

LIBERTY HISTORIC DISTRICT REVIEW COMMISSION
Meeting Summary
July 6, 2021
City Hall, Council Chambers
5:30 p.m.

Present: Matt Grundy, John Carr, Vern Drottz, Dail Hobbs, Martha Reppert, Brett Rinker, Doug Wilson

Absent: Mike Gilmore

Applicants Present: Greg Canuteson, Kevin Riordan, Rob Hulse, Craig Johnson

Staff Present: Jeanine Thill, Community Development Manager

Chairman Grundy called the meeting to order at 5:30 p.m.

A motion was made by Commissioner Wilson to approve the June 15, 2021 meeting summary as presented. The motion was seconded by Commissioner Reppert. The motion passed 7-0-0.

HDRC Case #21-006LS Consideration of a Certificate of Appropriateness for new windows and like in kind repairs at 22 N. Main, Liberty Square Historic District, a 353 tax abatement project

- Commissioner Drottz said he is working with the applicant on this project and will recuse himself but can answer any questions.
- Vice Chairman Carr asked if the proposed windows are single, Drottz said they are. Vice Chairman Carr said he doesn't think the proposed windows (Anderson 100 Series Fibrex) come close to looking like an historic window, adding that, in his opinion, the bottom rail is way too thin to replicate a historic window.
- Chairman Grundy asked if it was just the sash that Vice Chairman Carr has issues with. Vice Chairman Carr said that the profile of the window does not emulate what a historic window would look like.
- Commissioner Rinker commented that he thinks Marvin or Pella architectural series offer a similar appropriate window, with better profiles.
- Commissioner Drottz said this is the only fiberglass that Anderson offers.
- Mr. Canuteson said the existing windows are not original and are falling apart, they currently have white duct tape on them and there are gaps. He added that aluminum clad wood windows are very expensive and would cost him about \$80,000 or nearly double compared to the proposed windows.
- Vice Chairman Carr said HDRC does not take cost into consideration when making decisions.
- Mr. Canuteson said that the existing windows are vinyl and this is a vast improvement.
- Commissioner Drottz said the existing windows are by a manufacturer that had lawsuits against them because of their poorly designed windows.
- Commissioner Rinker commented that the style of the existing windows is irrelevant, adding that HDRC has Design Guidelines they must follow and they must be consistent. They must mimic the original style. HDRC must have the same standards for windows in the commercial area as they do in the residential area.
- Mr. Canuteson said the building where Three Halves Brewery is, 114 E Kansas, had their windows replaced and garage doors were approved by HDRC and they did not

emulate what was there originally. The profile of the new windows should look like the original windows.

- Commissioner Drott said what the Commission does not like about the proposed windows is the extra line in the design. One piece is desired. Commissioner Drott said even the Pella windows were about \$10,000 more but they have the extra line. The next step up would be Marvin windows. There are fiberglass windows that don't have the lines.
- Chairman Grundy said he understands Mr. Canuteson's argument but it doesn't apply to this meeting. Grundy added that the building is not the same and the application is not the same. There were vinyl clad windows that were approved by the City Council. Grundy said they would like to have a style of window brought forward that they can approve and suggested that they bring back other styles at the next meeting.
- Mr. Canuteson said we can't have these arbitrary rules and that this is ridiculous.
- Chairman Grundy called the meeting to order.
- Commissioner Rinker said that the Commission is interpreting the rules and we do that consistently.
- Chairman Grundy said we have two options, we can vote or the applicant can bring forward other window options.
- Commissioner Wilson asked Drott if this would be the only application, if it is all or nothing. Drott said he could meet with the applicant and try to come up with other window options.
- Mr. Canuteson commented that if there isn't anything other than a wood clad window allowed, then it's a non-starter, if price won't matter to the Commission then why would he waste two more weeks to come back to the Commission.
- Drott suggested that they come back in two weeks with other options. He added that there are 28 windows.
- Chairman Grundy said the scale of the project is significant.
- Vice Chairman Carr said we don't decide on budget.
- Commissioner Grundy said waiting two weeks seems to be a good idea. Chairman Grundy clarified they do not need to replicate the original windows but should emulate.
- No vote was taken. The case was tabled until a future meeting.

HDRC Case #21-009PH Consideration of a Certificate of Appropriateness for a privacy fence at 134 S. Terrace, Prospect Heights Historic District

- Vice Chairman Carr said he will recuse himself from voting because he owns the property next door, at 130 S. Terrace.
- The applicant, Mr. Riordan, said it is a matter of comfort between his home and the neighbors. He is 17 feet from the neighbors when he sits on his deck and they can hear one another's conversations. He shared a photo of an amended style of fence, a craftsman style of fence that he would like to put up between his home and 130 S. Terrace. It would measure six feet tall when done with the lattice topper.
- He added that from his yard he can see three yards with privacy fences. He is wondering why he can't put one up. The next house to the north has a privacy fence that was approved when the Hedricks' owned it that surrounds the yard. There are others in the historic district.
- Vice Chairman Carr commented that HDRC has approved many fences; 24 Lincoln, 40 S Jewell, 460 E. Mill Street, 438 E Mississippi, which is pictured in our guidelines representing fences, 233 W. Franklin next to Mockingbird Manor was approved in the

last year and a half, 550, 508 and 516 W. Franklin, 430 E Franklin, 438 E. Mississippi and there are eight more that he could list.

- The applicant said he doesn't think his proposed fence would be visible from the street and it doesn't come into the side yard. Plantings would take up twice the size of the fence and would take 3-5 years to provide the desired privacy.
- Commissioner Wilson commented that we all agree we can't have a rule that continues to have exceptions. We don't get to freelance, if we don't like the guideline then we should change it. He said with the applicants' account of the view then he believes that it meets the objectionable standards. Unless it is too tall, Wilson is good with it. The UDO does not define objectionable view. The proposed fence doesn't go past the original structure.
- Chairman Grundy said the UDO doesn't have the objectionable view requirement and it is not a street side elevation. Once you go past the rear part of the house it meets the UDO.
- Commissioner Rinker commented that the Mockingbird Manor privacy fence example does not apply here. He wants to distinguish it. He doesn't think it is a visibility issue from the street. Rinker said because it is a style that is complementary to the style of the homes in the neighborhood.
- Vice Chairman Carr commented that on page one of the Guidelines, in the fourth paragraph, it states that the Guidelines allow for change "when it is accomplished in a sensitive manner that maintains the special character of the property and the historic district."

A motion was made by Commissioner Wilson to approve the application as presented because it meets the UDO and Design Guidelines with the understanding the paragraph that Vice Chairman Carr read and with the photos of the amended fence design. The motion was seconded by Commissioner Rinker. The motion passed 6-0-1.

Ms. Thill commented that it is important that we follow our own guidelines and if there is something that the Commission doesn't agree with, then it needs to be formally changed. It needs to be looked at holistically, not just for fences.

HDRC Case #21-010PH Consideration of a Certificate of Appropriateness for exterior alterations at 100 S. Terrace, Prospect Heights Historic District

- Mr. Hulse said the house was built in 1897 not in 1906. He said he would like to take it back to the original by removing an existing door and making it a window, as it was before alterations were made in the 1970's to turn the home into a duplex. The new proposed custom window will match the front stairwell. He added that the sashes are wood and being made by Westin Millworks, but he will make the frame as they no longer make those.
- Vice Chairman Carr said he is glad that he plans to do more good work on the home.
- Commissioner Wilson asked if he removed the asbestos siding.
- The applicant said he took off the old asbestos siding several years ago.

A motion was made by Commissioner Wilson to approve the application as presented because it meets the UDO and Design Guidelines. The motion was seconded by Commissioner Drottz. The motion passed 7-0-0.

Commissioner Drottz left the meeting.

HDRC Case #21-012J Consideration of an After the Fact Certificate of Appropriateness for a shed at 407 N. Lightburne, Jewell Historic District

- Mr. Johnson said that he plans to use the wood sheathing on the shed and trim it out in pine. He will move it to meet the setback and will place it at least 10 feet from the corner of the house. The shed is needed so he has a place to put his lawnmower and equipment. The applicant said he is a master carpenter and can make the shed look good.
- Vice Chairman Carr commented that the proposed horizontal sheathing will look good. He suggested that the grooves are primed and painted well. Vice Chair Carr commented that it is clearly not visible from the street.
- The applicant provided photos of the existing conditions.
- Commissioner Wilson said that just because it isn't visible isn't a big factor and that he doesn't love the idea of a metal shed in the historic district.
- The applicant asked for HDRC's opinion of putting an awning on the front on the home.
- Vice Chairman Carr said that awnings were common before air conditioning and after WWI so it would likely be appropriate but that it would need approval.

A motion was made by Commissioner Rinker to approve the application as presented because it meets the UDO and Design Guidelines. The motion was seconded by Vice Chairman Carr. The motion passed 7-0-0.

Other Business

Administrative Approvals since the June 15, 2021 meeting: None

Miscellaneous matters from the Commission:

- Vice Chairman Carr said the rebuilding of the stone front porch at 416 West Franklin is looking very good.
- Vice Chairman Carr agreed that we need to amend the fence guidelines, adding that the guideline book needs to be amended too, it is from 2008. Vice Chairman Carr volunteered to put stickers in the design guidelines books that would show any amendments.
- Vice Chairman Carr encouraged Commissioners to look at applications on site prior to the meeting. Also, when people bring up the point of budget that it is not something that this Commission should take into consideration when reviewing an application. He added that City Council over ruled HDRC on the examples given by Mr. Canuteson. Several other projects in the historic district have had to comply with the window standards, for example The Colonial Hotel had their original windows restored.
- Commissioner Wilson said we have a duty and if the applicant can't afford it, then we should let the City Council take it up and let them decide.
- Commissioner Wilson said the house at 454 E. Franklin (a duplex) appears vacant and there are trees and vines growing in the soffit. Code Enforcement needs to take a look. Also, on N. Water Street there are a lot of homes that should be looked at.

Miscellaneous matters from Staff:

- Ms. Thill said the home owner of 138 S. Terrace would still like guidance on keeping squirrels out of his home and how to fix the changes he made to the home.
- Commissioner Wilson said he can go on a Tuesday or Thursday after 5:00.
- Commissioner Carr said he can attend anytime. Staff will follow up.

The meeting adjourned at 6:55 pm.