



Project Name & Address: 1123 Jenifer Street
Application Type(s): Certificate of Appropriateness for exterior alterations
Legistar File ID # [78755](#)
Prepared By: Heather Bailey, Preservation Planner, Planning Division
Date Prepared: July 12, 2023

Summary

Project Applicant/Contact: Chela O'Connor
Requested Action: The Applicant is requesting that the Landmarks Commission approve a Certificate of Appropriateness to replace one window.

Background Information

Parcel Location/Information: The subject property is in the Third Lake Ridge Local Historic District.

Relevant Ordinance Sections:

41.18 STANDARDS FOR GRANTING A CERTIFICATE OF APPROPRIATENESS

A certificate of appropriateness shall be granted only if the proposed project complies with this chapter, including all of the following standards that apply.

- (1) New Construction or Exterior Alteration. The Landmarks Commission shall approve a certificate of appropriateness for exterior alteration or construction only if:
 - (a) In the case of exterior alteration to a designated landmark, the proposed work would meet the Secretary of the Interior's Standards for Rehabilitation.
 - (b) In the case of exterior alteration or construction of a structure on a landmark site, the proposed work would meet the Secretary of the Interior's Standards for Rehabilitation.
 - (c) In the case of exterior alteration or construction on any property located in a historic district, the proposed exterior alteration or construction meets the adopted standards and guidelines for that district.
 - (d) In the case of any exterior alteration or construction for which a certificate of appropriateness is required, the proposed work will not frustrate the public interest expressed in this ordinance for protecting, promoting, conserving, and using the City's historic resources.

41.25 STANDARDS FOR ALTERATIONS.

- (1) General
 - (a) Alterations are defined as any change to any portion of the exterior of a building or site that replaces existing materials or changes its appearance. This section provides standards for building alterations.
 - (b) Materials and Features
 1. Alterations shall be in keeping with the original design and character of the building.
 - (c) Replacement

1. Existing features shall be replaced in-kind if they are too deteriorated to repair.
- (e) Lead Paint
1. Window replacement due to lead may not be eligible for state preservation tax credits. In order to replace a feature due to lead paint, the proposal must meet the following conditions:
 - a. A test result that demonstrates that a feature has tested positive for lead.
 - b. Documentation of the existing original feature, including profiles, dimensions, configuration, etc. This documentation should include drawings, photographs, and any other relevant documentation.
 - c. Documentation of the proposed replacement feature, which includes a cut sheet or shop drawing of the proposed replacement feature, and a detailed description of the profile, dimensions, configuration, material, finish, etc.
- (5). Windows and Doors
- (c) Windows
2. Only when original windows are too deteriorated or hazardous to repair may they be replaced with new windows that replicate all design details.

Analysis and Conclusion

The proposed project is to replace a double-hung wood window in a bathroom with a fixed window with a central muntin to replicate the two-lite appearance of the original window. The current window has tested positive for lead paint and the applicant is seeking to replace the window under that provision. However, the applicant does not want to replicate the style of window so as not to have moisture from the shower collect on the top rail of the bottom sash. Staff has recommended that the applicant follow the previous precedent of Landmarks Commission and staff administrative approvals by installing an interior storm to address this issue and have the exterior window be a double-hung to replicate the appearance of the historic.

This proposal is a continuation of an administratively approved project that replaced a number of other windows due to lead paint. All of the other windows replicated the historic. Staff communicated to the applicant that we could not approve the change of style of this window because it did not meet the standards. The applicant has submitted this application to the Landmarks Commission because they believe that their proposal does meet the standards.

A discussion of relevant standards follows:

41.25 STANDARDS FOR ALTERATIONS.

- (1) General
 - (a) Alterations are defined as any change to any portion of the exterior of a building or site that replaces existing materials or changes its appearance. This section provides standards for building alterations.
 - (b) Materials and Features
 1. The fixed window in this opening that contains double-hung windows everywhere else on the building will stand out as out of character with the original design of the building.
 - (c) Replacement
 1. The existing window is proposed to be replaced due to lead paint, but the applicant's proposal is not to replace it in-kind, but to change the style of window.
 - (e) Lead Paint
 1. Window replacement due to lead may not be eligible for state preservation tax credits. In order to replace a feature due to lead paint, the proposal must meet the following conditions:

- a. The applicant has provided evidence of a positive lead test.
- b. The documentation provided does not replicate the profiles and configuration of the historic window. The mid-point muntin provides a nod towards the previous configuration, but it will not replicate the different depths of the two sashes that comprise a double-hung window. This standard is not met.
- c. The documentation describes the replacement feature, but it does not replicate the existing.

(5). Windows and Doors

(c) Windows

2. This standard requires that the replacement window replicate all design details of the original window. The proposed replacement does not do this.

Recommendation

Staff believes that the standards for granting a Certificate of Appropriateness could be met and recommends the Landmarks Commission approve the project with the following conditions:

1. A replacement double-hung window, to match the other replacement windows recently approved, with an interior storm.