

## Statement of Appeal

This is a limited appeal of conditions 1, 2 and 3 that the Heritage Preservation Commission placed on its approval of Martin Investments Limited Partnership's Certificate of Appropriateness to allow window replacement on the property at 241 First Avenue North.

Martin Investments has proposed a reasonable, cost-effective plan for handling the First Avenue facade windows that largely preserves the historical appearance of the building. Specifically, Martin Investments proposes, at a significant investment, to add horizontal mullions to windows that were just recently replaced. This will make the existing windows appear more historically accurate while taking advantage of well-functioning and energy efficient windows. In contrast, the adopted conditions result in a needless waste of resources with little, if any, marginal gain in improving the historical appearance of the building. The adopted conditions will cause a waste of resources because they require completely scrapping the existing windows and result in the expenditure of additional resources in fabricating new windows. Significantly, the adopted conditions could result in substrate damage that would negatively impact the integrity of the building.

Martin Investments has worked with the City to reach a reasonable compromise that maximizes the historical accuracy of the windows while paying due regard to minimizing the unnecessary waste of resources. The Commission approved the compromise regarding much of the building, but conditions 1, 2 and 3 unfortunately tip the scale too far in the direction that causes too much waste for too little gain. Consequently, Martin Investments respectfully requests that conditions 1, 2 and 3 be modified to *not* require the replacement of all of the windows on the First Avenue North facade, but rather permit Martin Investments to add horizontal mullions to the existing windows.

**APPLICATION WORKSHEET**

<b>Appellant</b>	Name	Adam Lerner - Martin Investments Limited Partnership
	Mailing Address Including City, State and Zip Code	241 1st Avenue North, Minneapolis, MN 55401
	Phone Number	(612) 215-6208
	Fax	(612) 332-7615
	Email	aml@lernerbooks.com

**NOTICE OF APPEAL**

Choose one:

I, \_\_\_\_\_ (print name) do hereby file an exception to the Decision of the **Planning Director** as provided for in Chapter 599.180;

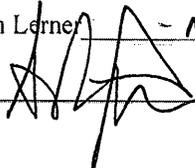
I, Adam Lerner (print name) do hereby file an exception to the Decision of the **Heritage Preservation Commission** as provided for in Chapter ~~525.190~~ **599.190**;

Project Name	Lerner Building Window Replacement
Project Address	241 1st Avenue North, Minneapolis, MN 55401
BZH Number	28246, Ward 3

Further, I do hereby request that I be given an opportunity to express my case before the Board of Adjustment or the proper committee of the City Council.

The action being appealed and the reasons for appealing the decision are attached and made a part of this notice of appeal.

Appellant's Name: Adam Lerner - Martin Investments Limited Partnership

Appellant's Signature:  Date: 10/1/14