

STAFF REPORT

CONCERNING APPLICATION FOR A CERTIFICATE OF APPROPRIATENESS

Date: April 2, 2019

Application Number: 2019-0312

Property Location: 821 Forest Avenue

Architectural Style/Date/Architect or Builder: Gabled-Ell / 1893

Property Owner: Diana Phipps

Landmark or District Designation: Chapin Park Local (Ordinance #9574-05) and National Historic District

Rating: *Notable*

DESCRIPTION OF STRUCTURE/SITE: Two story Gabled-Ell with irregular plan on a brick foundation. The chimney is centrally located with rectangular brick. Siding is 4" painted clapboard, with corner boards and fish-scale shingles. The cross gabled roof is 12/12 with asphalt shingles, with plain eave and rake boards as well as a plain frieze. The front porch has a shed roof, a pedimented entry bay, turned spindles and turned wood columns. Windows are generally 1/1 double hung with some divided lite casements, the jams and sills are plain, and there is moulded wood entablature. The front door is a glazed single leaf wood panel door with a moulded wood jamb and entablature; a rectangular transom is above.

Insulation was sprayed into the structure behind the siding sometime before the establishment of the historic district. The exterior paint has deteriorated significantly.

ALTERATIONS: Certificate of Appropriateness #2016-0711 retroactively allowed for the tear-off and re-roofing of the flat and slopes areas of the roof.

APPLICATION ITEMS: "8 vinyl replacement windows."

DESCRIPTION OF PROPOSED PROJECT: Applicant seeks a *retroactive* Certificate of Appropriateness for changes on the structure:

1. The replacement of eight original windows primarily on the southern exposure with Sunrise Windows "Essential by Sunrise" vinyl windows, as follows:
 - a. Four (4) double-hung windows, 30" x 73.5"
 - b. One (1) double-hung window, 40" x 73.5"
 - c. One (1) double-hung window, 30" x 61.25"
 - d. Two (2) 2-lite sliders windows, 38" x 40"
 - i. These windows are unique – the property owner required the contractor retain the original windows. The replacement vinyl windows have been installed on the outside of the original windows.

Staff was alerted anonymously that work had been executed on 821 Forest in the Chapin Park Local Historic District on March 1, 2019. Staff contacted the contractor (Energy Efficient Replacements) and property owner (Diana Phipps) at the site and informed both that a Certificate of Appropriateness was required for work within the Local Historic District, and that the original windows should be retained until the project was compliant. One of the window sashes was destroyed during the removal process.

The Building Department was notified that windows were being replaced without Certificate of Appropriateness. A "Red Tag" (stop work order) was issued for the property on that date.

SITE VISIT REPORT: N/A

STANDARDS AND GUIDELINES: CHAPIN PARK

II. EXISTING STRUCTURES

A. BUILDING MATERIALS

Original exterior building materials in the district include brick, stucco, clapboard, wood shingles, and brick or stone masonry. In some instances, vinyl, composite and aluminum siding have been applied over the original material.

Required

Original exterior building materials shall be retained when possible. Deterioration of wood materials shall be prevented through repair, cleaning and painting. The existing architectural detail around windows, porches, doors and eaves shall be retained or replaced by replicas of the same design when deteriorated beyond repair.

[...]

C. WINDOWS AND DOORS

Window and door frames are in most cases wood and vary depending upon the style of the home. Many are double-hung windows with wood trim and sills. Brick structures have stone sills and brick lintels. In some cases where aluminum siding has been applied, the window and door trim has been covered. About half of the structures in the district have aluminum storm windows; the other half have wood storm windows.

Required

Original windows and doors shall be retained including sashes, lintels, sills, shutters, decorative glass, pediments, hoods and hardware. When deteriorated beyond repair, they shall be replaced with units and trim resembling the original.

Recommended

Wood storm windows and doors painted or finished to match the original should be used but should not damage existing frames. If new sashes or doors are installed, the existing or original materials, design and hardware should be used. When metal storm doors are used, they should be painted, anodized or coated to match the existing. When awnings are used, they should be of canvas material.

[...]

VI. ENFORCEMENT PROCEDURES

Enforcement of the preservation guidelines and standards for the historic district is made possible in the Zoning Ordinance of the City of South Bend, ordinance No. 5565-73, as amended and the Historic Preservation Commission's Preservation Plan.

The Historic Preservation Commission may petition the Building Commissioner to use the legal means available to him/her to force the maintenance and / or repair of any building or structure within the historic district in accordance with the intent of this ordinance.

This ordinance, however, does not prevent the ordinary maintenance and repair of any building or structure which does not involve a change in any exterior feature, nor does it prevent the reconstruction, alteration, demolition or moving of any building or structure which the Building Commissioner or other official has determined to be a hazard to public safety.

Property owners wishing to do, or have done, any work affecting the exterior of their building or land must apply directly to the History Preservation Commission on the form prescribed by the Commission (see Appendix A). The Historic Preservation Commission shall issue a Certificate of Appropriateness before commencement of any construction, reconstruction, alteration, demolition, or moving of any house or structure within the historic district boundaries (see Appendix A). The Historic Preservation Commission will accept applications for Certificate of Appropriateness only from the property owner.

In making its determination, the Historic Preservation Commission shall consider three factors: first, the appropriateness of the proposed work to the preservation of the building and district; second, the detriment to the public welfare if the proposed work is permitted even though it is not deemed appropriate; third, the potential hardship that the denial of the Certificate of Appropriateness would cause the applicant.

[...]

STAFF RECOMMENDATION: Were this a proactive application for the replacement of existing windows, staff would like to see proof that the existing windows were deteriorated beyond repair. Seeing how the windows were on the southern exposure, coupled with the loss of one of the sashes during the removal process, some level of deterioration can be assumed. Staff accepts that regular maintenance has been deferred on this structure: the exterior paint has most visibly separated from much of the structure, including the windows.

If the motivation for replacing the windows was heat loss (or the belief that the existing windows were inefficient), the installation of exterior wood storms – which is in keeping with the historic nature of the neighborhood – would solve this problem.

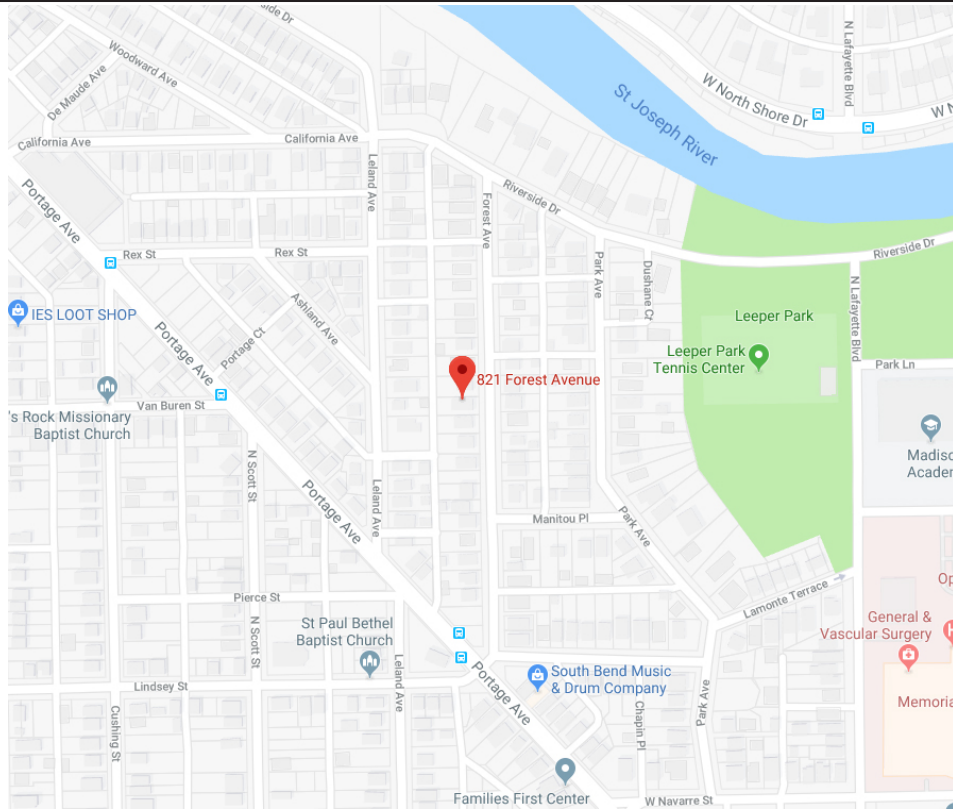
Staff recommends denial of this project, would request that the vinyl replacements be removed and replaced with the original wooden windows, and advocates for the installation of wood storm windows.

Prepared by
Adam Toering
Historic Preservation Specialist

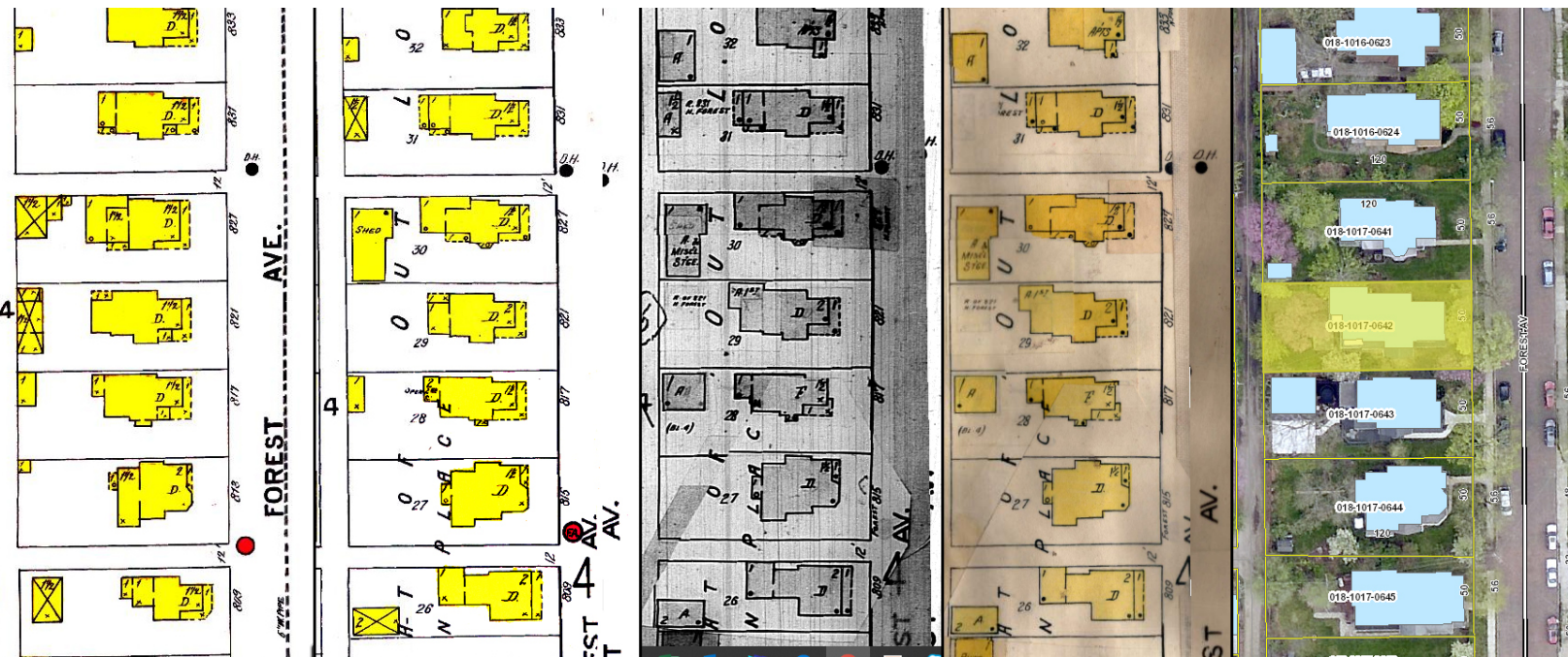
Recommendation by
Elicia Feasel
Historic Preservation Administrator

HISTORIC PRESERVATION COMMISSION OF SOUTH BEND AND ST. JOSEPH COUNTY

LOCATION MAP - Map showing location of the property and surrounding area (Google Maps)

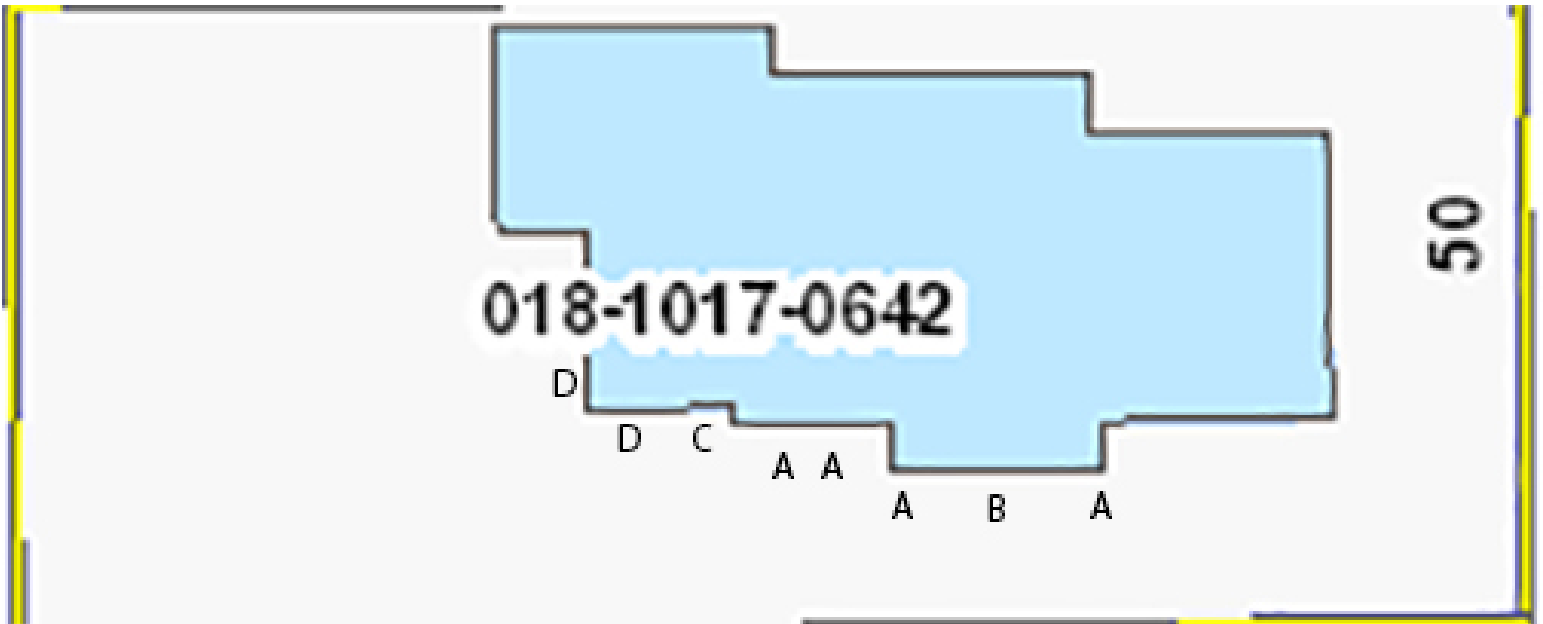


AERIAL MAP - Sanborn maps from 1899, 1917, 1945, and 1960. Satellite imagery from 2017.



**HISTORIC PRESERVATION COMMISSION
OF SOUTH BEND AND ST. JOSEPH COUNTY**

SITE PLAN - Site plan based upon MACOG map, generated by staff. Labels correspond to project description.



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FRONT PICTURE (EAST) - Picture of the front of the building.



BACK PICTURE (SOUTH WEST) - Picture of the back of the building.



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OF SOUTH BEND AND ST. JOSEPH COUNTY**

SIDE PICTURE (NORTH) - Picture of the side of the building.



SIDE PICTURE (SOUTH) - Picture of the side of the building.



**HISTORIC PRESERVATION COMMISSION
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PICTURES OF ITEMS THAT NEED ATTENTION - Southeast and south sides.



**HISTORIC PRESERVATION COMMISSION
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Top: Window of size 'A', South East corner. Bottom: Window of size 'B', south side.



**HISTORIC PRESERVATION COMMISSION
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PICTURES OF ITEMS THAT NEED ATTENTION - Three of Window type 'A', Southern exposure



**HISTORIC PRESERVATION COMMISSION
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Top: window type 'C'. Bottom: window type 'D'. Both on second story, southern exposure.



**HISTORIC PRESERVATION COMMISSION
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PICTURES OF ITEMS THAT NEED ATTENTION - Window type 'D', second story, western exposure



**HISTORIC PRESERVATION COMMISSION
OF SOUTH BEND AND ST. JOSEPH COUNTY**

PICTURES OF ITEMS THAT NEED ATTENTION - Removed windows, including destroyed sash.





Energy Efficient Replacements

"Michiana's Best Replacement Window Company"

Energy Efficient Replacements Llc
51285 Bittersweet Rd.
Suite G
Granger, IN 46530
574-387-3297

RE: 821 Forest Avenue Window Replacement

Window Manufacturer:

Sunrise Windows

Make:

Essentials by Sunrise

Material:

Virgin Vinyl

Size:

4-double hung @ 30x73.5, 1-double hung @ 40x73.5, 1-double hung @ 30x61.25
2-2 lite sliders @ 38x40

How Windows Will Be Finished:

Interior is caulked to inside stops.

Exterior Double Hung Windows will be finished off with a sill extender trim and caulked to exterior stops.

Sliding Windows will be finished off with extender trim and caulked to stops.

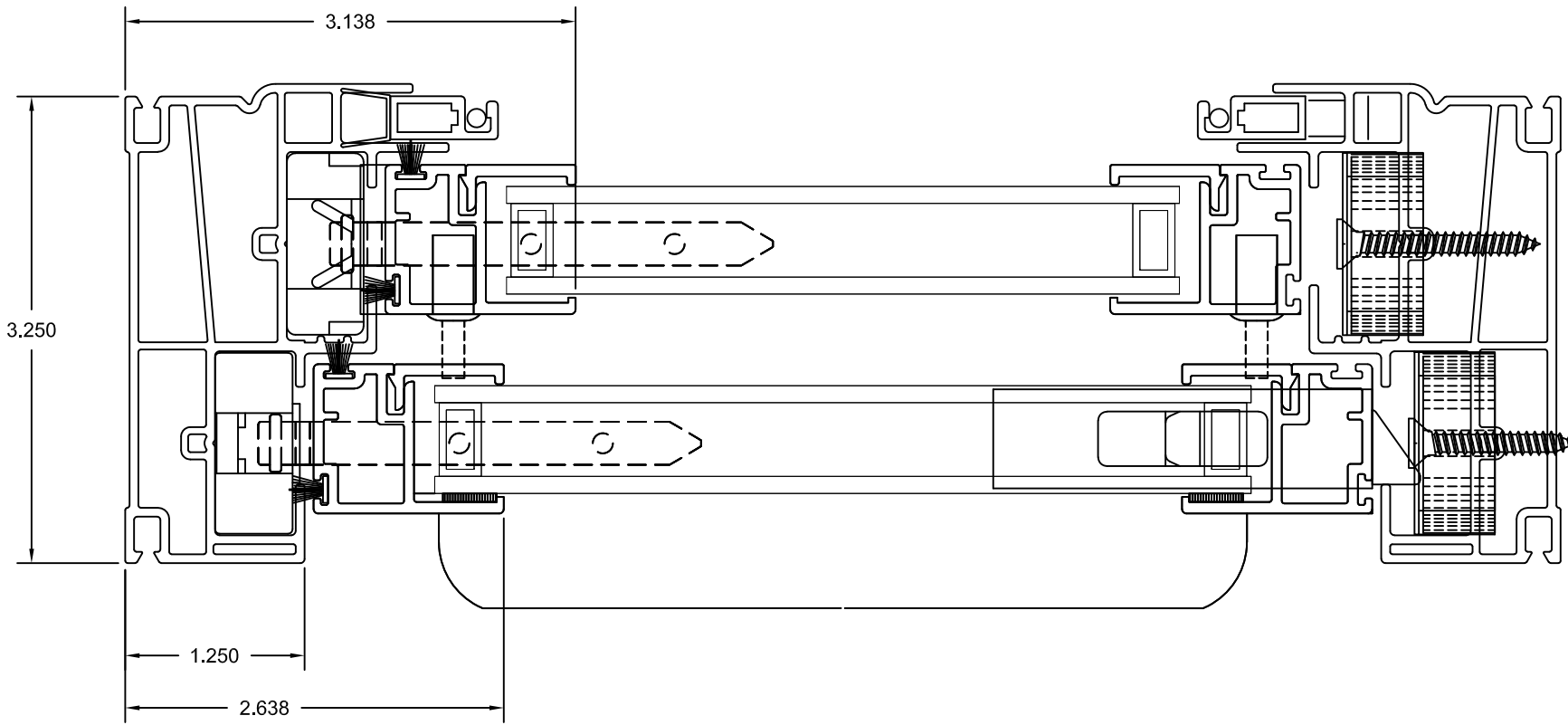
Brickmould and original exterior window trim remain the same on exterior not changing the look.

Bid Spec:

Energy Efficient Replacements to furnish and install (6) Double Hung Windows and (2) 2-Lite Sliding Windows, Essentials by Sunrise.

ATTACHMENTS:

See Attached Product Drawings.



CHANGE	
REV.	DATE

PROPERTY OF SUNRISE WINDOWS, LTD. ANY UNAUTHORIZED USE IS STRICTLY PROHIBITED.



DESCRIPTION:
ESSENTIALS
DOUBLE HUNG
HORIZONTAL SECTION

DESIGN:	SCALE: FULL
DRAWN:	DATE: 02-14-11
APPROVED:	DATE:

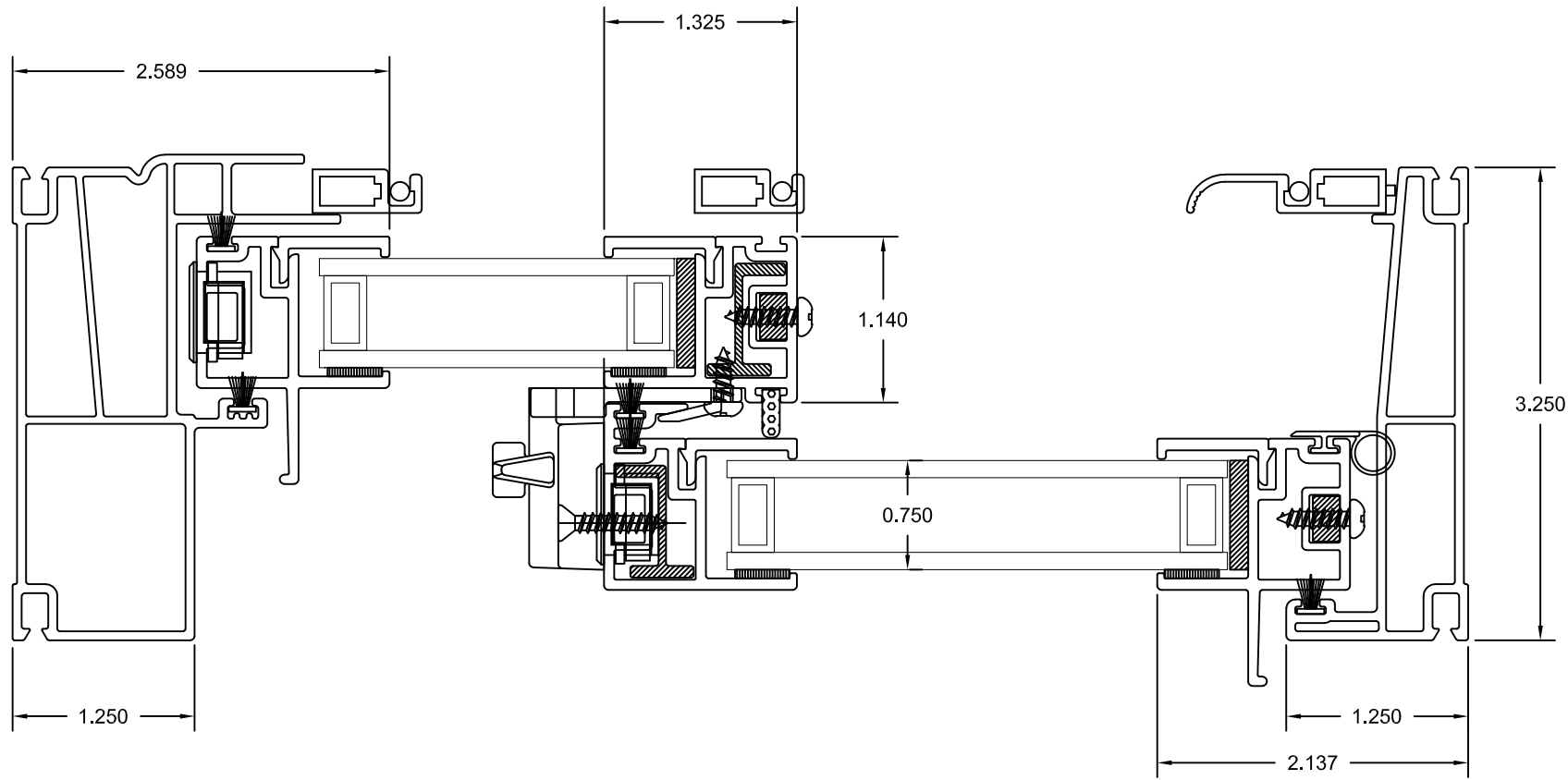
MATERIAL:

AREA:

WT. PER FT.:

DIE NO.:
_ _ _ _

DRAWING NO.:



CHANGE	
REV.	DATE

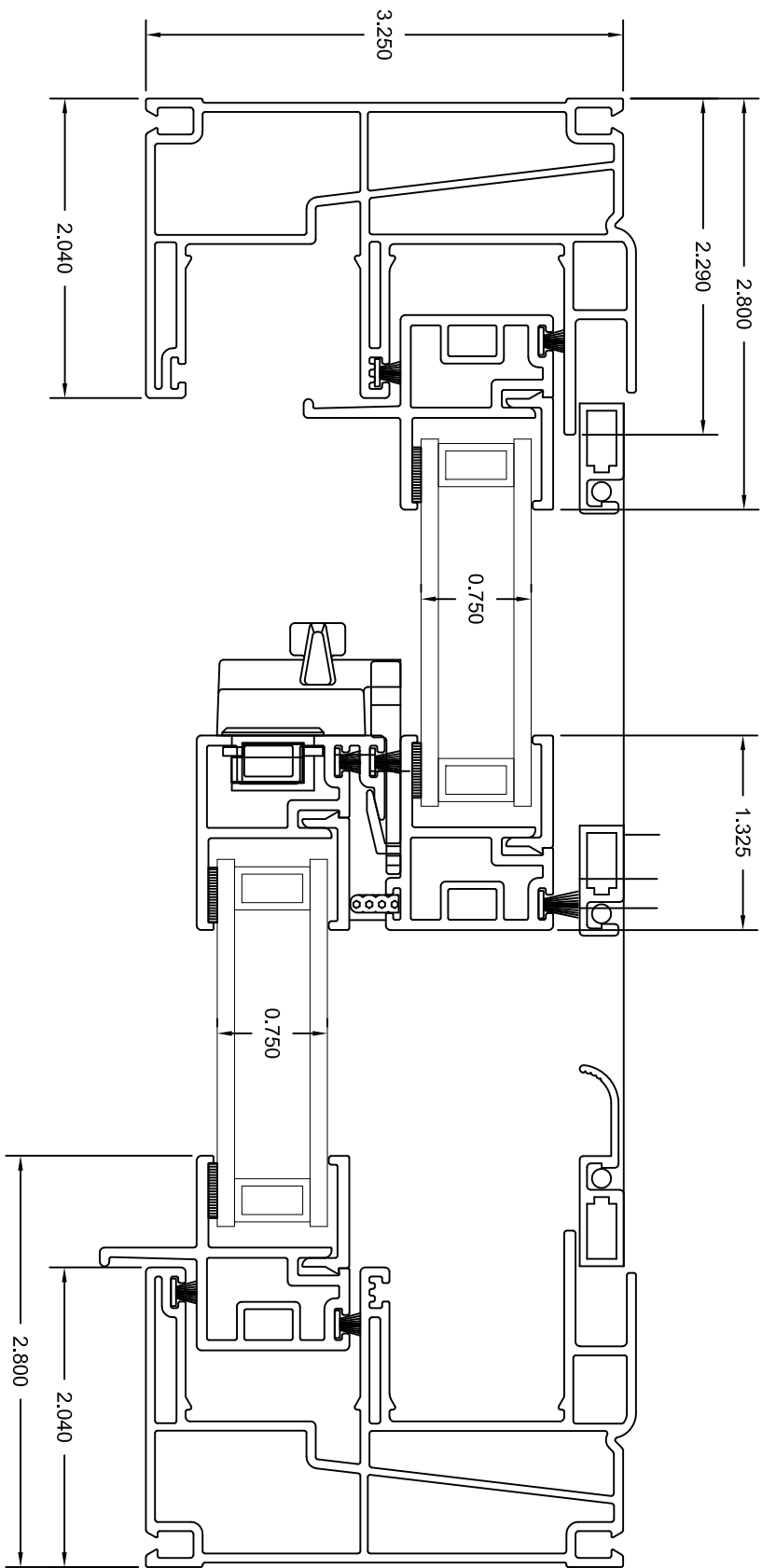
PROPERTY OF SUNRISE WINDOWS, LTD. ANY UNAUTHORIZED USE IS STRICTLY PROHIBITED.



DESCRIPTION:
 ESSENTIALS
 DOUBLE HUNG
 VERTICLE SECTION

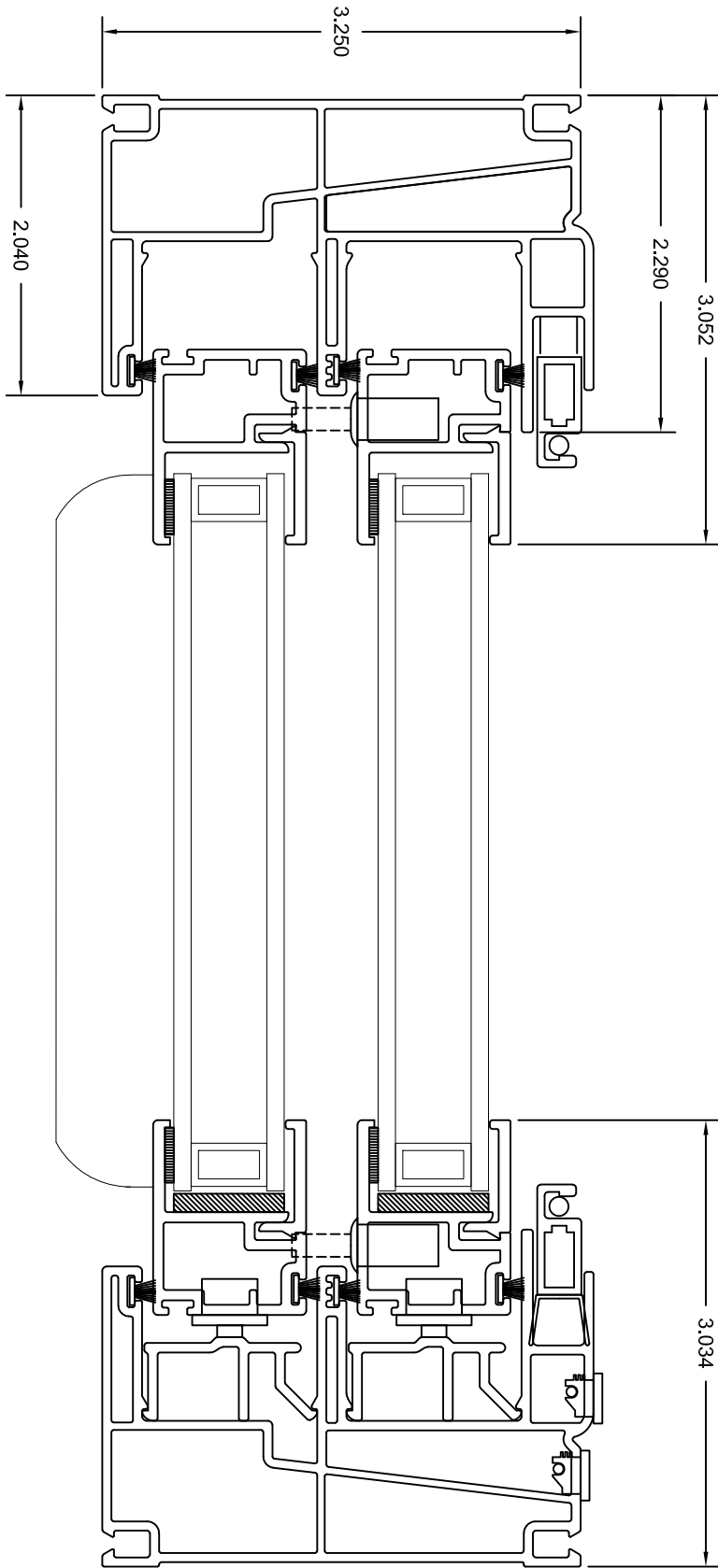
DESIGN:	SCALE: FULL
DRAWN:	DATE: 02-14-11
APPROVED:	DATE:

MATERIAL:
AREA:
WT. PER FT.:
DIE NO.:
DRAWING NO.:



DESCRIPTION:
ESSENTIALS
SLIDER
HORIZONTAL SECTION

DESIGN:	SCALE:	CHANGE	
DRAWN:	FULL	REV.	BY
DATE:	02-14-11	APPV'D	DATE
APPROVED:	DATE:	PROPERTY OF SUNRISE WINDOWS, LTD. ANY UNAUTHORIZED USE IS STRICTLY PROHIBITED.	
MATERIAL:			
AREA:			
WT. PER FT.:			
DIE NO.:			
DRAWING NO.:			



DESCRIPTION:
ESSENTIALS
SLIDER
VERTICLE SECTION

DESIGN:	SCALE:	CHANGE	
DRAWN:	FULL	REV.	BY
DATE:	02-14-11	APPV'D	DATE
APPROVED:	DATE:	PROPERTY OF SUNRISE WINDOWS, LTD. ANY UNAUTHORIZED USE IS STRICTLY PROHIBITED.	
MATERIAL:			
AREA:			
WT. PER FT.:			
DIE NO.:			
DRAWING NO.:			

From: [Jason Yoder](#)
To: [Adam Toering](#)
Subject: Re: 821 Forest Avenue Window Replacement
Date: Tuesday, March 12, 2019 9:01:02 PM
Attachments: [821 Forest Window Project.pdf](#)
[Ess DH Horizontal Section.pdf](#)
[Ess DH Vertical Section.pdf](#)
[Ess SL Horizontal Section.pdf](#)
[Ess SL Vertical Section.pdf](#)

See Attachments.

On Wed, Mar 6, 2019 at 11:48 AM Adam Toering <atoering@southbendin.gov> wrote:

Jason,

Wanted to follow up with you regarding your application for window replacement at 821 Forest Avenue. Per our conversation last week on Thursday, you were going to provide me with additional information regarding the products your employee installed at the property. Specifically:

1. Product Information (Make/Manufacture, size, material)
2. How the windows would be trimmed out,
3. Contract / Bid Spec

This project will not be reviewed by the Commission at the March 18th meeting unless this information is received. Without Historic Preservation Commission approval, the Building Department will not release a Building Permit and the Red Tag will remain.

Thank you,

Adam Toering
Historic Preservation Specialist
Department of Community Investment
(574) 235-7478
atoering@southbendin.gov
City of South Bend
227 W. Jefferson Blvd., Ste. 1400
South Bend, IN 46601

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Thank You,

Jason Yoder
Energy Efficient Replacements
[574.387.3297](tel:574.387.3297)
www.EERwindows.com

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Located in Bittersweet Business Center

From: [Adam Toering](#)
To: [Jason Yoder](#)
Cc: "[Elicia Feasel](#)"
Subject: RE: Question
Date: Thursday, March 14, 2019 3:34:00 PM

Jason,

Per our last phone conversation, your project has been scheduled to be reviewed at the April 15th Historic Preservation Commission meeting to be held on the 13th Floor of the County-City Building at 5:30pm. More information regarding the upcoming April meeting will be forthcoming.

I've CC'd Historic Preservation Administrator Elicia Feasel on this exchange.

Thank you,

Adam Toering

Historic Preservation Specialist
Department of Community Investment
(574) 235-7478
atoering@southbendin.gov
City of South Bend
227 W. Jefferson Blvd., Ste. 1400
South Bend, IN 46601

From: Jason Yoder <jason.yoder@eerwindows.com>
Sent: Thursday, March 14, 2019 2:46 PM
To: Adam Toering <atoering@southbendin.gov>
Subject: Question

When is meeting and what time

--

Thank You, Jason Yoder Energy Efficient Replacements 51285 Bittersweet Rd. Granger, IN. 46530
574.387.3297 www.EERwindows.com