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Re: AHPC 20-1 - Appeal of the HPC decision for 524-526 Portland Avenue

WRITTEN TESTIMONY TO THE CITY COUNCIL OF BRIAN D. ALTON, ATTORNEY FOR
RAY AND SHEILA MEYER

Council President Brendmoen and Members of the City Council,

On behalf of Ray and Sheila Meyer, the owners of the property at 524-526 Portland Avenue, we request that their appeal of the decision of the Heritage Preservation Commission (“HPC”) be granted to allow the new driveway, portion of the sidewalk and curb-cut apron to be built. The HPC was wrong in denying the permit.

Ray and Sheila Meyer wish to replace the front part of their broken and deteriorated concrete driveway. The HPC previously approved a permit to do exactly the same thing to the back part of their driveway. In 2017 they sought to replace the front part to complete the project. The HPC voted to deny the application and this appeal was filed in November 2017.

The HPC made an error in denying the permit. The HPC based the denial on irrelevant personal opinion and not any valid basis in the City code. None of the reasons in the HPC Staff Report dated November 20, 2017 support denial of the application or are even relevant to the question of the color or pattern of a cement driveway. The HPC decision adopting the findings of the Staff Report was incorrect.

The denial was simply because the new concrete would not be flat and gray, but rather would be imprinted with a brick pattern and tinted. The concrete to be replaced is not original construction or historic in any way. The color and pattern of flat concrete surfaces are not anything that the HPC ordinance allows the HPC to dictate. Concrete is used all over the Historic District. The new concrete will relate to the materials and details of existing nearby buildings and meet requirements of new construction, if applicable (see: City Code section 74.65(d)(2)).

Ray and Sheila Meyer have a beautiful historic home that they have carefully restored and meticulously care for. Please allow Ray and Sheila Meyer to complete their project. Thank you for your consideration.

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