

MINUTES OF A MEETING OF THE
HISTORIC PRESERVATION COMMISSION
OF SOUTH BEND AND ST. JOSEPH COUNTY

May 20th, 2019
13th Floor Conference Room
County – City Building
South Bend, IN 46601

I. CALL TO ORDER

Treasurer Molnar called the meeting to order at 5:30 p.m.

Members of the Public Present:

Diana Phipps, 821 Forest Avenue, South Bend, IN
Alfredo Rangel, 821 Ashland, South Bend, IN
John Sherry, 1314 E Wayne, South Bend, IN
Taylor Wiley, 530 South Ironwood, South Bend, IN
Jason Yoder, 52245 Broken Arrow Drive, Granger, IN

II. ROLL CALL

Members Present: Joseph Molnar, Treasurer; Sarah Ponder; Lesley Annis; Eric Stalheim.

Members Not in Attendance: Michelle Gelfman, President; Elizabeth Hertel, Vice President; Greta Fisher, Architectural Historian / Secretary.

Staff Present: Elicia Feasel, Historic Preservation Administrator; Adam Toering, Historic Preservation Specialist; Steve Szaday, Historic Preservation Inspector; Sandra Kennedy, Legal Counsel.

Staff Not in Attendance: N/A

III. PUBLIC HEARING

A. CERTIFICATE OF APPROPRIATENESS

**1. 821 Forest Avenue COA# 2019-0312 CONTINUED #9574-05Chapin Park
Local and National Historic District**

Representation: Jason Yoder, 52245 Broken Arrow Drive, Granger, IN
Diana Phipps, 821 Forest Avenue, South Bend, IN

**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

APPLICANT COMMENTS:

Ms. Phipps: Not at this time.

Specialist Toering: Is there material that you would like to present to us?

Mr. Yoder: I want to show you...

Commissioner Molnar: That would be now.

Mr. Yoder: This is a vinyl window similar to what is in this house. We are proposing putting in a screen on the outside up to the outside stops to finish it off.

Commissioner Molnar: Any questions?

Specialist Toering: For context, the Commission asked for the applicant to investigate storm windows for the outside of the windows.

Commissioner Molnar: [Specialist Toering], what would storm windows normally look like on a house...

Specialist Toering: There are wood storms...

Commissioner Molnar: ... in the neighborhood.

Specialist Toering: --there are wood storms on the front of the house – this house – on the front porch. The remainder of the house does not have storms. There are other homes in the neighborhood that have wood storms, there are occasional homes in the neighborhood that have vinyl windows, I do not know if those predate the establishment [of the historic district].

Inspector Szaday: If I may, in respond to your questions, you asked what they would look like. They would actually have a similar look to what he is proposing, but in lieu of them being glass, they would be glazed. They would have a similar look to that, but would be hanging on two pins at the top. Some sort of attachment to the house.

Ms. Phipps: Originally the house would have storm windows that look something like this, and then you would take the storm windows out and you would put the screen windows in that look just like this.

Commissioner Molnar: In the summer?

Specialist Szaday: Correct.

Commissioner Molnar: And I wasn't here last week – I mean, last month, so I might be asking redundant questions – but we do not have the original windows anymore?

Specialist Toering: They are still on site. One was damaged when it was removed, but the remainder are there.

Ms. Phipps: Was one damaged?

Mr. Yoder: They were damaged before – any of the broken glass was not damaged from when they were removed. That is an old storm that was obliterated/destroyed.

Commissioner Molnar: You are the contractor for this project?

Mr. Yoder: Yes.

Commissioner Molnar: What would be your assessment of the windows...

Mr. Yoder: They are not repairable. They are not repairable.

Commissioner Molnar: Because of deterioration?

Mr. Yoder: There's rot. They are not repairable. The frames – you are not going to get those windows to fit in there and operate efficiently.

Ms. Phipps: The windows were falling down into the frames.

Mr. Yoder: The glass was falling out of the sash.

Ms. Phipps: Like this...

Specialist Toering: Had any maintenance been done on the windows during your ownership?

Ms. Phipps: What kind of maintenance? What could you do besides have them rebuilt? No. I didn't have the money for that. I put a roof on the house and had all kind of expenses. And then I lost my job and had to go on disability. So, I could not afford it.

Commissioner Molnar: Are these all the windows in the home?

Specialist Toering: Eight.

Ms. Phipps: The other windows are in good shape.

Specialist Toering: They are the southern exposure.

Commissioner Molnar: That's what I thought. Any other questions?

PUBLIC DISCUSSION:

Administrator Feasel: I received an email today from Joan Downs, I'm sorry I don't have her address, but I received permission from our legal counsel to read it into record:

“Please abide by the recommendation of the Historic Preservation staff in the case of the window issues surrounding 821 Forest Ave. Replacement windows are bad for historic buildings for a number of reasons, but they are also a bad option because window restoration is so much a POSSIBLE solution. The commercial window manufacturing industry will tell us that their windows are more energy efficient than a restored wood window. Among others, The National Trust for Historic Preservation, and local rocket scientist (no joke) and Chapin Park resident, Susan Sakimoto, will contend that that is patently not so. Susan did her own study of the matter some years back on her own house and came to the conclusion that restored windows were in fact, better than replacements on a number of front. Replacement windows have strange colored glass, are clad in less durable, less paintable, or less beautiful materials than wood. Replacement windows have a life span of 30 years on average. Restoration has a horizon of more than 100. Restoration is green. Restoration of windows allows for one, two or three windows to be improved, while not giving the house a funny look as half the windows match one another and half don't. Finally, modern replacement windows are essentially impossible to order in the exact proportions of the original windows. I know this because for the last few months I have been working with Marvin windows on the windows in the addition to my project house at 908 Leland. The custom built windows I ordered came back with the wrong reveals on the sashes and had to be returned. I ended up getting a hand built window here in South Bend, and it cost less than the Marvin window. Every time replacement windows are allowed, it weakens the case for window preservation. Every time someone sees replacement windows go in, it strengthens the likelihood that they will take out their original windows thinking that it is permissible thus adding to the number of emergency COAs which come across your desks. Historic District Guidelines were designed primarily to protect original doors, windows and trim as well as to insist that any additions to homes in the district have those plans carefully supervised for architectural integrity. Thank you. Joanie Downs, Ph.D, President, Chapin Park Inc, Resident of the Chapin Park.”

Commissioner Molnar: Would you like to add something?

Ms. Phipps: I was going to add, that a contractor last month was here and when these issues came up, and it was recommended that I rebuild the windows to look like the original windows, he said “that would be so expensive, that this house isn't even worth that.”

Mr. Yoder: Money is an issue here.

Commissioner Annis: I think what came up last month, was the worry that there hasn't been a lot of maintenance on the house to begin with.

Ms. Phipps: There has been a lot of maintenance on the house, but not the exterior.

Commissioner Annis: Right, and I think that's the worry, that they got to a point that they were beyond repair, and that's why you went with the vinyl approach. Have you talked to your neighborhood association when you were pursuing this?

Ms. Phipps: No, like what was mentioned in this 'Jones e-mail', I saw many houses in the neighborhood with vinyl windows and I thought that they were acceptable. But I found out later, when I came here, that they were done before they became a historical society issue. So I ordered the windows and I, you know the rest – I didn't realize.

Commissioner Molnar: How long have you been the owner?

Ms. Phipps: I've been there for about thirteen years.

Commissioner Molnar: Is there any discussion amongst the Commission members?

COMMISSION DISCUSSION:

Commissioner Ponder: I am worried about allowing the windows to go forth as they are, as in Joan's email, it becomes a slippery slope, especially in that particular neighborhood, which is one of the oldest historic areas in the city and region, so I am concerned about that.

Commissioner Annis: I would agree. I recently got to go to – there's a company called Gold Coast Replacement Windows that operate out of Kalamazoo, Michigan, and they have very – they are wonderful people, they want to train people how to replace their windows. They want to make it accessible for people. I am actually going through replacement and restoration of windows in my house. We have found that it is much cheaper to go – we are going with storms and screens – and all that for a fraction of the cost of new windows.

Ms. Phipps: Well, that sounds good, but I am stuck paying for my windows regardless.

Mr. Yoder: We are trying to get it approved for you guys to let us do this over – I know this was done at 510 St. Joseph, and you guys approved that with a vinyl window identical to this.

Commissioner Annis: Yes, but the rating for that house was different than the rating for her house in the neighborhood.

Mr. Yoder: This is a major improvement for her house from the way it was.

Commissioner Annis: With her not having the money to do it, its never going to get done.

Commissioner Molnar: Is that true?

Specialist Toering: 510 S St Joseph – the property there, [the Commission] allowed them to install a wood fabricated storm window on the outside, it's a frame around a vinyl window. So its partly true. It's all the windows on the north side. That was to conceal the windows, which I believe was the Commission's reasoning for requesting information about storm windows.

Mr. Yoder: Correct.

Commissioner Molnar: Did you pull a Building Permit for this project?

Mr. Yoder: No.

Commissioner Molnar: Because if the Building Permit had been pulled, it would have come to us before the process had been started.

Ms. Phipps: I didn't realize that it wasn't taking place, and it got missed.

Commissioner Ponder made a motion to deny 2019-0312. Seconded by Commissioner Annis.

Commissioner Molnar clarified that in motions for denial, a roll call vote will be called, requiring an explanation for the vote in denial. Votes in the affirmative are in support for the motion to deny.

Commissioner Ponder: I vote in the affirmative to deny, I am concerned that if we go forward with this it will incur other people in the district to use replacement windows instead of repairing their existing windows.

Commissioner Annis: I vote in favor of the motion for the same reasons that Commissioner Ponder noted, setting a precedent that we cannot set.

Commissioner Stalheim: I vote in favor of the motion for the same reasons, the compatibility of materials when they are in relation with one another, and the precedence.

Commissioner Molnar: I vote against the motion, I wish I would have seen more evidence that the windows were beyond repair. I don't think we are getting those windows back. I wish we could have worked better with the applicant to come up with more of a solution.

Three in favor, one opposed.

VOTE: 3 – 1. Motion to deny application 2019-0312 is approved.

COA #2019-0312 is denied.

2. 1314 E Wayne Street COA# 2019-0329 CONTINUED #7796-87 East
Wayne Local Historic District
Representation: John Sherry, 1314 E Wayne Street, South Bend, IN

STAFF REPORT
CONCERNING APPLICATION FOR A
CERTIFICATE OF APPROPRIATENESS

Date: May 6, 2019
Application Number: 2019-0329 Continued
Property Location: 1314 East Wayne Street
Architectural Style/Date/Architect or Builder: Neoclassical/1926/Whitcomb & Keller, H.R. Stapp
Property Owner: Valerie Schey and John Sherry
Landmark or District Designation: East Wayne Street, Ordinance #7796-87
Rating: Contributing

DESCRIPTION OF STRUCTURE/ SITE: Two and a half story Neoclassical house with a rectangular plan with one story addition on rear. House is elevated from street. Roof is slate shingles with gable returns, two small gable dormers in front with slate on sidewalls. A one-story wing has a low-pitched roof. Windows are primarily original wood 8/1 double hung with a paired 6/1 double hung in front center second story. There is a central pedimented entry with simple entablature, paired doric columns and pilasters at door. Façade is brick. There is a two car, two door brick gable roof garage in rear.

ALTERATIONS: COA 2016-0523 replaced 4' wood picket fence with 6' dog-eared wood privacy fence, in same fence line; RME 2012-0426 removed dead crabapple tree in rear yard; COA 1996-0917 replaced flat roof over kitchen with roof similar to roof over sunroom and replaced picket fence in kind; COA 1996-0618 constructed a low pitched hip roof over existing flat roof at sunroom at west end of house with membrane roofing and fiberglass shingle; COA 1996-0116 installed aluminum storm/screen combination windows to replace existing of sunroom; COA 1995-0616 removed storm damaged maple tree on tree lawn at the recommendation of Custom & Moore and the City of South Bend; COA 1994-0419 changed front door (saving and storing the original), installation of a screen door, installation of decorative shutters; COA 1994-0223 replaced five attic windows with the conditions that true divided light or applied exterior muntins be supplied by manufacturer and installed, all five original windows to be stored, applicant supply HPC with photo documentation of completed project.

APPLICATION ITEMS: "New windows"

DESCRIPTION OF PROPOSED PROJECT: Owner has applied for seventeen (17) original wood windows to be replaced with Renewal by Anderson Fibrex vinyl/wood composite windows. The windows proposed to be replaced are on the first and second stories of the main house; no new windows on the one-story wing; no new windows on the third story; no new windows in the rear addition.

At the April 15, 2019 meeting of the Historic Preservation Commission, the Commission expressed their position about determining the condition of the existing original window to the house. The Certificate of Appropriateness was "continued" to provide the owner with additional time to engage with window repair professionals to determine the condition of the existing windows and of the feasibility of repairing the existing windows.

Owner reported that two window repair providers have assessed their situation and determined that they are unable to handle the scope of repairs, a third has not responded to calls, and a fourth has provided a proposal for repair of the existing windows and storm windows, determining that the windows are not deteriorated beyond repair and at a lower cost than the proposed replacement.

Owner has supplied the following description of the problems they are having: some of the windows are warped and won't close, some of the windows have interior rot, there is water damage on the interior of some of the windows, some of them no longer open, and because of the misalignment caused by the above issues, the windows are very drafty. See email for additional information provided by owner.

From photographs provided by the owner and Renewal by Anderson, staff acknowledges visible peeling paint on the wood storm windows on the first story, some broken sash cords, intermittent glazing failure, and layers of paint build up. ~~No determination has been made as to if the windows are deteriorated beyond repair. Staff recommends that the owner engage a window restoration professional to determine the condition of the windows and the feasibility for repair.~~

The proposed windows will be inserts, utilizing the existing jamb which commonly results in a slight reduction to the amount of glazing overall. Exterior trim will not be affected other than a "mini coil over the stops on the exterior". The window pane pattern will be replicated for each window using "interior wood grilles". Regarding the "grilles", in a 1994 COA, a conditional approval was made for the attic windows to be replaced with true divided light. To remain consistent with the precedent that approval set, if approved for replacement, Staff recommends the "full divided light" in lieu of the "interior grilles" so they replicate the depth of the original true divided light. With a replicated pane pattern and full divided light, the vinyl/wood composite windows resemble the original aesthetic look.

PRESERVATION INSPECTOR REPORT: On March 19, 2019, I visited the property located at 1314 E Wayne N. The property owner has begun the COA application process to replace windows on the structure. I had not received a detail of which windows were part of the application, so I created an inventory of the entire structure. I was instructed to inspect from the outside only as the owner has many dogs and she would provide interior photos. Every window has a storm window in place. As a result, I am unable to make a determination on the condition of the windows in their current state. Several of the wood storms on the first floor appeared to be ajar or not closed tightly as the photographs will indicate.

North (front)

Third floor-

Two casement windows in dormers, look to be replacements with flat gridwork

Second floor-

Four double hung windows with aluminum storms. Look to be original with divided (2)6/1 and (2)8/1 light pattern

First floor-

Four double hung windows with wood storms. Look to be original with divided 8/1 light pattern

Basement-

Two vinyl

East (left side from street)

Third floor-

Half-moon with flat gridwork, not original

Second floor-

Two double hung windows with aluminum storms. Look to be original with 8/1 light pattern

First floor-

Two double hung windows with wood storms. Look to be original with 6/1 light pattern

One replacement window, ill-fitting with spacer to fill void

Basement-

One vinyl

West (right side from street)

Third floor-

Two quarter round windows, ill-fitted replacements with flat divisions

Second floor-

Two double hung windows with aluminum storms. Look to be original with 6/1 light pattern

First floor-

Addition has Eight total replacement double hung windows with flat grid 8/1 pattern. These also have aluminum storm windows

South (rear of house from street)

Third floor- no windows

Second floor-

Three double hung windows with aluminum storms. Look to be original (2) 6/1 and (1) 8/1 pattern

First floor-

One double hung window with wood storm. Looks to be original with 8/1 pattern

Rear addition-

Triple window bay non-original window

STANDARDS AND GUIDELINES: EAST WAYNE STREET

II. EXISTING STRUCTURES

A. WINDOWS AND DOORS

Window and door frames are of wood or steel (some casements) or in the case of brick structures, stone sills and brick lintels. Where metal or vinyl siding has been applied, window trim has been covered. Storm windows are of wood and aluminum.

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 frame storm windows and doors painted to match the original should not 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.

Prohibited

Original doors, windows, and hardware shall not be discarded when they can be restored and used in place. New window and door openings which would alter the scale and proportion of the building shall not be introduced.

Inappropriate new windows and door features such as aluminum insulating glass combinations that require removal of the original windows and doors shall not be installed.

Not Recommended

Awnings, hoods, and fake shutters made of metal, vinyl, or fiberglass should not be used if they would detract from the existing character or appearance of the building

STAFF RECOMMENDATION: ~~Although the proposed windows resemble the original, without a determination that the original windows are deteriorated beyond repair or that a repair is not economically feasible, per the Standards for East Wayne Street Local Historic District, Staff does not offer a recommendation to the Commission.~~

Staff does not recommend the proposed project.

Report compiled by
Elicia Feasel, Historic Preservation Administrator

PETITIONER COMMENTS:

Mr. Sherry: The difference in price of the replacement versus repair was a few thousand dollars, the amount of time involved with repair versus replacement is enormously different, and it takes a huge toll on our personal time. I think the windows we intended to replace the windows themselves are virtually indistinguishable from the ones that are in there. I think that, I am just hoping that you will approve the petition.

Commissioner Molnar: Are there questions for the petitioner?

Commissioner Annis: I am a little curious on the time frame of the rehabilitation quote that you received. What kind of time frame were they saying they would need to do the work?

Mr. Sherry: I don't have the letter with me. Do you have it with you?

Administrator Feasel: Yes. They expect to be on site for three weeks.

Mr. Sherry: As opposed to three days. From our experience with contractors on this house, that they severely underestimate the time that they will be on site. We've got five dogs and that creates all kinds of inconvenience. My wife and I do work at home which creates additional inconvenience, and so the time saving is just invaluable.

Commissioner Molnar: [Specialist Toering] or [Administrator Feasel], what is your opinion on the Anderson Fibrex Composite? Is that something we –

Administrator Feasel: I would actually defer that to [Inspector Szaday], because he is more familiar with the materials in the field.

Inspector Szaday: Fibrex is a newer material – there's not been any long term studies on that yet to see how it acts in this environment because it is too new of a material. So we don't have any information saying, 'is this a ten year product?' We just don't have that. You look at the last time that, the Fibrex material has had more success with trim work and that sort of thing. But for windows? They are just too new to have any data on that..

Commissioner Molnar: Are they going to match the style?

Mr. Sherry: Yep. The muntins and all.

Commissioner Annis: Yes, it's the same six-over-one.

Commissioner Molnar: Eight-over-one on the bottom.

Administrator Feasel: I can comment on the style, [Inspector Szaday] commented on the material. The contractor has provided a written summary of the style and it seems like its going to match pattern for pattern. So where we have eight-over-one it will be eight-over-one, and where we have six-over-one, there will be six-over-one. And the one detail that we are not sure on at the time of the last meeting was if the grid – which is what the muntins are called on replacement windows – will be a true divided light to give the dimension on the windows, or if it will be flat. We recommend that if you go forward with replacement windows, that it be a true divided light to give the appearance of a historic window.

Inspector Szaday: Anderson does also a simulated divided light window which is the grid inside and out. So, depending on which brands what it is called, sometimes they will do a double grid to add that dimension. So it won't be separate panes of glass, it will be one pane of glass, but two sets of grids in order to replicate that depth.

Administrator Feasel: There was some question to about the trim, whether it would be wrapped with aluminum or not. We would not recommend wrapping any original trim with aluminum. And that is a precedent the Commission has set repeatedly, that is, to not have to have trim or architectural detail wrapped with aluminum.

Commissioner Molnar: Are there any other questions for staff, or the petitioner?

PUBLIC DISCUSSION: N/A

COMMISSION DISCUSSION:

Commissioner Annis: One of the things I was curious about was, because you had invested so much previously into preserving your roof, and the copper, that was a really big investment. Just thinking about the windows, they match that level of investment. So, that's where I'm a little torn, because, if you are willing to go to that length with your roof and your gutters, wouldn't you do the same thing for your windows, and the cost is the same. I hear what you are

saying, that personally, the undue stress for you and your wife with your working and your dogs, but that is where I am kind of getting stuck.

Commissioner Stalheim: I feel that the images provided don't show to me that your windows are beyond repair enough, at all – they are just aged. And I feel that replacing nearly 100-year windows with an inferior product – back to the quality question of integrity and all that. I would question that. It doesn't correlate.

Commissioner Molnar: The way the Standards and Guidelines for East Wayne read, that we are required to vote off of, and Staff so helpfully bolded it for us: “Original windows and doors shall be retained including sashes, lintels, sills, shutters, decorative glass, pediments, and hardware. When deteriorated beyond repair, they should be replaced with units and trim resembling the original.” [Administrator Feasel], if we can say we are in agreement that they are deteriorated beyond repair – and I don't know if we are – but, say that was the case... would this fall under the place for you, saying ‘resembling the original’ as the guidelines are written, or?

Administrator Feasel: It resembles the original in appearance, but not the material.

Commissioner Molnar: The standards don't actually specify, they just say resembling the original.

Commissioner Stalheim: General appearance, not every fine detail.

Administrator Feasel: Yeah, there are going to be nuances. These are sash packs, they get inserted into the existing jam, which means you are going to have a reduction in the overall frame. So you are reducing the overall light let in by the windows. So that's a technical detail there that...

Inspector Szaday: These are sash packs?

Administrator Feasel: These are sash packs.

Inspector Szaday: Sash packs won't change the amount of light. They will literally just be a replacement sash. If they are entire jam packs, then you will have...

Administrator Feasel: That's what I mean, there's a new jam going inside the existing jam.

Inspector Szaday: Yes, they will reduce it. They will basically take the parting stop, and cut that off the jam to flash, and then they will put that in, and they won't be replacing, they usually don't replace the jam, which is why they have to wrap it. It brings it in a couple of inches on each. Versus replacing each sash.

Commissioner Molnar: You've owned the home for a long time now, correct?

Mr. Sherry: Fourteen years.

Commissioner Molnar: So you knew to come in before work was performed.

Mr. Sherry: Yes.

Commissioner Stalheim: And all the windows have storm windows?

Mr. Sherry: The downstairs windows have no screens, the storm windows, several of the windows are warped, away from the frame, so we don't have the ability to lock them closed anymore.

Specialist Toering: There are aluminum storms on the second floor, wooden storms on the ground floor.

Commissioner Molnar: Is there any way you would entertain a different product installed?

Commissioner Stalheim: So still replace them?

Commissioner Molnar: Still replace them, but with a different product, than what you have chosen so far?

Mr. Sherry: What product would that be?

Commissioner Molnar: Windows. So, what would be the ... [Inspector Szaday], you mentioned that these are a little untested. Say these were deteriorated beyond repair, what would staff recommend?

Inspector Szaday: Traditionally, the Commission has approved a wooden clad window, -- as opposed to, more times than not, that has been the Commission's go-to option. Either an aluminum, or some sort of clad, wood window. That's been in the past. But it's a whole new bill. The Commission makes those decisions.

Commissioner Molnar: I get it.

Administrator Feasel: We are under study with fiberglass composite windows right now because of the structural integrity of fiberglass. I can't say that we are looking a lot into this material, because it does include plastic as a component.

Specialist Toering: And this is repeating something that has been said a number of times, not necessarily this evening – Staff all agrees that new wood can't be bet on. We just can't guarantee its integrity long-term. In lieu of the options, old wood is always better than new wood.

Commissioner Annis made a motion to follow staff's recommendation and not recommend the installation of the Fibrex windows. Seconded by Commissioner Stalheim.

Commissioner Molnar clarified that in motions for denial, a roll-call vote is required. Roll was called, starting from Commissioner Molnar's right.

Commissioner Stalheim: (AYE) I vote to deny for reasons of integrity of the home overall is very well intact, it is a beautiful home, and the windows do not appear to be deteriorated beyond repair from the images I have seen, and the quote for restoration is less than the quote for replacement.

Commissioner Annis: (AYE) I would concur. I raised the motion because I feel that the house warrants, to maintain the integrity of the home we would want to go with wood storms and screens and windows.

Commissioner Ponder: (AYE) I am in favor of the motion, because of all the efforts that have been done to preserve the original features of the home, I feel that the windows are in alignment with that, the previous work.

Commission Molnar: (AYE) I also vote to approve the motion. The quote being provided that restoration would be cheaper. I would be open to a return of the petitioner with a different material perhaps with something that Staff would recommend more.

Four in favor, none opposed.

Vote: 4 – 0. Motion to deny is passed.

COA #2019-0329 is denied.

Mr. Sherry: So, you will send me a formal notice?

Administrator Feasel: Yes, we prepare that tomorrow, it will include possible next steps.

**3. 821 Ashland Avenue COA# 2019-0404 #9574-05 Chapin Park
Local and National Historic District
Representation: Alfredo Rengel, 821 Ashland Avenue**

**STAFF REPORT
CONCERNING APPLICATION FOR A
CERTIFICATE OF APPROPRIATENESS**

Date: May 15, 2019

Application Number: 2019-0404

Property Location: 821 Ashland Avenue

Architectural Style/Date/Architect or Builder: American Foursquare / 1901

Property Owner: Alfredo Rangel

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

Rating: *Contributing*

DESCRIPTION OF STRUCTURE/SITE: Two story wood frame house with a square plan sitting upon a brick foundation. The hip roof has asphalt shingles and a brick chimney offset from the peak with three simple corbel courses. The house front features a full height bay with windows. Windows throughout *were* wood 1/1 double hung with diamond pattern muntins on the front façade.

ALTERATIONS: Certificate of Appropriateness #2017-0605 allowed for the demolition of the garage structures at the rear of the property. Aluminum siding was added to the exterior of the structure sometime prior to 1987. In 1949 the full-width front porch was removed and a front stoop was added, with a small plastic porch roof over the entrance.

APPLICATION ITEMS: "Replacement of old roof with new asphalt roof and replacement of old windows."

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

IV. The replacement of twenty-five original windows primarily on each exposure with ThermaStar by Pella Vinyl New Construction Windows, as follows:

A. Front façade:

1. Ground floor:

1. 28" x 74", two windows
2. 42" x 74", two windows

2. 2nd Floor:

1. 28" x 62", two windows
2. 32" x 62", one window
3. 42" x 62", one window

3. Attic:

1. 19.5" x 23", two windows

B. South façade:

- 1. Ground floor:
 - 1. 18" x 62", two windows
 - 2. 30" x 62", one window
 - 3. 38.5" x 27" (slider), one window
 - 2. 2nd Floor:
 - 1. 33" x 62", one window
 - 2. 29" x 54", one window
- C. Rear Façade:
- 1. Ground floor:
 - 1. 38.5" x 27" (slider), one window
 - 2. 18.5" x 37.5", one window
 - 2. 2nd Floor:
 - 1. 32" x 62", two windows
 - 3. Attic:
 - 1. 29" x 29", one window
- D. North façade:
- 1. Ground floor:
 - 1. 28" x 46", two windows
 - 2. 2nd Floor:
 - 1. 32" x 66", one window
 - 2. 41" x 28", one window

The original Three windows – an original ‘arched’ window on the south side, as well as two later replacement windows on the north and rear facades – will not be replaced at this time. The arched window is the only remaining window to display the decorative components of the original windows.

HP Inspector Szaday noticed that modifications had occurred on site April 2nd. The Building Department issued a ‘Red Tag’ for the property on the same date, as no building permits had been received for work inside or out on the property.

Mr. Rangel purchased the property at the end of 2018. The HPC brochure / flier was delivered to the previous property owner in January of 2019. Mr. Rangel has stated he was not aware of the boundaries of the historic district or that his property was included within that district.

Were this a proactive application for the replacement of existing windows, staff would require evidence that the existing windows were deteriorated beyond repair. The unique and character defining design of the original windows comprised one of the few remaining features of the original structure. The “diamond pattern muntins” and “stained glass in [the] diamond pattern” (as described in the 1987 survey) are irreplaceable.

Replacement of the roof was processed as an Administrative Approval and is not part of this project under review.

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 Historic 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: Lacking the condition of the original windows, Staff makes no recommendation.

Recommendation by
Adam Toering
Historic Preservation Specialist
Approved by
Elicia Feasel
Historic Preservation Administrator

PETITIONER COMMENTS:

Mr. Rangel: I just want to apologize, I wasn't aware when I first bought the home, no one told me about this. I saw, based upon this application, that there was a brochure that was sent out, I never received that. I just recently purchased this property last year, I'm only 26. I'm just starting off. I have my fiancé and soon to be step-daughter recently. The old windows were no good, broken windows, the wood was really, really bad. The whole house was in bad condition, as is. When I talked to the neighbors they stated that there were drug dealers, users, that were previously were there. And this is coming from a Sheriff, he said that this house hasn't been cared for in years. So now, me, I'm not currently living there, I'm wishing to live there, for my kid to live there, and as-is, it's just not feasible. So I'm just trying to – I wasn't aware of the, even the roof being approved. I wasn't aware of that, either. So there's just some miscommunication, and that might be my fault. But I just haven't been aware of many things, so I am trying to do whatever is right to do. So that's why I am here.

Commissioner Molnar: Thank you. [Specialist Toering], it is listed as *contributing*?

Specialist Toering: So, again, we have the different levels – *contributing* and *non-contributing* being the lowest two.

Contributing meaning that it is adding to the context of the neighborhood. That being said, the porch was removed in 1949. I don't know when the siding was put on, it's heavily modified, and it has sat vacant for some years. The Commission approved the demolition of a garage at the rear – two years ago or so?

Inspector Szaday: Correct.

Specialist Toering: I don't know if it was vacant at that time.

Inspector Szaday: No, there was still one tenant at that time when the garage came down.

Specialist Toering: You are planning to use it as a single-family home, correct?

Commissioner Molnar: Your own home?

Mr. Rangel: Yes sir. Yes.

Specialist Toering: It's *contributing*, I don't know how we would assess it today.

Inspector Szaday: At the time of the survey, which was 2005-2006, it was thirteen years ago.

Commissioner Molnar: I was surprised by the rating. Especially considering the last project was also rated contributing.

Specialist Toering: I don't want to disparage Ashland, but Ashland is a little – when it comes to the perspective of Chapin Park – Ashland is somewhat in transition.

Mr. Rangel: And, as far as the roof goes, insurance stated that it just needed to be repaired, so I just needed to get a contract – and this kind of speaks to the house, as well. They needed a few updates to be updated, otherwise they won't insure it. State Farm said they won't insure it.

Specialist Toering: This is an aside, it was my hope to give them both to you tomorrow.

Commissioner Molnar: And this was 'Red-Tagged'?

Inspector Szaday: Correct. I happened to come-upon it, and noticed there was more done, some changes that had been made. It was, actually, only two days after you did it?

Mr. Rangel: Yeah, it was on Monday and it had happened on the weekend.

Inspector Szaday: I got it on Monday, and I think you pulled them on Saturday.

Specialist Toering: If I may add, the lamentable fact here is that the windows were, of the unique features of the house, the windows were the most unique feature of the house. And maybe that is why it was *contributing*. Because I don't know that those windows are found very often in the neighborhood, that I am aware of.

Commissioner Annis: Were they all the diamond pattern?

Mr. Rangel: No, it was just those two –

Specialist Toering: --front. It was front, bay windows.

Commissioner Molnar: Oh, it wasn't all the windows?

Specialist Toering: There are a few others that maybe – the arch window –

Mr. Rangel: The arch window is still there, and I'm planning to keep them there.

Specialist Toering: And there are some other windows that had already been changed – there are two other windows that you are keeping.

Mr. Rangel: Yeah, yeah.

Inspector Szaday: This property was bank-owned, it was sold at short-sale. The bank was the property manager, they are who took down the garage, because Code –

Commissioner Molnar: Made them.

Inspector Szaday: --required that. The bank had already owned it at that time. Different contractors were trying to do work at different areas of the property, before the sale, to keep it secure. That may be why other windows were changed out. So, several things were boarded-up, so we can't exactly tell what was changed.

Specialist Toering: Do you have any long-term plans with the siding?

Mr. Rangel: I just want to power-wash it. It's still there.

Commissioner Molnar: Are these top two windows still original?

Mr. Rangel: In the attic? Yes.

Commissioner Molnar: So it's those two and the arch?

Specialist Toering: No, it's those two, and there's some horizontal windows on the side if I am not mistaken.

Mr. Rangel: There was one in the back and the side that I was hoping to keep.

Specialist Toering: By the way, great submission.

Commissioner Ponder: Yes, did you put all off these stars on here?

Mr. Rangel: Yes, PowerPoint.

Commissioner Ponder: Good job, thank you.

Specialist Toering: Although, 'twenty-five' was on there twice.

Mr. Rangel: I'm sorry, there was a bunch of windows.

PUBLIC DISCUSSION:

COMMISSION DISCUSSION:

Commissioner Annis: Given the situation, and the rating, and the fact that the house has been vacant for so long, I am actually in favor of replacing the windows. I know that feels like it goes against what we just did with the other two houses, but, I feel like these other houses were very different.

Commissioner Molnar: Yes, that's why we have them all. Some have already been replaced, of the original. It is unfortunate that we did lose some of the ones that had more architectural detail to them. But not all of them did that we replaced?

Inspector Szaday: It was only the ones...

Commissioner Annis: The two.

Commissioner Molnar: The vast majority didn't.

Inspector Szaday: The vast majority were just one-over-one. Plain sashes.

Commissioner Molnar: The house clearly needs a lot of work, and I'm glad to see you putting in the work, and taking it over from the bank. And I wouldn't want to see us stepping in the way of you completing this project. Just in the future just so you know, any time you do anything to the outside – Building Permit.

Mr. Rangel: Are there still some of those brochures?

Administrator Feasel: We brought some today, they are up on the podium.

Commissioner Molnar: And you can contact staff, at any time, even if its just questions or comments, they are a great resource.

Mr. Rangel: I've been annoying them a lot.

Specialist Toering: That's what you are paying me for.

Commissioner Stalheim: So the windows that are not currently installed, they are destined to be installed with the same product?

Mr. Rangel: They are empty right now. All that is there is the storm windows, I believe.

Commissioner Stalheim: I meant the ones on the front, the first floor, the boarded-up ones.

Inspector Szaday: There's nothing there, they were removed.

Commissioner Stalheim: But they are to be replaced with the same vinyl product?

Mr. Rangel: Yes.

Commissioner Stalheim: At least it's uniform.

Commissioner Molnar: You are planning to keep the attic window, and the arch, and – if we did approve this – if you did want to touch those you'd have to come back.

Mr. Rangel: Definitely, definitely. They are in pretty good condition so I didn't want to touch them.

Commissioner Annis: Maybe I missed this – they are just one-over-one, they don't have any dividers in them?

Mr. Rangel: No.

Commissioner Molnar: Was there, besides the detail in the glass?

Specialist Toering: I'm sorry, the window pictures are not very good, you can't really tell. There was a vertical pattern to it.

Commissioner Molnar: The one-over-one.

Commissioner Ponder: And it terms of the houses on either side of your house, do they have a similar style?

Inspector Szaday: No, that diamond pattern was pretty unique.

Specialist Toering: Again, this happened in 1949 – this is a Foursquare, but you looking at it, you can barely even tell that it's a foursquare, because usually you have this massive front-spanning porch. I'm not pushing you to move that direction at some point, but it is very weird.

Mr. Rangel: The inside is even weirder.

Specialist Toering: I'm sorry.

Commissioner Molnar: I appreciate you putting –

Commissioner Annis: –the effort into this.

Commissioner Molnar: Yes.

Mr. Rangel: Well, it's going to be my personal home, so...

Commissioner Annis: Yeah, it's a big deal!

Commissioner Ponder: Are the houses on either side two-over-two windows, or?

Mr. Rangel: I'm not sure.

Commissioner Molnar: It's not really clear, from one of the pictures it appears that the yellow one has six-over-six, or?

Commissioner Stalheim: The yellow one looks like it has plastic windows.

Specialist Toering: And again, I don't mean to disparage Ashland, but Ashland has more aluminum and vinyl siding than others.

Commissioner Annis: Are you guys comfortable with it staying one-over-one if he were to replace them? We would prefer the diamond pattern.

Commissioner Stalheim: Is there any way we can get a special window for just the upper sash?

Mr. Rangel: I was hoping to do just the grid pattern on the whole house.

Commissioner Molnar: What we can do – and, since we have some new Commission members – what the Commission has done in the past is that we can remand final design authority to staff, so we could approve it with the condition that the final design has to be approved by staff. Is that something that Staff would be comfortable with?

Administrator Feasel: [Legal Counsel Kennedy] and I were just discussing a very similar case in Taylor's Field, which has similar characteristics to Ashland, where the property owner – Eddie Ferraro – had replaced windows with vinyl windows, but he still had a bay in the front that had a very unique window, and the Commission required him to restore the windows, and they were a diamond pattern...

Inspector Szaday: They were sixteen-over-one –

Specialist Toering: They were super complex.

Administrator Feasel: Oh, they were very unique.

Specialist Toering: But he had them.

Administrator Feasel: But the Commission had him restore those windows because they were character defining features of the house, and then let him replace all the rest of the windows with vinyl so there was consistency. We were just talking about that – if there was an opportunity to get a special made window in the upper sash –

Specialist Toering: three on top...

Administrator Feasel: in the bay window, then we could do the vinyl one-over-one in the remainder of the house. But since we don't have any plans in front of us, you could remand that to staff.

Commissioner Molnar: Because we're not going to get a diamond pattern.

Administrator Feasel: But we haven't done the research to see if it could be done.

Commissioner Molnar: Now would be the time to do it. I'm just a little more comfortable with giving this project a little more leniency because you are a new owner, and you got it on short sale, and so there probably isn't a normal mortgage process where you would have gotten it, the other properties we had, although they were similar, both of those were long-term owners who had experienced HPC and knew what they were doing.

Mr. Rangel: It was a super quick sale, I was there with the real estate agent and he was taking the padlocks off and I was getting to see it then, it happened that quick.

Commissioner Molnar: So would the Commission be open to alter the – so we need to make a motion to alter the application to remand to staff the final design on the window pattern that goes in.

Commissioner Stalheim: For the upper sash, or for the whole unit?

Commissioner Molnar: I'd say the whole unit, just to be safe.

Commissioner Annis: And are we saying for the first floor and the second-floor bay?

Commissioner Molnar: I would think both – if it comes down to cost, I think Staff would be able to make the decision, only.

Commissioner Stalheim: At that level, I would say make it the entire primary façade, ...

Commissioner Molnar: Well, however you want to make the motion – because, I can't. That would be my, I think the best solution going forward.

Administrator Feasel: I would like a little more direction here.

Commissioner Molnar: I think anything would be an improvement, but something to reference that this house had something there, that it didn't have on the rest of the house. Anything that could provide within the character of what should be in the home.

Specialist Toering: I'm trying to check the historic photos – the lower windows did not have the pattern.

Commissioner Stalheim: It's just the uppers.

Specialist Toering: It's just the second story, upper sash. I can't tell if the bay window by the driveway there may have been something there.

Mr. Rangel: They were exactly the same – the sides were little ones, and then there's a big one in the middle.

Inspector Szaday: Thermastar offers traditional, a six-over-six, ...

Specialist Toering: This is just this particular manufacturer.

Commissioner Stalheim: That's a three over one in one sash.

Commissioner Annis: That's kind of a mission style.

Specialist Toering: Then again, this is just this product line.

Commissioner Molnar: It could be that staff comes to the conclusion that one-over-one is maybe is the best.

Specialist Toering: You didn't buy windows already, did you?

Mr. Rangel: No, I was going to the day I talked to him.

Specialist Toering: I don't know what the price difference is between this and one of those.

Inspector Szaday: And when you are dealing with grid work, even if you did four, if you decide to go and add something, grid-pattern wise, there's the simulated divided lite, or the double grid. So, it's up to you. There's patterns, more like the diamond

Commissioner Ponder: Even a three-over-one would look nicer.

Commissioner Stalheim: The three vertical over one, I think that would look more relatable to the original.

Commissioner Molnar: I think we are in agreement for the retroactive approval, but for the bay window, we... if someone would like to make a motion.

Commissioner Ponder made a motion to approve the application, with the caveat to defer to staff regarding the bay windows, as well as to consult with Staff on the design and style of those windows. Commissioner Annis seconded.

Four in favor, none opposed.

Vote: 4 – 0. Motion to approve COA 2019-0404 passes.

<p>4. 520 N St Joseph Joseph Local Historic District Representation: N/A</p>	<p>COA# 2019-0417A</p>	<p>#8949-98</p>	<p>North St.</p>
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**STAFF REPORT
CONCERNING APPLICATION FOR A
CERTIFICATE OF APPROPRIATENESS**

Date: May 13, 2019

Application Number: 2019-0417A

Property Location: 520 N St Joseph

Architectural Style/Date/Architect or Builder: Free Classic/1904

Property Owner: Ramiro Rodrigues and Laurie Rousseau

Landmark or District Designation: North St Joseph, Ordinance #8949-98

Rating: *Notable*

DESCRIPTION OF STRUCTURE/ SITE: 2 ½ story house on a square plan with a cement block foundation and hip roof. Walls are wood clapboard with cedar shingles in top story dormers. Full width front porch with doric columns and wood plank floor. Windows are mostly 1/1 double hung with wood storms. Front picture windows are multi-lite. There is a small outbuilding in rear of property.

ALTERATIONS: Aluminum siding that once existed has been removed. Porch floor has been replaced in-kind with new wood. Railing removed from front porch.

APPLICATION ITEMS: *“Replace current back door with new. Move location to middle of back house to mudroom area. Add siding to previous location.” and “Remove old carriage house doors. Replace with stamped steel carriage house overhead garage doors.”*

DESCRIPTION OF PROPOSED PROJECT: Owners propose to 1. shift back door location to center of house replacing an existing small 1/1 double hung window. The new location will align with a second story door. New wood siding will be installed to fill in the former door location. Existing door and storm door are deteriorated and may not withstand a removal and reinstallation therefore new doors are proposed. New doors will be Therma-Tru Benchmark half lite steel and full lite metal storm door. 2. Replace existing carriage house doors with new stamped steel overhead doors. Existing doors are deteriorated beyond repair. New doors are a compatible style and will function allowing for ease of use of the building.

SITE VISIT REPORT: n/a

STANDARDS AND GUIDELINES: NORTH ST JOSEPH

II. EXISTING STRUCTURES

C. WINDOWS AND DOORS

Window and door frames are in most cases wood. Brick structures have stone sills and brick lintels. In some cases where synthetic siding has been applied window trim has been covered. Many structures in the district have aluminum storm windows. Some houses retain wood framed 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 frame storm windows and doors painted 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.

Prohibited

Original doors, windows and hardware shall not be discarded when they can be restored and reused in place. New window and door openings which would alter the scale and proportion of the building shall not be introduced. Inappropriate new window and door features such as aluminum insulating glass combinations that require removal of the original windows and doors shall not be installed.

Not Recommended

Awnings, hoods, and fake shutters made of metal, vinyl, or fiberglass should not be used if they would detract from the existing character or appearance of the building.

STAFF RECOMMENDATION: Approval of the proposed project.

Report compiled by
Elicia Feasel, Historic Preservation Administrator

PETITIONER COMMENTS:

Commissioner Molnar: [Administrator Feasel], you had mentioned that you had almost administratively approved this project, could you just explain why you almost approved this?

Administrator Feasel: Resolution 18-03 at the end of 2018 allows for Staff to approve minor projects that are in compliance with the Standards and Guidelines, and so I felt that this one is a project that is in compliance with the Standards and Guidelines but when you consider the two doors and their visibility, it elevated that outside of the minor category. The owner could not be here tonight as he is celebrating his anniversary with working for Notre Dame and they are throwing him a party, so he could not be here. I will say, at one time this house had vinyl siding and a deteriorating porch, and the owners have removed the siding and been restoring the façade of the structure over time.

Inspector Szaday: And it has been all like-in-kind.

Administrator Feasel: It has been a remarkable improvement over what is used to be.

Commissioner Molnar: So this would be an example of how to restore a house?

Administrator Feasel: I would say so, and it is also my opinion that the material is deteriorated beyond repair.

Commissioner Stalheim: And the corner lot is vacant?

Administrator Feasel: It is, although I didn't have much info on that, but I assume it used to have a house on it. It's not part of this application item, but there used to be a house there.

Inspector Szaday: I can speak a little to that, the Hospital moved some houses to other lots in the area, as well as tore down some houses.

Specialist Toering: It appears to have happened sometime after 1998 and before 2002.

Commissioner Annis: Question for my future edification: when we are reviewing projects calling for the removal of original material, do we ask them to keep the components for future projects, or – a great example, the previous case – if we knew there was an inventory of diamond windows, that could be utilized –

Administrator Feasel: That's a really great question. The Commission has in the past required that the original material be stored on site.

Commissioner Stalheim: At least the hardware – the knob and escutcheon are unique.

Commissioner Molnar: In the past the Commission has – you can list what needs to be kept in your motion.

Commissioner Stalheim: I agree, they are deteriorated.

Inspector Szaday: I didn't want to touch them.

PUBLIC DISCUSSION: N/A

COMMISSION DISCUSSION: N/A

Commissioner Ponder made a motion to approve this project with the stipulation that the owner retain any historic hardware off of the doors. Commissioner Stalheim seconded.

Four in favor, none opposed.

Vote: 4 – 0. Motion to approve COA 2019-0417A passes.

IV. PRIVILEGE OF THE FLOOR

V. REGULAR BUSINESS

A. APPROVAL OF MINUTES

- i. **Commissioner Annis made a motion to table until the June meeting.**
Commissioner Ponder seconded.

Four in favor, none opposed.

Vote: 4 - 0. Motion to table the approval of minutes until the June meeting is passed.

B. STAFF REPORTS

- i. Administrative Approvals
 - a. 521 E South Street – Administrator Feasel explained the negotiation process that led to a better project outcome, derived from the passage of Resolution 18-03.

C. COMMITTEE REPORTS

- i. Disposition of Historic Preservation Assets
 - a. Specialist Toering gave a brief update on the disposition process.
- ii. Standards Update
 - a. Administrator Feasel gave context and an update regarding the Standards update process for the new Commission members
 1. Most recent Standards update was in 2005.
 2. City administration has prioritized this project.
 - b. Project Updates:
 1. Committee has identified a Consultant to assist with public outreach
 2. Todd Zeiger has offered to include his Notre Dame class in the Standards update process.
 3. Indiana Landmarks is interested in distributing our findings to other Commissions across the state.
 4. Grants have been pursued and received to help offset the costs of the project.

VI. OLD BUSINESS

VII. NEW BUSINESS

VIII. ANNOUNCEMENTS AND MISCELLANEOUS MATTERS

A. 236 S Notre Dame

- i. Specialist Toering informed the Commission that he and his wife are engaged in restoring their house, are unveiling the original siding, and have begun to restore the original windows. He would like to host window education seminars at his property to show various stages of window restoration.

B. 417 W Navarre

- i. Inspector Szaday informed the Commission that we believe the property at 417 W Navarre will soon have new owners.
- ii. Bank-owned, continuous code and COA issues.

C. 50106 Bittersweet

- i. Corn Crib is being reconstructed.

D. LaSalle Brick Streets

- i. Three blocks of brick street of W LaSalle is currently exposed.
- ii. South Shore Line went down the middle.
- iii. Neighbors and property owners have signed a petition.
- iv. Unknown what the Public Works response will be, cost is a concern.

E. Portage Fire Station

- i. Commissioner Molnar asked about the progress on site
- ii. Work is ongoing, windows installed, concrete site work is continuing.

IX. ADJOURNMENT

Commissioner Ponder motions to adjourn. Commissioner Annis seconded.

Four in favor, none opposed.

Vote 4 – 0. Meeting adjourned at 7:05 pm.

Attest:



~~Greta Fisher, Secretary~~





Date