

**APPLICATION WORKSHEET**

<b>Appellant</b>	Name	PAUL & JENNIFER OXBOROUGH
	Mailing Address Including City, State and Zip Code	24020 YELLOWSTONE TRAIL EXCELSIOR, MN. 55331
	Phone Number	952/239-6450
	Fax	
	Email	pgoxborough@hotmail.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;

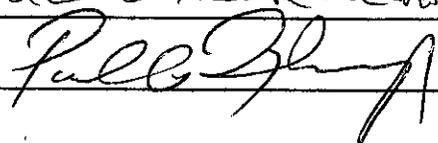
I, PAUL OXBOROUGH (print name) do hereby file an exception to the Decision of the Heritage Preservation Commission as provided for in Chapter 525.190;

Project Name	414 3rd RESTORATION
Project Address	414 3rd AVE N., MPLS., MN. 55401
BZH Number	

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: PAUL OXBOROUGH

Appellant's Signature:  Date: 7/23/15

## STATEMENT FOR REASON OF APPEAL

We are purchasing the historic warehouse building at 414 3rd Ave North. Our proposal for use and exterior changes was heard at the HPC hearing on 7/14/15. This is an appeal to change the HPC's condition of approval #1 that states "The original steel sash windows on the third and fourth floors of the front façade shall be retained and repaired rather than replaced."

This was our first time in front of the HPC. We were admittedly unprepared at the hearing. A proper survey of the windows had not been completed, and we had been unable to get specific bids and costs for repair and replacement of the windows. We feel that the HPC's decision was made without the consideration of the expense of repair vs replacement. We also feel that their decision disregarded our need for windows that will provide ventilation and soundproofing. I would also like to note that it was a split decision with the HPC committee and we believe they would have approved replacement had we have made a better and more thorough case.

We are asking to replace the windows because the current windows are in terrible condition. The structures are rusted inside and out, and in some cases, all the way through. They are warped and bent in places, many of the windows don't open, and those that do won't shut properly. In one window, the entire sash is missing and is filled in with plywood. It is possible that they were blown outward by one of the many fires that occurred in the past. There are many steel parts that have been removed. Many of the panes of glass are broken or missing. There is also asbestos glazing putty that would require an expensive abatement.

We agree with the HPC that the appearance of windows is critical in maintaining the integrity of any historic building. We have found replacement windows that are consistent with US Park Service requirements for historic replications. They will look identical to the current windows in every detail down to the rivets in the mullions. Installing these replacement windows would essentially bring the appearance of the building back to when it was new in 1926.

The cost of repair is, at minimum, 50% higher than replacement. The price of historically appropriate windows from St.Cloud Windows is approximately \$6000.00 per window, including installation. They are fitted with glass that provides an acoustic and thermal barrier. These windows will have a full warranty.

We have estimates for repairing the current windows that begin at \$10,000 per window, which does not include extra costs for replacement parts, scaffolding or travel and mobilization for the repair crew. Repair work is not warranted on restored windows, which would create ongoing maintenance at considerable cost. We would also need to have storm windows built and installed in order to create acoustic and thermal barriers, which would result in making the window openings inoperable. This would also drive the cost of these windows upwards of \$15,000 per window, resulting in a cost of nearly

\$100,000 for just two floors on the front of the building. This does not include the expense of replacing the 3 windows on the 2nd floor of the front facade, or the 14 windows on the rear facade, which were approved by the HPC, as these windows are also beyond repair.

We are not developers. We are buying this building to live and work in, to serve as our family home and our art studios. Unlike our neighbor the Ford Centre, which was used as an example by a member of the HPC as a successful window restoration job, we will be using this building 24/7, while those spaces are just used as offices. It is very important to us that we should be able to open the windows to admit fresh air. It is also of great importance that the windows should have soundproofing when they are closed, as the building is located in front of and above the 394 exchange into downtown, and a half block from the light rail with trains arriving every 7-10 minutes 20 hours a day. Since this building will be used as our residence, we are not eligible for, and will not be receiving Federal or State tax credits. (If this were a commercial development we could expect to receive up to 40% of the cost of the windows in tax credits). The extra expense of repair vs replacement will break our budget, most likely making it impossible to change the windows at all.

It is a small building, as one of the council members noted, but we believe that replacing the windows on the front facade will benefit the North Loop community by improving and beautifying this building.

Thank you for considering our appeal. We look forward to restoring our little piece of Minneapolis' historic warehouse district.

Sincerely,  
Paul and Jenny Oxborough

Handwritten signatures of Paul and Jenny Oxborough. The signature for Paul is written above the signature for Jenny. Both are in cursive script.