoning (Specify) ☐
Commercial ☐	Industrial ☐	Private Residence ☒	Other (Specify) ☐	Comments ☐
Educational ☐	Military ☐	Religious ☐		
Entertainment ☐	Museum ☐	Scientific ☐		

4. OWNER OF PROPERTY

Owners Name: Glade V. Snow

Street and Number: 381 11th Avenue

City or Town: Salt Lake City | State: Utah | Zip Code | Code:

5. LOCATION OF LEGAL DESCRIPTION

Courthouse, Registry of Deeds, Etc: Salt Lake County Recorder Office

Street and Number: City and County Building

City or Town: Salt Lake City | State: UTAH | Zip Code | Code: 49

Approximate Acreage of Nominated Property: 0.8

6. REPRESENTATION IN EXISTING SURVEYS

Title of Survey Records: Not Applicable

Date of Survey: Federal ☐ State ☐ County ☐ Local ☐

Depository for Survey Records:

Street and Number:

City or Town: | State: | Zip Code | Code:

County

Site Name

Date

Form HSS-1/69/3M

7. DESCRIPTION

CONDITION	Excellent ☐	Good ☒	Fair ☐	(Check One) Deteriorated ☐	Ruins ☐	Unexposed ☐

INTEGRITY	Altered ☒	(Check One) Unaltered ☐	Moved ☐	(Check One) Original Site ☒

Describe the Present and Orginal (if known) Physical Appearance

The house is a single detached building facing south on the northwest corner of 11th Avenue and E Street. The original house was a two story rectangular plan. Single story wings have been added to the back and side. The site is sloped from rear to front, and there is a partial basement and garage under the front portion.

The structure is masonry with stucco covering. The wall panels are recessed and the piers are emphasized. Most panels are filled with fixed or flat sliding windows. The windows have plain surrounds and no head. The second story windows are all flush with the roof line, and the first story windows are flush with the line of the second floor.

The porch is covered. The porch area is a terrace with side access. The porch is supported by piers and the terrace parapet is masonry and stucco with an accentuated coping. Above the porch is a recessed balcony area.

The roof is a low-hip with a large rain gutter and fascia element. The roof overhang is quite large.

The main two story block of the house has been altered extensively on the interior. Two single story wings have been added. The one along the front to the west of the house was added in 1956. It contains a bedroom. The other to the north was added in 1953. It contains the kitchen and informal living area and car port. The upper story has been made into an apartment. The original staircase was blocked off from the main floor and opened to the exterior for access to the apartment. A swimming pool was added in 1953. The approach walkway was curved to the west to meet the driveway because the trees on the corner had grown so large.

The original window elements have been altered especially in the upper story. The original windows were sash windows with accentuated mullions. A small protruding roof over the front porch has been added.

9. MAJOR BIBLOGRAPHICAL REFERENCES (DOCUMENTS, PUBLICATIONS, REPORTS, NEWSPAPERS)

County Assessor's Records serial number 42226

Building Permits

10. GEOGRAPHICAL DATA

LATITUDE AND LONGITUDE COORDINATES DEFINING A RECTANGLE LOCATING THE PROPERTY						OR	LATITUDE AND LONGITUDE COORDINATES DEFINING THE CENTER POINT OF A PROPERTY OF LESS THAN ONE ACRE					
CORNER	LATITUDE			LONGITUDE				LATITUDE			LONGITUDE	
	Degrees	Minutes	Seconds	Degrees	Minutes	Seconds		Degrees	Minutes	Seconds	Degrees	Minutes	Seconds
NW	°	'	"	°	'	"		°	'	"	°	'	"
NE	°	'	"	°	'	"		°	'	"	°	'	"
SE	°	'	"	°	'	"		°	'	"	°	'	"
SW	°	'	"	°	'	"		°	'	"	°	'	"

LIST ALL STATES AND COUNTIES FOR PROPERTIES OVERLAPPING STATE OR COUNTY BOUNDARIES

State:	Code	County:	Code
State:	Code	County:	Code
State:	Code	County:	Code
State:	Code	County:	Code

11. FORM PREPARED BY

Stephen B. Smith	Team No.	Signature:
David Eldredge		Date May 23, 1973
Street and Number: 1089 South 7th East		
City or Town: Salt Lake City	State: UTAH 84105	Code 49

12. LOCAL ORGANIZATION OR INTERESTS (INDICATE NAMES AND ADDRESSES)

Incorporated ☐ Non-profit ☐

8. SIGNIFICANCE

PERIOD (Check One or More as Appropriate)

Pre-Columbian ☐	16th Century ☐	18th Century		19th Century ☐	20th Century ☒
15th Century ☐	17th Century ☐	1st Qtr. ☐	3rd Qtr. ☐	1st Qtr. ☐	3rd Qtr. ☐
		2nd Qtr. ☐	4th Qtr. ☐	2nd Qtr. ☐	4th Qtr. ☐

SPECIFIC DATE(S) (If Applicable and Known)

AREAS OF SIGNIFICANCE (Check One or More as Appropriate)

Aboriginal	☐	Education	☐	Political	☐	Urban Planning	☐
Prehistoric	☐	Engineering	☐	Religion/		Other (Specify)	☐
Historic	☐	Industry	☐	Philosophy	☐		
Agriculture	☐	Invention	☐	Science	☐		
Architecture	☒	Landscape	☐	Sculpture	☐		
Art	☐	Architecture	☐	Social/			
Commerce	☐	Literature	☐	Humanitarian	☐		
Communications	☐	Military	☐	Theater	☐		
Conservation	☐	Music	☐	Transportation	☐		

STATEMENT OF HISTORICAL SIGNIFICANCE (Include Builder/Architect, Orginal & Subsequent Owners, Dates, Events, Etc.)

The house was built in 1913 by Malcolm Keyser. The architect is unknown. The subsequent owners were: Albert Merrill from 1922 to 1930, Margaret Lucas from 1930 to 1941, Margaret Ingersoll from 1941 to 1943, and Glade V. Snow from 1943 to present.

The major significance of the house is in its resemblance to the prarie houses of Frank Lloyd Wright.

Wright's prarie houses had low slung roof lines which emphasized the horizontal. The roofs were low pitched with deep overhangs to emphasize the thin edge. The house at 381 11th Avenue has a similar roof line and pitch. The horizontal is further emphasized by the large rain gutter and fascia element.

Another feature of Wright's prarie houses found in this house is the emphasis on horizontal created by the entrance terrace and balcony over the porch. Here the accentuated coping on the parapet creates a strong horizontal line. The line of the balcony is carried around the house by means of a string course. Wright often used the parapets of his terraces for planter boxes and urns; planters and urns are used on the terrace in this house.

The windows of this house are similar to Wright's prarie houses in that they are flush with the roof line and recessed between the piers. Wright often had a taller central element such as a two story living room with single story wings out from it. This house was a two story block originally but now has the single story wing elements extending from the taller portion.

Wright often used an open plan with the living spaces divided by a central fire place. This house had a similar arrangement. The dining, living, and kitchen areas were divided by a fire place. The character of this area has changed somewhat since the conversion of the upper story to an apartment.

The front exterior of the house still has a strong resemblance to Wright's prarie houses. Even though Wright didn't design this house, his influence on the architect who did is apparent.

THE AVENUES HISTORIC DISTRICT

ARCHITECTURAL INVENTORY

MAY/JUNE 1977

HISTORIC UTAH, INC.

THE AVENUES
HISTORIC DISTRICT
SALT LAKE CITY, UTAH

ARCHITECTURAL INVENTORY
PRELIMINARY REPORT

Conducted by:

HISTORIC UTAH, INC.
32 Exchange Place, Suite 105
Salt Lake City, Utah

For:
THE UTAH STATE HISTORICAL SOCIETY
PRESERVATION OFFICE

May/June, 1977

AN EXPLANATION OF THE RATINGS ASSIGNED

The map which is part of this report includes an outline drawing of each building in the Avenues, some of which are shaded to indicate a level of potential historical significance. These ratings are based upon the following criteria:

Group "A"

These structures are the finest buildings to be found in the area, based upon an unusual visual or cultural contribution. Because of their superior architecture or in a few cases, the knowledge the staff of Historic Utah, Inc about the historic background of the building, it is felt that there is enough obvious importance to the building that it should be conserved. Such buildings have reached a level of significance at which no more data needs be discovered to identify them as worthy of preservation efforts. They tend to fall into one or more of the following classifications:

1. Extremely old
2. Finely preserved and maintained
3. One of the premier examples of an architectural style.
4. Confirmed importance in community beginnings and growth to maturity.
5. Best remaining visual link to an era, event, or development of great historical significance.

Group "B"

These are the vast majority of older buildings in the Avenues area. Without an historical analysis of the area, it is impossible to assign the buildings within this area to a subcategory of importance. The architecture of these structures indicates that they would qualify under the age requirements of the survey, but does not distinguish them as highly significant due to the architecture alone. Because they are in the "B" classification, however, they do reflect the following characteristics:

	577 10th Ave	C
	583 10th Ave	C
	629 10th Ave	B
	633 10th Ave	B
	637 10th Ave	B
	252 11th Ave	B
	381 11th Ave	A
	423 11th Ave	C
	429 11th Ave	C
	467 11th Ave	B
	551 11th Ave	B
	567 11th Ave	D
	Veteran's Hospital	A
	565 12th Ave	C
	567 12th Ave	C
	NE Cnr 13th Ave	B
1117	67 BSt	B
1118	140 A St	B
1119	165 A St	A
1120	174 A St	A
1121	175 A St	A
1122	178 A St	A
1123	183 A St	B
1124	209 A St	C
1125	214 A St	B
1126	220 A St	B
1127	224 A St	C
1128	228 A St	B
1129	232 A St	C
1130	238 A St	B
1131	324 A St	C
1132	330 A St	C
1133	370 A St	B
1134	420 A St	C
1135	424 A St	B
1136	442 A St	C
1137	67 B St	A
1138	76 B St	C
1139	86 B St	A
1140	87 B St	B
1141	116 B St	B
1142	119 B St	C
1143	123 B St	C
1144	124 B St	B
1145	128 B St	B
1146	129 B St	B
1147	132 B St	B
1148	135 B St	B
1149	140 B St	A
1150	157 B St	A
1151	163 B St	B
1152	167/169 B St	B
1153	174 BSt	A
1154	173/175 B St	B
1155	181 B St	A
1156	212 B St	C
1157	215 B St	C
1158	216 B St	B
1159	217 B St	B
1160	224 B St	C
1161	228 B St	B
1162	233 B St	C
1163	234 B St	B
1164	238 B St	B
1165	251 B St	A
1166	263 B St	B
1167	265 B St	B
1168	271 B St	B
1169	274 B St	B
1170	276 B St	B
1171	280 B St	B
1172	287 B St	B
1173	301 B St	B
1174	316 B St	C
1175	385 B St	B
1176	387 B St	C
1177	403 B St	B
1178	407 B St	B
1179	413 B St	C
1180	418 B St	C
1181	421 B St	B
1182	425 B St	B
1183	427 B St	B
1184	435 B St	B
1185	459 B St	C
1186	463 B St	B
1187	518 B St	C
1188	524 B St	B
1189	33 C St	A
1190	68 C St	B
1191	72 C St	B
1192	75 C St	B
1193	77-79 C St	B
1194	82-84 C St	B
1195	85 C St	B
1196	86 C St	A
1197	87-89 C St	B
1198	108 C St	B
1199	111 C St	B
1200	117 C St	B

Exhibit 6

Minutes of the HLC, PC and City Commission meetings designating site.

Tuesday, August 23, 1977

The special meeting was held in Room 414 City & County Building at 1:00 p.m. Members in attendance included: Richard D. ASSENBURG, Stephanie CHURCHILL, Sheila DESPAIN, and Carl INOWAY. Excused were Syd S. COLESSIDES, W. Eldredge GRANT, James E. HOGEL, Jr., Dr. Frank H. JONAS, Vernon F. JORGENSEN, and Lorna LEE. Also present was Mark HAFEY, Planner II.

Richard D. Assenburg, Chairman, called the meeting to order, and the minutes of the previous meeting, August 2, were approved as mailed to the members.

Mr. Assenburg requested representatives of Case No. 7375 for Continental Bank and Trust, located at 769 East South Temple, to come forward. Martin Brixen, architect, and Roger Fidwell from Continental Bank, were present. Mr. Brixen explained the landscaping plans and everyone agreed that they were satisfactory. He said that bids were opened and that they came in higher than they had anticipated. The bank has requested that scored concrete be for the walkways rather than tile. Mr. Brixen said that he still would prefer the tile, but a cement system would reduce the cost. The parking is much the same. They will comply with the sign ordinances in the "R-7" District. There will be one sign facing South Temple and one facing "K" Street.

The Committee was concerned about the color of the brick for the building. Mr. Brixen explained the color of the brick, a Sudan Grey, which matches the color of the Zerox Building to the west. The Committee discussed several of the buildings and their colors around the City and ones near the site of the bank. After considerable discussion, Mrs. Churchill moved that they take it under advisement later in the meeting. Mr. Assenburg said that they would, and he informed the visitors that they were welcome to stay or to leave. The visitors opted to leave.

The bank building was again discussed. The Committee approved the landscaping plan and stated that all signs would have to meet the "R-7" sign ordinance required.

Mr. Inoway moved that they approve this design with the understanding that the sign will comply with the requirements that exist. Mrs. Churchill seconded the motion. The vote was unanimous.

Mr. Hafey presented the Planning Director's (Mr. Vernon Jorgensen) views on the Avenues Historic District boundaries. He explained that Mr. Jorgensen felt the modification of the boundaries should exclude the L.D.S. Hospital; that as part of the Avenues Master Plan, a health services zoning district be proposed. This zoning district would have controls and designs standards that would keep uses and architectural standards in keeping with the adjacent area.

Mrs. Churchill reported that she and Lorna Lee had a meeting with approximately 200 of the Avenues residents, the first week of August. The Committee discussed the Avenues Historic District Map prepared by the Avenues residents. Several possibilities for the boundaries for this district were explored. The Committee proposed the boundaries of the district be as shown on the map presented (the Avenues Historic District Map) with the modification in the City Creek area. (Sixth and Seventh Avenues west to East Capitol Boulevard.)

Mr. Inoway moved that the boundary be used as given by the Avenues Historic District with the exception to include the City Creek area. Mrs. Churchill seconded the motion. All members were in favor.

Mrs. Churchill asked Mr. Hafey if the boundaries would be discussed at the Thursday Planning Commission meeting. Mr. Hafey said yes, the item of Historic boundaries is on the Planning Commission agenda.

Mr. Assenburg moved that the meeting be adjourned and Mrs. Churchill seconded the motion.

The meeting adjourned at 1:55 p.m.

Wendy Welch
Secretary

AGENDA FOR SPECIAL HISTORICAL LANDMARKS COMMITTEE MEETING

TO BE HELD

August 23, 1977

The meeting will be held in Room 414 City and County Building at 1:00 p.m.

1. The Avenues Historic District

2. Final approval of plans for the Continental Bank Building, 769 East South Temple. Board of Adjustment Case No. 7375, by A. L. Higgins, Executive Vice-President.

Planning Commission

tion as to whose responsibility it would be to enforce it. Under the present ordinance a contractor is required to bond a job, so some felt there is no need for an additional bond. Following further discussion Mrs. Lee moved that 42-7-12 be approved as follows:

> 42-7-12 - Reservation of Land for Parks, Schools, or Other Public Purposes. When a preliminary plat is submitted for the subdivision of property, a part or all of which is shown on a master plan adopted by the Planning Commission or the City Commission, or is in an area where it is deemed by the Planning Commission that the property is desirable for schools, parks, playgrounds or other areas for public use, the Planning Commission shall apprise the proper agency in writing of the property owner's intent to subdivide. The agency notified shall reply in writing to the Planning Commission within thirty (30) days of its intent to acquire said land. Such notification is to be recorded. If any such areas proposed for public use have not been freely dedicated to the public by the owner or has been purchased at a fair price by the proper agency within one (1) year from the date of notification, such areas may be divided into lots and sold in accordance with the provisions of this title.

but that Section 42-6-5 be amended to read as follows:

> (3) in addition the subdivider shall not allow any circumstances during construction to cause storm runoff to wash dirt, silt, rocks and/or other debris onto city streets or other private property, and the subdivider shall agree to any requirement imposed by the City Building Inspector to insure compliance.

The motion was seconded by Mr. Wagner, all voting "Aye".

The Avenues: Stephanie Churchill and Beth Schrock were present for this item. Brochures entitled "TheAvenues Historic District" were distributed to the commission members and Mrs. Churchill explained at a recent meeting with Avenues residents where the pros and cons of this proposal were discussed, there were only four who voted against it. The Landmarks Committee has recommended approval of the historic district as outlined on the brochure (as amended to not leave a peninsula) from SouthTemple to 11th Avenue in part, from Memory Grove and East Capitol Boulevard to Virginia Street. She reported in talking with the Director he had pointed out so much paper work would be involved and he had asked her committee to design guidelines so in those instances which meet the guidelines, a permit could be issued; if not they would have to go through various committees for approval. The guidelines are now being drafted. These guidelines would include certain materials, etc. (There was a question as to why, if it could be done here, not in the rest of the City.) If an individual does not agree, he can just wait five months and then go ahead with his plan. Mrs. Churchill was of the opinion that if there is not an historic district, there is not even a chance to talk with those who want to make some changes to their property. Some of the commission members were concerned about so large an area. Others were of the opinion that there should be some place in this area for highrise apartments, but they were reminded that establishing such a district would not change the zoning. Another point that was brought out is that people don't like too many restrictions and also all people don't like the same things; they should be able to make their own choices. On the other hand, the only way to preserve a district is to have some control over the type of building. Mrs. Churchill went on to explain if this district goes on the national register the property owners will be eligible for matching federal funds.

Hopefully this will be a rehab target area probably next July. At this point it was brought out that a great deal of the same results could be brought about with strict code enforcement. The size of the area was of considerable concern; including the area in steps was suggested. A smaller area was suggested to see what problems develop. Mrs. Churchill pointed out if this whole area is not included now, some of the homes might be destroyed; the area ought to be as large as possible to make the grant available. The area proposed is the original part of the Avenues that were platted. This district was walked four times. Every building in this area was judged on its age, the architectural characteristics, its physical condition and its integrity (how much it has been altered, etc.), the criteria having been checked four times. This broader area is recommended by the Avenues Community Council, and was agreed to by the residents. When Mrs. Churchill stated the Landmarks Committee recommended that this large area be approved, it was brought out that that was at a special meeting and neither Lorna Lee nor Mr. Jorgensen was in attendance. Further discussion brought out that while all but four of the 200 residents present at the meeting when the residents agreed with this plan, the 200 represent only 10% of the 2,000 people in the area. Mrs. Churchill brought out that the Salt Lake City ordinance is the weakest in the nation. It was again pointed out that the area is too large. Following further discussion, since the Landmarks Committee has recommended these boundaries and since the five month waiting period would still apply, Mr. Rampton moved that the Planning Commission recommend to the City Committion that a public hearing be held to approve the historic district as outlined in the yellow brochure presented at this meeting. The motion was seconded by Mr. Lewis, all voting "Aye".

The meeting adjourned at 5:15 p.m.

Mildred D. Snider
Secretary

Date

WEDNESDAY MARCH 22, 1978

118 From Department of Public Water Utilities:

Mr. Hall moved that the following requisition be allowed and transmitted to the City Purchasing Agent; No. 2102 Misc. pipe fittings (Waterworks Equipment Co.) $7,532.50, which motion carried, all members present voting aye.

88 From Department of Public Works:

Mr. Hall, Acting Commissioner of Public Works, moved that the following requisitions be allowed and transmitted to the City Purchasing Agent: (see Report for list), which motion carried, all members present voting aye.

69 From Department of Public Planning & Development:

Mr. Wilson moved that the following requisitions be allowed and transmitted to the City Purchasing Agent: (see Report for list), which motion carried, all members present voting aye.

35 From Committee of the Whole:

Bills from the various departments amounting to $3,606,134.54 were presented by the Committee of the Whole, allowed and ordered paid, all members present voting aye.

ORDINANCE

BILL NO. 50 - AN ORDINANCE AMENDING Titles 5 and 51 of the Revised Ordinances of Salt Lake City, Utah, 1965, as amended, relating to building permits in Historic Districts by REPEALING Section 5-5-6(b) and 51-4-5A; and by amending Section 51-3-2 relating to Historic District and Landmark Sites by ADDING Section 51-32-2(3) and (4) providing for the adoption of an Avenues Historic District and designated City Landmark Sites, was introduced by Mr. Wilson, taken up and read and on motion of Mr. Wilson was passed, all members present voting aye.

PUBLIC HEARING

28 From City Recorder:

I have advertised Notice of Hearing to allow tavern owners and private clubs an opportunity to present in-p to the Board of Commissioners for the selection of allowing all taverns and private clubs to stay open until 2:00 a.m. the year around, or to stay open until 1:00 a.m. the year around, and submit the matter herewith for your considerati

MILDRED V. HIGHAM, City Recorder

Mr. Wilson moved that the report be filed for record, which motion carried, all members present voting aye.

A Public Hearing was held this day March 22, 1977, before the Board of City Commissioners to allow tavern owners and private club an opportunity to present in-put to the Board of City Commissioners for the selection of one of the following proposals: 1. To allow all taverns and private clubs to stay open until 2:00 a.m. the year round. 2. To allow all taverns and private clubs to stay open until 1:00 a.m. the year round.

Approximately thirty-five (35) persons were present.

John Wheat of the City License Department explained the proposal.

Ron Yeates of the Dead Goat Saloon opposed the 2:00 a.m. closing as did Larry Perry, Fred Eakin of Bongo Lounge, Don Beck, Executive Director of Utah Licensed Club Association, and Blake Leonard of the Collector Club.

Joe Alaniz stated that the closing time should be 2:00 a.m.

Gerald Kating of V.F.W, Ann Smith of Sun Tavern asked that a 2:00 a.m. closing be established the year round.

Exhibit 7

Minutes of the March 22, 1978 City Commission meeting relating to the Veterans Hospital

QUALITY PRESS, INC. 63115

Date WEDNESDAY MARCH 22, 1978

160 From City Attorney:

Attached is a list of automobiles impounded by the Salt Lake City Police Department which are to be sold at public auction on April 15, 1978. The notice should be published in a Salt Lake City newspaper once at least ten (10) days before the date of the sale. The City Recorder should then be instructed to mail a copy of the notice to each owner, interested party or recorded lien holder and to the Salt Lake City Police Department.

PAUL G. MAUGHAN, Assistant City Attorney

I move that the Notice of Sale be approved and published in the legal section of the Deseret News on April 5, 1978, which motion carried, all members present voting aye.

161 From City Attorney:

Pursuant to your directive of December 27, 1977, I prepared and herewith submit to you a proposed ordinance adopting the Avenues Historic District and designating as City Landmark Sites four sites within the Avenues area. The ordinance also provides for the repeal of the existing building permit moratorium by repealing Sections 51-4-5A(a) - (c) and Section 5-5-6(b) of the Revised Ordinances of Salt Lake City. At the request of Vern Jorgensen Planning and Zoning Director, the proposed ordinance includes the designation of the Old Veterans Hospital Site. The hearing for the protest by the owners of the hospital site was continued until March 14, 1978, If you decide the site should be stricken from the list of designated city landmark sites, then it would be a very simple procedure to merely repeal that designation by amending the ordinance. However, inasmuch as the protest time for all of the remaining sites in the district has expired, we would suggest that the district be adopted and that modifications which may result from the protests should be dealt with by subsequent amendments. I will inform Mr. Swan who is representing the owners of the Veterans site of our intended action so that he will be apprised of the procedure intended to be followed. I believe that the ordinance is in proper form for passage if it meets with your approval.

JUDY F. LEVER, Assistant City Attorney

Mr. Wilson moved that the Report be filed, that the ordinance be approved and laid over to come up in regular order, which motion carried, all members present voting aye.

203 From City Engineer:

I recommend the following appointment in the Salt Lake City Engineering Department/Transportation Division: Beverly J. Whitney, Laborer II, classification 105-A at $641.00 per month effective March 16, 1978. Ms. Whitney will work under the supervision of Mr. John Kuepper in the Transportation Paint Shop and will be paid from CETA Account #93.63.000.2121.60.

JOSEPH S. FENTON, City Engineer

Mr. Hall moved that the report be filed, that the appointment be approved, which motion carried, all members present voting aye.

204 From City Engineer:

In order to expedite construction of Terminal Unit #2 apron at the Salt Lake City International Airport, and in an effort to meet the December, 1978 opening date, it was necessary to place Western Airlines' fuel/air loop in City contract, 19-A-141 with Gibbons & Reed Company. Attached are four copies of an Agreement between Salt Lake City Corporation and Western Airlines covering reimbursement by Western Airlines for this work. The terms and conditions have been reviewed and approved by the City Attorney's Office, City Engineer and Airport Authority staff. I therefore recommend approval by the Board of City Commissioners of the agreement. Upon approval [illegible] signed in the spaces provided, kindly return them to this office for our further handling.

Exhibit 8

Letter from the Applicant and Staff's Response

KEARNS
381 ELEVENTH AVENUE
SALT LAKE CITY, UT 84101
(801) 257-0333

June 15, 2005

Mr. A. Louis Zunguze
Director
DEPT. OF COMMUNITY DEVELOPMENT
451 South State Street, 404
Salt Lake City, UT 84111

Dear Louis,

My thanks to you again for meeting with us yesterday on short notice, regarding the "Landmark" status of our property at 381 Eleventh Avenue (p# 09-31-204-012). It is my wish that we will come to a quick and encouraging resolution to this matter.

It is my intention to assist in finding a solution to this problem, but let us be clear that *time is of the essence* in order to *preserve our financial transaction.*

To recap our meeting, its purpose and discovery-during and after:

Yesterday was the last day for the "buyer" (Marilyn Kalbach) of our house to pull out for any reasons resulting from inspections et al. It is important to note that our negotiations and relationship with "buyer" have been extremely positive.

However, at the last moment "buyer's" realtor, while at the Utah Historical Society looking for information on tax credits, discovered that our house was designated as a SLC Landmark as of 1978 (Exhibit "F"). Given restrictions and control the city could exercise with such a designation, the "buyer" pulled out stating *specifically,* that her concern over "Landmark restrictions" was her reason. This resulted from a meeting at the SLC Historic Landmark Commission offices two days ago. Essentially, the city has killed the purchase of our house and has damaged us (Kearns, "seller"). This usurping of the ability for us to sell our home seems to constitute an unfair "taking."

Disturbing is the fact that important city records are missing or available information is "fuzzy" and this "Landmark" status by SLC has consistently not shown up throughout several information sources including extensive title searches, obtained during due diligence by both of our parties ("seller" and "buyer").

The following points covered in our meeting yesterday are relevant to whether 381 Eleventh Avenue was improperly designated as a "Landmark" property (Exhibit "F"). Equally important is that this house is not located in the "historic district" and that SLC

"Landmarked" this property at the same time they attempted to "Landmark" the Old Veterans Hospital property located a block above 381 Eleventh Avenue as referenced in the same March 22, 1978 SLC Board of Commissioner's meeting (Exhibit "A"). The Hospital was owned by the LDS Church 1964-1987 and is now designated under the National Register (see Exhibit "A",161,City Attorney "simple procedure").

***Discussed in our meeting*:**

1)There has been no reference to this "Landmark" status in four title searches. * *(Kearns purchased the house not knowing it was a "Landmark" after due-diligence).*
2)No physical application exists for "Landmark" status from 1978 year can be *found in files at SLC Historic Landmark Commission offices. (together, we have inquired and requested five times for this info from this office in the last week).*
3)Salt Lake City admits it has not provided consistent information and records *for those who end up blindly purchasing homes in good faith and after appropriate due diligence. These homebuyers want to know information available is correct.*
4)Over 50% of the original house(1913) has been exceeded in additions *(Exhibit "B").*
5)This house probably has lost its original integrity over approx. 100 years.
6)Other than an adopted ordinance, the paper trail is inconclusive and sloppy.
7)Individuals in past administrations may not have followed proper procedure, *lack of important detailed follow-up processing resulting from human error.*
8)Unclear during 1978 meeting whether owner(Snow), condoned "Landmark."
9)Incorrect individual assumption of property's history or significance may have *put this specific "Landmark" status in play (Exhibits "C," "E," "F").*
10) Several significant, obvious property alterations have occurred since 1913. *(Exhibit "C")These include exterior windows, doors, a pool, carport, house siding and two additions, giving house a "modern" appearance from its original "prairie" style.*
11)"Landmark" records for 381 Eleventh Ave possibly do not exist.
12) "Buyers"investment and proposed improvement plans will enhance *neighborhood while returning the house to its tasteful grandeur, but "buyer" wants the freedom as an unencumbered property owner with property rights.*
13)Time is of the essence to find a solution and critical in order not to injure "seller." *Most likely an Administrative change in this "Landmark" is the most logical.*

Discovery After Our Meeting:

This morning, I pulled permits, meeting memo's and ordinance records while collecting paperwork at the City & County building. I discovered that:

1)In the 1990's alone 13 permits exist on record for 381 Eleventh (6 exterior) with no existing "Certificates of Appropriateness" (as required by SLCC) attached, (Exhibit "D") nor were these files found in the "Landmark" offices. Although the word "historic" is used only twice, one for an interior permit, ADDRESS FLAG

***including Landmark Title, First American Title Insurance, The Talon Group**

is indicated twice (Job type:) for two exterior jobs, but still no "Certificates of Appropriateness" were found and no "Landmark" ID (Exhibit "D").

2)Utah State Historical Society (research office) records regarding 381 Eleventh Avenue are incorrect in several details.(Exhibits "C,""E") In Mark Ludgren's July 25, 1979 "Structure/Site Information Form" he checks on page one that the Integrity of the home is "unaltered" when the States own photographic and permit records contradict his records showing "significant" changes and additions (Exhibit "C"). On page two Ludgren's description of the windows (Exhibit "E")para 5, lacks expertise in description. The windows at this time bore little resemblance to Wright's signature windows (see Prairie Style/Stewart, Tabori & Chang/1999-Leger/pgs 46-69). Ludgren notes that the house's "character" has changed with the conversion of an upper story apartment. While Ludgren attaches a pedestrian response to this form by attaching Frank Lloyd Wrights influence throughout, an informed writer would establish that this 1913 house's architecture would also rightly align with Wright's acknowledged mentor, Louis Sullivan along with Maher, Drummond, Byrne, Griffin and Mahoney.

3)Additional Utah Historical Society history further contradicts Ludgren's notes (Exhibit "C"). Building History, page one, para three states plainly that between 1953 to 1961 the Snows made "significant alterations and additions (see permits) without the City looking over their shoulder. Page two starts off admitting that there is a "change of material surrounding second story windows" and that *"The original windows were apparently swing-out casement windows"* (those that the "buyer" is proposing to install). This Exhibit goes on to describe other incorrect details (see also Exhibit "F"). The author further describes (handwritten) in paragraph three that the *"Snow House has indented upper story windows as if balcony is in front of them."* **That is because there *is* a balcony in front of the windows.** However, the author does confirm on the same page under Alterations, *that "Most of the original windows have been removed and replaced by windows unbecoming the general design and giving the exterior a more modern appearance"* and that *"Some horizontal wood molding has been added... The original staircase was blocked off from the main floor and opened to the exterior for access to the upstairs apartment."* In addition, Additions, para one/line 7 reads clearly' *"The site has been altered..."* Again, "significant" alterations have been made. But it seems the key phrase for turning this house into a "Landmark" is apparent on Page one under Architectural Significance, para two, *"The major significance of the house lies in its resemblance to the prairie houses of Frank Lloyd Wright."* It may be this whole "Landmark" play came about by an overenthusiastic, star-struck bureaucratic effort.

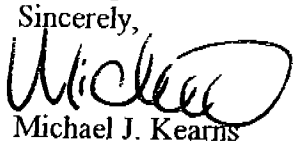
4)My own significant discovery came from a phone call to Linda Snow. She is the daughter of 381 Eleventh Avenue's owner between 1943 and 1994 (and 1978), Dr. Lyndon Snow and his wife Glayde Snow. Linda was a beneficiary to her parent's house in "trust." Linda describes emphatically that her father, Dr. Snow, an influential member of the community, was adamant about never letting the house turn into a "Landmark" emphasizing that *"this would give the city too much control over an owner's rights and lives."* Linda went on to stress that her father *"felt this way to his dying day... He would never let it happen."* Linda is willing to provide an affidavit to this effect.

5)The minutes of the March 22, 1978 Board of Commissioners meeting (Exhibit "A") that designated 381 Eleventh Avenue as a "Landmark" quotes Ass't City Attorney, Judy F. Lever, *"the proposed ordinance includes* the *designation of the Old Veterans Hospital Site. The hearing for the protest by the owners of the hospital site was continued until March 14, 1978 (from December 27, 1977). If you decide the site should be stricken from the list of designated city landmark sites, then it would be a very simple procedure to merely repeal that designation by amending the ordinance."* I spoke with ex Mayor Ted Wilson today to see if he remembered the meeting and this specific ordinance. Mr. Wilson replied that he did somewhat and said, *"That was the Frank Lloyd Wright house."* I answered that "no, Wright was not the architect." Perhaps this was the wrong assumption at that time. Perhaps amending the ordinance to repeal the "Landmark" designation of 381 Eleventh Avenue *"would be a simple procedure"* by way of Administration Changes corrected by a fair Administration that wishes to correct an erroneous and unfair practice.

Louis, your prompt attention to this matter, your rational approach and Mayor Anderson's concern has been appreciated by all, but I can't help but reiterate that *time is of the essence* here. We are beyond the eleventh hour. I believe that the burden is on the City to prove that this "Landmark" process was and has been legitimate and consistent. Unless the City can prove otherwise, I have no choice but to not treat it as a "Landmark," rather a "taking" and to take in to account the "injury" it has caused us.

As a proven supporter of real preservation efforts in this state and a true advocate of this current City administration, it is crucial that I bring public attention to this matter because of the damage it may cause me and other property owners. It is in my best interest pursue relief in the most practical way possible. Let's work this out.

Sincerely,



Michael J. Kearns

mjk/enclosures-Exhibits A-F
cc. Hon. Mayor R. Anderson
bc

STAFF RESPONSE TO ISSUES RAISED BY MR. MICHAEL KEARNS
LETTER DATED JUNE 15, 2005
REGARDING 381 E. ELEVENTH AVENUE

1) There has been no reference to this "landmark" status in four title searches.
Response: Most of the sites individually designated on the local register are done at the request of and / or with support of the property owner. Many were included in 1976 when the City's Historic Preservation Program was adopted. At that time, all sites listed on the National Register were placed on the City Register. Other individual sites have been listed, usually because the property owner is looking to take advantage of what the local register program can offer (Conditional Use in Historic Structure). Because designation is technically a change in zoning (preservation is an overlay zone), all property owners affected by a designation proposal are notified of public hearings with the Historic Landmark Commission, Planning Commission and City Council. To that end, the City complies with legal requirements to notify owners of Landmark Sites so they are aware of the status of their structures.

In 1995, due to the number of people who complained that they did not realize they live in an historic district, the Planning Staff worked with the County Recorder's Office to place a notice on the title of all properties within the local historic districts. No such notice was placed on the titles of the Landmark Sites. Although the information is not recorded with the County Recorder's office, this information, similar to zoning information, is available from the City. However, Staff acknowledges the information relating to Landmark Site status is not as readily available as that for structures within an historic district and can be difficult to find. Staff will address this issue.

2) No physical application exists for "Landmark" status from 1978.
Response: The property was studied for designation as part of the study undertaken relating to the creation of the Avenues Historic District. The ordinance adopting this property as a Landmark Site is the same ordinance that created the Avenues Historic District. Historic Utah, Inc. conducted the Architectural Inventory in 1977. This document provided the information required to create the recommended boundaries for the historic district and the recommended landmark sites. In essence, this document was the application.

3) Salt Lake City admits it has not provided consistent information and records for those who end up blindly purchasing homes in good faith and after appropriate due diligence.
Response: Before purchasing a home, prospective buyers and realtors are encouraged to contact the City to find out information about the property including the zoning on the property. Zoning is not recorded on titles. The City's Geographic Information System identifies this house as a Landmark Site. A check with the City for this information, prior to purchasing the property, would have alerted the buyer to the fact that the house is a Landmark.

4) Over 50% of the original house (1913) has been exceeded in additions.
Please refer to information in the Staff report relating to historic integrity and changes since designation.

5) This house probably has lost its original integrity over approximately 100 years.
Please refer to information in the Staff Report relating to historic integrity.

6) Other than an adopted ordinance, the paper trail is inconclusive and sloppy.
When the property owner requested information on this house, there was not a lot of information readily available. Since then, staff has researched the house and compiled information on how the house was designated (Please see attachments to staff report relating to inventory and designation.) There are also no Certificates of Appropriateness for this property due to the fact that no permits were taken out for work on this home between 1961 and 1995. Those that were taken out after 1995 were to reroof (Permits Staff sign off) and a fence repair after the 1999 tornado (Preservation Planner stationed at the Permits Office for that emergency signed the actual permit form) where Certificates of Appropriateness were not required.

7) Individuals in past administrations may not have followed proper procedure.
Staff is not aware of the specifics of this claim. Documentation shows that the designation of the property followed the proper procedures with a formal professional inventory, input by the Historic Landmark Committee and Planning Commission and formal adoption by the City Commission.

Any exterior work to the building since 1978 in which the property owner obtained a building permit was reviewed in the appropriate manner relating to the Landmark Site status.

8) Unclear during 1978 meeting whether owner (Snow) condoned "Landmark."
The 1976 Zoning Ordinance, which was in effect at the time of designation, includes a requirement for notification of property owners prior to the designation of a site. Staff is of the opinion that because at least one property owner was aware of the proposal and protested the designation (Veterans Hospital), the notification requirements must have been followed.

9) Incorrect individual assumption of property's history or significance may have put this specific "Landmark" status in play.
The owner has stated that they believe the property may have been designated as a Landmark Site because it was assumed to have been designed by Frank Lloyd Wright. Staff is of the opinion that this is an unfounded claim. None of the documentation makes a claim that Mr. Wright designed the structure. It is a good example of Prairie Style Architecture which Mr. Wright was well known for.

10) Several significant, obvious property alterations have occurred since 1913.
The Secretary of the Interiors Standards, as well as Section 21A.020.G.4 of the City Zoning Ordinance relating to Historic Preservation states "Alterations or additions that have acquired historic significance in their own right shall be retained and preserved." The major alterations made to the home were completed in the 1950s. These alterations were present when the property was surveyed in 1973 and 1977 prior to the designation of the structure as a Landmark Site. Please refer to the Staff Report relating to historic integrity of the structure.

11) Landmark records for 381 Eleventh Avenue possibly do not exist.
Please see response to #6.

12) "Buyers" investment and proposed improvement plans will enhance neighborhood while returning the house to its tasteful grandeur, but "buyer" wants the freedom as an unencumbered property owner with property rights.
If the Landmark designation is removed, any modifications will have to meet zoning and building code regulations. If the Landmark designation is retained, any exterior modifications will have to meet the design guidelines for residential structures, the preservation ordinance as well as zoning and building code regulations.

13) Time is of the essence to find a solution and critical in order not to injure "seller." Most likely an Administrative change in this "Landmark" is the most logical.
SLC code sections 21A.34.020 C and D describe the process to be used for the revocation of the designation of a Landmark Site. That process is the same as for any other amendment of the City zoning map, except that the code also requires a recommendation from the Historic Landmark Commission to the Planning Commission, who in turn makes a recommendation to the City Council. The City Council is the final decision maker.

Although the City Council always has the option of amending the ordinance, State law requires a recommendation from the Planning Commission before the City can amend its land use regulations. The City code contains a similar requirement. There is also a sizeable body of case law that states that a municipality is obligated to follow its own ordinances. Thus, even if the City Council wanted to amend the ordinance, it would still have to obtain the recommendation of the Planning Commission first.

The City has worked to expedite this process by accommodating the following schedule:

- *July 6, 2005 Historic Landmark Commission public hearing and recommendation*
- *July 6, 2005 Avenues Community Council (input to the Planning Commission)*
- *July 13, 2005 Planning Commission public hearing and recommendation*
- *July 14, 2005 City Council public hearing and final decision*

B. Discovery After the June 15, 2005 Meeting

B1) In the 1990's alone 13 permits exist on record for 381 Eleventh Avenue (6 exterior) with no existing "Certificates of Appropriateness." Nor were these files found in the "Landmark" offices. Although the word "Historic" is used only twice, one for an interior permit, ADDRESS FLAG is indicated twice (Job type) for two exterior jobs but still no "Certificates of Appropriateness" were found and no Landmark ID.
There are 13 listings for this property on the Building Permit Screen, 11 are for permits. Of the 11, there are three for exterior modifications: two are for reroofing which the permits office signs off on (no Certificates of Appropriateness are required) and one is for the repair of a fence after damage cause by the August 11, 1999 Tornado. In this instance a Preservation Planner was stationed at the Permits Office to review building permit requests relating to damage caused by the Tornado. Because of the Emergency status of this Event- No Certificate of Appropriateness was issued; the preservation planner signed the actual permit.

There are two "flags" for the property on the building permit screen. One from 1993 has no information. The one from 1999 was created by the City to document damage caused by the Tornado. There is no indication that the work that repaired the damage caused by the tornado would require a Certificate of Appropriateness.

B2) Utah State Historic Society (research office) records regarding 381 Eleventh Avenue are incorrect in several details. Integrity of the home is "unaltered" etc-
Response: The information cited was found on a 1979 Historic Site Survey. An earlier Historic Site Survey was conducted for the property in 1973. Because the property was designated in 1978, the 1973 survey was used to determine the significance of the site. The 1973 Site Survey form indicates the integrity of the structure was altered.

City Staff is preparing its own analysis of the current integrity of the structure as outlined in the staff report.

B3) Additional Utah Historical Society history further contradicts Ludgren's notes (person who completed 1979 Site Survey form)
Response: City Staff is preparing its own recommendation relating to the significance and integrity of the Site for the Commission to review. As noted above, the designation occurred prior to the 1979 Historic Site Survey being completed by Mr. Lundgren.

B4) Phone Call to Linda Snow (daughter of owner at time the property was designated)
Staff has no response.

B5) The minutes of the March 22, 1978 Board of Commissioners meeting that designed 381 Eleventh Avenue as a Landmark Site-relating to the former Assistant City Attorney who stated "If you decide the site should be stricken from the list of designated City landmark Sites, it would be a very simple procedure to merely repeal that designation by amending the ordinance."
Response: Please refer to 13 above.

Exhibit 9

Building Permits up to 1961

Owner Lucas - Dr Lyndon Snow

Building Permit No. 9316 41343 4-22-53 - enlarge Kitchen

Electrical Permit No. 6-N1N3-N-48-30 - 6-N1N3-7-22-30

Plumbing Permit No. 80136-3-30-N0 12766-1-20-58

Elec ~~Power and Heat~~ Permit No. 45097-8-17-53 7192 - filed 12-10-56

Building Permit No. 43667-9-11-53 - add to swim pool 5371-9-19-55 - add for carport living room

Electrical " " 6-7896-5-29-30 - 11134-3-18-N0 - 20593-1-16-N1

Plumbing " " 14400-4-25-47 41505-5-11-53

Building " " 11991-10-31-56 - add Bedrooms

Electrical " " 20593 10146-1-13-56

Plumbing " " 13094-1-20-58

Elect - 17967-1-3-58 - 35862 - [illegible]

Owner Dr. L. D. Snow

Building Permit No. 36349 - add to carport & breezeway

Electrical Permit No. 36628-6-1-61 37122- air Cond.

Plumbing Permit No.

Building Permit No.

Electrical Permit No.

Plumbing Permit No.

Building Permit No.

Electrical Permit No.

Plumbing Permit No.

Electrical Permit No.

Electrical Permit No.

Exhibit 10

Historical Information Regarding Previous Owners of House

RESEARCH CENTER

and projects for the upbuilding of the city. He is likewise a Mason of high rank, having attained the thirty-second degree in the Scottish Rite, while with the Nobles of the Mystic Shrine he has also crossed the sands of the desert. He certainly deserves credit for what he has accomplished, as he has depended upon his own resources from an early age and he is now state agent for the Adjuster Insurance Company and for other forms of insurance. At the same time he is the secretary and manager of the Kempner Insurance agency, which since 1912 has conducted a most profitable and growing business.

GEORGE E. BROWNING.

George E. Browning, an Ogden capitalist who in various prominent ways has been identified with the material development and business advancement of the state, is also equally well known as a churchman, being a bishop of the Church of Jesus Christ of Latter-day Saints. He is a son of Jonathan Browning and is thus connected with one of the oldest and most distinguished families of Utah that from pioneer times down to the present has been connected with the material, intellectual and social progress of the commonwealth and with upholding its legal and moral status. Few phases of Utah's history along the lines of substantial development do not bear the impress of one or more members of the Browning family.

George E. Browning was born in Ogden on the 1st of August, 1866. He acquired his education in the public schools of Ogden and early in his business career was identified with the firm of Browning Brothers, dealers in sporting goods, thus becoming well known in commercial circles of the city. In 1890 he was called upon for missionary service for the Church of Jesus Christ of Latter-day Saints and devoted three years to that work with excellent success on the Samoan islands. On his return he took charge of the store of Browning Brothers and remained as manager until 1915, building up the business to large and profitable proportions. He then sold his interests in that undertaking to his brothers and erected the beautiful Browning apartments at Washington and Twenty-seventh streets in Ogden. This is one of the finest structures of the kind in the city. Mr. Browning also figures prominently in other business connections. He helped to organize the People's Sugar Company, Incorporated, of which he has since been the president and which has its plant at Moroni, Utah, there conducting one of the important productive interests of the state, the business having long since reached extensive and profitable proportions.

In 1887 Mr. Browning was married to Miss Marian Manning, of Ogden, a daughter of Frederick Manning, and they have six children. G. Emmett, a practicing physician of New York city, married Margaret Tout and has one daughter. Vera is the wife of Dr. A. W. Petty, of Ogden. Marian is at home and has pursued special courses in music. Harold L. has been on a mission in England for two years. F. Wallace is in France with the United States army. Roland S., seventeen years of age, is now a student in Weber Academy. The eldest son has been commissioned a lieutenant in the United States army and the family has ever displayed patriotic loyalty to the country.

Both Mr. and Mrs. Browning are members of the Ensign Club of Salt Lake. Continuing his active work in the church, Mr. Browning was ordained bishop of the second ward on the 16th of October, 1918, by Apostle D. O. McKay, and for an extended period he has figured most prominently in both church and business circles. His wife is very active in the Red Cross and in home service work. Mr. Browning turns to hunting, fishing and trap shooting for recreation. His interests are many and of a varied character and he is recognized as a broad-minded man of progressive spirit whose activities have been of wide compass and have proven beneficially resultant.

MALCOLM AARON KEYSER.

Malcolm Aaron Keyser, a Harvard man who has become an influential figure in business circles of Salt Lake City and is well known as a clubman and sportsman, was born on the 17th of July, 1887, in the city which is still his home, his parents being Aaron and Henrietta (Depue) Keyser. The father came to Utah in 1870 and

MALCOLM A. KEYSER

was married in this state. Through the period of an active life he devoted his attention to real estate dealing, to the raising of sheep and cattle and to investments. In his business affairs he displayed sound judgment and unremitting industry, which combined with keen sagacity brought him to the goal of success. He died December 24, 1914, and the mother has also passed away. Their family numbered four children, three sons and a daughter.

Malcolm A. Keyser, who was the third in order of birth, attended the public schools of Salt Lake, eventually became a high school student and in due time was graduated. He afterward spent one year in Colorado College and then entered Harvard, where he studied for three years, winning the degree of Bachelor of Arts upon his graduation with the class of 1909. Following his return to his native city he established the M. A. Keyser Fireproof Storage Company of Salt Lake, of which he is now the president. In the conduct of the business there is utilized a five-story and basement building and employment is furnished to fifteen people. This does not indicate, however, the scope of Mr. Keyser's activities along commercial and business lines, for he is a director of the Walker Brothers Bank, also of the Consolidated Wagon & Machine Company and of the A. Keyser Company. He is a director and secretary of the W. K. Lovering Company, and trustee and secretary of St. Mark's Hospital.

On the 13th of April, 1909, Mr. Keyser was married to Miss Bess Callison, of Salt Lake, and their children are Malcolm Aaron, Jr., born February 4, 1910; Helen Margaret and Elizabeth Virginia. Mr. Keyser turns to hunting and fishing for recreation and is also fond of other phases of outdoor life. His political allegiance is given to the republican party and his religious faith is that of the Congregational church. He belongs to the Salt Lake City Commercial Club, to the Bonneville Club, the Country Club, the University Club and the Sigma Chi, a college fraternity. His membership relations extend also to the Harvard Club of Utah and of the University Club and he has been the president of both. He is likewise a member and has been president of the Salt Lake Rifle and Revolver Club, of the Utaida Rod and Gun Club, and is a member of the Duckville Gun Club, serving as secretary of the last named. He is state secretary of the National Rifle Association and was, by appointment of the governor, captain of the Utah Civilian Rifle Team which represented Utah in the National Rifle Matches at Caldwell, New Jersey, in August, 1919. These associations indicate much of the nature of his interests and activities. He is a man of high purpose and sterling worth, appreciative of the social amenities of life, recognizing the duties and obligations of citizenship and holding to high standards in all business affairs.

STEPHEN H. LOVE.

Stephen H. Love, of Salt Lake City, whose activities have been of wide scope and great importance, has recently been a member of the Food Administration Sugar Distributing Committee of the United States. It was the logical consequence that he be called to this office owing to the fact that he is sales manager of the Amalgamated, Layton and Utah-Idaho Sugar Companies, positions giving him intimate knowledge of the sugar resources of the country. Moreover, he is a man of marked business ability and executive force, qualities also necessary in the discharge of important public duties. His life story is one of substantial progress. Utah numbers him among her native sons, his birth having occurred in Salt Lake City in 1865. He comes of Scotch ancestors who were among the pioneer settlers of this state. He acquired a good fundamental education and throughout his later years has been a student of every activity and experience which has featured in his life. He has come to be regarded as an expert upon many questions, especially those having to do with traffic and transportation. His efficiency along these lines is indicated in the fact that he was chosen the head of the traffic service bureau of Utah and also became traffic manager of Zion's Cooperative Mercantile Institution of Salt Lake City, heavy responsibilities devolving upon him in both connections. He has thoroughly investigated all problems of traffic and the adjustment of freight rates and few men can speak with equal authority and knowledge upon questions relating thereto. In the conduct of private business interests he has become the president of the Security Storage & Commission Company, also of the Moapa Farm & Orchard Company and other business enterprises.

Dan ...lentine's

...othing Serious?

(Reg. U. S. Pat. Off.)

...WORD: If there isn't ... word as "squibbles" in ...glish language, there is ... now.

In the course of a column day, we come across items that are more than squibs — but not quite full items.

Let's call them squibbles.

Here are a few:

Betty McCaffery of Manti ...lentine has a problem: ...ts to know if Liberace ...irst name. And if so, ...it. Can anybody help? ...re wish I could find ...etty Irish colleens in ... we could have their ...taken for St. Patrick's ...y nominations? . . . ...adison Privett of Mag...ly celebrated his 82nd ... He has a special ...r a long happy life: ...ur own business, be ...d be full of love!" . . .

SQUIBBLES: The ...man spends no less ... working days shav... ...hiskers in an average ... a Chicago statis... ...eports . . . Men ... kid women about ... the gals carry in ...rses. A recent test ... that the average man ...o less than an av... 27 items on his ev... person — and the ...ge from matchbooks ...'s feet!

MORE SQUIBBLES: ...at Idaho State Col... ...ntly held a contest ...'The Girl Best Qual... ...arry a Millionaire." ... a somewhat cynical ...ent to suggest that ...be held to name the ... Likely to Marry a ... Carrier!" . . . Rus... ...rson, veteran illus... ...d beauty contest ...ently rated the pret... ...ied women in the ...nd, lo and behold, ...City married women ...6th. Patterson said ...est married women ...tland, Me., followed ...ried gals of Rutland, ...ccording to Mr. Pat... ...rvey, the local wom... ...ed out by the mar... ...in Boise, Ida., and ...t. . . . Horace Gunn ...ry Council of Utah ... that March will be

Malcolm A. Keyser . . . Prominent business leader dies.

Death Claims Noted S. L. Civic Leader

Malcolm A. Keyser Sr., 65, 2313 Walker Ln., prominent Salt Lake City business and civic leader for the past 40 years, died Monday at 8:20 a.m. in a Salt Lake hospital after a stroke.

Mr. Keyser, who was president of Keyser Moving and Storage Co., vice president of A. Keyser Realty and Insurance Co., and a director of Walker Bank & Trust Co. at the time of his death, had, during his lifetime, held numerous positions in business and civic endeavors in which he was interested.

Utah Legislature

He was a member of Utah legislature, serving as state representative in 1925-26, and as a state senator in 1931-33. He was a member of the executive committee, Great Salt Lake Council, Boy Scouts of America, and, for several years, was council president.

He also had held positions as treasurer of the Castle Gate Relief Fund; chairman of the 1928 Community Chest drive; vice president, Utah Paper Box Co., president, Utah State Automobile Assn. for six years; president, Motor Safety League of Utah; director and treasurer, St. Mark's Hospital Assn.; president, Utah Society, Sons of the American Revolution; president of the Harvard Club of Utah and of University Club; state secretary, National Rifle Assn.

In Fish, Game Group

He also had been president

Utah's Reports On Indian Health Cited

State Official Blames Bureau, Tribes for Lack of Cooperation

The Utah State Health Department has been trying for some time to establish a health program for Indians within the state, but has been blocked by lack of co-operation by the Bureau of Indian Affairs and the Indians themselves.

This statement was made Monday by Dr. George A. Spendlove, state health commissioner, commenting on disclosures before congressional committees concerning the poor state of health among Navaho tribesmen, some of whom live in Utah.

Average Life

(A physician of the United States Public Health Service told a House Appropriations Subcommittee that the average life span of Navahos was "less than 20 years.")

He said figures presented in Washington, D. C., on the high death rate from such diseases as tuberculosis, gastro-enteritis and measles, are nothing new to Utah health officials, who have long been aware of the problem presented.

Dr. Spendlove said that last year he wrote to the Indian Bureau and to nine different tribes of Indians, explaining that his department was anxious to establish a co-operative program in sanitation and preventive medicine. The Indian Bureau did not respond on the offer with respect to the Navahos, but it did give the green light with respect to the other tribes, provided the Indians themselves approved of the program.

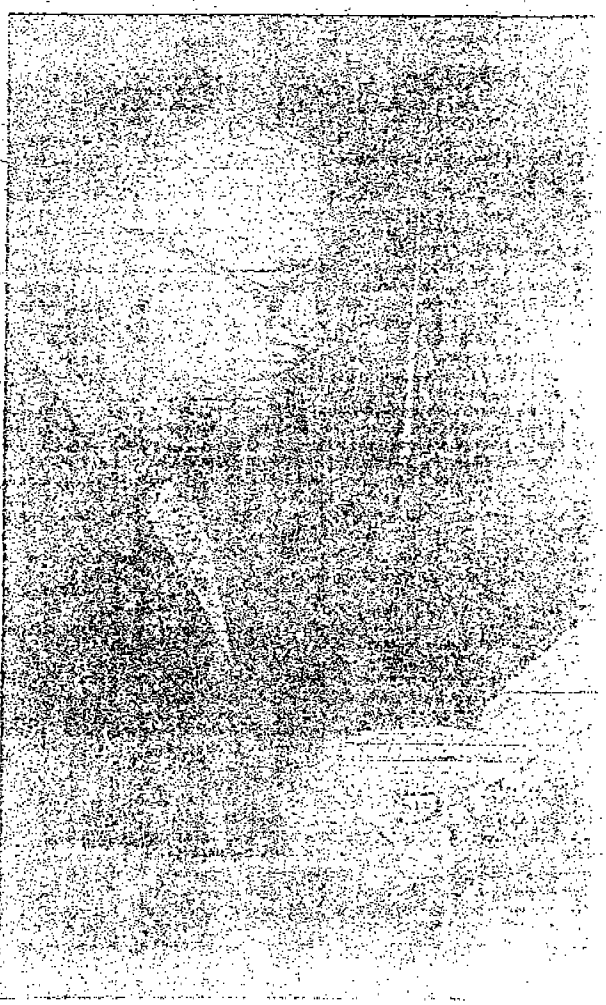
Rejected Offer

Dr. Spendlove discussed the matter with the tribal council on the Uintah-Ouray Reservation, but the council later rejected the offer, he said.

The health commissioner explained that since Indians are the wards of the government, and the state does not have the money to conduct a program without federal aid, it has been impossible to carry out a formal health effort among the Indians.

Lamb, Lionlike? March Entry On Frigid Side

March—a month noted for bluster—made its 1954 Salt Lake entry Monday like a lamb trying



Maj. Gen. William F. Dean, center, discusses banquet program, with Dr. Adam S. ... [illegible]

SLASHING CONTINUES

Gas Price War Grows; 'Premium' Holds Line

The tempo of the gasoline price war being waged in Salt Lake and Davis Counties was stepped up Monday when a number of service stations slashed an additional 8 cents a gallon from the price of their regular gasoline.

Many stations posted a new price of 19.9 cents a gallon, forcing others to make the drop from the "going" price of 21.9 cents.

Some service station operators said they were still selling at the old price, but would probably make another cut Tuesday morning to meet the competition.

One dealer in Murray reported that regular gasoline in that area was selling all the way from 18.9 cents to 21 cents ... ular grade, were holding line on their premium ...

One dealer, whose price premium was still 31.9 c... said "If they want premium ... let them pay for it."

Before the war flared ... regular gas was selling ... 27.9 to 29.9 cents. Premium ... in the 29.9 to 31.9 cent a gal... bracket.

Beginning in Salt Lake C... ty, the price slashing ... spread to Davis County al... U. S. Highway 91.

NIPPY WINDS NO CURB FOR 'REVUE'

, and be full of love!" . . .

ORE SQUIBBLES: The
ge man spends no less
427 working days shav-
is whiskers in an average
me, a Chicago statis-
reports . . . Men
don't kid women about
hunk the gals carry in
purses. A recent test
led that the average man
s no less than an av-
of 27 items on his ev-
y person — and the
range from matchbooks
bit's feet!

L MORE SQUIBBLES:
ts at Idaho State Col-
cently held a contest
et "The Girl Best Qual-
o Marry a Millionaire."
led a somewhat cynical
tudent to suggest that
st be held to name the
Most Likely to Marry a
Can Carrier!" . . . Rus-
atterson, veteran illus-
and beauty contest
recently rated the pret-
narried women in the
. And, lo and behold,
he City married women
n 16th. Patterson said
etliest married women
Portland, Me., followed
married gals of Rutland,
. According to Mr. Pat-
survey, the local wom-
edged out by the mar-
ls in Boise, Ida., and
lont. . . . Horace Gunn
Dairy Council of Utah
us that March will be
ottage cheese month.
says the nice thing
ottage cheese is that
t fattening. "In other
he says, "cottage cheese
uscle without building

SQUIBBLES: Don't
e badly about the up-
income tax deadline.
vernment hasn't taxed
air. At least, not yet.
17th-century England,
gs levied a special tax
houses with more than
ndows, claiming the
used more air and
e than houses with
windows . . . And in
several hundred
ge, the pasha collect-
ial "teeth taxes" from
s. When he visited a
.6 dine, he demanded
ey to pay for the wear
r on his teeth!

MORE SQUIBBLES:
ome there are no palm-
card readers in Salt
ty these days? Or are
nd how about spiritual-

AY'S VALENTINE
ntine today to Mrs Al-
a Cunningham, Provo,

A shut-in for
the past few
years, Mrs. Cun-
ningham still
finds time for a
sunny smile and
a cheery greet-
ing for all her

Salt Lake City business and civic leader for the past 49 years, died Monday at 8:10 a.m. in a Salt Lake hospital after a stroke.

Mr. Keyser, who was president of Keyser Moving and Storage Co., vice president of A. Keyser Realty and Insurance Co., and a director of Walker Bank & Trust Co. at the time of his death, had, during his lifetime, held numerous positions in business and civic endeavors in which he was interested.

Utah Legislature

He was a member of Utah legislature, serving as state representative in 1923-26, and as a state senator in 1931-33. He was a member of the executive committee, Great Salt Lake Council, Boy Scouts of America, and, for several years, was council president.

He also had held positions as treasurer of the Castle Gate Relief Fund; chairman of the 1928 Community Chest drive; vice president, Utah Paper Box Co., president, Utah State Automobile Assn. for six years; president, Motor Safety League of Utah; director and treasurer, St. Mark's Hospital Assn.; president, Utah Society, Sons of the American Revolution; president of the Harvard Club of Utah and of University Club; state secretary, National Rifle Assn.

In Fish, Game Group

He also had been president of Utah Outdoor Assn. and Salt Lake County Fish and Game Assn., and was a director in Utah Power & Light Co.

Mr. Keyser was born July 17, 1867, in Salt Lake City, a son of Aaron and Henrietta DePue Keyser. He married Elizabeth C. Callison, April 13, 1892, in Salt Lake City. She survives him.

Other survivors are one son and three daughters, M. A. Keyser, Jr., Mrs. George R. McClure and Mrs. W. Ted Hansell, Salt Lake City, and Mrs. John M. Masson, Los Angeles, Cal.; nine grandchildren, and one brother, George D. Keyser, former Salt Lake City commissioner.

Funeral services will be conducted Wednesday at 3 p.m. at 874 E. 1st South, with the Rt. Rev. Arthur W. Moulton, retired Episcopal bishop of Utah, officiating.

Private graveside services will follow in Mt. Olivet Cemetery.

The family requests that no flowers be sent. Those wishing to do so may contribute to a fund in his memory at St. Mark's Hospital.

LENTEN GUIDE

Baseball Hero Starts Series

long been aware of the problem presented.

Dr. Spendlove said that last year he wrote to the Indian Bureau and to nine different tribes of Indians, explaining that his department was anxious to establish a cooperative program in sanitation and preventive medicine. The Indian Bureau did not respond on the offer with respect to the Navajos, but it did give the green light with respect to the other tribes, provided the Indians themselves approved of the program.

Rejected Offer

Dr. Spendlove discussed the matter with the tribal council on the Uintah-Ouray Reservation, but the council later rejected the offer, he said.

The health commissioner explained that since Indians are the wards of the government, and the state does not have the money to conduct a program without federal aid, it has been impossible to carry out a formal health effort among the Indians.

Lamb, Lionlike? March Entry On Frigid Side

March—a month noted for bluster—made its 1954 Salt Lake entry Monday like a lamb trying to roar like a lion. Or, if you prefer, like a very lamblike lion.

Skies over the area were partly cloudy but a brisk wind had a bite to it that was more lionlike than lamblike. Maximum afternoon temperature was 4 degrees below normal and a skiff of snow fell, according to weather forecasters.

Tuesday's weather is expected to be partly cloudy and continued cold, with winds sweeping down from nearby canyons during early morning hours. An afternoon high of 45 is predicted.

Maj. Gen. William F. Dean, center, discusses banquet program with Dr. Adam S. [illegible]

SLASHING CONTINUES

Gas Price War Grows 'Premium' Holds Line

The tempo of the gasoline price war being waged in Salt Lake and Davis Counties was stepped up Monday when a number of service stations slashed an additional 2 cents a gallon from the price of their regular gasoline.

Many stations posted a new price of 19.9 cents a gallon, forcing others to make the drop from the "going" price of 21.9 cents.

Some service station operators said they were still selling at the old price, but would probably make another cut Tuesday morning to meet the competition.

One dealer in Murray reported that regular gasoline in that area was selling all the way from 18.9 cents to 21 cents a gallon.

The price pattern on premium gasoline, however, was still spotty, ranging from 22.9 to 25.9 cents a gallon. Price slashing in that category Monday reportedly was from 1 to 2 cents.

Some operators, while meeting the competition on the regular grade, were holding line on their premium p[illegible]

One dealer, whose pr[illegible] premium was still 31.9 said "If they want premiu[illegible] let them pay for it."

Before the war flared [illegible] regular gas was selling [illegible] 27.9 to 29.9 cents. Premiu[illegible] in the 29.9 to 31.9-cent a[illegible] bracket.

Beginning in Salt Lake [illegible] the price slashing spread to Davis County [illegible] U. S. Highway 91.

Wedding Rings Lost

Mrs. George Miller, Bountiful, Monday reported to police the loss or theft of a set of engagement and wedding rings valued at $350.

NIPPY WIN[illegible] NO CURE FOR 'REVUE'

A certain chill was in air Monday as Salt Lake experienced spring b[illegible] with a winter bite.

But the warmth of [illegible] in many of the city's [illegible] windows made a lot of [illegible] pers smile in spite of the [illegible]

For whether "spring here or not, Spring Fa[illegible] Revue Week is.

Sposored by Retail [illegible] chants Bureau, Salt [illegible] City Chamber of Comm[illegible] the annual peek at mil[illegible] spring apparel, opened [illegible] day.

ployed during his youth and early manhood. He acted as a clerk in the freight office and in that connection worked his way steadily upward, his close application and industry winning him promotion from time to time. He entered the Pingree National Bank in 1904 in the position of messenger and again his course has been marked by steady progress, for he has been promoted through intermediate positions to the cashiership and has served in that capacity since 1915. He has thoroughly mastered every phase of the banking business while thus engaged and has been elected to the directorate of the Pingree National Bank, which is one of the strongest financial institutions of the state and has control of five other banks in Utah.

In 1905 Mr. Riley was married to Miss Hattie Hinchcliffe, a daughter of Mathias Hinchcliffe, of Ogden, and they have become parents of four children: Kathryn, thirteen years of age, now in school; Emily Winifred, aged eleven, also in school; James H., a lad of five; and Edna, who is in her second year.

Mr. Riley is a member of the Weber Club and also of the Ogden Golf and Country Club, while fraternally he is connected with Elks Lodge, No. 719, of Ogden. His political allegiance is given to the republican party and his religious faith is that of the Church of Jesus Christ of Latter-day Saints, in the work of which he takes active and helpful part. He is superintendent of the eleventh ward Sunday school and is a member of the Seventy-sixth Quorum of Seventy. In manner he is very pleasing and his courtesy and geniality are substantial features in his success. In business his progressiveness is tempered by a safe conservatism and he has many of the qualities of the ideal banker.

ALBERT MERRILL.

Albert Merrill, of the Merrill Keyser Company of Salt Lake, was born in Richfield, Utah, February 16, 1881, a son of Clarence and Belle (Harris) Merrill, the former a native of Norwalk, Connecticut, and a representative of one of the old New England families. Nathaniel Merrill was the first of the Merrill family to settle in the new world. He was born in England in 1610 and came to the United States in 1634 on the good ship Mary and John. He located at Newbury, Massachusetts, in 1635 and there passed away March 16, 1665. There is also a record of his business activities in the genealogy of the Merrill family, a volume which Albert Merrill has in his possession. Nathaniel Merrill had a son, John Merrill, who was born in 1635 and died in Newbury, Massachusetts, July, 18, 1712. He married and had a son, Abel Merrill, who was born January 25, 1680, and died August 8, 1759. His son, Thomas Merrill, was born at West Hartford, Connecticut, November 25, 1715, and died January 6, 1814. He was the father of Titus Merrill, who was born August 27, 1756, and passed away August 11, 1785. His son, Valentine Merrill, born at South Norwalk, Fairfied county, Connecticut, in 1783, was the father of Albert Merrill, born on Long Island, New York, July 17, 1815. The latter was the grandfather of Albert Merrill of this review. Clarence Merrill, the father of Albert Merrill, in young manhood crossed the plains with his parents to Utah, making the trip in 1852. The famiy had resided for a time in East Orange, New Jersey, before removing to the West. Clarence Merrill became one of the first telegraph operators on the line of the Utah Telegraph Company after its system was completed by Brigham Young and his associates. He afterward resigned this position and became connected with the livestock industry and ranching, to which he devoted many years. During the latter period of his life he lived retired from business cares and passed away in Salt Lake City in 1918. The mother is still living and yet makes her home in Provo, Utah. They had but two children, one of whom is Dr. H. G. Merrill, of Provo.

The elder son, Albert Merrill, attended the public schools of Provo, also the Brigham Young University of that city and was graduated from the commercial department with the class of 1897. He then entered the Latter-day Saints University of Salt Lake City for a two years' course and subsequently secured a position with the Oregon Short Line Railway under J. H. Young, superintendent. He remained in that position for a time and then resigned to become connected with the Salt Lake branch of Armour & Company. Later he formed a partnership with John C. Howard, now president of the Utah Oil Refining Company, to conduct a brokerage business, which they operated successfully for a year, at the end of which time Mr. Howard withdrew to engage in the oil refining business. Mr. Merrill in 1911 entered into partnership with Paul

ALBERT MERRILL

F. Keyser and the association has since been maintained with mutual pleasure and profit. The business was incorporated in 1911 with Mr. Merrill as the president and manager and Paul F. Keyser as vice president, with other members of the family in other offices. This is a close corporation. Mr. Merrill is also a director of the Mojac Realty & Investment Company of Salt Lake.

On the 18th of April, 1906, Mr. Merrill was married to Miss Zella Seely, a daughter of Mr. and Mrs. John H. Seely, of Mount Pleasant, Utah. They have become parents of five children: Dorothy, born March 20, 1909; Albert, July 21, 1911; Margaret, July 22, 1914; Madeline, June 16, 1916; and Lorraine, October 5, 1918.

In club circles Mr. Merrill is widely known, holding membership in the Rotary, Commercial, Bonneville and Country Clubs. He is an alert and energetic citizen, a splendid type of western progress, and in business circles occupies an enviable position. Through individual effort he has worked his way steadily upward and is now conducting a very extensive and profitable wholesale hay, grain and merchandise brokerage business, controlling one of the largest trades of the kind in Utah.

AUGUST ROLAND.

August Roland is the president of the Murray Meat & Live Stock Company and also president of the Palace Market Company of Salt Lake City. He was one of the first to engage in the wholesale meat trade in this city and he has long occupied a prominent and enviable position in business circles here. The companies of which he is the head control an extensive wholesale and retail trade in meats and success in substantial measure is rewarding their labors. Mr. Roland of this review was born across the Atlantic on the 4th of May, 1857, a son of August and Carolina (Coin) Roland, who were likewise of European birth. The father engaged in the wholesale manufacture of cigars. To him and his wife were born nine children, two of whom are still living, the surviving daughter being Rosa, now a resident of New York city.

The surviving son, August Roland, attended school in Europe in early life and after his textbooks were put aside acquainted himself with the meat business. He became an apprentice to the butcher's trade and subsequently bade adieu to friends and native land and sailed for the United States. He made his way to New York city, where he secured a position in a retail meat market. There he worked at his trade for several years and with the money that he was able to save from his earnings, as the result of his well directed economy, he went to Grand Rapids, Michigan, and engaged in the meat business on his own account. After eight years there he sold out and came to Salt Lake in the early '80s. Here he established a wholesale meat business, becoming one of the pioneers in this line in Utah. From the beginning he did a thriving and profitable business but later sold his interests at a very substantial figure. He then went to Gunnison county, Colorado, settling at Tincup, where he established a large sheep ranch, and he also engaged in mining in that vicinity; but the widespread financial panic of 1893 came on and he lost all that he had formerly earned. With undaunted spirit, however, he returned to Salt Lake in 1889 and again took up the meat business. It was not long before he had once more gained a good start. His location was on Third South and Fifth West. He afterward bought the lot and erected a substantial building which he still owns, remaining there for a number of years. He next purchased property at No. 372 South State street, now in the very heart of the city and constituting a most valuable piece of land. Upon this lot he erected a substantial building that contains the refrigerating and cooling plant and also the wholesale department of the Murray Meat & Live Stock Company. He became the organizer and the president of this company and continued to carry on business at the plant just designated for many years. He next purchased the property at Nos. 2932 to 2940 South State street, where he has the wholesale slaughtering plant and near by a handsome residence which he erected. His place comprises ten acres of land that has greatly enhanced in value, being today many times worth the price which he paid for it. In the conduct of his wholesale meat business he has met with very substantial success and, extending his efforts, has become the president of the Palace Market Company, retail dealers in meats, fish, poultry and delicatessen goods at Nos. 263 and 265 South Main street.

In 1883 Mr. Roland was married in Salt Lake City to Miss Rebecca Lyons, who died in 1893. She was a daughter of Mr. and Mrs. Henry Lyons, who are residents of Canada.

uary 31, thus having opportunity to include their January sales in the year's transactions.

Salt Lake Commended

President Forbes and Secretary Carey commended Salt Lake for its number of first-class accountants.

Utah, the visitors pointed out, is one of 36 states that employs the institute's examination in qualifying its accountants. The examinations, they said, are extremely rigid.

President Forbes and Secretary Carey will leave early Saturday for Denver. They have been visiting accountants at Los Angeles, San Francisco, Portland and Seattle.

Woman Leader In L. D. S. Church Taken by Death

Mrs. Susanna Hall Evans, 54, wife of George F. Evans of 933 Logan avenue, and prominent member of the L. D. S. church, died in a local hospital Friday morning after a lingering illness.

Mrs. Evans was born in Salt Lake June 16, 1879, a daughter of Thomas and Margaret C. Hull. During her early life she lived in the old Fifteenth L. D. S. ward. Following her marriage on September 23, 1903, she moved to the Twentieth ward, where she was active in the L. D. S. Primary association.

In 1923 Mrs. Evans moved to the Hawthorne ward of the Granite stake and for several years was a member of the Young Ladies' Mutual Improvement association stake board.

She is survived by her husband, her father, two daughters, Margaret and Phyllis Evans, a son, Foster Evans, and the following sisters: Mrs. Margaret H. Eastmond of Provo; Miss Florence S. Hull of San Francisco, and Mrs. Edna H. Dennien of Spokane, Wash.

Funeral services will be conducted Sunday at 2 p. m. in the Hawthorne L. D. S. ward chapel, Eighth East and Roosevelt avenue.

Woman Injured In Auto Crash

Mrs. J. W. Cahoon, 76, of 5032 South State street, suffered a broken clavicle when the automobile in which she was riding collided with a street car driven by W. J. Arnold of 63 G street at First South and Seventh East streets, Friday at 2:40 p. m. The automobile was driven by Mr. Cahoon, husband of the injured woman.

After treatment at the emergency hospital, Mrs. Cahoon was taken to the L. D. S. hospital, where her condition was reported as fair.

Cahoon said he was driving north on Seventh East street and did not see the approaching street car until he had entered the intersection. His automobile struck the front end of the street car.

Two Part-Time Deputies Requested by Sheriff

Appointment of Harry Nichols at Draper and Lionel Hanson at Lark as part-time deputy sheriffs in their respective communities was urged before the county commission Friday by Sheriff S. Grant Young.

The commission voted to hold the matter under advisement until it was determined whether salaries would be paid from the sheriff's budget.

Possibility

Federal action to protect rights of the upper Colorado river basin states in the equated flow of the river, in anticipation of completion of Boulder dam two years ahead of schedule, is being urged in Washington by Congressman Abe Murdock and William R. Wallace, chairman of the Utah water storage commission.

A special dispatch to The Tribune from Washington said the Utahns conferred Friday with Oscar L. Chapman, assistant secretary of the interior, at Coloradoan, and next week, with him, they expect to confer with Secretary of Interior Harold L. Ickes.

Their immediate aim is to speed the study of the possible uses of the waters of the upper Colorado and its tributaries, with a view to outlining all projects, both power and irrigation, that may economically be developed in the hope that when this study is completed definite steps may be taken toward development in advance of any filing by Mexico on the increased flow that will result from the completion of Boulder dam.

Senator Elbert D. Thomas, who recently urged Mr. Ickes to expedite construction work on the Deer creek irrigation project, and suggested the possibility of employing a considerable number of men during the late winter and spring on the tunnel work and Utah lake diversion, Friday received an acknowledgment of his letter.

Mr. Ickes said he recognized the merits of the senator's recommendation and expressed his desire to see this project utilized to relieve unemployment immediately. He promised to discuss the senator's suggestion with Commissioner Elwood Mead and advise him of the decision then reached.

Chief Engineer R. F. Walter of the reclamation bureau recently declared his opposition to building the Deer creek project piecemeal, and insisted that the entire work should be embraced in a single contract. He admitted that it might be a year to a year and a half before construction could start, if his ideas are to prevail.

East High Names School Editors For Publications

In final elections, Friday, for editors of the two East high school publications, Marsden Durham, son of Mr. and Mrs. George H. Durham, 1128 Lake street, and Mark Wood, son of Mr. and Mrs. J. H. Wood, 477 Sixth avenue, were victors for the editorships of Eastonia, year book, and Red and Black, newspaper.

Mr. Durham is sports editor for this year's publication of the Eastonia. While attending Roosevelt junior high school, he was editor for The Tribune school news and views. Mr. Wood has been active in school functions, being captain of the "B" basketball team in the city league.

For the editorship of the Eastonia, Mr. Durham defeated Whitney Hanks. Mr. Wood won over Joe Bollinger.

Many Qualified Experts

"Whereas there is a potential group of men available in the state of Utah whose business as licensed real estate brokers and salesmen qualify them to give expert service were they employed as deputy assessors;

"Now, therefore, be it resolved that the Utah Realty association does hereby petition and urge state and county officials having to do with the selection of deputy county assessors to employ as far as possible deputies from the licensed real estate brokers and salesmen of the state, and to stress hereafter the importance of securing competent men, rather than to give preference through the present method of giving political patronage."

Funeral Rites For R. G. Lucas Set for Sunday

Funeral services for Russell Cause Lucas, 59, prominent Salt Lake attorney and counsel for the Utah Copper company, will be conducted Sunday at 2 p. m. at the family residence, 331 Eleventh avenue. The Rev. Alwyn E. Butcher, pastor of St. Paul's Episcopal church, will be in charge. Interment will take place in the Elks' Rest at the Mount Olivet cemetery.

Mr. Lucas

The pallbearers will include J. D. Shilling, C. H. Brown, J. G. Hadley, Louis Buchman, C. H. G. Parsons, F. O. Heymond, George H. Elewellyn and Floyd H. Greene.

Friends may call at the Evans & Early mortuary, 48 South State street, Saturday until 9 p. m.

Mr. Lucas died suddenly Wednesday at his home of a heart attack.

Badger Pursuit Stirs Up Tomcat

Traffic Patrolmen C. J. Larsen and L. R. Terry discovered a new form of the "badger game" Friday when they captured a tomcat while in pursuit of a badger.

The officers were riding their motorcycles along the Wasatch boulevard near Thirteenth South street when they saw a badger run into a 30-foot conduit.

Larson stood at one end of the pipe and Terry prepared to fire his revolver into the other end.

Taking careful aim, Terry fired. Larson leaped on the object that speedily projected itself from the opening, and discovered he was in possession of a cat tied in a sack, apparently placed under the conduit to die.

Larson and Terry went into a huddle and decided to shoot a second time. This shot produced the badger. The dead animals were taken to the city pound.

Advertising Drive Shows How Tourist Spends Cash

An answer to the question "How is the tourist's dollar spent?" is contained in the record of the [illegible] 31.5 per cent, theaters and other amusements, 25 per cent; hotel rooms, 20.5 per cent; [illegible]

Cutting Appropriation for U. S. A. C.

President Roosevelt has rescind[illegible] his order of last spring making a [illegible] per cent cut in the continuing app[illegible] priations for land grant colleges a[illegible] experiment stations, including t[illegible] Utah State Agricultural college a[illegible] the experiment station at the colle[illegible]

Congressman Abe Murdock a[illegible] other western congressmen were to[illegible] by the budget bureau Friday that t[illegible] president's action resulted from the protests against the cut, said a speci[illegible] dispatch to The Tribune. The pr[illegible] posed reduction was one phase of t[illegible] original economy program.

The president's action in rescin[illegible] ing his order will restore the c[illegible] tomary appropriations of $50,000 [illegible] the agricultural college and $20,0[illegible] to the experiment station.

The dispatch said that western co[illegible] gressmen will urge the appropriatio[illegible] committee to incorporate the full a[illegible] propriation called for by the pre[illegible] dent's order in the impending agr[illegible] cultural appropriation bill.

Frank E. Stephens, a trustee of th[illegible] agricultural college, expressed plea[illegible] ure Friday night at the president's latest action. He pointed out that i[illegible] now will not be necessary to reduc[illegible] the program at the college or th[illegible] experiment station, an action whic[illegible] would have proved serious becaus[illegible] of the benefit agriculture receive[illegible] from the program.

Drunken Driver Receives 45-Day Sentence to Jail

Earl A. Smith, 24, 691 Hess building, in police court Friday, admitte[illegible] drunk driving and was sentenced to serve 45 days in the city jail by Judge Daniel Harrington. He was arrested early Friday after Special Officer Arthur Merrick observed him driving his car on the sidewalk on Second South street near Fifth West street.

Convicted by the court of reckless driving, A. Warr, 51, of 138 North Ninth West street, was given a 30-day suspended sentence. Judge Harrington granted Warr leniency when the motorist explained that inclement weather prevented good visibility at the time he collided with an automobile driven by John L. Allen, 521 Ninth East street.

The accident occurred January 5 on Main street between North Temple and First North streets, when the northbound Warr car collided with the southbound Allen car on the west side of the street.

Pleading not guilty to reckless driving, William E. Rigby, 46, of 13 Van Buren avenue, was ordered to face trial Monday. Rigby was arrested on a warrant Thursday and accused of colliding his car with an automobile driven by Mary Thompson, 1355 Second avenue, at Second South and Main streets January 5.

Police Arrest Youth On Charge of Speeding

V. J. Halling, 18, was arrested on charge of speeding and passing a standing street car Friday afternoon by Radio Patrolmen L. B. Gifford and J. B. Ipson.

The officers reported that Halling was driving 45 miles per hour on Eleventh East street and had passed a southbound standing street car. The [illegible]

deseretnews.com
Archives

Wednesday, May 19, 1993
Obituary

Edition: Metro
Page: D5

DEATH: DR. LYNDON D. SNOW

Dr. Lyndon **Daynes Snow** passed away at his home May 18, 1993 in Salt Lake City, Utah.

Born December 3, 1906 in Salt Lake City a son of Leslie W. and Ida **Daynes Snow**. He was a grandson of Lorenzo Snow, President of the L.D.S. Church. He married Glayde Vincent on June 26, 1929. She preceded him in death October 15, 1977.He attended East High School, graduated from the University of Utah in 1928, and graduated from University of California at Berkeley in 1935.

He limited his practice to the eye, with offices in the Medical Arts Building for many years.

Dr. Snow was President of Omega Delta Professional Fraternity; life member Sigma Nu Fraternity; member of Salt Lake Country Club; Knife and Fork Club; Kaibab Lodge #25 F & AM for over 63 years.

Survived by daughters Lynda L. Snow and Mrs. Richard (Gloria) Rudd.

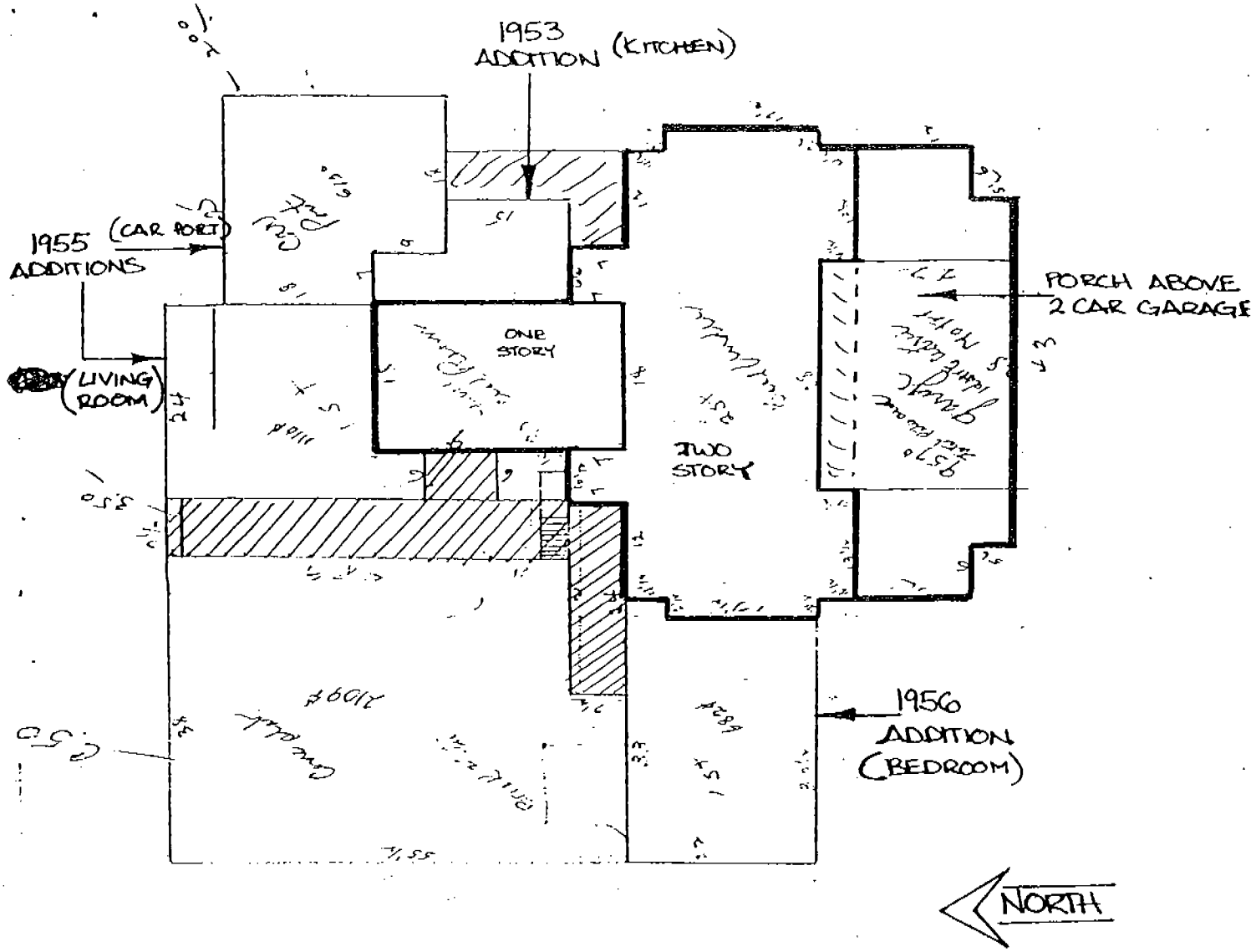
Funeral services will be held Friday, May 21st, at 2:00 PM at Larkin Mortuary, 260 East South Temple where friends may call one hour prior to service. Interment, Salt Lake City Cemetery.

T 5/19 N 5/20

Words: 181
Section: News
Column:
Illustration: Photograph of Dr. Lyndon D. Snow

Exhibit 11

Additional Information Submitted by Applicant



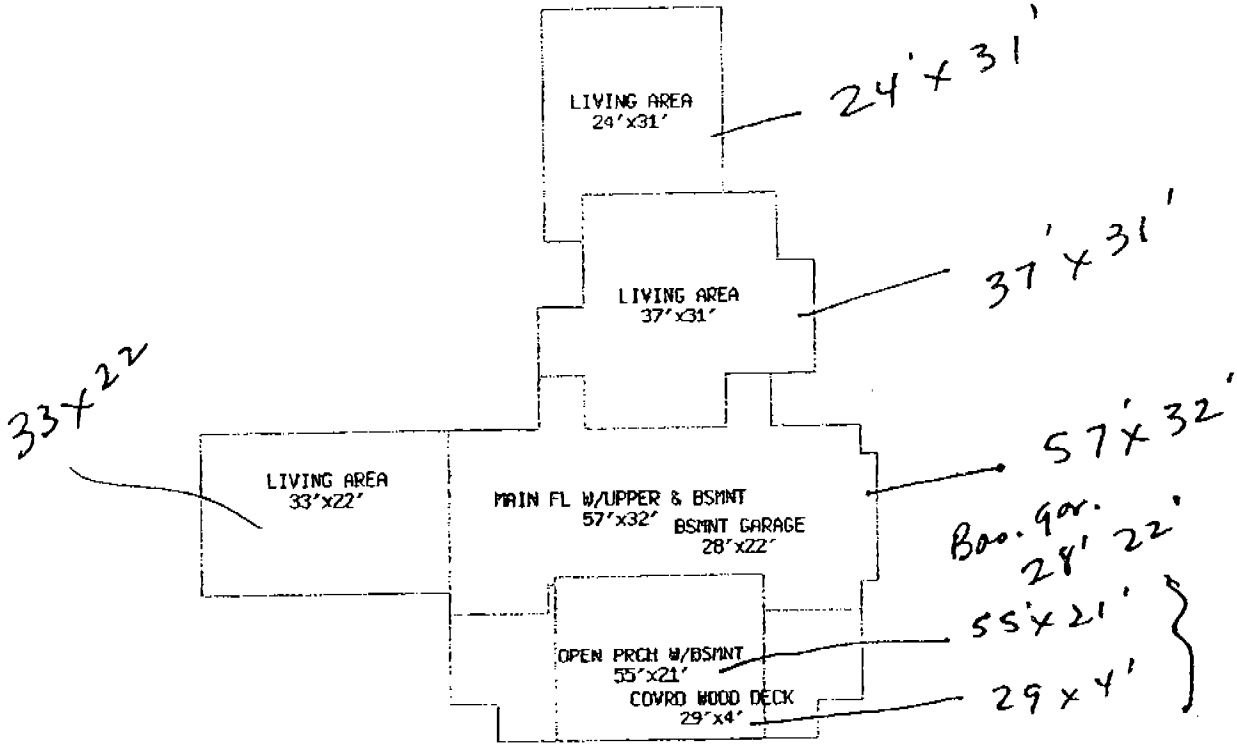
PLOT PLAN

Obtained From County Tax Assessor's Office

Original (according to Sanborn-Perris Map) — 1911 —

ADDITIONS

RESIDENCE 1 FOOTPRINT



DETACHED STRUCTURE 1: **Structure:** • **Assessment Class:** • **Measure 1:** 16 Square Feet • **Measure 2:** 32 Square Feet • **Actual Year Built:** 1970 • **Effective Year Built:** 1992 • **Quality:** Good • **Percent Complete:** 100% • **Condition:** Average

DETACHED STRUCTURE 2: **Structure:** • **Assessment Class:** • **Measure 1:** 14 Square Feet • Measure 2: 10 Square Feet • **Actual Year Built:** 1970 • **Effective Year Built:** 1970 • **Quality:** Good • **Percent Complete:** 100% • **Condition:** Average

DETACHED STRUCTURE 3: **Structure:** • **Assessment Class:** • **Measure 1:** 20 Square Feet • **Measure 2:** 26 Square Feet • **Actual Year Built:** 1965 • **Effective Year Built:** 1992 • **Quality:** Good • **Percent Complete:** 100% • **Condition:** Average

DETACHED STRUCTURE 4: **Structure:** • **Assessment Class:** • **Measure 1:** 14 Square Feet • **Measure 2:** 20 Square Feet • **Actual Year Built:** 1965 • **Effective Year Built:** 1992 • **Quality:** Good • **Percent Complete:** 100% • **Condition:** Average

DATA PROVIDED BY

Salt Lake County Assessor's Office
2001 S. State Street
Suite N2300
Salt Lake City, Utah 84190

Phone: 801-468-3050

THIS DATA LAST UPDATED ON: *Mar 1, 2005 @ 8:47am*

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All information provided is deemed reliable but is not guaranteed and should be independently verified.
All data on this page taken from the Salt Lake County Assessor's office. WFRMLS can not make direct changes to the data shown on this page.

PARCEL # 09-31-204-012-0000

NAME: KEARNS, MICHAEL J; TR

ADDRESS: 381 E ELEVENTH AVE

LEGAL DESCRIPTION: COM AT SE COR LOT 1 BLK 159 PLAT D SLC SUR W 10 RD N 12 1/2 RD E 10 RDS S 12.5 RDS TO BEG. 5611-2750 5620-2411 6821-17177151-0903

PARCEL SPECIFIC INFO: **Total Acres:** .78 • **General Prop. Type:** 111- Single Family Residence - One or more residences per parcel; a home that was originally constructed as a residence but now may have more than one unit. • **Specific Prop. Type:** 111- Single Family Residence • **BOE Appealed:** 95,96,02 • **Tax District:** 13 • **Update Year:** 2004

VALUATION SPECIFIC INFO: **Land Value:** $179,300 • **Building Value:** $679,900 • **Final Value:** $859,200 • **Primary Land Value:** $179,300 • **Primary Bldg Value:** $679,900 • **Taxes Paid in 2004:** $7,159.28

LAND 1

GENERAL FEATURES: **Lot Use:** Residential / Condo • **Lot Type:** Primary Lot • **Land Assessment Class:** Residential Primary • **Acres:** .78 • **# of Lots:** 1 • **Standard Lot Size:** .14 • **Off-street Parking:** Yes • **Lot Shape:** Regular - Generally rectangular in shape • **Lot Location:** Corner • **Curb/Gutter:** Yes • **Sidewalk:** Yes

SURROUNDING AREA: Zone: 1205 • **Neighborhood Code:** 632 • **Neighborhood Type:** Static - Area developed with a stable use • **Neighborhood Effect:** Typical • **Topography:** Rolling • **Traffic:** Medium - Minor arteries giving access to subdivisions, filtering traffic to major roads. (Traffic count 5,000-19,999 per day) • **Traffic Influence:** Typical • **Street Type:** Two Way - 2 lanes, one each direction • **Street Finish:** Paved - Asphalt or Concrete paving

UTILITY INFO: Sewer: Public • **Water Available:** Yes

LAND VALUES: **Land Value:** $231,632

RESIDENCE 1

GENERAL INFO: **Yr Built:** 1913 • **Eff. Yr. Built:** 1985 • **Bldg Style:** Other / 2 Story Traditional • **Assessment Class:** Primary • **Hillside:** No • **# of Families:** 1 • **# of Stories:** 1 • **Central A/C:** Yes, Forced Air Duct • **Heating Type:** Primary Control / Gas / Forced Air • Finished Fireplaces: 1 • **Replacement Cost New:** $381,151 • **Replacement Cost Less Normal Depreciation:** $304,921

EXTERIOR: **Roofing:** Asphalt Shingles / Fiberglass • **Raised Roof:** Yes • **Ext. Wall Type:** SO- Stucco • **Masonry Trim:** No • **Foundation:** Yes

ROOM INFO: **Total Rooms:** 14 • **# of Bedrooms:** 3 • **Full Baths:** 3 • **# of Kitchens:** 1

AREA INFO: **Main Floor Area:** 3,619 sq ft • **Upper Floor Area:** 1,377 sq ft • **Basement Area:** 1,377 sq ft

RESIDENCE CONDITION: **Kitchen Qual.:** Standard • **Bathroom Qual.:** Modern • **Interior Grade:** Very Good • **Exterior Grade:** Good • **Overall Grade:** Good • **Interior Cond.:** Good • **Exterior Cond.:** Average • **Overall Cond.:** Good • **Visual Appeal:** Average • **Liveability:** Average • **Conformity:** Equal Improved • **Maintenance:** Average

CARPORT & GARAGE INFO: **Basemnt Garage:** 616 sq ft • **Carport Capacity:** 4 cars • **Misc Attached Structure:** L • **Misc Structure Value:** $2,600

PORCH 1: **Porch Type:** Open Porch • **Porch Area:** 991 sq ft

PORCH 2: **Porch Type:** Covered Patio / Wood Deck • **Porch Area:** 116 sq ft

BUILDING HISTORY

The address was assigned and building permit obtained on July 1, 1913 for the structure at 381 Eleventh Avenue. The permit describes the structure as a 2-story building of masonry construction. The brick is covered with stucco which, for all I could determine, was original. According to the Sanborn-Perris map, the second story is of frame construction and the garage concrete. The original color was probably a creme with dark trim (see earlier picture).

Since the original owner, four others have owned title to the house and property: Albert Merrill from 1922 to 1930, Maragaret Lucas from 1930 to 1941, Margaret Ingersoll from 1941 to 1943, and Glayde V. Snow from 1943 to present.

Building permits show additions from 1953 to 1961. In 1953 the kitchen was enlarged (4-22-53) and the swimming pool installed (9-11-53). Later additions were of the carport and to the living room (9-19-55), a bedroom (10-31-56), and finally further work on the carport and breezeway (5-15-61).

Currently the site is well kept up and the building in good repair.

ARCHITECTURAL SIGNIFICANCE

Although I couldn't positively determine who was the architect circumstantial evidence points to the design team of Pope and Burton, prominent Salt Lake architects whose work was strongly influenced by the Prairie School. The house at 1376 Perry Avenue was built by John Timms (same builder), and the house at 1104 First South was originally owned by M.A. Keyser (same owner) -- both houses designed by Pope and Burton.

date of this bldg ?

The major significance of the house lies in its resemblance to the prairie houses of Frank Lloyd Wright. The house has a long, low profile emphasizing horizontal lines. The strong roof line and sharply constrasting color of the concrete copings dominate the vertical tendency of the building

the second story windows are flush to the roof line recessed between mullions, a feeling of a change of material surrounding second story windows, and the use of planters to set off the central portion of the building. The original windows were apparently the swing-out casement windows (Wright's favorities since they let the exterior in and the interior out).

The interior was originally openly planned with a central fireplace dividing the living, dining and kitchen spaces. The open character of this area has been seriously changed since the conversion of the upper story to an apartment separate from the rest of the building.

The south elevation exhibits a striking resemblance to the Thomas P. Hardy and Avery Coonley houses of Wright. Similar to the Hardy house are the: terrassing effect of the site, cubical mass in the foreground, roof, side pillars enclosing stairs with planters (Wright often employed a side access), corner void, concrete copings, side massing, and the central entrance area open-ing onto the terrace. (see pictures) In characteristic similarity to the Coonley house is the central horizontal massing with windows above and below. In the Coonley house (as in many of his other houses), the upper windows are flush to the roof line giving the roof a floating feeling just as does the void shadded areas in this house. But Snow Hill has indented upper story windows as if Balcony is in front of them.

ALTERATIONS

Besides the west and north additions, the building has been altered in several other ways. Most of the original windows have been removed and replaced by windows unbecoming the general design and giving the exterior a more modern appearance. Some horizontal wood molding has been added to the facade along the roof line and above the entrance. The original staircase was blocked off from the main floor and opened to the exterior for access to the upstairs apartment. The site has been altered by addition of the swimming pool and many incongruous Japanese motiffs. The exterior stairs giving access to the

[illegible] the site terraces to the present

BUILDING HISTORY

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Exhibit 12

Notification Requirements at Time of Designation

HISTORIC DISTRICTS AND LANDMARK SITES

SECTIONS:

51-32-1.	Purpose.
51-32-2.	Historic districts and landmark sites.
51-32-3.	Designation of additional landmark sites and additional historic districts.
51-32-4.	Relationship to zoning districts.
51-32-5.	Historical landmark committee.
51-32-6.	Permit or denial planning.
51-32-7.	Planning action upon application for permit within five months.
51-32-8.	Development standards.
51-32-9.	Maintenance of consistent policies.
51-32-10.	Structure defined.
51-32-11.	Appeal of planning decision.
51-32-12.	Hazardous structures, ordinary maintenance and repair.
51-32-13.	Severability.

SEC. 51-32-1. PURPOSE. This chapter is enacted and intended for the purpose of more fully preserving buildings and related structures of historic and architectural significance in districts and sites being among the city's most important cultural, educational and economic assets, and so that the character of the districts and the landmark sites will not be lost through expansion or change of commercial or other activity in the city, and so that said districts and sites will be preserved for the use, observation, education, pleasure and general welfare of the present and future inhabitants of Salt Lake City.

SEC. 51-32-2. HISTORIC DISTRICTS AND LANDMARK SITES.

(1) The South Temple Historic District shall mean that area on both sides of South Temple Street beginning at the intersection of South Temple Street and Third East on the south side and the intersection of South Temple Street and "A" Street on the north side, thence east to the intersection of South Temple Street and Virginia Street is hereby declared an Historic District.

(2) Each site located within Salt Lake City and listed on the National Register of Historical Places or the Utah State Register of Historical Sites as of the effective date of this chapter are hereby declared to be a Landmark Site.

SEC. 51-32-3. DESIGNATION OF ADDITIONAL LANDMARK SITES AND ADDITIONAL HISTORIC DISTRICTS. The City's Planning and Zoning Commission, hereinafter Planning, may recommend additional landmark sites and historic districts. Prior to the designation of such additional landmark sites or historical districts, the City Commission shall hold a public hearing, notice of which shall be published in a newspaper of general circulation and mailed to owners of the property proposed to be so designated at least five, but not more than fifteen days, prior to the date of the hearing.

Following recommendation by Planning and approval by the City Commission, notice of the designation shall be mailed by Planning to the owners of property so designated together with a copy of this chapter, and appeals therefrom may be had to the City Commission for a period of not more than thirty days from date notice was sent, after which the City Commission's decision shall be final.

SEC. 51-32-4. RELATIONSHIP TO ZONING DISTRICTS. The historic district and landmark sites regulations as provided herein for zones within such districts or sites are intended to preserve and protect the historic or architecturally worthy buildings, structures, sites, monuments, streetscapes, and neighborhoods of the historic area. In all zoning districts lying within the boundaries of an historic district or landmark site, the regulations for both the zoning district and the historic district or landmark site shall apply. Whenever there is a conflict between the regulations of the zoning district and the regulations of this chapter, the more restrictive shall apply.

The zoning regulations shall be considered as minimum standards. Planning, may subject to appeal to the City Commission, impose such other conditions as may be deemed necessary to protect the character of historic district or landmark sites.

Exhibit 13
Public Comment

Coffey, Cheri

From: Coffey, Cheri
Sent: Monday, June 20, 2005 5:16 PM
To: 'JAVANL2@softcom.net'
Cc: Zunguze, Louis
Subject: Delisting of Historic Site
Categories: Program/Policy
Attachments: 381 11thAveComCouncil Letter.doc

Jill,

Michael Kearns, owner of the Malcolm A Keyser Home, located at 381 E 11th Avenue, is requesting the City Council revoke the Landmark Site status and remove the property from the Salt Lake City Register of Cultural Resources. The property was designated a Landmark Site in 1978. Revocation of Landmark Site Status is technically a rezoning request and therefore, notification of the Avenues Community Council is required.

As outlined in the attached letter, there are several criteria that need to be addressed for approval of this project. The Planning Commission is scheduled to review this request on July 13th. Please schedule this issue for the July 6, 2005 Avenues Community Council. Someone from the Planning Staff will be in attendance to receive input from the Community Council.

If you have any questions, you may contact me (535-6188) or Elizabeth Giraud (535-7128).

Thank you for your attention to this important matter.

Coffey, Cheri

From: Coffey, Cheri
Sent: Friday, June 24, 2005 3:17 PM
To: 'gaccnewsletter@hotmail.com'
Cc: Giraud, Elizabeth; Paterson, Joel; Wilde, Brent
Subject: Delisting Historic Structure
Categories: Program/Policy
Attachments: 381 11thAveComCouncil Letter.doc

Kat,

Thanks for sending this on through your e-mail list.

Michael Kearns, owner of the Malcolm A Keyser Home, located at 381 E 11th Avenue, is requesting the City Council revoke the Landmark Site status and remove the property from the Salt Lake City Register of Cultural Resources. The property was designated a Landmark Site in 1978. Revocation of Landmark Site Status is technically a rezoning request and therefore, notification of the Avenues Community Council is required.

As outlined in the attached letter, there are several criteria that need to be addressed for approval of this project. The Planning Commission is scheduled to review this request on July 13th. Please schedule this issue for the July 6, 2005 Avenues Community Council. Someone from the Planning Staff will be in attendance to receive input from the Community Council.

If you have any questions, you may contact me (535-6188) or Elizabeth Giraud (535-7128).

Thank you for your attention to this important matter.

Revocation of Landmark Site Status
Community Council / Citizen Group Input

TO: Steve Mecham, Chair-elect Avenues Community Council

FROM: Cheri Coffey, Planning Division Staff

DATE: June 20, 2005

RE: Malcolm A. Keyser House- Delisting from City Historic Register

Applicant Michael Kearns is requesting the Salt Lake City Council approve a request for Revocation of Landmark Site Status for the property at 381 E 11th Avenue. The request relates to the Malcolm A Keyser Home which was designated as a Landmark Site in 1978. As part of this process, the applicant is required to solicit comments from the Avenues Community Council. The purpose of the Community Council review is to inform the community of the request and solicit comments / concerns they have with the request. The Community Council may also take a vote to determine whether there is support for the project, but this is not required. (Please note that the vote in favor or against is not as important as raising relevant issues for the Planning Commission to review.

If the Community Council chooses to have a request presented to them, the applicant will only be required to meet with the Community Council once before the Planning Staff will begin processing the application. The Community Council should submit its comments to Planning Staff Member, Elizabeth Giraud, as soon as possible, after the Community Council meeting to ensure there is time to incorporate the comments into the staff report to the Planning Commission. Comments submitted too late to be incorporated into the staff report, can be submitted directly to the Planning Commission, via the Planning Division, for their review prior to the Planning Commission Public Hearing.. Planning Staff will also attend the meeting to answer any questions and listen to the comments made by the Community Council members.

Following are City adopted criteria that the Planning Commission will use to make their decision. The City's technical staff will review the request to ensure it complies with adopted policies and regulations. Input from the Community Council / citizen groups can be more general in nature. Staff is not looking for you to make comments on each of the below listed criteria, but general comments should pertain to the criteria listed below.

a. The property has ceased to meet the criteria for designation as a landmark site because the qualities that caused it to be originally designated have been lost or destroyed or the structure has been demolished;
b. Additional information indicates that the landmark site does not comply with the criteria for selection of a landmark site as outlined in subsection 21A.34.C.2;
c. Additional information indicates that the landmark site is not of exceptional importance to the city, state, region or nation.
d. Consistency with the master plan policies of the Avenues Master Plan;
e. Harmony with the overall character of existing development in the immediate vicinity of the subject property;
f. Extent to which adjacent properties will be adversely affected;
g. Consistency with applicable overlay zoning districts (such as Historic Preservation, Ground Water Protection and Stream / River Corridors. The Project Planner can inform you of whether the property is within an overlay zoning district.); and
h. Adequacy of public facilities and services intended to serve the subject property (such as roads, parks, police and fire protection, schools etc.)

You may submit your written comments to the Planning Division by mail at Salt Lake City Planning Division, 451 South State Street, Room 406, SLC, UT 84111; by Fax at (801) 535-6174 or via e-mail to Elizabeth at Elizabeth.giraud@slcgov.com.
If you have any questions, please call me at _535-6188 or Elizabeth at 535-7128 or via e-mail.

COMMUNITY COUNCIL COMMENTS:

The above referenced applicant met with the

_____ Community / Neighborhood Council on _____. Approximately _____ people attended the meeting. Those in attendance made the following comments relating to the project.

_____

_____

_____

_____

_____

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_____

_____

_____

_____

_____

_____

_____

In general, was the group supportive of the project?

_____

Signature of the Chair or Group Representative

_____

June 30, 2005

Salt Lake City Historic Landmark Commission

We are the owners of a duplex at E Street and 11th ave (390 11th ave)

We are opposed to Case No 016-05 at 381 East 11th ave requesting Revocation of the Designation of a Landmark site. We understand there has been no change since 1978 and want to preserve the site on the City Historic Register.

Sincerely
Joe and Dorothy Ann Palmer

Anne and Peter Peterson

Coffey, Cheri

From: Jim Jenkin [jim.jenkin@hsc.utah.edu]
Sent: Thursday, June 30, 2005 3:58 PM
To: Coffey, Cheri
Subject: RE: FW: Delisting Historic Structure

Thank you for the add'tl info. Always nice to have the full story. I will pass it along.

Jim

>
>Mr. Jenkin,
>
>I understand your concern with the timing of this information. The
>Planning Staff received this request on June 15, 2005. The property
>owner has a sale pending on the property and the City is trying to be
>responsive to his needs. A staff report for the Historic Landmark
>Commission will be available Friday July 1, 2005. The Staff report
>includes information about the significance and integrity of the
>historic structure as well as the process for designation and
>revocation of designation. If you would like a copy of the staff
>report, please contact Elizabeth Giraud (535-7128) or you can stop by
>our office to pick it up tomorrow after 4:00 (Room 406 of the City and
>County Building).
>
>The decision makers are always interested in citizen input. The
>process allows for citizen input at four different meetings:
>
>Historic Landmark Commission- July 6,2005 at 4:00 P.M.
>Avenues Community Council- July 6, 2005 at 7:00 P.M.
>Planning Commission - July 13, 2005 at 5:45 P.M City Council- July 14,
>2005 at 5:30 P.M.
>
>After today, I will be out of the office until July 5, 2005. If you
>have any questions, please contact Elizabeth Giraud at 535-7128.
>
>Thanks.
>
>-----Original Message-----
>From: Jim Jenkin [mailto:jim.jenkin@hsc.utah.edu]
>Sent: Thursday, June 30, 2005 1:57 PM
>To: Coffey, Cheri
>Cc: Giraud, Elizabeth; Paterson, Joel; Wilde, Brent;
>sfmecham@cnmlaw.com
>Subject: Re: FW: Delisting Historic Structure
>
>If notification of the Community Council is to be a genuine attempt to
>solicit community input the community must have time to inform itself.
>Six days notice over a holiday weekend on a issue with long term
>implications for the community is insufficient. Taken with the news
>that the Planning Commission will hear the petition in 2 weeks
>(indicating this has been in the system for
>sometime) would seem to indicate a lack of regard for community input.
>
>In view of the above and the fact that we have an issue of extreme
>import to the community on the agenda I recommendation we do not hear
>this item at this time.
>
>
>
>
>At 11:22 AM -0600 6/30/05, julio kivett wrote:
>>>From:

>>>To: <gaccnewsletter@hotmail.com>
>>>CC: "
>>>Subject: Delisting Historic Structure
>>>Date: Fri, 24 Jun 2005 15:16:40 -0600
>>>
>>>Kat,
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>>>Thanks for sending this on through your e-mail list.
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>>>11th Avenue, is requesting the City Council revoke the Landmark Site
>>>status and remove the property from the Salt Lake City Register of
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>>>Someone from the Planning Staff will be in attendance to receive input
>>>from the Community Council.
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>>>If you have any questions, you may contact me (535-6188) or Elizabeth
>>>Giraud (535-7128).
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>>>Thank you for your attention to this important matter.
>>
>>_____
>>Don't just search. Find. Check out the new MSN Search!
>>http://search.msn.click-url.com/go/onm00200636ave/direct/01/
>>
>>
>>Attachment converted: Moose
>>Meat:38111thAveComCouncilLetter.doc (WDBN/«IC»)
>>(000A1109)
>
>
>--
>Jim Jenkin
>Sr. Research Specialist
>Sánchez Laboratory
>
>801-585-3674

--
Jim Jenkin
Sr. Research Specialist
Sánchez Laboratory

801-585-3674

Coffey, Cheri

From: John Sittner [JSittner@pinnacleschools.net]
Sent: Friday, July 01, 2005 9:44 AM
To: Coffey, Cheri
Cc: Gust-Jenson, Cindy; Jergensen, Eric; Lambert, Dale; Fluhart, Rocky; Zunguze, Louis; Guevara, Sam; Cordwell, Christy; Jardine, Janice; Giraud, Elizabeth; Paterson, Joel; Wilde, Brent; sfmecham@cnmlaw.com
Subject: RE: The rest of the story

Thank you. It is very helpful to know both that the City is trying to be responsive to the need that a resident has, and that this has not been sitting in Planning without communication to the GACC.

John

-----Original Message-----
From: Jim Jenkin [mailto:jim.jenkin@hsc.utah.edu]
Sent: Thursday, June 30, 2005 4:00 PM
To: a.e.olsen@m.cc.utah.edu; AltaPac@aol.com; gaccalendar@hotmail.com; rbecker@bearwest.com; jbradley@co.slc.ut.us; bogusslc@earthlink.net; RBrown7151@aol.com; petercorroon@hotmail.com; denton@xmission.com; doug@mdxperts.com; emuth@co.slc.ut.us; Liane.Frederick@slcgov.com; wayne.green@cores.utah.edu; jhatch@co.slc.ut.us; McCuneHughes@aol.com; javanl2@softcom.net; jim.jenkin@hsc.utah.edu; eric.jergensen@slcgov.com; WynnJoh@aol.com; d.jonsson@comcast.net; pjulander@utahsenate.org; katkivett@hotmail.com; ldr@zars.com; Linda.Johnson@slcgov.com; judithl@weider.com; lon3@largeeyes.com; smccoy@utahsenate.org; sfmecham@cnmlaw.com; Patricia.Orlando@pharm.utah.edu; sceror@covad.net; shanendebbie@msn.com; John Sittner; richard.smiley@comcast.net; bsnyder@desnews.com; Gwen.Springmeyer@slcgov.com; thella1 @juno.com; jwilson@co.slc.ut.us; wjones@library.utah.edu; rob@op-eng.com
Subject: The rest of the story

>Subject: RE: FW: Delisting Historic Structure
>Date: Thu, 30 Jun 2005 15:45:49 -0600
>Thread-Topic: FW: Delisting Historic Structure
>Thread-Index: AcV9rhuOvDCMCi3eRaugYxMr5xE8HQADr7KQ
>From: "Coffey, Cheri" <Cheri.Coffey@slcgov.com>
>To: "Jim Jenkin" <jim.jenkin@hsc.utah.edu>
>Cc: "Anderson, Rocky" <rocky.anderson@slcgov.com>,
> "Gust-Jenson, Cindy" <Cindy.Gust-Jenson@slcgov.com>,
> "Jergensen, Eric" <Eric.Jergensen@slcgov.com>,
> "Lambert, Dale" <Dale.Lambert@slcgov.com>,
> "Fluhart, Rocky" <rocky.fluhart@slcgov.com>,
> "Zunguze, Louis" <Louis.Zunguze@slcgov.com>,
> "Guevara, Sam" <sam.guevara@slcgov.com>,
> "Cordwell, Christy" <christy.cordwell@slcgov.com>,
> "Jardine, Janice" <Janice.Jardine@slcgov.com>,
> "Giraud, Elizabeth" <Elizabeth.Giraud@slcgov.com>,
> "Paterson, Joel" <joel.paterson@slcgov.com>,
> "Wilde, Brent" <brent.wilde@slcgov.com>,
> <sfmecham@cnmlaw.com>
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>Mr. Jenkin,
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>I understand your concern with the timing of this information. The
>Planning Staff received this request on June 15, 2005. The property
>owner has a sale pending on the property and the City is trying to be
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>historic structure as well as the process for designation and
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>Sent: Thursday, June 30, 2005 1:57 PM
>To: Coffey, Cheri
>Cc: Giraud, Elizabeth; Paterson, Joel; Wilde, Brent;
sfmecham@cnmlaw.com
>Subject: Re: FW: Delisting Historic Structure
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>>>From:
>>>To: <gaccnewsletter@hotmail.com>
>>>CC: "
>>>Subject: Delisting Historic Structure
>>>Date: Fri, 24 Jun 2005 15:16:40 -0600
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>>
>>_____
>>Don't just search. Find. Check out the new MSN Search!
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>>Attachment converted: Moose
>>Meat:38111thAveComCouncilLetter.doc (WDBN/«IC»)
>>(000A1109)
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>
>--
>Jim Jenkin
>Sr. Research Specialist
>Sánchez Laboratory
>
>801-585-3674

--
Jim Jenkin
Sr. Research Specialist
Sánchez Laboratory

801-585-3674

Coffey, Cheri

From: Coffey, Cheri
Sent: Wednesday, July 06, 2005 2:21 PM
To: 'Demian and Kristy'
Cc: Anderson, Rocky; Zunguze, Louis; Giraud, Elizabeth; Paterson, Joel
Subject: RE: Landmark Property Issues
Categories: Program/Policy

Dear Ms. Roberts,

Thank you for your comments. I will ensure that the Historic Landmark Commission gets a copy of this at their meeting this afternoon (4:00 p.m. Room 126 of the City and County Building). I will also include it in the staff report packet to the Planning Commission (their meeting is on Wednesday July 13, 2005 at 5:45 in Room 326 of the City and County Building) and the City Council (their meeting is on Thursday July 14, 2005 at 5:30 in Room 326 of the City and County Building). All of these meetings are public hearing and anyone who wishes to speak will be given the opportunity to do so.

If you have any questions or further comments, please let me know. (535-6188)

Thank You,

Cheri Coffey

From: Demian and Kristy [mailto:krisdee@xmission.com]
Sent: Wednesday, July 06, 2005 2:04 PM
To: Coffey, Cheri; Anderson, Rocky
Subject: RE: Landmark Property Issues

Dear Madam/Sir

Re: Land Mark Property 381 11th Ave and E Street

I read with interest the article in the Deseret News regarding the desire of present owners to release this property from its Landmark status.
It is my understanding this property was designated its Landmark title without the owners prior knowledge OR consent. This type of government control angers me as a resident. That the Government can take a property owners rights, and make decisions for the community as a whole seems ludicrous.

I note with interest the the old Veterans Hospital (which I would assume to have significant historical status) was released from a similar Landmark title around the same time.This is intriguing indeed, when development of that property will no doubt impact the community greatly.

I myself live in a historically listed home, and agree that care must be taken to preserve and protect such properties in the Avenues district.

My problem lies with the processes,the undermining of property owners rights and voices, and the level of control the Government seems to wield in these types of decisions.

Sincerely

Kristyn Roberts
Avenues Resident

7/8/2005

Coffey, Cheri

From: Kathryn Toll [kathryntoll@mindspring.com]
Sent: Thursday, July 07, 2005 9:36 PM
To: Coffey, Cheri
Subject: Re: Owner's rights

Thank you very much for your thorough explanation.
Kathryn Toll

On Jul 7, 2005, at 9:08 AM, Coffey, Cheri wrote:

> Ms. Toll,
>
> Thank you for your e-mail. Unfortunately I received it too late to
> submit it to the Historic Landmark Commission yesterday. The e-mail
> was sent at 3:22 and at that time I was on a fieldtrip with the
> Commissioners from 3:00-4:00 prior to their meeting at 4:00. I will
> however, forward the e-mail to the Planning Commission and City
> Council.
>
> In response to the e-mail, structures, including houses, which are
> placed under landmark status (designated on the local historic
> register)
> are allowed to be modified. In fact, the Planning Staff and the
> Historic Landmark Commission review several hundred cases a year of
> requests to modify structures that are regulated for historic
> preservation. Most of the modifications are approved by staff the day
> the request comes in. The requirement is that they follow adopted
> design guidelines to ensure that the modifications do not negatively
> alter the structure and are compatible with and retain the
> architectural integrity of the exterior of the structure. We do not
> regulate interior modifications.
>
> The City ordinance regulating designation of a landmark site or local
> historic district requires notification be sent to the owners of
> properties proposed for designation. There are three formal public
> hearings (Historic Landmark Commission, Planning Commission and City
> Council) in which the property owners are notified and invited to
> attend or send their comments relating to the designation. In
> addition, the City solicits comments from the local community council.
>
> The case involving the Revocation of the Designation of a Landmark
> Site of the Malcolm Campbell House (Michael Kearns current owner) at 381 E.
> Eleventh Avenue, is the first such case that I am aware of to process
> a "delisting" from the local historic register.
>
> There has been a practice of not designating individual sites where
> the property owner objects, such as the case for the former Veterans
> Hospital in the Avenues. It was never designated as a local landmark
> site.
>
> I encourage you to read the Historic Landmark Commission Staff Report
> which may help clarify your concerns and address additional questions
> you have. It is listed on the City's webpage at
> http://www.slcgov.com/CED/planning/RecentProjects/RecentProjects.htm
>
> I also encourage you to attend the Planning Commission meeting on July
> 13th at 5:45 in Room 326 of the City and County Building and the City
> Council meeting on July 14th at 5:30 in Room 326 of the City and
> County Building where each body will be taking public comment and
> making deliberations. The Planning Commission will send a
> recommendation to the City Council who has the final authority to
> approve or deny the request.

>
> If you have any additional questions or comments please let me know.
>
> Thank You
>
> Cheri Coffey, AICP
> Deputy Planning Director
> Salt Lake City Planning Division
>
>
> -----Original Message-----
> From: Kathryn Toll [mailto:kathryntoll@mindspring.com]
> Sent: Wednesday, July 06, 2005 3:22 PM
> To: Coffey, Cheri
> Subject: Owner's rights
>
> Dear Ms. Coffey -
>
> I understand that you are presiding over a case involving the Kearns
> house on 11th Ave. I find myself concerned and puzzled by the
> situation.
> As I understand it, a house placed under landmark status by the city
> (not the owner) is then enjoined from making any improvements to the
> property (and, it follows, to the neighborhood), even if those
> improvements maintain the architectural integrity of the original
> design.
> -I don't understand how a house can be given landmark status without a
> property owner's knowledge.
> -I don't see why not all properties are treated equally. I understand
> that some properties have been moved onto the landmark status list.....
> and then off of it.
> -I don't understand "blanket statements" that don't leave a reasonable
> amount of room for discussion and reevaluation.
>
> This situation, seems to fly in the face of an individual's right to
> property and to dismiss any possibility of good will or good taste on
> the part of those who would propose to make improvements.
> I thank you for your thoughts on the subject, Kathryn Toll
>

Coffey, Cheri

From: Zunguze, Louis
Sent: Thursday, July 07, 2005 6:38 PM
To: Coffey, Cheri; Giraud, Elizabeth
Cc: Wilde, Brent
Subject: FW: historic designation

Categories: Program/Policy

Cheri and Elizabeth:

Please note the email forwarded to me from Cindy.

Thanks,

Louis Zunguze, Director
Department of Community Development
Salt Lake City Corporation
451 South State Street, Suite 404
Salt Lake City, UT 84111
Tel: (801) 535-7117
Fax: (801) 535-6005

-----Original Message-----
From: Gust-Jenson, Cindy
Sent: Thursday, July 07, 2005 3:57 PM
To: Rutan, Ed; Anderson, Rocky
Cc: Zunguze, Louis; Bruno, Jennifer; Jardine, Janice
Subject: FW: historic designation

Just FYI
-----Original Message-----
From: Priscilla Kawakami [mailto:priscilla@bdel.com]
Sent: Thursday, July 07, 2005 1:06 PM
To: Council Comments
Subject: historic designation

To the Salt Lake City Council:

Although I do not know the precise timing of the house sale that Michael Kearns claims was derailed by finding out that his house had a historic designation, I do know that Mr. Kearns was aware of this designation at least two years ago. Mr. Kearns knocked on the door of my house a little more than two years ago and asked if he could buy it, although it was not for sale at that point. During a cordial discussion over this idea, I mentioned to Mr. Kearns that changes to my house were difficult as it was a significant site within the historic district and he said that he understood as his current house also had historic relevance in Utah and carried similar restrictions. So any claim that this came as a shock at the eleventh hour any time recently couldn't be accurate.

I hope the City Council does not abrogate Mr. Kearns' historic designation as this would be a very bad precedent to set.

Thank you,

Priscilla Kawakami
983 Third Avenue
Salt Lake City

Coffey, Cheri

From: Giraud, Elizabeth
Sent: Thursday, July 07, 2005 2:05 PM
To: Coffey, Cheri
Subject: FW: [Fwd: kearns home on eleventh avenue]

This is the letter I was referring to when I talked with you this morning. I was confused because it is addressed to you but I got the email. I will respond if you like (I'll let you read the draft) or you could respond.

-----Original Message-----
From: Chere Romney [mailto:romche@wfrmls.com]
Sent: Wednesday, July 06, 2005 2:48 PM
To: Giraud, Elizabeth
Subject: [Fwd: kearns home on eleventh avenue]

---------- Original Message ----------
Subject: kearns home on eleventh avenue
From: "Chere Romney" <romche@wfrmls.com>
Date: Wed, July 6, 2005 2:45 pm
To: Cheri.Coffey@slcgov.com
---

dear cheri,

i am writing in response to a newspaper article on the fourth of july, published in the deseret news. the article caught my eye because i have long been an admirer of the gracious craftsman style architecture of the home (381 eleventh avenue) mentioned in the article.

upon further inquiry, i found that this home has nothing to do with the "tear down build up" issue discussed in the article. although that concern is pressing, i could not see the relevance of that issue to the kearns home. it is also my understanding that the home is not in the avenues historic district and may not even be designated a landmark. i am deeply concerned that a private property owner, desiring to make a community contribution spent 5 years refurbishing, remodeling and upgrading the interior of a home, is now being hampered from selling the property to a party who is ready, willing and able to refine and enhance the exterior of the home. i also am concerned that when the current owner purchased the property he received no notice of a landmark designation restriction, even though he purchased title insurance. shouldn't designations that carry restraints on property be recorded if they are in existance?

the property is in need of exterior refurbishing. the purchaser has plans to bolster and preserve the property in a tasteful and economically feasible way. the buyer and seller have asked local government for clarification and have moved through the correct channels as well as producing architectural renderings to carefully transfer the property. the purchaser has means,desire,interest and respect for this distinctive home. realistically...we all know this is a rare and precious purchaser.

i am concerned that the failure of this transfer will lead to many of our lovely grand and stately historic homes deteriorating because of the financial burden that the landmark designation imposes on residential sellers and buyers. sales as well as restoration, upgrading and updating of similar properties will be paralyzed.

i am concerned as a property owner myself that this issue is an example of control without logic. this article demonstrates the harm that can come from overreaction and incomplete information being far more important than the respect for private property rights we so cherish in our community.

chere h. romney, attorney

Exhibit 14

Correspondence from Utah State Historic Preservation Office

State of Utah

JON M. HUNTSMAN, JR.
Governor

GARY R. HERBERT
Lieutenant Governor

Department of Community and Culture
YVETTE DONOSSO DIAZ
Executive Director

Division of State History / Utah State Historical Society
PHILIP F. NOTARIANNI
Division Director

Ms. Cheri Coffey
Deputy Director
Salt Lake City Planning Division
451 S. State Street, Room 406
Salt Lake City, UT 84111

June 30, 2005

RE: 381 11th Avenue, Salt Lake City

Dear Ms. Coffey:

In response to your request, we are submitting this letter regarding our recent meeting with a prospective buyer of the property at 381 11th Avenue in Salt Lake City.

Wilson Martin, Barbara Murphy and I met with Marilynn Kalbach and her representatives on June 13, 2005. At the meeting, we noted that the building is not currently listed on the National Register of Historic Places, but is listed on the Salt Lake City Register of Cultural Resources. We also noted that, based upon the information contained in our files, it was our opinion that the building met the age, integrity and significance requirements to be listed on the National Register. We discussed the process for listing and the potential tax credits that could be obtained by an owner if the building was listed.

Ms. Kalbach outlined the work that she planned for the house, and asked us for an opinion regarding the potential eligibility of the work for the state historic preservation tax credit. These projects included replacing the 1950s-era windows on the second story with double-hung or casement windows, replacing the existing asphalt shingle roof with a clay or concrete tile roof, terracing the site, and constructing a new attached garage on the east side of the property. The state law that established the state historic preservation tax credit requires all rehabilitation work, both interior and exterior, meet the Secretary of the Interior's *Standards for Rehabilitation* or the project cannot be approved for the tax credit. The intent and action of the state Legislature was to establish a tax credit for historic preservation projects meeting specific, fairly high rehabilitation standards. The *Standards* emphasize the retention and repair of important character-defining historic features or materials and sympathetic, compatible replacements or new construction when repairs are not possible or new changes are desired. We evaluated the historic appearance of the house as shown in a Salt Lake County tax photo and other photographs in our files. We told Ms. Kalbach that the proposed changes to the roof and windows conflicted with this pictorial evidence and would probably not meet the Secretary of the Interior's *Standards for Rehabilitation*, and thus would not be eligible for the tax credit.

Please note that this was an informal review and that no application to list the building on the National Register or to obtain tax credits has been submitted to our office. We hope this information is helpful to you – please feel free to contact me at 533-3562 or nwknight@utah.gov if you have questions or if I may be of further assistance.

Sincerely,

Nelson Knight

Nelson Knight
Tax Credit Program Coordinator
Historic Preservation Office

Exhibit 15

Publication of designation ordinance in newspaper (1978)

Affidavit of Publication

STATE OF UTAH,

ss.

County of Salt Lake

AN ORDINANCE

AN ORDINANCE AMENDING Titles 5 and 51 of the Revised Ordinances of Salt Lake City, Utah, 1965, as amended, relating to building permits in Historic Districts by REPEALING Section 5-5-6(b) and 51-4-5A; and by amending Section 51-3-2 relating to Historic District and Landmark Sites by ADDING Section 51-32-2(3) and (4) providing for the adoption of an Avenues Historic District and designated City Landmark Sites.

Be it ordained by the Board of Commissioners of Salt Lake City, Utah:

SECTION 1. PURPOSE.

It is the purpose of this ordinance to recognize the existence of the unique and charming area within Salt Lake City wherein the structures and streetscapes are significant and beloved by the residents of the City and State because of their historical and architectural value in preserving the rich history and heritage of this City. As revealed in an extensive individual structure inventory completed by the Utah State Historical Society, within the boundaries of this district there are 14 structures already located on various historical registers and 1203 structures which have been determined to be historically significant and even potentially qualified for placement on historical registers. It is the intent of this ordinance not only to preserve the remaining visual vestiges of our heritage represented by the structures, streetscapes and atmosphere of this area but to encourage new construction and the revitalized growth and interest in this area to enhance rather than detract or destroy forever the atmosphere of this Historic District or the designated Landmark Sites.

SECTION 2. That Sections 51-4-4A(a), (b) and (c) of the Revised Ordinances of Salt Lake City, Utah, 1965, relating to proposed avenues historic district building permits regulation be, and the same are hereby REPEALED.

SECTION 3. That Section 5-5-6(b) of the Revised Ordinances of Salt Lake City, Utah, 1965, relating to issuance of building permits in the proposed avenue historic district be, and the same is hereby REPEALED.

SECTION 4. That Section 51-32-2 of the Revised Ordinances of Salt Lake City, Utah, relating to Historic Districts and Landmark Sites be, and the same hereby is amended by ADDING new subsection (3) providing for adoption of the Avenues Historic District and subsection (4) providing for the designation of additional City Landmark Sites located in the Avenues area which are not contained within said Historic District.

Sec. 51-32-2. Historic districts and landmark sites. The following are hereby adopted and designated as Historic Districts or Landmark Sites:

(1) South Temple Historic District * * *

(2) Landmark sites on official registers * * *

(3) Avenues Historic District. The Avenue Historic District shall include that area contained within the following boundaries:

Commencing at the center line of "A" Street and South Temple Street, thence west along the center line of South Temple Street 1300 feet, more or less, to the center line of State Street; thence north along the center line of State Street 780 feet, more or less, to the center line of Second Avenue; thence easterly along the center line of Second Avenue 310 feet, more or less, to the center line of Canyon Road; thence northerly along the center line of Canyon Road 1950 feet more or less to the western extension of a line 165 feet north of the north line of Sixth Avenue; thence east along said line 165 feet north of and parallel to the north line of Sixth Avenue 9210 feet, more or less, to the center line of Virginia Street; thence south along the center line of Virginia Street 2460 feet, more or less, to a point 165 feet north of the northern line of South Temple Street; thence West along a line 165 feet north of and parallel to the north line of South Temple Street 8665 feet, more or less, to the center line of "A" Street; thence south along the center line of "A" Street 731 feet to the point of beginning and EXCEPTING therefrom the city cemetery.

(4) City landmark sites. The following structures are hereby designated as City Landmark Sites because of their individual historical and/or architectural significance. Such structures shall be listed by the street address or other common description.

(a) Avenues area.

(1) 259 Seventh Avenue.

(2) Building at rear or behind 259 Seventh Avenue.

(3) 381 Eleventh Avenue.

SECTION 5. In the opinion of the Board of Commissioners of Salt Lake City, Utah, it is necessary to the health, peace and welfare of the inhabitants of Salt Lake City that this ordinance become effective immediately.

Passed by the Board of Commissioners of Salt Lake City, Utah, this 22nd day of March, 1978.

TED L. WILSON
Mayor

MILDRED V. HIGHAM
City Recorder
(SEAL)
BILL NO. 50 of 1978
Published — March 28, 1978 (A-2)

Shana D. Palmer

Being first duly sworn, deposes and says that he is legal advertising clerk of the DESERET NEWS, a daily (except Sunday) newspaper printed in the English language with general circulation in Utah, and published in Salt Lake City, Salt Lake County, in the State of Utah.

That the legal notice of which a copy is attached hereto

Pub notice to amend an ordinance relating to building permits

was published in said newspaper on March 28, 1978

Shana D. Palmer
Legal Advertising Clerk

before me this 4th *day of*

*A.D. 19*78

[signature]
Notary Public

My Commission Expires

June 1, 1981

Exhibit 16

Historic Landmark Commission Staff Report (July 6, 2005)

SALT LAKE CITY HISTORIC LANDMARK COMMISSION
REQUEST BY MICHAEL KEARNS TO REVOKE THE LANDMARK SITE DESIGNATION OF THE MALCOM A. KEYSER HOME AT 381 E. ELEVENTH AVENUE FROM THE SALT LAKE CITY REGISTER OF CULTURAL RESOURCES
CASE NO. 016-05
July 1, 2005

OVERVIEW

Michael Kearns, owner of the Malcolm A. Keyser house at 381 E. Eleventh Avenue, is requesting that the City revoke the Landmark Site designation of his property from the Salt Lake City Register of Cultural Resources. Mr. Kearns is trying to sell his house, and wants the property to be as unencumbered by regulation as possible. The house was designated as a Landmark Site in May, 1978 (Exhibit 1). The process to revoke a site from the Salt Lake City Register of Cultural Resources is a zoning map amendment, requiring legislative action by the Salt Lake City Council. The Zoning Ordinance requires the Historic Landmark Commission (HLC) to make a recommendation regarding the revocation and submit it to the Planning Commission for their deliberation and recommendation to the City Council.

The house is located on the northwest corner of Eleventh Avenue and 'E' Street on a 0.78 acre parcel and is zoned *Special Pattern Residential District SR-1.*

BACKGROUND

Association with Malcolm A. Keyser

The Keyser house was constructed in 1913, for Malcolm A. Keyser, a member of a family with extensive business and political ties in Salt Lake City and Utah. Malcolm Keyser lived in the home with his family from its construction until 1919. He was born in 1887 to Aaron and Henrietta Keyser, whose business interests included the Salt Lake Brewery (the remains of which are located at 400/500 South 1000 East), and established the Keyser Moving and Storage Company. Malcolm also served in the Utah State Legislature and Senate during the 1920's and 1930's.

Architecture

The house is a high-style example of Prairie School style architecture. Photographs from the Salt Lake County Archives and the Utah State Historical Society illustrate its strong affiliation with this style (Exhibit 2).

The historical and architectural significance of the property, along with the Staff's findings and determination of the existing integrity of the property, are discussed at greater length below, in the Analysis and Findings section of this report.

Review of Exterior Alterations of Landmark Site.

The property is listed on the City's Geographic Information System as a Landmark Site. All exterior work that has been completed since 1978 where a building permit was

issued, was approved through the normal preservation planning process including re-roofing and repairing of a fence after the 1999 tornado. (Exhibit 3)

MAJOR ISSUES OF THE CASE

Does the Structure still meet the ordinance requirements to be considered a Landmark Site?

This issue is addressed in the Staff Analysis and Findings Section of the Staff Report relating to the Zoning Ordinance Criteria for Revocation of the Designation of a Landmark Site.

The applicant has raised the issue that the significance and integrity of the house should be questioned because he is of the opinion that the 1979 Historic Site Survey form (Exhibit 4) for the property is inaccurate. Staff is of the opinion that the designation would have been based on a 1973 Historic Site Survey form and 1977 Inventory Report of the Avenues (Exhibit 5) due to the fact that the structure was designated in 1978.

Was the Structure properly designated?

In 1977, a professional survey was conducted creating an architectural inventory of the structures in the Avenues Neighborhood relating to architectural significance and integrity. This information was used to determine the boundaries of the Avenues Historic District. The subject structure was included in "Group A" of the inventory. Group A structures were identified as

> *These structures are the finest buildings to be found in the area, based upon an unusual visual or cultural contribution. Because of their superior architecture or in a few cases, the knowledge the staff of Historic Utah, Inc about the historic background of the building, it is felt that there is enough obvious importance to the building that it should be conserved. Such buildings have reached a level of significance at which no more data needs be discovered to identify them as worthy of preservation efforts. They tend to fall into one or more of the following classifications:*
>
> 1. *Extremely old;*
> 2. *Finely preserved and maintained*
> 3. *One of the premier examples of an architectural style*
> 4. *Confirmed importance in community beginnings and growth to maturity*
> 5. *Best remaining visual link to an era, event, or development of great historical significance."*

When the proposed boundaries of the Avenues Historic District were drawn, there were four properties that were proposed for listing as individual Landmark Sites. The Malcolm A. Keyser home was one of the four and was included in the same ordinance that adopted the Avenues Historic District. The Historic Landmark Committee voted to recommend approval of the designation on August 23, 1977; the Planning Commission voted to recommend approval of the designation on August 25, 1977. The City Council adopted the ordinance designating the property on March 22, 1978. (Exhibit 6)

The Veterans Hospital was also one of the four properties, included in Group A of the Historic inventory that was outside of the proposed boundaries of the Avenues Historic District. However, the site was removed from the final adopted ordinance due to the unwillingness of the property owner to have the property listed. There was no recorded opposition to the other three sites being individually listed on the Salt Lake City Register of Cultural Resources. (Exhibit 7) However, the City does not have documentation of property owner notification at the time the Avenues and the three sites were designated as a district and individual Landmark Sites.

Identification of Landmark Status.
As noted by the applicant (Exhibit 8), information of the Landmark Status was not readily available for this property. Although all structures in an historic district have the status noted on their title, the same is not true for Landmark Sites. Given the implication of designation, it is important that a similar notice is extended to Landmark Sites. Staff acknowledges the property owner's point that the City should improve access as to whether or not a building is a Landmark Site. Staff agrees this is an issue and will work to resolve it.

REQUIREMENTS OF THE ZONING ORDINANCE

Chapter 21A.34.020(D)(3) *Criteria for the Revocation of the Designation of a Landmark Site* specifies the criteria under which designation can be revoked. Chapter 21A.34.020(D)(1) ultimately references zoning map amendments and procedures in Part V, Chapter 21A.50 of the Zoning Ordinance. In the instance of zoning map amendments, the HLC has a commenting role, and makes recommendations to the Planning Commission. The City Council, as the legislative body, is the decision-making authority for map amendments. The HLC must make its recommendation to the Planning Commission based on findings in accordance with the standards discussed in the following Staff Analysis and Findings.

STAFF ANALYSIS AND FINDINGS

Concerning the revocation of the designation of the subject property from the Salt Lake City Register of Cultural Resources, the HLC must base its findings on the standards of Chapter 21A.34.020(D)(3) *Criteria for the Revocation of the Designation of a Landmark Site.* These criteria are as follows:

a. ***The property has ceased to meet the criteria for designation as a Landmark Site because the qualities that caused it to be originally designated have been lost or destroyed or the structure has been demolished.***

Discussion:
Salt Lake City Building Permit records indicate the following alterations prior to the designation:

- The enlargement of the kitchen on the east side of the house in 1953.
- An alteration to an existing swimming pool in 1953.
- An addition to the living room, garden and carport in 1955.
- The construction of a bedroom on the west side of the house in 1956.

- An addition to an attached carport and covered breezeway in 1961.

Other alterations have occurred, namely the replacement of the windows and the garage doors, and changes to the approach to the house from the sidewalk. The alterations are evident in a photograph from tax records in 1965, and thus were in place prior to listing the house as a Landmark Site in 1978. (Exhibits 2, 9)

The Planning Division Staff found building permit records for work undertaken from 1993 through 1999. Much of this work was interior, and thus would not be regulated or reviewed by the HLC. Other work, such as re-roofing, did not affect the historic character of the house.

Finding:
Alterations to the house that today would be reviewed by the HLC were constructed prior to its designation in 1978. At least two of those alterations were constructed within the period of significance of the house (1913-1955). The qualities upon which the building was rated in the 1970's historic resource survey (a premier example of Prairie style architecture) are intact today. No qualities causing it to be originally designated have been lost or destroyed. The proposal to revoke the designation does not meet this standard.

b. Additional information indicates that the landmark site does not comply with the criteria for selection of a landmark site as outlined in subsection C2 of this section.

The ordinance cites three criteria for selection of a Landmark Site in Chapter 21A.34.020(C)(2): *historical or architectural significance, physical integrity* and the *age of the site*. The reference to this section of the zoning ordinance is reinforced in the definition of a Landmark Site in Chapter 21A.34.020(B)(4):

> *A landmark site is any site included on the Salt Lake City Register of Cultural Resources that meets the criteria outlined in subsection C2 of this section. Such sites are of exceptional importance to the city, state, region or nation and impart high artistic, historic or cultural values. A landmark site clearly conveys a sense of time and place and enables the public to interpret the historic character of the site.*

The specific language for the selection of a Landmark Site in Chapter 21A.34.020(C)(2) is as follows:

> *21A.34.020(C)(2): The historic landmark commission shall evaluate each parcel of property within a proposed H historic preservation overlay district or the parcel of property associated with a landmark site. Individual parcels within a proposed district, the district as a whole, and landmark sites shall be evaluated according to the following:*
>
> *a. Significance in a local, regional, state or national history, architecture, engineering or culture, associated with at least one of the following:*

i. *Events that have made significant contributions to the broad patterns of history, or*
ii. *Lives of persons significant in the history of the city, region, state of Utah, or nation, or*
iii. *The distinctive characteristics of a type, period or method of construction; or the work of a notable architect or master craftsman, or*
iv. *Information important in the understanding of the prehistory or history of Salt Lake City;*

Discussion:

Historical Significance of the Site: Significance of Previous Residents

As stated earlier, Malcolm A. Keyser was a member of a family with significant commercial, political and civic ties to Salt Lake City. Malcolm was the son of Aaron Keyser (1829-1914), a native of New Jersey, who settled in Salt Lake City in 1870 after pursuing various business endeavors in several states. Aaron Keyser's business interests were extensive, including livestock, real estate, lumbering, mining and loan making. He was co-owner of the Salt Lake Brewing Company, the remnants of which are located at about 400 South and 1000 East and comprise the Salt City Jail restaurant and Anniversary Inn. His home at 941 E. 500 South, is listed on both the Salt Lake City Register of Cultural Resources and the National Register of Historic Places. Other existing buildings associated with Aaron, in addition to the residence and the brewing company noted above, are a home at 1250 E. South Temple, constructed in 1899; and a large complex of three warehouses, located at 320 W.200 S.

Malcolm Keyser and his brother, Paul, continued Aaron's successful business practices. Malcolm, born in 1887 in Salt Lake City, was a graduate of Harvard University. He established the M.A. Keyser Fireproof Storage Company, and had numerous other interests in real estate and banking. His civic accomplishments included serving in the Utah State Legislature as a representative in 1925-26, and as state senator from 1931-33, serving as council president for the local board of the Boy Scouts, treasurer of the Castle Gate Relief Fund, and as a board member for St. Mark's Hospital.

Malcolm married Elizabeth Callison in 1909. She died in 1961. The Malcolm Keysers had four children. In 1919, the family moved to Walker Lane in Holladay, where his brother, Paul, president of a coal company, also eventually settled.

The Keysers, members of the Congregational Church, represent the ascent and role of non-Mormons in Salt Lake's transition from an agrarian, isolated utopia to a city of regional importance in the mainstream of American society. The home's subsequent owner, Albert Merrill, was L.D.S., and must have been familiar with the Malcolm Keyser household, as Mr. Merrill was a partner of Paul Keyser, in the merchandise business of Merrill-Keyser Co. Merrill and his wife, Zella, lived in the home until 1930.

The house had two other owners prior to the long-time tenure of Dr. Leonard Snow and his wife Glayde. Russell Lucas and his wife Margaret bought the house in 1930. Mr. Lucas, an attorney for the Utah Copper Company, died in 1934; Mrs. Lucas lived in the home until 1941. Margaret Ingersoll, an employee of the "labortorium" at the nearby Veteran's Hospital, is listed in city directories as the resident from 1941 until the Snows purchased the house in 1944. Dr. Lyndon Daynes Snow, an opthamologist, was born in 1906, and passed away in 1993. City directories indicate that Dr. Snow lived in the home until his death. (Exhibit 10)

Architectural Significance of the Site: An Example of Prairie Style Architecture

The house is an example of Prairie style design, constructed during a time in which, according to architectural historian H. Allen Brooks, the "quality and inventiveness [of the Prairie School] reached its zenith and the greatest quantity of work was produced."[1] The Prairie style was developed by an unusually creative group of Chicago architects that have come to be known as the Prairie School.[2] The style is most closely associated with Frank Lloyd Wright, a native of the Midwest, whose early work is in this style. Wright desired to translate his notion of "organic" architecture into homes that opened toward and conformed to the lines of the landscape, and that responded to new materials and needs.[3] But as Brooks points out, despite Wright's efforts to curtail the efforts of fellow architects, the success and dissemination of the Prairie style can be attributed to others who worked in this style.

University of Utah Department of Architecture Professor Peter Goss attributes the popularity of the style in this state to the familiarity of several prominent architects who studied and apprenticed in the Midwest at the time that Prairie style architecture was taking shape. Two Utah architects, Taylor Woolley and Clifford Evans, worked with Frank Lloyd Wright. Dr. Goss, in an article published in 1975 in the academic journal *Prairie School Review,* notes that like the rest of the country, the popularity of the Prairie style in Utah can be attributed to three factors: the Arts and Crafts Movement, the popularity of the bungalow, and the various homemaker magazines that routinely extolled the social and functional virtues of the Prairie School-style home.[4]

The Historic Site/Survey Form, completed by Mark Ludngren in 1979, attributes the design of the house to the architectural firm of Pope and Burton. The partnership of Hyrum Pope and Harold Burton lasted from 1910 until Pope's death in 1939. The firm received numerous L.D.S. Church commissions, ranging from the Brooklyn, New York Mission Home, to the Portland, Oregon North Western States Mission Chapel, and most notably, the Alberta Temple in Cardston. Dr. Goss discusses in his 1975 article the significance of the First

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[1] H. Allen Brooks, *Prairie School Architecture*, University of Toronto Press, 1975, p. X.
[2] Virginia and Lee McAlester, *A Field Guide to American Houses,* Alfred A. Knoft, 1986, p. 440.
[3] Marvin Trachtenberg, Isabelle Hyman, *Architecture from Pre-History to Modernism,* Prentice Hall, Englewood Cliffs, New Jersey, p. 505.
[4] Goss, pp. 5-6.

Ward, (also known as the Liberty Ward), that was located on 800 South and 800 East, as a seminal example of the Prairie style in Utah. (It has been demolished). Citing influences from Wright's 1906 Unity Temple in Oak Park, Illinois, the 1904 Larkin Building in Buffalo, New York, and the First Congregational Church of Austin, Illinois, designed by William E. Drummond, a member of Wright's studio staff, Goss points out the familiarity of Pope and Burton with Wright and other purveyors of the Prairie style.

Building permit records do not state that Pope and Burton designed the Keyser house; few architects are listed in the building permit records from this time. However, the possibility that Pope and Burton designed the Keyser residence is likely, given that Pope and Burton designed an apartment building owned by Keyser at 1104 E. First South (demolished in 1982) and a house designed by Pope and Burton, located at 1376 Perry Avenue, was built by the same contractor as the Keyser house, John Timms.

Finding:

The house is associated with several prominent businessmen and their families, whose commercial success contributed to Salt Lake's transformation from an insular, communal society to a politically and economically mainstreamed American city. For this reason, the Keyser house can be considered as contributing to broad patterns of local history because of the role of the home's owners in the history of commerce in Salt Lake. Collectively, Malcolm, his father Aaron, and his brother Paul, all had success in a variety of business interests for almost a century. In particular, Malcolm came of age at the time that Salt Lake was experiencing tremendous urbanization, and at a time in which Utahns had full access to aesthetic trends available in much larger cities. Subsequent owners to Malcolm, including Albert Merrill and Ralph Lucas, were also successful businessmen, involved in industries, such as the Utah Copper Corporation, that were essential to the economic vitality of the city.

The Keyser house is also significant as a high-style example of Prairie style architecture. The term "Prairie style" includes characteristics such as wide, overhanging eaves; low-pitched roofs, and massive, square porch posts. These elements are often seen on buildings in a variety of forms, such as Foursquare homes and bungalows. In such instances, the Prairie style characteristics consist only of applied elements to the basic form of the house, which could as easily absorb Colonial Revival, Mission, or Italian Renaissance Revival motifs. The Keyser house, however, is a very pure example of the Prairie style, even with its later additions and alterations. Other styles have not been incorporated into the Keyser house, either today or historically, and because of this it represents a dynamic effort at pure design in the mode of Wright and his contemporaries. This is evident, in large part, to the intricate massing of the house, to the recession and projection of porches and balconies, and the subsequent cascade of levels and volumes. As popular as the Prairie style was in Utah, few other residential structures in Salt Lake City portray the level of stylistic purity and complexity as the Keyser house.

Thus, the house is significant for its association with previous owners, and for its merits as an outstanding example of the Prairie style. It meets the Criterion established in Chapter 21A.34.020(C)(2)(a).

b. *Physical integrity in terms of location, design, setting, materials, workmanship, feeling and association as defined by the National Park Service for the National Register of Historic Places;*

Discussion:
The Zoning Ordinance references the definition of physical integrity as described by the National Park Service for the National Register of Historic Places. An explanation of physical integrity is addressed extensively in *National Register Bulletin 15: How to Apply the National Register Criteria for Evaluation.* As noted in the Bulletin, integrity is the ability of a property to convey its significance. The retention of specific aspects of integrity is paramount for a property to convey its significance.

The Zoning Ordinance also references seven aspects described in Bulletin 15 that are to be considered when determining the integrity of a historic property (Chapter 21A.34.020(C)(2)(b)). These seven aspects are location, design, setting, materials, workmanship, feeling and association. To retain historic integrity a property will always possess several, and usually most, of the aspects, but not all of the aspects carry equal weight in determining integrity. This is because the aspects vary with the individual significance of the property.

In the case of the Keyser house, the overriding aspect of integrity will be design and materials. The building has not been moved, and thus location is a minimal issue. In terms of setting, the neighborhood has filled in since the construction of the house, but it continues to be in a residential neighborhood, on a large lot, prominently sited. In terms of feeling and association, the house continues to convey its association with early twentieth-century "captains of industry" of Salt Lake City, as well as representing a high-style example of the Prairie School.

In terms of design, the attributes of the Prairie School style are clearly evident. These characteristics include strong, continuous horizontal lines, punctuated by short vertical blocks; wide eaves; a low-pitched, broad hipped roof; contrasting caps on porch and balcony railings; deep porches, and various levels of balconies that weave geometric blocks of space. The 1956 bedroom addition on the west side of the house blocks part of the original west elevation, as does the 1953 kitchen addition on the east, but the roof forms and strong horizontal bands of the additions respect the original Prairie style design. The carport, while visible from public view (E Street), is subservient in massing to the house, and located on a secondary elevation. The windows have been replaced, but as seen from the street elevation, the overall size of the openings has not changed and they continue to reinforce the horizontal massing of the house. The approach to the front door has changed from steps cut into steep terracing of the site to the current approach, consisting of short, rectangular walls that frame the stairs. Despite this

alteration of the approach to the house, the tendency of Prairie style design to obscure the entrance has been maintained.

In terms of materials, the house continues to be of stuccoed finish, although it is in need of repair. The overall workmanship has been compromised in the removal of the original windows and the related removal of the masonry vertical bands encasing the windows, but as the original design is still readily apparent, the workmanship needed to deploy the aesthetics of the Prairie School design continues to contribute to the overall integrity of the house.

Finding:
The Keyser house maintains its physical integrity as an example of high-style Prairie style architecture. Although the house has undergone alterations, these alterations do not obscure the overriding elements associated with the Prairie style: horizontality, wide eaves, contrasting bands of concrete coping, and the stuccoed finish. The house thus meets the requirements of maintaining physical integrity in terms of design, materials, and workmanship. The house has not been moved, nor has its setting in a residential neighborhood changed dramatically since its construction. It thus meets the standard for location and setting. In terms of feeling and association, it continues to convey its association with early, twentieth-century prosperous households and of a home that was uniquely designed and prominently presented on a large lot. The property meets the Criterion established in Chapter 21A.34.020(C)(2)(b).

c. *The age of the site. Sites must be at least fifty years old, or have achieved significance within the past fifty years if the properties are of exceptional importance.*

Discussion:
The Malcolm A. Keyser house is over fifty years old, and thus meets this standard. Several of the additions mentioned earlier, including the kitchen expansion on the east (1953) and the construction of the swimming pool (also 1953) were undertaken prior to fifty years ago, and thus could be considered to be a part of the history of the house.

Finding:
The house is consistent with this standard, as it is over fifty years old. The property meets the Criterion established in Chapter 21A.34.020(C)(2)(c).

Overall Finding for 21A.34.020(D)(3)(b): The Keyser house continues to meet the requirements of Chapter 21A.34.020(C)(2). It is significant for its association with several prominent members of Salt Lake City's business and civic community of the early twentieth century, most notably that of a member of the Keyser family. It is significant as a unique, high-style example of the Prairie School style in Salt Lake City, one that could be associated with a significant architectural firm that produced several of Utah's best examples of Prairie School style architecture. Although some alterations

have been undertaken, the house continues to convey a high level of physical integrity, linking it to its role as an example of Prairie School architecture in the city. The major character-defining elements of Prairie School architecture are intact. Finally, the house is more than fifty years old.

The Keyser house not only meets the requirements of Chapter 21A.34.020(C)(2) of the Zoning Ordinance, but it meets the definition of Landmark Site in that it continues "to convey a sense of time and place and enables the public to interpret the historic character of the site." There is no evidence indicating that the Landmark Site does not comply with the criteria for section of a Landmark Site, as required by Chapter 21A.34.020(D)(3)(b), and thus the applicant does not meet this standard.

c. Additional information indicates that the landmark site is not of exceptional importance to the city, state, region or nation.

Discussion and Finding:
The Planning Division staff has not uncovered addition information that indicates that the landmark site is not of exceptional importance to the city, state, region or nation. The applicant does not meet this standard.

SUMMARY OF FINDINGS
The staff has made the following findings:

1) The property has not ceased to meet the criteria for designation as a Landmark Site. The qualities that caused it to be originally designated have not been lost or destroyed.
2) Additional information has not been presented indicated that the landmark site does not comply with the criteria for selection of a landmark site as outlined in section 21A.34.020(C)(2).
3) The house continues to be significant for its association with businessmen who owned the house during its period of significance (1913-1955).
4) The house continues to display physical integrity in terms of location, design, setting, materials, workmanship, feeling and association, as defined by the National Park Service for the National Register of Historic Places.
5) The house is over fifty years old.
6) Additional information has not been found indicating that the landmark site is not of exceptional importance to the city, state, region or nation.

RECOMMENDATION
In response to the analysis and the findings outlined in this staff report, staff has concluded that the Keyser house retains sufficient historic and architectural significance, as well as physical integrity, to merit listing on the Salt Lake City Register of Cultural Resources. Therefore, the Planning Division staff recommends that the Historic Landmark Commission transmit a negative recommendation to the Planning Commission regarding the revocation of the designation of the property as a Landmark Site.

recommendation to the City Council regarding the revocation of the designation of the property as a Landmark Site.

Elizabeth Giraud, AICP
Senior Planner

Cheri Coffey, AICP
Deputy Planning Director

Exhibits:
Exhibit 1-Ordinance Designating the Site
Exhibit 2- Photographs
Exhibit 3- Building Permits after 1961
Exhibit 4- 1979 Historic Site Survey
Exhibit 5- 1973 Historic Site Survey and 1977 Architectural Inventory of the Avenues Historic District
Exhibit 6- Minutes of the HLC, PC and City Commission meetings to designate the site
Exhibit 7- Minutes of March 22, 1978 discussion by City Commission relating to the Veterans Hospital
Exhibit 8- Letter from Applicant and Staff Response
Exhibit 9- Building Permits up to 1961
Exhibit 10- Historical information regarding past owners
Exhibit 11- Additional information submitted by Applicant
Exhibit 12- Notification Regulations at Time of Designation
Exhibit 13- Public Comment & Staff Response (where warranted)
Exhibit 14- Correspondence from the Utah State Historic Preservation Office (SHPO)
Exhibit 15- Publication of designation ordinance in newspaper
Exhibit 16- Historic Landmark Commission Staff Report (July 6, 2005)
Exhibit 17- Department Comments

Exhibit 17

Department Comments

Coffey, Cheri

From: Coffey, Cheri

Sent: Tuesday, June 21, 2005 6:27 PM

To: Butcher, Larry; Walsh, Barry; Stewart, Brad; Smith, Craig; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis

Cc: Giraud, Elizabeth

Subject: Delisting Historic Site Status

Categories: Program/Policy

The Planning Division is currently reviewing Petition 400-05-22, a request by Michael Kearns for a Revocation of Historic Landmark Status of his house located at 381 E Eleventh Avenue. The home, known as the Malcolm A Keyser Home, was listed on the Salt Lake City Register of Cultural Resources in 1978. The Revocation of Historical Landmark Status is technically a Zoning Map Amendment.

Please send any comments you have regarding this request to me by Tuesday June 28, 2005. If I do not receive any comments, I will assume your department has no objection to the request.

If you have any questions, please contact me at 535-6188 or Elizabeth Giraud at 535-7128.

Thank you.

Coffey, Cheri

From: Butcher, Larry
Sent: Wednesday, June 22, 2005 12:54 PM
To: Coffey, Cheri
Cc: Goff, Orion
Subject: RE: Delisting Historic Site Status
Categories: Program/Policy

I have no comments.

Larry

From: Coffey, Cheri
Sent: Tuesday, June 21, 2005 6:27 PM
To: Butcher, Larry; Walsh, Barry; Stewart, Brad; Smith, Craig; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis
Cc: Giraud, Elizabeth
Subject: Delisting Historic Site Status

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Thank you.

Coffey, Cheri

From: Walsh, Barry
Sent: Wednesday, June 22, 2005 8:48 AM
To: Coffey, Cheri
Cc: Young, Kevin; Smith, Craig; Butcher, Larry
Subject: RE: Delisting Historic Site Status
Categories: Program/Policy

June 22, 2005

Cheri Coffey, Planning

Re: Petition 400-05-22 for revocation of Historic Landmark Status for the "Malcolm A Keyser Home" at 381 E. 11th Avenue by Michael Kearns.

The Division of Transportation review comment and recommendations for the removal of this property from the historical status presents no impact to the existing public transportation corridor abutting this property and there fore we have no objections to this petition.

Sincerely,

Barry Walsh

From: Coffey, Cheri
Sent: Tuesday, June 21, 2005 6:27 PM
To: Butcher, Larry; Walsh, Barry; Stewart, Brad; Smith, Craig; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis
Cc: Giraud, Elizabeth
Subject: Delisting Historic Site Status

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Thank you.

Coffey, Cheri

From: Stewart, Brad
Sent: Wednesday, June 22, 2005 9:53 AM
To: Coffey, Cheri
Cc: Garcia, Peggy
Subject: RE: Delisting Historic Site Status
Categories: Program/Policy

Cheri,

Public Utilities has no objection to the re-labeling of the property. A change of use of the property or building would trigger a Public Utilities review, at which time we would evaluate the plan against current regulations and standards for water, sewer, and storm drainage.

Brad

From: Coffey, Cheri
Sent: Tuesday, June 21, 2005 6:27 PM
To: Butcher, Larry; Walsh, Barry; Stewart, Brad; Smith, Craig; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis
Cc: Giraud, Elizabeth
Subject: Delisting Historic Site Status

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If you have any questions, please contact me at 535-6188 or Elizabeth Giraud at 535-7128.

Thank you.

Coffey, Cheri

From: Oka, Dave
Sent: Thursday, June 23, 2005 8:35 AM
To: Coffey, Cheri
Subject: RE: Delisting Historic Site Status

We have no problems.

From: Coffey, Cheri
Sent: Tuesday, June 21, 2005 6:27 PM
To: Butcher, Larry; Walsh, Barry; Stewart, Brad; Smith, Craig; Boskoff, Nancy; Campbell, Tim; Clark, Luann; Dinse, Rick; Fluhart, Rocky; Graham, Rick; Harpst, Tim; Hooton, Leroy; McFarlane, Alison; Oka, Dave; Querry, Chuck; Rutan, Ed; Zunguze, Louis
Cc: Giraud, Elizabeth
Subject: Delisting Historic Site Status

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Thank you.