



**CITY OF ALLENTOWN**

**30462**

**RESOLUTION**

**R104 – 2022**

***Introduced by the Administration on July 20, 2022***

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**Certificates of Appropriateness for work in the Historic Districts:**

- 526 W. Liberty St.

***Resolved by the Council of the City of Allentown, That***

**WHEREAS**, Certificates of Appropriateness are required under the provisions of the Act of the General Assembly of the Commonwealth of Pennsylvania No. 167, June 13, 1961 (P.L. 282) and City of Allentown Ordinance No. 12314; and

**WHEREAS**, the following properties whose respective owners applied for and were granted approval by the Allentown Historic Architectural Review Board (HARB) to undertake specific exterior alterations on said properties as indicated in the attached Final Review Reports, which form part of this resolution:

- 526 W. Liberty St. (Jose Aparecido Do Nascimento, Owner) –  
Legalize porch reconstruction.

**WHEREAS**, on June 27, 2022, the Allentown HARB recommended approval of the above applications, or offered modifications which were subsequently accepted by the property owners, to City Council; and

**WHEREAS**, after reviewing the attached final review reports, it is the opinion of City Council that the proposed work is appropriate.

**NOW, THEREFORE, BE IT RESOLVED** by the Council of the City of Allentown that Certificates of Appropriateness are hereby granted for the above referenced work.

	Yea	Nay
Candida Affa	X	
Ce-Ce Gerlach	X	
Daryl Hendricks	X	
Natalie Santos	X	
Joshua Siegel	X	
Ed Zucal	X	
Cynthia Y. Mota, President	X	
TOTAL	7	0

***THIS IS TO CERTIFY, That the above copy of Resolution No. 30462 was adopted by the City Council of Allentown on the 20<sup>th</sup> day of July, 2022, and is on file in the City Clerk's Office.***

  
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 City Clerk

**HDC-2022-00030**

**Address: 526 W. Liberty Street**

**District: Old Fairgrounds Historic District**

**Applicant: Wendy Agramonte, Former Owner**

**Proposal: Legalize porch reconstruction (Violation Correction)**

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**Building Description:**

The building at 526 W. Liberty Street is a 2½-story asbestos shingle covered twin house constructed c. 1878 in the Federal style. The gable roof has a dentilated cornice, projecting eaves, wooden brackets, slate shingles and a shared chimney. The windows are 2/2 double hung sash with flat lintels. The main entry is a single glazed door with transom on a concrete stoop with pipe railing. [Note: Since this survey description was written, the slate roof was replaced with asphalt shingles, the cornice and brackets were removed; the doors and windows were replaced; and the side porch was altered.]

**Project Description:**

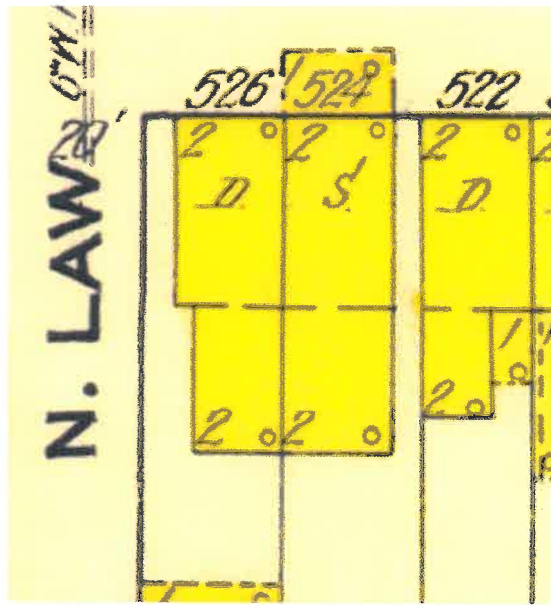
On April 14, 2022, Staff issued a Notice of Violation to the property owner of 526 W. Liberty Street for work to the two-story porch at the Law Street façade. The violation stated that existing deteriorated metal posts, balusters, and handrails were replaced without a COA. The property was sold in May 2022, and the former owner is applying to legalize the work and to obtain a COA for the removal of the non-original metal features and installation of wood porch posts and railings.



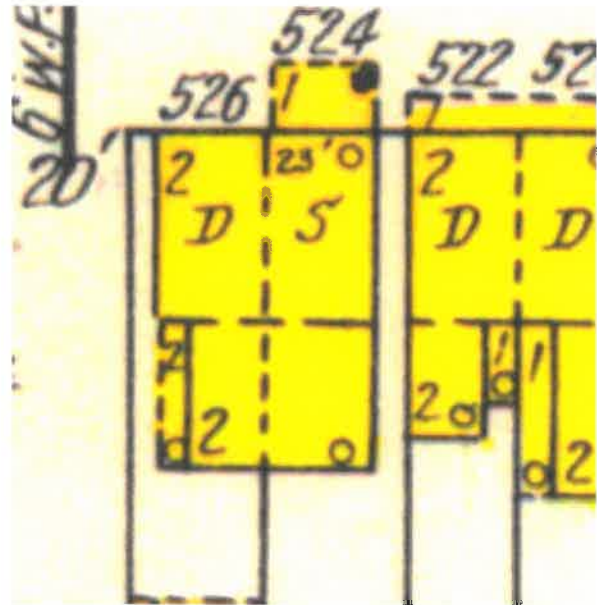
**Law Street elevation of 526 Liberty Street in 2019.  
(Google StreetView)**



**Law Street elevation of 526 Liberty Street after work was completed.  
(Staff)**



1911 Sanborn Map showing no porch existed at the ell.



1932 Sanborn Map showing the porch was added between 1911 and 1932.

#### Applicable Guidelines:

#### **Chapter 3.7 – Porches and Steps**

**3.7.2** Keep wood elements well painted. Paint acts as a protective layer for the wood below and prevents rotting and deterioration.

**3.7.4** Replace individual deteriorated components in-kind with new materials matching the original in material composition, size, shape, profile, dimension, appearance, and finish. Custom fabrication is encouraged and may be necessary to provide an exact match. Where an exact match of the historic element cannot be found or fabricated, the new element should match the original as closely as possible.

**3.7.6** Consider restoration of previously altered porches with historically appropriate elements. Consult historic photographs to identify the original appearance. If the building is part of a pair or an attached row that was designed together, consult nearby buildings for examples.

**3.7.8** If in-kind replacement is not feasible, replace with appropriate alternate materials that respect the original appearance and are durable. Composite wood decking is an appropriate alternate for tongue-and-groove wood floors if boards are similar to the original dimensions. Ceramic tile, carpet, or cementitious coatings over wood are not appropriate floor materials. Steel, iron, and aluminum railings are acceptable replacements. Vinyl railings and trim are not appropriate alternate materials for wood elements. *Use of dimensional lumber for visible parts of a porch is not appropriate.* [Emphasis added].

#### Observations & Comments:

Sanborn maps indicate that the rear ell did not exist prior to 1897. The ell first appears in plan without a porch in 1911 and with a porch in 1932. The two-story porch constructed between 1911 and 1932 was likely fabricated in wood with turned balusters and columns and decorative brackets, though no documentation exists to show the original design. Because the porch was not an original feature, no similar examples are found at the adjacent structures. The deteriorated metal posts and railings would not have been original to the porch installation and had no historic significance.

The installation of the wood posts and railings is appropriate in material. However, the dimensional lumber posts are not consistent with Guideline 3.7.8. An option to mitigate the existing dimensional lumber is to conceal the exposed steel

brackets at the base of each post with simple trim. All wood members should be painted. While the posts, balusters, and railings are utilitarian and lack any decorative features, no evidence exists to provide guidance on a more appropriate restoration.

**Staff Recommendation:**

Approval, provided the wood posts, balusters, and railings are painted and wood trim is added at the base of each post, pursuant to Chapter 3, Section 3.7 Porches and Steps.

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**HARB Discussion:**

WA clarified, as the former owner, she is present to address legalizing the alterations as a condition of the sale of the property so the current owner can obtain the Certificate of Occupancy (CO). She stated that she was instructed by a City representative to proceed with replacing the railings and porch structure because it was viewed as potentially unsafe, and that she was not told the work needed a permit and hence she proceeded with the work.

GL asked if the intention was to paint the wood members and the applicant responded yes, had they remained living in the house, they had an offer to purchase the property that happened so quickly they did not have time to paint it prior to the new owner's occupancy.

DH stated the design as built does not meet the guidelines and questioned the railing height meeting code.

GL reinforced the position of interpreting the guidelines for an acceptable design solution.

AJ stated the design as built does not meet the guidelines, nor is it something the HARB would approve in ordinary circumstances and suggested the HARB work with the applicant to find a solution that could be approved as appropriate.

DH suggested the potential for adding trim to the top and bottom rails that would be more in keeping with the other profiles in the neighborhood.

GL suggested removing the vertical balusters, adding a top and bottom rail with a profile more in keeping with the historic profiles found elsewhere in the district.

AE recommended visiting the properties down the block where appropriate profiles to model the trim profiles on.

GL suggested tabling the application to allow the owner time to come back with the appropriate alteration to the railing profiles. WA stated she is trying to move this forward because the current owner needs a clean CO to rent the property.

WA suggested flipping the railings around so the top and bottom rails appear thicker from the street face and when painted will provide the appearance the HARB members have advocated for.

AJ requested additional trim molding be added for detail.

DH requested the posts be chamfered on all four vertical edges.

**Action:**

HARB member AJ Jordan made a motion to approve w/conditions, the application presented on 06/27/22 for legalization of the porch replacement at 526 W. Liberty Street with the following conditions agreed to by the applicant, that the wood posts, balusters, and railings are painted, wood trim is added to the base and top of each post in compliance with Chapter 3, Section 3.7 Porches and Steps and the posts are chamfered and railings are reoriented to ensure balusters do not overlap



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the face of the rails in compliance with Chapter 3, Section 3.7 Porches and Steps, and find that the circumstances unique to the property are that this is a proposed violation correction to legalize a built condition executed without a permit to allow for a CO for the present property owner. HARB member Glenn Lichtenwalner seconded the motion, which passed by unanimous consent.

Therefore, the Approved Alterations for the purpose of writing and issuing a Certificate of Appropriateness are:

1. The wood posts, balusters, and railings are to be painted.
2. Wood trim is to be added to the base and top of each post.
3. Posts are to be chamfered.
4. Railings are to be reoriented to ensure balusters do not overlap the face of the rails.