

**MINUTES  
CITY OF AMES  
HISTORIC PRESERVATION COMMISSION**

Date: November 9, 2015	Kim Hanna, Chairperson	2016
	Jason Dietzenbach, Vice Chairperson	2018
Call to Order: 7:00 PM	*Matt Donovan	2017
	Roberta Vann	2017
Place: Ames City Hall Council Chambers	Peter Hallock	2018
	Lisa Hovis	2018
Adjournment: 7:33 PM	Ted Grevstad-Nordbrock	2016
	[*Absent]	

CALL TO ORDER: Kim Hanna, Chairperson, called the meeting to order at 7:00 PM

APPROVAL OF AGENDA:

MOTION: (Dietzenbach/Hallock) to approve the Agenda for the November 9, 2015 meeting

*MOTION PASSED: (6-0)*

APPROVAL OF THE MINUTES OF THE MEETING OF October 12, 2015:

MOTION: (Hovis/Dietzenbach) to approve the Minutes of the October 12, 2015 meeting

*MOTION PASSED: (6-0)*

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PUBLIC FORUM: There were no public comments.

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**CERTIFICATE OF APPROPRIATENESS FOR WINDOW REPLACEMENT AT 803 BURNETT AVENUE (OLD TOWN HISTORIC DISTRICT)**

Ray Anderson, Case Planner, reviewed the subject property on a location map. In 2015, the home was purchased by new owners who replaced three double-hung windows with single-pane (picture) windows. Two of the replacement windows are located on the south façade of the home and the third is located on the north façade. Mr. Anderson explained that the new home owners were unaware of the need for an approved Certificate of Appropriateness before making alterations, or that staff would encourage repair of existing windows rather than replacement. Narrative from the home owner [appearing in the staff report] cited problems with the previous windows that led to the owners' decision to replace them. Staff did not see the original windows, Mr. Anderson noted, and must rely on the home owners' account of their condition.

If windows are replaced, historic materials are to be used and the replacement windows are to match the originals in design and profile, Mr. Anderson explained. He displayed pictures of the three replacement windows and noted that none of the windows match the original windows in design and profile because the windows changed from two sashes to a single sash. He reviewed Design Criteria for "Queen Anne" buildings and noted that this style of architecture is characterized by windows with vertical emphasis, double-hung design, a single pane in each window sash, and trim of four to six inches. Mr. Anderson reported that the window trim and the size/shape of the openings were not altered with the three subject replacement windows, which is consistent with the Design Guidelines and Design Criteria for window replacement.

Staff's analysis of the replacement windows found inconsistencies with some, but not all, of the relevant Design Guidelines and Design Criteria, according to Mr. Anderson. Therefore, staff recommended Alternative #2, whereby the Commission would deny a Certificate of Appropriateness and require the property owners to replace the single-pane windows with double-hung windows no later than January 8, 2016. Mr. Anderson explained that Alternative #3 would also require changing the replacement windows to double-hung windows, but would give the Commission more flexibility to determine a deadline. He added that staff would encourage only a minimal extension beyond the 60-day deadline outlined in Alternative #2.

Peter Hallock stated that the Applicant Narrative pointed out that there was already a picture window on house before the three replacement windows were installed. Mr. Anderson agreed and displayed an image of the preexisting picture window. He also clarified that the staff report describes the home's other windows as double-hung. This is not quite accurate—there are also two small single-pane windows associated with the staircase inside the house.

Kim Hanna noticed a statement in the Applicant Narrative indicating the home owners were unaware of approval requirements for alterations. She questioned if realtors make home buyers aware that historic homes require approval before alterations can occur. Mr. Anderson replied that staff encourages realtors to disclose this information to prospective home buyers but has no control over what realtors share with clients. Ted Grevstad-Nordbrock added that there is no legal obligation for realtors to do so. Mr. Hallock said in his experience most realtors do not know the rules for historic homes, may not provide accurate information, or may even scare customers away from these homes by saying they are not allowed to make desired alterations. Mr. Hallock suggested that the City could perhaps provide notification to new historic home owners that would explain guidelines and requirements for the historic area. Mr. Anderson said City staff is not always aware of when historic homes change owners. Mr. Grevstad-Nordbrock asked for clarification on the existence of signs in the area making historic home locations clear. Mr. Anderson indicated the boundaries of the Old Town Historic District are marked by signs.

Lisa Hovis added that the Applicant Narrative included a statement from the home owners that the City website did not make alteration requirements clear. She asked how much information is present on the City website. Ms. Hanna and Mr. Hallock replied that Chapter 31 of the *Municipal Code* is present for review on the City website. Mr. Anderson indicated that Chapter 31 contains all of the code and regulations. However, he added, the website does not provide detailed, specific guidance or process outlines of the requirements for specific, individual projects.

Marcus Credé, 803 Burnett Avenue, indicated he and his wife, Leigh Phillips, were not aware of the requirements related to replacing windows on their home. He said it was quite a blow when they received a letter from the City because they worried they had wasted five thousand dollars on replacement windows that would have to be removed soon after being installed. He indicated that members of the community have commented that a lot of the requirements in the Historic District relate to maintaining building aesthetics. He reported that he and his wife noticed that much of what can actually be seen of the windows from the outside are storm windows installed by the previous owner that appear to be 'double-hung' because they have a bar spanning the middle of the storm window. Mr. Credé wondered if installing matching storm windows would be an acceptable 'medium term' solution. He also stated that if the Commission were to require replacement of the single-pane windows with double-hung windows, he could not guarantee that it could be done in two months because it took a fair amount of time to have the current replacement windows manufactured. He and his wife would be concerned about being in violation even if they called to order new windows immediately. Roberta Vann and Ms. Hanna noted the holiday season could affect timing as well.

Mr. Grevstad-Nordbrock asked if there have been similar cases with home owners who made window alterations unaware of the regulations or code requirements. Mr. Anderson could not recall any cases of home owners who changed the style of windows without submitting a Certificate of Appropriateness to request approval of the change.

The window manufacturer's receipt identified the replacement windows as double-hung, Mr. Credé pointed out. He said that now that he knows what double-hung windows are, the windows the manufacturer provided are clearly not double-hung, and he does not understand why they were described that way. Mr. Anderson displayed the receipt from the window manufacturer describing the replacement windows as double-hung picture windows. Jason Dietzenbach asked if Mr. Credé expected double-hung windows. Mr. Credé could not recall and indicated his wife had been more involved in the details of the purchase. The Commission members agreed that the receipt was confusing.

Ms. Hovis asked if double-hung windows become inappropriate once they exceed a certain width. She said she was thinking of the large single-pane window that was already present on the house. Ms. Hovis said she had never seen a double-hung window that wide. Mr. Hallock indicated the window Ms. Hovis asked about had previously been a double-hung window, and that his house also has a very wide double-hung window. Mr. Grevstad-Nordbrock said large windows often have counterweights to facilitate opening heavier window sashes.

Mr. Grevstad-Nordbrock asked if there could be an appropriate workaround solution, such as an artificial muntin or some sort of insert. He said he had seen that kind solution in cases where a replacement window would be very expensive. Mr. Hallock cited Mr. Credé's idea of installing storm windows, agreeing that from the street it would look the same as a double-hung window, especially with fixed windows. Mr. Hallock said storm windows would be a way to make the replacement windows look the same without going to the expense of tearing out recently-installed windows. Ms. Hovis asked if a muntin can be made just to put on the glass. Mr. Grevstad-Nordbrock replied that he suspected anything can be made with only a question of cost. He asked Mr. Credé if the window enclosures would accommodate storm windows. Mr. Credé said they would because there is enough space on the outside. Mr. Dietzenbach stated that differences in the depth of glass planes are noticeable as you walk around a home, so using storm windows to simulate double-hung windows would be 'faking it.' He added that it would be very unusual to have a bay window on the second floor of a home—that it stands out quite a bit and is never seen. Architecturally speaking, he said, a fixed picture window is more appropriate on a ground floor, especially on a corner of a home or in other prominent locations.

As an advisory note to the Commission, Mr. Anderson cautioned that if the Commission decided to approve the single-pane replacement windows masked with storm windows, it would need to make findings as to how that would meet the Design Guidelines and Design Criteria outlined in the staff report. He said the Commission cannot allow storm windows in place of double-hung windows only because that would look good enough to the Commission members. Ms. Hanna asked if the case should be referred back to staff and the home owners in order to generate a new plan. Mr. Anderson responded that the case could be referred back to the applicant if the Commission wished to see other alternatives for how the home owners would satisfy the Design Guidelines and Design Criteria.

Roberta Vann suggested the home owners could speak with the window manufacturer, Marvin Windows, because the company does a lot of custom window and historic preservation projects. She also cited the description on the applicant's receipt and said in her view the manufacturer bears some responsibility in finding a solution. Both Ms. Vann and Mr. Dietzenbach expressed surprise that the home owners did not get double-hung windows from the manufacturer.

Ms. Hanna asked if any of the Commission members wished to present a recommendation or a motion. Ms. Hovis commented that she believed the home owners would likely need more time to comply if the Commission decided the replacement windows needed to be changed, so she would lean toward Alternative #3. That option would also give the applicant additional time to work with Marvin Windows to see if something can be worked out. Mr. Dietzenbach asked if the Commission would need to set a deadline. Mr. Anderson said that if the Commission selected Alternative #3, it would need to define a deadline, and staff would encourage it to not be too far out from the 60 days recommended by staff in Alternative #2. Mr. Credé said he could call the manufacturer immediately and would share its response with staff.

Ms. Hanna asked Ms. Hovis if she wished to make a motion with a timeframe. Ms. Hovis said that setting a deadline for the end of January 2016 would allow for additional time and would take the holiday season into account as well. Mr. Grevstad-Nordbrock expressed concern about Alternative #3 because it stipulates that the owner will be required to replace the windows, and that is not what he believed the Commission had been suggesting. Ms. Hovis said she was thinking the windows should be replaced, but Alternative #3 would give the applicant more time to talk with the manufacturer and to work something out. She said that based on the language of the receipt and her belief that Marvin Windows should know that a second story window should be a double-hung window, the manufacturer should bear some of the responsibility.

Mr. Dietzenbach asked if other options would be presented for consideration by the Commission if the applicant could not find a solution with the manufacturer. Mr. Anderson replied that if the Commission sought additional options it should move Alternative #4 and request that the applicant provide alternatives that could be evaluated. Mr. Grevstad-Nordbrock summarized the ideas already discussed: some sort of artificial muntin that simulates double-hung windows, or storm windows. Mr. Dietzenbach clarified that those may be the options if the applicant were unable to (ideally) make arrangements with Marvin Windows. Mr. Credé said they want to do right by the house as well. He asked if any options from Marvin Windows should be presented to the Commission as a follow-up. Mr. Anderson said staff would prefer to see the Commission have a single, specific option to consider, and asked that the Commission be as clear as possible about what it is looking for in order to help the applicant. He added that past cases involving evaluations of multiple options proved to be too much to consider at once.

Ms. Vann reiterated Mr. Anderson's earlier comments regarding the need to meet the Design Criteria outline in Chapter 31. She stated that the Commission cannot propose any alternatives that do not meet that code. Mr. Anderson added that if the Commission approves the replacement windows, there must be a record in the meeting minutes to justify approval, i.e., how those windows meet the Design Guidelines and Design Criteria. He said he had not heard an alternative the Commission could ask for that would fulfill those requirements. By way of comparison, Mr. Anderson cited a case from 2014 where casement windows were installed with a bar to make them look like double-hung windows. This case had to go to Zoning Board of Adjustment before it came to the Historic Preservation Commission in order to get approval of reasonable accommodation. The applicants' physical challenges helped to justify the style of window that was ultimately approved. Similar factors do not exist in this case, he stated.

MOTION: (Hovis/Dietzenbach) to accept Alternative #3, which states: that the Historic Preservation Commission can **deny** approval of a Certificate of Appropriateness to allow the alterations that were done to replace two double-hung windows on the south façade and one on the north façade of the house at 803 Burnett Avenue with single-pane picture windows, because the Commission finds that the project, as proposed by the applicant, does not comply with all relevant Design Guidelines in Section 31.13(13) and

Design Criteria of Section 31.14(1)(b) of the Ames *Municipal Code*. **The property owner will be required to replace the single-pane windows with double-hung windows by the date specified by the Commission: no later than January 31, 2016.**

Mr. Grevstad-Nordbrock said he was uncomfortable about the requirement in Alternative #3 for replacing the single-pane windows with double-hung windows. He said the idea was to revisit the issue at a later meeting. He asked what would happen if the home owner came up with a solution that satisfied everyone but it had been agreed that the windows must be replaced. Mr. Anderson confirmed that the windows would have to be replaced if the Commission moved Alternative #3. Mr. Grevstad-Nordbrock said he preferred Alternative #4 because referring the request back to staff and/or the applicant would allow both the home owner and the Commission more flexibility in making a final decision, because the Commission does not know what solution it wants at this point.

Ms. Hovis withdrew her motion.

Mr. Anderson said that staff, and likely the applicant, would prefer additional information and direction about what information the Commission required in order to make decision.

MOTION: (Grevstad-Nordbrock/Vann) to accept Alternative #4, as modified, which states: that the Historic Preservation Commission can refer this request back to the City staff and/or the applicant for additional information. The Commission seeks the best solution to recapture the profile of double-hung sash windows, i.e., an artificial muntin or a storm window that replicates the look and the feel of a double-hung window, in the three subject windows on the house at 803 Burnett Avenue.

*MOTION PASSED: (6-0)*

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COMMISSION COMMENTS: Ms. Hanna reported that the Historic Plaque Committee would like to make a formal presentation at the next Historic Preservation Commission meeting. She asked for the item to be added to the next meeting agenda.

Ms. Vann and Mr. Hallock stated that discussion on the 2016 budget and the historic plaques was expected during the current meeting. Ms. Hanna asked if the item should be included on the agenda at the next meeting. Mr. Anderson explained that it may not be necessary to bring the budget item to the Commission because it could go directly to the City Council. At this point the matter could be framed as a status report on the historic plaques, he added.

Mr. Dietzenbach said the Commission has periodic discussion about how funds are allocated and asked if Commission discussion was needed. Mr. Anderson replied that if the budget needed to be discussed, it could be brought to the next meeting. He explained that presently the City Council puts \$2,000 in the Planning & Housing Department budget for historic preservation, and the use of those funds is broadly described. Mr. Anderson indicated the budget item would be included in the agenda at the next meeting if input is needed from the Commission.

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STAFF COMMENTS: There were no staff comments.

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MOTION TO ADJOURN:

MOTION: (Vann/Hallock) to adjourn the meeting.

*MOTION PASSED: (6-0)*

The meeting adjourned at 7:33 PM.



Jason Dietzenbach, Vice Chairperson  
Historic Preservation Commission



Joseph C. Newman, Recording Secretary  
Department of Planning & Housing