REGULAR MEETING AGENDA
City of Black Hawk City Council
211 Church Street, Black Hawk, CO
October 25, 2017
3:00 p.m.

RINGING OF THE BELL:
1. CALL TO ORDER:
2. ROLL CALL & PLEDGE OF ALLEGIANCE:
3. AGENDA CHANGES:
4. CONFLICTS OF INTEREST: (Council disclosures are on file w/City Clerk & Sec. of State)
5. INTRODUCTION OF NEW EMPLOYEE: Alex Hinojos, Street Maintenance Worker
6. PUBLIC COMMENT: Please limit comments to 5 minutes
7. APPROVAL OF MINUTES: September 27, 2017
8. PUBLIC HEARINGS:
   A. Resolution 63-2017, A Resolution Approving a Certificate of Appropriateness for the
      Demolition of the Non-Historic Portion of a Shed on the Property Located at 211 Horn
      Street
9. ACTION ITEMS:
   A. Resolution 64-2017, A Resolution Approving the First Amendment to the Historic
      Preservation Easement Agreement from Benito Torres to the City of Black Hawk for the
      Property Located at 211 Horn Street
10. CITY MANAGER REPORTS:
11. CITY ATTORNEY:
12. EXECUTIVE SESSION:
13. ADJOURNMENT:

MISSION STATEMENT
The mission of the City of Black Hawk is to progressively provide cost
effective programs and services of the highest quality to the community
CITY OF BLACK HAWK NEW EMPLOYEE INTRODUCTION

ALEX HINOJOS
STREETS MAINTENANCE I

I began working for the City on July 10th. Before starting with the City, I was self-employed. So far I’ve really enjoyed meeting everyone and learning the job. I am a Colorado native, I have been married to my wife for 11 years, and we have 2 daughters and 2 dogs. In my spare time I enjoy doing any activities that involve the outdoors – hunting, fishing and dirt biking, etc.
New Police Officer Stephanie Whitman rang the bell.

1. CALL TO ORDER: The regular meeting of the City Council was called to order on Wednesday, October 11, 2017, at 3:00 p.m. by Mayor Spellman.

2. ROLL CALL: Present were: Mayor Spellman, Aldermen Armbright, Bennett, Johnson, Midcap, Moates, and Torres.

Staff present: City Attorney Hoffmann, City Manager Lewis, Police Chief Cole, Police Officer Whitman, Finance Director Hillis, Public Works Director Isbester, Community Planning and Development Administrator Linker, and Deputy City Clerk Martin.

PLEDGE OF ALLEGIANCE: Mayor Spellman led the meeting in the recitation of the Pledge of Allegiance.

3. AGENDA CHANGES: Deputy City Clerk Martin confirmed there were no agenda changes.

4. CONFLICTS OF INTEREST: City Attorney Hoffmann asked Council to declare any Conflicts of Interest on any issue appearing on the agenda this afternoon other than those previous disclosures and conflicts that have already been disclosed and are on file with the City Clerk and Secretary of State. No conflicts were noted from City Council.

City Attorney Hoffmann asked the audience if there were any objections to any member of Council voting on any issue on the agenda this afternoon. The audience had no objections.
5. INTRODUCTION OF NEW EMPLOYEE: Stephanie Whitman, Police Officer

Police Chief Cole introduced new Police Officer Stephanie Whitman. Officer Whitman was the top academic finisher in her academy and has a two-year degree in Criminal Justice. Chief Cole said the Department is very happy to have her. She was warmly welcomed by Council.

6. PUBLIC COMMENT: Deputy City Clerk Martin confirmed that no one had signed up to speak.

7. APPROVAL OF MINUTES: September 27, 2017

MOTION TO APPROVE

Alderman Johnson MOVED and was SECONDED by Alderman Torres to approve the Minutes as presented.

MOTION PASSED

There was no discussion and the motion passed unanimously.

8. PUBLIC HEARINGS:

A. CB23, An Ordinance Approving the FTA Section 5311 Grant Agreement Between the Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk

Mayor Spellman read the title and opened the public hearing.

Public Works Director Isbester introduced this item. He said the Division of Transit and Rail earmarked funds to assist with rural transit operations. He said these funds would help offset some of the cost of labor the City pays to MV Transportation.

PUBLIC HEARING:

Mayor Spellman declared a Public Hearing on CB23, an Ordinance approving the FTA Section 5311 Grant Agreement between the Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk open and invited anyone wanting to address the Board either “for” or “against” the proposed ordinance to come forward.

No one came forward to speak and Mayor Spellman declared the Public Hearing closed.
MOTION TO APPROVE  

Alderman Bennett MOVED and was SECONDED by Alderman Armbright to approve CB23, an Ordinance approving the FTA Section 5311 Grant Agreement between the Colorado Department of Transportation, Division of Transit and Rail and the City of Black Hawk.

MOTION PASSED  

There was no discussion and the motion PASSED unanimously.

9. ACTION ITEMS:

A. Resolution 60-2017, A Resolution Approving the Judges Selected to Serve for the Special Municipal Election in the City of Black Hawk on November 7, 2017

Mayor Spellman read the title.

City Attorney Hoffmann introduced this item. He said under the Colorado Municipal Election Code, as adopted by the City of Black Hawk’s Charter, the City is to approve the appointment of the Election Judges to serve at the City’s Special Municipal Election to be held November 7, 2017.

MOTION TO APPROVE  

Alderman Armbright MOVED and was SECONDED by Alderman Johnson to approve Resolution 60-2017, a Resolution approving the Judges selected to serve for the Special Municipal Election in the City of Black Hawk on November 7, 2017.

MOTION PASSED  

There was no discussion and the motion PASSED unanimously.

B. Resolution 62-2017, A Resolution Approving and Ratifying a Change Order in the Amount Not to Exceed $500,00 for the Construction of an Additional Rock Wall and Fencing for the Gregory Street Relocation Project

Mayor Spellman read the title.

Public Works Director Isbester explained that this was the addition of slope paving and a handrail section, across from Lille Belle’s on Gregory Street, in order to define that space so people won’t drive through there. He said it would be safer for pedestrians.
MOTION TO APPROVE: Alderman Moates moved and was seconded by Alderman Bennett to approve Resolution 62-2017, a Resolution approving and ratifying a Change Order in the amount not to exceed $500,000 for the construction of an additional wall and fencing for the Gregory Street Relocation Project.

MOTION PASSED: There was no discussion and the motion passed unanimously.

10. CITY MANAGER REPORTS: City Manager Lewis acknowledged the proposed 2018 Budget that had been placed on Council’s dais prior to the meeting. He said as per State Statute the City is obligated to submit a draft budget by October 15. He congratulated staff on an excellent job putting it together, thanked Council for their input during the Capital Workshop, and added that the items from that Workshop have been included in the draft budget.

11. CITY ATTORNEY: City Attorney Hoffmann provided an update on the brief the City had filed in support of the City of Arvada against Denver Health. He said the Colorado Supreme Court issued a decision and he felt it was more favorable than not, in that the Statute does not create a private cause of action to allow for hospitals to go after cities for medical expenses of a defendant. He said Legislature still needs to fix this problem and he is on a committee working with Hospital Associations and CML to address it.

12. EXECUTIVE SESSION: City Attorney Hoffmann recommended item number 2 for Executive Session for specific legal issues related to Senate Bill 16-73, the City’s Residential Design Standards, and an IGA with the ambulance service.

MOTION TO ADJOURN INTO EXECUTIVE SESSION: Alderman Bennett moved and was seconded by Alderman Johnson to adjourn into Executive Session at 3:12 p.m. to hold a conference with the City’s attorney to receive legal advice on specific legal questions, pursuant to C.R.S. § 24-6-402(4)(b).

MOTION PASSED: There was no discussion and the motion passed unanimously.
MOTION TO ADJOURN

Alderman Bennett MOVED and was SECONDED by Alderman Moates to adjourn the Executive Session at 3:55 p.m.

MOTION PASSED

There was no discussion and the motion PASSED unanimously.

13. ADJOURNMENT:

Mayor Spellman declared the Regular Meeting of the City Council closed at 3:55 p.m.

______________________________________
Michele Martin
Deputy City Clerk

____________________________
David D. Spellman
Mayor
RESOLUTION 63-2017
A RESOLUTION APPROVING A CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF THE NON-HISTORIC PORTION OF A SHED ON THE PROPERTY LOCATED AT 211 HORN STREET
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 63-2017

TITLE:  A RESOLUTION APPROVING A CERTIFICATE OF APPROPRIATENESS FOR THE DEMOLITION OF THE NON-HISTORIC PORTION OF A SHED ON THE PROPERTY LOCATED AT 211 HORN STREET

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The City Council hereby determines to approve the Certificate of Appropriateness for the demolition of the non-historic portion of the outbuilding wood shed on the property located at 211 Horn Street.

RESOLVED AND PASSED this 25th day of October, 2017.

_______________________________
David D. Spellman, Mayor

ATTEST:

______________________________
Melissa A. Greiner, CMC, City Clerk
NOTICE OF PUBLIC HEARING

Notice is hereby given that the City of Black Hawk Board of Aldermen shall hold a public hearing concerning a Certificate of Appropriateness for demolition of a non-historic accessory structure on property described in Exhibit A and generally located at 211 Horn Street, pursuant to the City of Black Hawk zoning ordinance.

The public hearing is to be held before the City of Black Hawk Board of Aldermen on Wednesday, October 25, 2017 at 3:00 p.m. or as soon as possible thereafter. The public hearing shall be held in the City of Black Hawk Council Chambers located at 211 Church Street, Black Hawk, Colorado, 80422 or at such other time or place in the event these hearings are adjourned.

ALL INTERESTED PARTIES
MAY ATTEND

Melissa A. Greiner
City Clerk

EXHIBIT A

S: 7 T: 3S R: 72W Subd: BLACK HAWK Block: 010 Lot: 005 THRU:- Lot: 008 & IMPS, N 32FT
CITY OF BLACK HAWK  
REQUEST FOR COUNCIL ACTION

SUBJECT: A Certificate of Appropriateness for the demolition of the non-historic portion of the outbuilding wood shed at 211 Horn Street, leaving the existing concrete slab in place. This action will maintain the historic integrity of the historic portion of the outbuilding wood shed.

RECOMMENDATION: The Historic Preservation Commission found the Certificate of Appropriateness demolition application for 211 Horn Street meets the intent of the criteria outlined in Sections 16-368 and 16-431 of the Black Hawk Municipal Code, Chapter 11 of the Black Hawk Residential Design Guidelines, the Black Hawk Guide to Programs – Preservation Easement, and Secretary of Interior’s Standards for Rehabilitation No. 2 and No. 9.

The Commission recommends the following motion to the Mayor and Board of Aldermen: Move to APPROVE Resolution 63-2017 approving the Certificate of Appropriateness for the demolition of the non-historic portion of the outbuilding wood shed at 211 Horn Street when the following condition is met:

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
City Council previously approved a Certificate of Appropriateness for the full exterior rehabilitation and site work for this property on May 24, 2017 under Resolution 38-2017. The applicants, Benito and Patricia Torres, are now requesting a new Certificate of Appropriateness for the demolition of the non-historic portion of the outbuilding wood shed at 211 Horn Street.

The Historic Preservation Commission reviewed this application for the proposed “Demolition of a Non-Historic Outbuilding Wood Shed” using the criteria listed below and deems the application acceptable for review by City Council:

1. Black Hawk Municipal Code – Chapter 16 - Section 16-368 - City Council historic review process;
2. Black Hawk Municipal Code – Chapter 16 - Section 16-431 – Demolition;
4. Black Hawk Guide to Programs – Preservation Easement; and
5. Secretary of Interior’s Standards for Rehabilitation No. 2 and No. 9.

The National Park Service listed 211 Horn Street as a non-contribution building in the 1991 National Historic Landmark nomination and noted there was a gable roofed shed (the verbiage in the 1991 survey of Black Hawk notes this outbuilding as gable, when it is in fact a shed roof) with vertical wood siding that appeared to be historic. However, since the property was considered non-contributing, it is not included as a contributing structure.

The proposed demolition would not negatively impact the status of the property, or the character of the historic district as a whole.
AGENDA DATE: October 25, 2017

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [X]Yes [ ]No

STAFF PERSON RESPONSIBLE: Cynthia L. Linker, CP&D Administrator

DOCUMENTS ATTACHED:
Resolution 63-2017, Public Hearing Notice, Staff Report, and Exhibits:
A. 211 Horn Street - NPS Cultural Resource Evaluation Form
B. 211 Horn Street - Wood investigation report
C. 211 Horn Street - Construction Documents Sheet A000
D. 211 Horn Street - Non-historic Shed Photographs
E. City of Black Hawk Demolition Process

RECORD: [ X ]Yes [ ]No

CITY ATTORNEY REVIEW: [X]Yes [ ]N/A

SUBMITTED BY: REVIEWED BY:
Cynthia L. Linker Jack D. Lewis, City Manager
CP&D Administrator

10/17/17
# CENTRAL CITY - BLACK HAWK HISTORIC DISTRICT
## GILPIN COUNTY, COLORADO

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**ADDRESS**

211 Horn Street  
Black Hawk

**STYLE**

NON-CONTRIBUTING

**PRESENT USE**

residence

**PROPERTY TYPE:**

- [X] RESIDENTIAL
- [ ] ACADEMIC
- [ ] COMMERCIAL
- [ ] OTHER
- [ ] RELIGIOUS

**ASSOCIATED BUILDINGS**

2 utility sheds

c. 1972 large addition and major alterations

**CONDITION**

excellent

---

**ARCHITECTURAL DESCRIPTION**

The original rectangular gabled portion of the house is so altered as to destroy its historic fabric. Walls are covered with newer wide stained board and batten siding, the roof has asphalt shingles, and the low foundation is poured concrete. A 2-story addition is a garage with apartment above with chalet style carved balustrade on the balcony, and wood casement diamond muntined windows and a sliding metal frame door. The section connecting the new addition with the original section of the house has a very large 4-light fixed window. There is an exterior brick chimney.
SITE DESCRIPTION

The house has a large well landscaped yard and a medium height mortared rubblestone retaining wall with a low redwood picket fence. There is a gable roofed shed with vertical wood siding that appears to be historic; but since the property is considered non-contributing, it is not included as a contributin structure.

COMMENTS

REFERENCES

Gilpin County Tax Assessor office files

PREPARED BY:
Rickey Hendricks, NPS-RMRO

DATE 8/86
EXHIBIT B
Revised Report:

Structural and Architectural Materials Assessment for 211 Horn St., Black Hawk, Gilpin County, Colorado

Submitted to:
The City of Black Hawk
211 Church Street
Black Hawk, CO 80422

Submitted by:
Kimberly Dugan
Wood Identification and Consultation Services
P.O. Box 550
Lafayette, Colorado 80026

February 2, 2017
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Structural and Architectural Materials Assessment for 211 Horn St., Black Hawk, Gilpin County, Colorado

BACKGROUND

Kimberly Dugan of Wood Identification and Consultation Services (WICS) was asked to conduct a structural and architectural materials assessment of the building (the Building), located at 211 Horn St., Black Hawk, Colorado. The purpose of the investigation was to determine the construction history and the approximate age of alterations to the building, which is located within a National Historic Landmark district. The period of significance for the district has been identified as 1859 - 1918.

SCOPE OF WORK

There were questions regarding the construction history and age of the Building and two associated outbuildings, as well as the condition of the structural and exterior architectural wood elements. The completed scope of work and this report provides information on the approximate age and construction history of the three buildings based on an examination of the structural wood and architectural components and associated metal fasteners and hardware.

The scope of work included the following tasks:

- Conducting a site visit to photograph and document existing conditions, followed with an assessment report.
- Conducting a condition investigation, including moisture content measurements to determine whether conditions exist that are favorable to the growth of wood decay fungi and to identify areas of moisture intrusion.
- Examining accessible roof and floor framing to determine dimensions, spacing, and fastener type as well as to identify evidence of alterations or indicators of age.
- Examining exterior architectural wood elements such as window sashes, siding, and trim to determine fastener type and identify evidence of alterations or indicators of age.
- Examining structural wall framing.
- Removing a minimum of 8 wood species samples to identify the wood species or wood species groups for structural and architectural elements of interest.

Additions known to have been completed fewer than 50 years ago, including the attached 2-car garage with second-story living space, was not included in this scope.
FIELD PROCEDURES

Ms. Dugan conducted the investigation of the structural and architectural materials of the Building on October 23 and December 30, 2016. The investigation was based on a combination of visual inspection, moisture content measurement, species identification, and historical research. These methods are described below.

Visual Inspection

Visual examination of the structural and architectural elements of the Building allows for identifying components that are incongruous with surrounding material and that may be indicative of an alteration or repair. Identifying structural member dimensions, spacing, and the types of fasteners used can also provide information on the construction sequence and approximate age of the materials.

Species Identification

The Building is primarily a wood frame structure with wood siding and trim. Identifying wood species can aid in interpretation of historic construction or repair campaigns. Wood species were identified by removing small samples from which the species or species group was identified under microscopic examination. Fourteen samples were removed to identify species of key architectural and structural wood elements to aid in developing historical documentation.

Moisture Content Measurements

Prolonged exposure to moisture can produce undesirable conditions and long-term maintenance issues for wood in a structure. Excessive shrinkage or swelling, checking, loose connections, and decay are typical problems. Limited moisture diagnostics were conducted to determine whether further investigation to identify any sources of moisture causing decay was warranted.

Moisture content measurements identify wood with favorable moisture levels for the growth of wood-decay fungi. Generally, if the moisture content is less than 20 percent wood-decay fungi are unable to grow. While fungi may be present at lower moisture contents they are unable to continue to deteriorate the wood without sufficient moisture. Moisture contents from 20 to 30 percent indicate areas of concern where sufficient moisture is present for fungi to grow but not sufficient to indicate advanced decay. Moisture contents above 30 percent indicate that the wood has reached fiber saturation point (FSP), and, if exposure has been prolonged, is generally an indication of advanced decay with internal voids and / or surface deterioration.

Historical Research

Other materials may be present that can help to determine the age of modifications and the construction sequence of the Building. Material with stamps, maker’s marks, logos, or other identifying components can be researched to find date ranges for production and/or distribution.
FINDINGS

Nomenclature

The Building has been modified significantly since its original construction, ca. 1880s (see Appendix C). In its current configuration, the Building has an irregular rectangular footprint and is oriented on an approximate north-south axis. There have been multiple additions; the existing additions are shown in a simplified floor plan (Figure 1) below.

Figure 1. Existing Building with identified additions: 1) original 1-story building (blue), 2) 1-story side gable addition (green), 3) shed roof addition (purple), 4) bathroom addition (pink), 5) great room addition (turquoise), 6) utility hall addition (orange), 7) front entry addition (yellow), 8) greenhouse addition (red), and 9) 2-story garage and living space addition (red dotted line). Not to scale.
Because the age of construction is of particular relevance for this investigation, terms that are commonly used throughout this report are defined below to avoid confusion.

“**Historic**” identifies an element that is 50 years of age or older;

“**Modern**” identifies an element that is less than 50 years old;

“**Original**” identifies an element that dates to the construction of the building.

Based on historical photographs:

- The original structure was a 1-story side gable wood frame house that underwent at least eight alterations and/or additions since its construction ca. 1880 (Existing Building 1 in Figure 1).
- Between ca. 1880 and ca. 1910, no apparent changes occurred.
- By ca. 1957, there is a small front porch addition similar in location and footprint of Addition 7. Also present ca. 1957 is a small shed located above the house in the current location of the attached outbuilding.
- In 1972, county assessor records indicate significant square footage was added to the Building. That square footage most likely includes Addition 9. See Appendix C for historical photographs.

![Figure 2. West elevation of the Building; the modern 2-story garage addition (Addition 9) is just to the left and out of the picture frame).](image)

For ease of reference, the additions will be referred to by the numerical identifiers provided in Figure 1 throughout this report. These additions refer to the existing configuration of the Building; the location and dimensions of Additions 6 and 7 have changed since the date of original construction. Addition 9, the attached two-car garage with living space above is known to be modern construction and was not included in this assessment.
Two outbuildings were included in the scope of work: a small attached shed and a workshop. The shed is a small side gable building clad with plywood siding on the north, south, and west sides and split log siding on the east elevation (Figures 3 and 4). The workshop is composed of two sections with a shed roof that slopes to the east (Figure 5). The north workshop section is clad in a modern siding panel board, and the south section is clad with board and batten siding (Figures 6 and 7).

Figure 3. South elevation of the attached shed.

Figure 4. East elevation of the attached shed with split log siding.
Figure 5. West elevation of the workshop.

Figure 6. Northwest corner of the workshop, north section, clad in modern siding panel board.

Figure 7. South section of the workshop with modern board and batten siding.
**General Construction – Structural Wood Elements**

**Framing - Main Building**

In the original Building 1, the roof framing consists of full dimension 2 x 4 rafters toenailed to each other and spaced approximately 24 inches on center (Figure 8). The ceiling joists act as ties for the rafters. All lumber is rough sawn with predominantly circular saw marks. Visible fasteners are square cut nails. The majority of members are full dimension or near-full dimension members. The quality of the wood is consistent throughout the entire length of the attic. There are a few areas of moisture staining and areas with visible recent repairs, but overall the roof framing appears to be in good condition.

![Figure 8. Attic framing in the original Building 1; view to the north.](image)

The structural wood wall framing in the original Building 1 and Addition 2 is rough-sawn full dimension 2 x 4s. Fasteners within the original Building 1 and Addition 2 wall framing are cut nails (Figure 9). In the remaining additions and the two associated outbuildings, the fasteners are round wire nails.

![Figure 9. Cut nail fasteners within Addition 2 wall framing.](image)
There was no access to the floor framing within the Building or any of the additions at the time of the field investigation. There does not appear to be a crawl space. Floor joists, if present, likely rest on the ground. Tongue and groove flooring of various widths can be found in Additions 2 and 3.

The roof framing for Addition 2 are large beams that slope to the west to create a shed roof. These beams are clearly an alteration of the historic roof based on photographs and evidence of the former gable peak on the north interior wall (Figure 10) of Addition 2.

![Figure 10](image)

Figure 10. Roof framing in Addition 2 are large timber beams spaced serval feet apart. The original gable roofline is partially outlined by the wall sheathing (red).

There are multiple layers of roof framing over Additions 3, 4, and 6. The lowest layer of roof framing in Additions 3 and 4 is a combination of rough sawn 2 x 4 and 2 x 6 rafters and surfaced, dimensioned 2 x 6 ties (Figures 11 and 12). An extension of the modern beam roof of Addition 2 can be found above Addition 3 (Figure 13).

![Figure 11](image)

Figure 11. Rough sawn rafters with modern, surfaced ties, Addition 3, view to the north.
Figure 12. View of the roof and interior wall framing within Addition 3 and a portion of Addition 4, far left, view to the east.

Figure 13. View of the modern roof framing of Addition 2 extending to the east over the shed roofs of Additions 3, 4, and 6.

Addition 3 has no exterior wall framing; it has a rubble stone wall to the east and ties into the former exterior wall of Original Building 1 on the west. The only wall framing is interior wall framing that defines the bathroom addition, Addition 4. Addition 4 has horizontal open plank sheathing and wall studs that line stone rubble walls (Figure 14). The wood sheathing and studs are in poor condition with visible evidence of deterioration.
Figure 14. View of the wall framing in poor condition within Addition 4.

Roof framing in Addition 5 is heavy timber beams spaced approximately 4 feet apart running to a central ridge beam (Figure 15). The wall framing is surfaced and dimensioned studs with diagonal wall sheathing (Figure 16). A portion of the south facade of Original Building 1, along with the original window opening and clapboard siding is still extant behind the modern 2 x 4 wall framing.

Figure 15. View of the modern roof and wall framing within Addition 5 and the remaining south exterior facade of the original Building.
Figure 16. Diagonal board sheathing in the great room, Addition 5, view to the southwest.

Addition 6 and 7 have modern 2 x 4 rafters that form shed roofs (Figures 17 and 18). Addition 6 has no wall framing, as the rafters bear on the (former) exterior wall of Addition 2 and the east wall is CMU. The roof sheathing is weathered and moisture stained, but the rafters have no evidence of weathering or staining and appear to be relatively new construction. Because the roof sheathing boards are weathered on the interior face, they may have been repurposed from another structure or Addition 6 may not have been enclosed and/or conditioned space when first constructed.

Figure 17. View of the roof framing for Addition 6.

Addition 7 has modern 2 x 4 roof and wall framing, tar-impregnated moisture barrier, and board roof sheathing (Figure 18). Evidence indicates that Addition 7 is not historic; however, the historic clapboard siding of the original Building 1 can be seen as well as the paint outline of a historic front porch addition (no longer extant) that appears in photographs taken ca. 1957.
Addition 8 is a greenhouse addition attached to the east side of Addition 5. It has modern glazing, doors, windows, and CMU walls (Figure 19). Based on the modern materials used in its construction, Addition 8 does not date to the period of significance and was not assessed in detail.

**Figure 18.** View of Addition 7, view to the west. The outline of the porch present in photographs dating to ca. 1957 can be seen on the historic siding, upper left.

**Figure 19.** View of Addition 8, view to the south.

**Framing - Outbuildings**

The accessible roof framing of the attached shed is rough sawn, full dimension 2 x 4 rafters with a ridge beam and 2 x 6 rafter ties (Figure 20). The roof sheathing is made from boards that were repurposed from another structure, based on the different paint and stain colors visible on the boards. The wall framing is full dimension rough sawn 2 x
4s; insulation and interior finishes prevented a full assessment of the wall framing.
There are two windows, one on the south elevation and one on the east elevation. The window on the south elevation is a 6-lite fixed sash with wood mullions. The window on the east elevation is a single lite and is covered on the exterior by a metal cover.

![Figure 20](image)

**Figure 20.** Repurposed roof sheathing and rough sawn rafters and ties in the attached shed; view to the west.

The attached shed has a steep roof pitch that does not correspond with the framing visible inside the structure (Figure 21). This altered roofline houses what appears to be a passive solar heating system, which is likely a modern alteration to the structure.

![Figure 21](image)

**Figure 21.** South elevation of the attached shed with passive solar panels and a steeply pitched roof that does not match the slope of the visible interior roof framing.

The workshop is comprised of two sections; in the north portion, there is a shed roof that slopes to the east and a poured concrete slab foundation (Figure 22). The roof rafters are modern, surfaced, and dimensioned 2 x 6s spaced 24 inches on center with modern plywood sheathing (Figure 23). The walls are modern 2 x 4s spaced 16 inches
on center with modern plywood sheathing. There is a modern aluminum frame window on the west wall. All identified fasteners are round wire nails.

Figure 22. Modern wall framing, modern plywood sheathing, and a concrete slab foundation in the workshop, view to the west. Note the moisture staining on the plywood just above the sill plate.

Figure 23. Modern roof framing in the workshop, northern section, view to the east.

In the south section of the workshop, there are surfaced, dimensioned 2 x 6 rafters spaced 24 inches on center and board sheathing (Figure 24). The wall joists are modern 2 x 4s spaced 24 inches on center; insulation and interior finished prevented full assessment of the wall framing. The foundation is poured concrete with concrete masonry block (CMU) around the perimeter (Figure 25). There are two windows, one on the south wall and one on the west wall.
Species Identification

Fourteen samples were removed for species identification. Given the assumed construction date of the Building (ca. 1880s), historic materials such as siding would likely have been produced by local saw mills with locally available material. Trees with native ranges extending into Colorado that were commonly used in early western settlement construction include western yellow pine (a hard pine species group that includes ponderosa pine and lodgepole pine), Engelmann spruce, and Douglas-fir. It should be noted that all of these tree species are still used today for structural and architectural applications, so decisions regarding the age of the wood in a building cannot be based on species alone. A complete list of species identification samples and their locations can be found in Appendix A.

Samples were taken of framing members and architectural finish members. All of the samples were identified either as western yellow pine or Douglas-fir, except for the historic siding of the original Building 1, which was identified as eastern white pine.
(Pinus strobus). Eastern white pine only grows in the eastern half of the U.S. and was commonly used in home-building kits for window sashes, trim, and siding that could be mail-ordered and shipped via railroad, ca. 1890 - 1920.

**Moisture Content**

Moisture content measurements were taken around the perimeter of the Building and the two outbuildings on the lowest exposed trim and siding elements, as well as under windows and along exterior sills. On the interior of the Building, moisture content measurements were taken on the wood floor around room perimeters. In all areas the moisture contents were below the 20 percent threshold for active wood decay fungi. The average readings in these locations were between 5 and 10 percent, except for an area on the floor of Addition 3, where moisture contents were between 13 and 19 percent. This area is near the bathroom area (Addition 4) and there is visible evidence of wood decay on both the floor and the roof framing above (Figure 26).

![Figure 26.](image)

**Age of the Structural and Architectural Wood Elements**

Determining the exact age of the structural and architectural wood elements by visual inspection alone is generally not possible. In conjunction with species identification and historical research and documentation, however, it is sometimes possible to determine the sequence in which materials were added or altered by examining the materials and fasteners in detail.

A key identifier can be the type of fastener used to hold wood members or architectural elements together. Wire nails, in common use today, were not mass produced until the early 1890s. Prior to the development of the wire nail, nails were machine-cut from sheets of metal or made by hand. By 1900, more wire nails were being purchased than
machine-cut nails, and by 1920, over 90 percent of the nails sold in the U.S. were wire nails.¹

While wire nails have flat, circular heads and round shafts, machine cut nails, which predate wire nails, were typically stamped or cut from a sheet of metal, generally resulting in square or rectangular heads and square shafts. The visible fasteners identified on the structural components of the Original Building 1 and Addition 2 are cut nails. Wire nails were found in Additions 3 - 7, the attached shed, and the workshop.

Window hardware can also potentially be used to determine approximate dates of construction. The windows within the Building, however, are all modern replacement windows based on the dual-pane construction and the locking mechanisms (Figure 27). On the interior of the Building, in original Building 1 and Addition 2, openings in the framing where the historic windows are visible, but the sashes and glazing are gone (Figures 28 and 29).

Figure 27. Modern window hardware and dual pane glazing of the window on the west interior elevation of Addition 1.

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Figure 28. The original window opening visible in the framing below a modern slider window, original Building 1, interior west elevation.

Figure 29. A door opening and a window opening from the historic Addition 2 visible in the interior wall framing of the west elevation.

For structural framing elements, dimensions can sometimes give an indication of age. Modern dimension lumber is marketed by nominal size (e.g., 2 x 4s or 2 x 8s), but the actual size of the lumber is smaller, due in part to surfacing of the wood. Rough-sawn lumber, or lumber that has no surface finish, often varies in width and thickness. Sawmills began to use planers ca. 1870 to size rough-sawn lumber into more uniform dimensions before shipping, and modern lumber is surfaced on all four sides. National lumber size standards did not exist until 1924. In 1900, the most common thickness for joists, rafters, and wall studs was 2 (actual) inches; modern lumber joists, rafters, and studs are typically 1 ½ inches in thickness, and are surfaced (planed) on all sides rather than rough-sawn.

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Measurement of the accessible roof and wall framing members of original Building 1, Additions 2, 3, and 4, and the attached shed shows a range of widths and thicknesses in the rough sawn lumber, which indicates the lumber was milled prior to the 1924 national size standard. Surfaced dimension lumber of 1 5/8 inches by 3 1/2 inches was identified in portions of Additions 3 and 4 and in Additions 5, 6, 7, and the workshop.

Electrical wiring can also help to provide evidence of age. In Addition 5, the electrical wiring appears to be ungrounded "12/2 NM Romex" with a synthetic jacket braid (Figure 30). The outlet receptacles are also ungrounded. Changes to the 1962 National Electric Code required grounding, suggesting that the electrical wiring was installed prior to 1962.

![Figure 30. An ungrounded outlet and silver electrical cable with no ground wire, Addition 5.](image)

**Exterior Siding and Trim - Main Building**

The current exterior of the Building has board and batten siding fastened with round wire nails. Based on historical photographs, it is a modern alteration and is not historic or original to the construction.

However, there is white clapboard siding on what are now interior walls (the exterior north and south walls of the original Building 1 - see Figures 15 and 18) that matches that visible in photographs dated to ca. 1957. The wood species of this siding is eastern white pine, a tree species that is not native to the western half of the country and was used extensively for millwork, trim, and exterior siding. From the 1890s through 1918, such material was often purchased from the east coast through mail-order catalogs and delivered via railroad to homes in western states.

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Board and batten siding can be found on the (formerly exterior) east elevation of original Building 1 and Addition 2. These areas are now the interior west walls of Additions 3 and 6. Within the area of Addition 3, the board and batten siding is painted green, the battens have eased edges, and round wire nails have been used as fasteners (Figure 31). Within the area of Addition 6, the board and batten siding appears to be in much poorer condition, has been partially painted white, and is fastened with square cut nails (Figure 32). Based on species identification of samples, the boards and battens of both areas were milled from western yellow pine.

**Figure 31.** Board and batten siding of the original Building’s east exterior wall, visible in Addition 3.

**Figure 32.** Board and batten siding of the historic Addition 2’s east exterior wall, visible in Addition 4.

Historically, it was common for houses to have more expensive finishes such as clapboard siding installed only on the visible facades. Based on the presence of square cut nail fasteners and the poor condition of the board and batten siding within Addition 6, it is likely that the siding is original to the construction of Addition 2. In contrast, the
overall good condition of the board and batten siding within Addition 3, the presence of wire nail fasteners, the eased edges of the battens, and the green paint (a common color choice in the 1950s and 1960s) indicate that the siding likely dates to ca. 1950s.

Exterior Siding and Trim - Outbuildings
The attached shed has plywood sheet siding and plain wood trim on all exterior elevations except the east elevation, which is split-log siding (see Figure 4). This split-log siding matches the siding that can be seen in photographs that date to ca. 1950s (see Figure 36 and Appendix C).

The workshop is sided with a combination of modern siding board sheets and modern board and batten siding (see Figures 6 and 7). Galvanized wire nails are visible on the battens.

Exterior Doors - Main Building
There are two doors into the Building: one is located on the west elevation of Addition 5, and one is located on the south elevation leading into modern Addition 8. Both exterior doors have modern hardware and do not appear to be historic or to date to the period of significance.

Exterior Doors - Outbuildings
The attached shed has a weathered solid wood, four panel door with an enameled door knob representative of hardware common to ca. 1900 (see Figure 3). There are two exterior doors on the workshop; both have modern hardware and do not appear to be historic.

Historical Documentation
Close examination of historical photographs has provided additional evidence of the general timeline of construction for various additions. The likely date of original construction, based on the presence of square cut nails in both Original Building 1 and Addition 2 suggests an initial construction date prior to 1900. A photograph dating ca. 1880s shows a small single story rectangular building that appears to be Original Building 1 with what appears to be an outhouse and a small shed (Figure 33).
Unfortunately there is a gap in the photographic record until approximately 1957; a hand-dated photograph provides a view of both Original Building 1, Addition 2, and the front porch addition (what is now Addition 7 - Figure 34).

Close examination of this photograph reveals that Addition 5 was under construction at the time of this photograph. Figure 35 is a close-up, digitally enhanced image of the west elevation of Original Building 1 that shows the diagonal sheathing of the wall framing of Addition 5.
Additional examination of another historic photograph provides more evidence that Addition 5 as well as Additions 3, 6, and the attached shed are greater than 50 years of age (Figure 36). The split log siding on the shed in the photograph is the same siding that still exists on the east elevation of the attached shed (see Figure 4). A small segment of the Addition 5 chimney is visible behind the Addition 2 chimney, and the shed roof for Additions 3 and 6 are partially visible.

Figure 36. View of Original Building 1, Addition 2, and what is now the attached shed. View to the south. Photo courtesy of Deon Wolfenbarger.
SUMMARY OF THE INVESTIGATION

The findings of the wood investigation can be summarized as follows:

The Building

- Based on a limited number of samples removed, the existing structural wood framing of the Building come from trees with native habitats that extend into Colorado and include the Black Hawk area. Although this finding does not rule out the possibility that the timber was shipped in from another geographic region, it is relatively unlikely, given the predominance of these locally available tree species.
  
  - One exception is the historic siding on the north and south exterior walls of original Building 1 which was identified as eastern white pine (Pinus strobus).
  
- All existing windows and hardware are modern replacements.

- The two entry doors are modern replacements.

- The lumber using in the construction of the roof and wall framing in Original Building 1, Addition 2 (wall framing only), and portions of Additions 3 and 4 are rough sawn, full dimension members spaced 16 inches on center. Most members have circular saw marks visible on the wide faces. The quality and appearance of the wood is consistent throughout these portions of the Building. The dimensions vary +/- 1/2 inch or more from standard dimensions. This variance indicates that the lumber within Original Building 1, Addition 2 (walls only), and portions of Additions 3 and 4 was milled prior to the standardization of lumber sizes, ca. 1924.
  
  - The lumber used in the construction of Additions 5, 6, and 7, is modern dimension, surfaced lumber.
  
  - Metal fasteners used for structural framing within Original Building 1 and Addition 2 are cut nails. Wire nails were identified in Additions 3 through 8 and on the exterior siding of the Building.
  
  - The structural floor framing was not accessible at the time of the investigation. Floor framing, if it is present, is likely to be structurally compromised; additional investigation by a structural engineer is recommended.
  
  - The roof rafters of the original Building 1 are full dimension 2 x 4s (24 inches on center) toenailed to each other with no ridge beam present. The ability of the roof framing to withstand snow and wind loads should be investigated by a structural engineer.
• Original Building 1, Addition 2, Addition 3, and Addition 4 definitively date to the period of significance based on historical photographs and physical evidence of framing members, architectural elements, and fasteners.

  o Additions 2, 3, 4, and 6 have had alterations to their roof lines. Addition 2 originally had a gable roof, while Additions 3, 4, and 6 had shed roofs.

• Addition 5 is an addition that is more than 50 years old based on the historic photograph, wood framing, electrical cable, and sheathing materials.

• Addition 6 in its current configuration does not date to the period of significance. However, there is enough evidence, based on the painted area of the board and batten siding and the presence of weathered roof sheathing boards and roofing material (visible from the electrical/mechanical space above the ceiling), to determine that a shed roof structure existed in the same or similar footprint, and that shed roof structure was likely constructed more than 50 years ago. Additionally, there is some photographic evidence to support that there was a shed roof addition in the current addition location (see Figure 36).

• Addition 7 in its current configuration does not date to the period of significance and is not 50 years old or older. Addition 7 does encompass the footprint of the ca. 1950s front porch addition.

• Addition 8 does not date to the period of significance and is not 50 years old or older.

• Additions 3 and 4 show evidence of moisture intrusion in the form of water stains on the structural roof framing and visible evidence of wood decay fungi on rafters, wall studs, and floor wearing surfaces. Exposure to moisture can lead to deterioration of structural framing members. The condition of all framing members within Additions 3 and 4 should be assessed to determine the need for reinforcement or replacement.

• **The Building under investigation qualifies for the Preservation Program, according to the following guidelines:**
  
  - Original Building 1, Addition 2, Addition 3, and Addition 4 were constructed during the period of significance of 1859-1918. Additions 5 and 6 was constructed more than fifty (50) years prior to the date of the application (2016), however, based on the investigation, Addition 6 has been at least partially reconstructed (there are new rafters, a concrete floor, and the east wall is CMU block).

**The Attached Shed**

• Based on historical photographs, species identification, investigation of the existing roof framing, siding (east elevation only), and metal fasteners, the
attached shed is 50 years old or older, although the roof line was altered (likely ca. 1970 - 1980) for a passive solar system.

- The attached shed under investigation qualifies for the Preservation Program, according to the following guidelines:
  - The attached shed was constructed more than 50 years before 2017 and is within a national historic landmark district.

The Workshop

- The roof framing and wall framing is constructed of modern dimension lumber and has wire nail fasteners. The siding on both sections of the workshop is modern material. Both sections of the workshop have poured concrete foundations (the southern portion of the workshop has a poured concrete foundation with short CMU block walls).
- The windows and doors are modern.
- The workshop is not visible in historic photographs that date to ca. 1950.
- The workshop does not qualify for the Preservation Program. Although a historic structure may have existed in the same or similar footprint, the existing building is constructed of modern materials and there is no evidence of the building in historic photographs.
APPENDIX A

Species Identification Table

Architectural and/or Historical Feature Table
Table A-1. Species Identification Results

<table>
<thead>
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<th>Sample No.</th>
<th>Member</th>
<th>Location</th>
<th>Dimensions</th>
<th>Species</th>
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<td>wall stud</td>
<td>modern addition 5, east wall</td>
<td>1 5/8” x 3 1/2”</td>
<td>Douglas-fir (Pseudotsuga menziesii)</td>
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<td>2</td>
<td>white lap siding</td>
<td>original building 1, south exterior of wall</td>
<td>5 3/4” wide</td>
<td>eastern white pine (Pinus strobus)</td>
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<td>3</td>
<td>window frame</td>
<td>original building 1, south interior of wall</td>
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<td>western yellow pine (Pinus spp.)</td>
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<td>window frame</td>
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<td></td>
<td>western yellow pine</td>
</tr>
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<td>rough sawn wall stud</td>
<td>original building 1, south wall, infill in historic window opening</td>
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<tr>
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<td>horizontal board sheathing</td>
<td>original building 1, south wall</td>
<td></td>
<td>western yellow pine</td>
</tr>
<tr>
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<td>original building 1, east exterior of wall</td>
<td></td>
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<td>tongue and groove flooring</td>
<td>addition 3</td>
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<td>Douglas-fir</td>
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Table A-2. Architectural and/or Historical Features

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<th>Date to the period of significance (1859 - 1918)?</th>
<th>Are greater than 50 years old?</th>
<th>Reflect the original design intent for the building?</th>
<th>Reflect period or regional styles or building practices?</th>
<th>Reflect changes to the building from major periods or events?</th>
<th>Are examples of exceptional craftsmanship or design?</th>
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APPENDIX B

Discussion of Physical Evaluation (Doors/Windows)

Discussion of Main Building, Outbuildings, Alterations/Additions
Physical Evaluation (Doors/Windows) - Main Building

1. Condition of the paint - not applicable.
2. Condition of the frame and sill - only one original window frame remains (the south wall of the original Building 1). The sill has been partially removed, but the existing window frame is in fair condition.
3. Condition of the sash (rails, stiles and muntins) - there are no original or historic sashes.
4. Glazing problems - not applicable. All existing windows are modern.
5. Hardware - not applicable. All existing windows are modern.
6. The overall condition of the window (excellent, fair, poor, and so forth) - not applicable. All modern windows are in good condition.
7. The pattern of the openings and their size - the pattern of the openings in the south and west elevations of Original Building 1 and the south elevation of Addition 2 are consistent with those visible in historical photographs (on the west and south elevations).
   A. The original windows within original Building 1 were 4-lite, double hung (based on historic photographs) The openings that remain measure 30-1/2” x 66”.
   B. The original door of original Building 1 is not visible in historic photographs and no longer exists. The opening that currently exists for the historic door measures 35” x 85”.
   C. The original windows on the west elevation of Addition 2 were 6-lite double hung (based on historical photographs). The openings that remain measure 39-1/2” x 57-1/2”.
   D. The original door of Addition 2 is not visible in historic photographs and no longer exists. The door opening in Addition 2 measures 35-1/2” x 83”.
8. Proportions of the frame and sash - since all windows are modern replacements, the proportions of the frame and sash were determined to have no historical significance.
9. Configuration of window panes - all windows are modern replacements.
10. Muntin profiles - not applicable.
11. Type of wood - not applicable.
12. Paint color - not applicable.
13. Characteristics of the glass - not applicable.
14. Associated details such as arched tops, hoods, or other decorative elements - not applicable.
Main structure, outbuildings, alterations/additions:

1. **Does the building represent a variety of periods of construction, additions, and modifications, not all of which may be significant?**

   All of the buildings represent a variety of periods of construction and modifications.

   - For the Building (main structure), Additions 7 through 9 are not more than 50 years old. Additions 3 through 6 are at least 50 years old; Additions 3, 4, and 6 may date to the period of significance. Addition 2 and the original Building 1 date to the period of significance.
   - The attached shed is at least 50 years old but has had its siding and roof line modified, ca. 1970 - 1980.
   - The workshop has been reconstructed with materials less than 50 years old. This reconstruction may be in the footprint of a historic structure, and may include elements repurposed or reused from its historic configuration, but there is no evidence that the workshop has any significant historic fabric remaining.

2. **Does the building have physical problems that require repair?**

   Main Building - There are several areas of concern within the Building. The dimensions and connections of the roof rafters should be assessed by a structural engineer to determine the roof framing’s adequacy to support existing and anticipated loads. The floor framing could not be assessed at the time of the investigation and is likely in poor condition, if it exists. The floor wearing surface and roof framing within Addition 3 and the wall framing within Addition 4 shows signs of significant deterioration by wood decay fungi. The glazing used for the roof of Addition 8 has a minimal slope that allows snow build-up and may not be rated for use as roofing material. Additions 3, 4, and 6 may not meet current light and ventilation requirements.

   Attached Shed - The plywood siding shows evidence of moisture intrusion and failure near ground level. The presence and condition of any floor framing could not be determined at the time of the investigation.

   Workshop - The workshop is in generally good condition.

3. **What construction materials and systems are known to exhibit distress or deterioration?**

   Main Building - In addition to those systems identified in response to question 2, the rubble walls of Addition 4 are partially collapsing and the electrical system is in need of replacement. Additions 3, 4, and 6 may not meet current code requirements for ceiling height.

   Outbuildings - see responses to question 2 above.

4. **Does the building have code or functional problems that interfere with its use?**

   Main Building - A thorough building inspection is recommended to identify all potential issues. Possible code issues that were noted include overstressed roof framing elements, ungrounded electrical outlets, lack of a crawl space or crawl space access, lack of adequate light and ventilation, lack of appropriate clearances in the bathroom (Addition 4), and ceiling height concerns.
Outbuildings - no possible code issues were identified.

5. Is the building in use?
All buildings are in use.

6. Is a new or more intensive use planned?
This investigator is unaware of any new or more intensive use planned for the Building or its associated outbuildings.
APPENDIX C

211 Horn: Research on Construction History
Memo

To: Cynthia Linker, Community Planning & Development
From: Deon Wolfenbarger, Historic Preservation Consultant
Date: February 19, 2015
Subject: 211 Horn Street construction history

This memo provides information gathered on what portion, if any, of 211 Horn is historic. For the purposes of the city’s grant program, “historic” is defined as fifty years or older.

**Photo research:** Historically, the dwelling at 211 Horn Street was a very small, gable-front-and-wing residence. (here is no photographic evidence that the “wing” [Addition 2] was part of the original construction. Given the difference in the style of the historic windows [6-lite vs. 4-lite] between the wing and the gable-front building, it seems likely that the wing was constructed at a different time than the gable front. In Figure 1 below, the gable-front portion is marked by the red circle. It has a low roof with shallow pitch. The south gable-front wing likely consisted of two small rooms, and did not extend very far into the rear of the lot. A small, crudely constructed shed it at the rear; it does not match the size or height of the existing rear shed. The yellow arrow points to a historic dwelling on the north that is no longer extant (the present house extends to the north into this lot).

![Figure 1. Ca. 1900-1910s.](image-url)
Figure 2 shows the front elevation of the house with both wings. There was likely one small room contained within the side-gable wing that extended to the north. A small porch is set within the ell. While this porch is over fifty years in age, it likely does not date from the historic district’s period of significance. This view again shows the low roof ridges, which contain two interior chimneys – one on each ridge. The retaining wall is level with the ground, and has stairs which are centered on the lot. [Note: The retaining wall rises dramatically for the property on the north. This is important to compare to the existing lot and house; see evaluation.] Portions of the attached shed and Addition 5 are visible in this photograph (yellow arrows).

![Figure 2. ca. 1957](image)

Figure 3 provides a view from the adjoining lot on the north. By the 1950s, there is another shed with a gable-front roof at the rear of the lot. The roof pitch of this shed does not match the existing gable-front addition that is currently attached to the present house. Viewed from the interior of the shed, the roof framing likely does match the pitch as it appears in this photograph. Additionally, the split log siding on the east elevation matches the siding in Figure 3. The ground of the lot is nearly even with the ridge line of the original historic house.
Historic research: The Gilpin County Assessor’s office, as well as the 1986 inventory form prepared by the National Park Service, indicates that the square footage of the house was substantially increased ca. 1972 to over 1900 square feet; the existing documentation does not indicate whether this was completely new construction, or a substantial remodel of the smaller historic home. The physical evidence from this investigation indicates that the great room addition (Addition 5) was constructed ca. 1957 and Additions 3, 4, and 6 are at least 50 years old. The alterations in the roof line over Additions 2, 3, 4, and 6, Addition 7, Addition 8, and Addition 9 likely were constructed ca. 1970 - 1980. Later additions expanded the square footage to 2011 square feet. The National Park Service indicated that this was not a “contributing” building to the district.
Figure 4. 2010. Red oval indicates possible historic portion; yellow areas indicate new construction.

**Evaluation:** The residence at 211 Horn Street does not retain its appearance from the period of significance, and instead gives all indication of being a ca. 1970s residence. An anecdotal story states that the original house is encapsulated within the present structure; interior examination would be required to prove this, and may still be inconclusive. This investigation indicates that the original building, historically significant additions, and additions greater than 50 years of age remain “encapsulated” inside the existing modern construction. If indeed encapsulated, then only a very small portion of the exterior historic façade remains (see red ovals in Figures 3 and 4); this front portion no longer retains its historic horizontal clapboard. The following portions of the house are not fifty years old: garage and 2nd story above; wing connecting to the garage (this wing is in fact, historic); rear gable-front addition with steeply pitched roof; and the south addition with large fireplace (the south addition with the fireplace is greater than 50 years old).

The front retaining wall and stairs are not in the original location. Historically, there was a significant change in grade from the historic house at 211 Horn, and the lot adjacent to the north. For the historic house to be encapsulated within the existing structure, a significant amount of grading was required. Furthermore, a comparison of historic photographs to the present conditions indicates that the small, gable-front portion (red oval in Figure 3 and 4) may not be in its original location. No evidence was found during this investigation to indicate the gable-front portion of the original house has been moved.
Figure 4. 2010.

Summary: Very little (if any) of the historic residence at 211 Horn Street remains. At most, a small section of the façade may contain historic interior framing; the windows and siding are not historic.

Summary:

ca. 1880s - based on a historical photograph, the 2-room, single story building was constructed (Original Building 1).

ca. 1890s - the side-gable wing (Addition 2) was likely constructed, based on stylistic differences between the window styles of the two structures. The presence of square cut nails indicates that Addition 2 was constructed prior to 1900. It is likely that this residence, like many homes in Black Hawk during this time period, had at least one exterior attached shed for storing wood (possibly Additions 3 and 6) and a stone or rubble-lined root cellar cut into the hillside (possibly Addition 4). No accessory buildings matching the two that presently exist have been identified in historic photographs.

ca. 1900 - 1950 - no historical photographs have been located of this time period.

ca. 1957 - The room with the fireplace (Addition 5), as well as Additions 3, 4, and 6, and the attached shed are visible in historic photographs. Analysis of the structural framing, fasteners,
and electrical wiring indicate that these additions were either constructed or significantly modified during this time period.

**ca 1970s - 1980s** - Alterations to the roof over Additions 2, 3, 4, and 6 were likely made. Other alterations including the construction of Addition 7, 8, and 9, the alteration of the roofline of the attached shed for the passive solar system, and reconstruction or new construction of the workshop likely occurred at this time.
Photographs of Non-Historic Wood Shed
CITY OF BLACK HAWK -- DEMOLITION PROCESS

- Historical Documentation (Written Narrative / Photographic):
  Identify historical and non-historical portions, elements and features of the structure, i.e.,
  number of stories, gross square footage per floor, number and type of rooms – entry,
  bedroom, bath, living, parlor, kitchen, dining, laundry mechanical, closets, flat or sloped
  ceiling, historically significant features – interior and exterior, foundation, windows, doors,
  light fixtures, hardware, chimney, cornices, trim/molding, porch, deck, fence, rock walls,
  outbuildings

- Remove and store historically significant features – windows, doors, light fixtures,
  hardware, trim, etc.

- Identify and Document Overall Condition of Structure (marginal, poor, extremely poor)

- Identify and Document Water Damage

- Identify and Document Building Code Data and Deficiencies – utilized as single-family-
  residence, life safety hazards

- Rodent Infestation

- Document Retaining Walls: Condition, location, size

- Demolition Scope of Work

- Demolition Observation, Removal and Lawful Disposal of all Items

- Clean Up: Maintain Clean Work Site. Daily Removal of Nuisance Dust on Road Surfaces,
  Mud and Construction Debris

- Disposal Sites: Dispose of all materials via an approved disposal site acquisitioned by the
  contractor

- Traffic Control Plan, if necessary

- Water: Control Nuisance Dust

- Existing Utilities: Locate Approximate Location of Existing Services

- Protection of Public and Private Property

- Work in Easements and Right-of-Ways

- Abandonment of Utilities: Water Service Pipeline, Sanitary Sewer Service, Gas Service,
  Electrical, Telephone and Cable Services

- Final Grading
RESOLUTION 64-2017

A RESOLUTION
APPROVING THE FIRST
AMENDMENT TO THE
HISTORIC
PRESERVATION
EASEMENT
AGREEMENT FROM
BENITO TORRES TO
THE CITY OF BLACK
HAWK FOR THE
PROPERTY LOCATED
AT 211 HORN STREET
STATE OF COLORADO
COUNTY OF GILPIN
CITY OF BLACK HAWK

Resolution No. 64-2017

TITLE: A RESOLUTION APPROVING THE FIRST AMENDMENT TO THE HISTORIC PRESERVATION EASEMENT AGREEMENT FROM BENITO TORRES TO THE CITY OF BLACK HAWK FOR THE PROPERTY LOCATED AT 211 HORN STREET

NOW, THEREFORE, BE IT RESOLVED BY THE CITY COUNCIL OF THE CITY OF BLACK HAWK, COLORADO, THAT:

Section 1. The City Council hereby approves the First Amendment to the Historic Preservation Easement Agreement from Benito Torres to the City of Black Hawk for the property located at 211 Horn Street attached hereto as Exhibit A, and authorizes the Mayor to execute the same on behalf of the City.

RESOLVED AND PASSED this 25th day of October, 2017.

_______________________________
David D. Spellman, Mayor

ATTEST:

______________________________
Melissa A. Greiner, CMC, City Clerk
CITY OF BLACK HAWK
REQUEST FOR COUNCIL ACTION

SUBJECT: First Amendment to the Historic Preservation Easement Agreement from Benito Torres, Property Owner, to the City of Black Hawk for the rehabilitation of 211 Horn Street.

RECOMMENDATION: Staff recommends the following motion to the Mayor and Board of Aldermen: Move to APPROVE Resolution 64-2017 approving the First Amendment to the Historic Preservation Easement, from Benito Torres to the City of Black Hawk for rehabilitation of the property at 211 Horn Street.

SUMMARY AND BACKGROUND OF SUBJECT MATTER:
City Council previously determined that the Historic Preservation Easement Component of the Program could be subject to release by the City upon application at the expiration of no less than ten (10) years, based in part on concerns of lenders and others regarding the perpetual nature of the Historic Preservation Easement. No Historic Preservation Easement has ever been released by the City.

Due to concerns raised regarding the supposed impact caused by the potential release of the otherwise perpetual Historic Preservation Easement, City Council determined to delete that provision of the Historic Preservation Easement Program that allows a property owner to seek a release of the Historic Preservation Easement after a period of ten (10) years, thereby causing such Historic Preservation Easements to remain perpetual. On May 3, 2017, City Council approved Resolution 35-2017 amending the Historic Preservation Easement Program component of the City of Black Hawk Community Restoration and Preservation Guide to Programs, as Revised March 2016, to delete any reference to the ability of the Grantor of the Historic Preservation Easement to seek a release of the Historic Preservation Easement from the City, it being the intent of the City Council that such Historic Preservation Easement is and remains perpetual in nature.

Staff identified three (3) residential properties with Historic Preservation Easement Agreements containing the language referencing “the Historic Preservation Easement Component of the Program could be subject to release by the City upon application at the expiration of no less than ten (1) years”. The residential properties identified were 400 Chase Street, 241 Dubois Street, and 211 Horn Street. Staff approached each property owner and requested they execute a First Amendment to their Historic Preservation Easement reflecting the intent of City Council and Resolution 35-2017. Benito Torres, 211 Horn Street, was the only property owner to execute the First Amendment, which is attached as Attachment No. 1. The Historic Preservation Easement for 211 Horn was fully executed March 22, 2017. Even though the other property owners elected not to sign the First Amendment, their Historic Preservation Easements will remain perpetual in nature as adopted by City Council under Resolution 35-2017.
AGENDA DATE: October 25, 2017

WORKSHOP DATE: N/A

FUNDING SOURCE: N/A

DEPARTMENT DIRECTOR APPROVAL: [X]Yes [ ]No

STAFF PERSON RESPONSIBLE: Cynthia L. Linker, CP&D Administrator

DOCUMENTS ATTACHED:
- Resolution 64-2017
- Attachment No. 1 – First Amendment to Preservation Easement

RECORD: [ X ]Yes [ ]No

CITY ATTORNEY REVIEW: [X]Yes [ ]N/A

SUBMITTED BY: REVIEWED BY:

Cynthia L. Linker
CP&D Administrator

Jack D. Lewis, City Manager

__________________________ __________________________________

Cynthia L. Linker Jack D. Lewis, City Manager
ATTACHMENT 1

211 HORN STREET
FIRST AMENDMENT TO HISTORIC PRESERVATION EASEMENT
FIRST AMENDMENT TO HISTORIC PRESERVATION EASEMENT

This FIRST AMENDMENT TO HISTORIC PRESERVATION EASEMENT AGREEMENT (the "First Amendment") is entered into as of the ____ day of 20__, by and between ________________, whose address is ________________, Black Hawk, Colorado 80422 ("Grantor"), and the CITY OF BLACK HAWK, a Colorado home rule municipality, whose address is 201 Selak Street, P.O. Box 68, Black Hawk, Colorado, 80422 (the "City").

WITNESSETH

WHEREAS, Grantor and the City entered into that Historic Preservation Easement dated ___________ (the "Original Easement") regarding certain real property (the "Property") and the improvements thereon (the "Structure") located at ________________, in the City of Black Hawk, Gilpin County, Colorado, more particularly described in Exhibit A attached hereto and incorporated herein by this reference;

WHEREAS, the Parties desire to amend the Original Easement as more particularly described in this First Amendment.

NOW, THEREFORE, in consideration of the mutual covenants, conditions and restrictions contained herein and for other good and valuable consideration, the receipt and sufficiency of which is expressly acknowledged, and pursuant to Section 13 of the Original Easement, Grantor and the City hereby covenant and agree as follows:

1. Section 8 of the Original Easement is amended to read as follows:

8. Nature and Duration. The covenants, conditions and restrictions in this Easement run with the land constituting the Property in perpetuity and are binding upon Grantor and the successors and assigns of Grantor for the benefit of the City.

2. Section 9 of the Original Easement is hereby deleted in its entirety.

3. Amendments. Except as modified herein, the Original Easement remains in full force and effect and is hereby ratified by the Grantor and the City.

WHEREFORE, the parties hereto have executed this First Amendment on the day and year first above-written.

CITY OF BLACK HAWK

__________________________
David D. Spellman, Mayor

ATTEST:

Melissa A. Greiner, City Clerk
APPROVED AS TO FORM:

Corey Y. Hoffmann, City Attorney

STATE OF COLORADO
COUNTY OF Gilpin

The foregoing instrument was subscribed, sworn to, and acknowledged before me this 23 day of August, 2017, by Benito Torres

My commission expires: 3/25/2019

MICHELE MARTIN
NOTARY PUBLIC - STATE OF COLORADO
Notary Identification #20154012152
My Commission Expires 3/25/2019

Notary Public
EXHIBIT A

DESCRIPTION OF REAL PROPERTY AND IMPROVEMENTS

Property is located at **211 HORN STREET**, legally described as **S: 7 T: 3S R: 72W Subd: BLACK HAWK Block: 010 Lot: 005 THRU Lot: 008 & IMPS, N 32FT**, City of Black Hawk, based upon the City of Black Hawk survey map of **BLOCK 10**, of the Map of Black Hawk, surveyed by Albert Johnson, City Surveyor, dated May and June 1866, City of Black Hawk, County of Gilpin, State of Colorado.