

Department of Community Planning and Economic Development  
Planning Division

**Certificate of Appropriateness**  
BZH-26291

**Date:** May 11, 2010

**Proposal:** After-the-Fact Request for Certificate of Appropriateness to replace siding

**Applicant:** Dennis Oeltjen, JNS Builders

**Address of Property:** 2026 4th Avenue South

**Project Name:** 2026 4th Avenue South Siding Replacement

**Contact Person and Phone:** Dennis Oeltjen, 651-646-0221

**Planning Staff and Phone:** John Smoley, Ph.D., 612-673-2830

**Date Application Deemed Complete:** n/a

**Publication Date:** May 11, 2010

**Public Hearing:** May 18, 2010

**Appeal Period Expiration:** May 28, 2010

**Ward:** 6

**Neighborhood Organization:** Whittier Alliance

**Concurrent Review:** n/a

**Attachments:** Attachment A: Staff Report – A1-A9

Attachment B: Materials submitted by CPED staff – B1-B7

- Location map – B1
- 350' map – B2
- Washburn-Fair Oaks Historic District Design Guidelines – B3-B7

Attachment C: Materials submitted by Applicant – C1-C17

- Notification letter to Council Member and neighborhood organization – C1-C2
- Application – C3-C17

Department of Community Planning and Economic Development  
Planning Division



**2026 4<sup>th</sup> Avenue South, 2009, CPED photo**

Department of Community Planning and Economic Development  
Planning Division

<b>CLASSIFICATION:</b>	
Local Historic District	Washburn-Fair Oaks Historic District, contributing resource
Period of Significance	1858-1939
Criteria of significance	The Washburn-Fair Oaks Historic District is locally significant for its depiction of turn-of-the-century residential architecture ranging from opulent mansions to modest homes.
Date of local designation	1976
Applicable Design Guidelines	<i>The Secretary of the Interior's Standards for Treatment of Historic Properties</i>  <i>Washburn-Fair Oaks Historic District Design Guidelines</i>

<b>PROPERTY INFORMATION</b>	
Current name	Multi-family residence
Historic Name	Multi-family residence
Current Address	2026 4 <sup>th</sup> Avenue South
Historic Address	2022-2028 4 <sup>th</sup> Avenue South
Original Construction Date	Pre-1885
Original Contractor	Unknown
Original Architect	Unknown
Historic Use	Residence
Current Use	Residence
Proposed Use	Residence

Department of Community Planning and Economic Development  
Planning Division

**BACKGROUND:**

The subject property is a two-story multi-family residence designed in a vernacular manner located mid-block between Franklin Avenue East and 22<sup>nd</sup> Street East in the Washburn-Fair Oaks Historic District (Attachments A1 and A2).

The Washburn-Fair Oaks Historic District is locally significant for its depiction of late nineteenth and early twentieth century residential architecture ranging from opulent mansions to modest homes. The exterior portions of the building at 2026 4<sup>th</sup> Avenue South marginally contribute to the district's significance, due to extensive loss of historic building materials (roof, siding, and porch principally). The building was constructed so long ago that no original building permit is on file with the City of Minneapolis, but an 1885 Sanborn Fire Insurance map depicts the residence in its current location.

On October 2009 the Applicant applied for a Certificate of No Change to replace the existing vinyl siding, installed without a permit approximately twenty years ago. Staff denied the application, stating that the proposed change would be a major alteration to the building since vinyl siding was not appropriate for use on historic buildings of this era since it was not available in the late nineteenth century. The Applicant installed new vinyl siding without receiving necessary permissions from the City, including CPED and HPC; was cited by Code Enforcement; and has since come forward seeking approval of the previously installed siding.

**SUMMARY OF APPLICANT'S PROPOSAL:**

The Applicant seeks approval of the recently installed siding on the building. The Applicant replaced non-original vinyl siding with new vinyl siding of similar specifications. The job stemmed from the August 2008 tornado that damaged particular portions of the building's siding. The property owner's insurance company determined that the siding on the home was no longer manufactured and that all of the siding would have to be replaced to properly repair the building. The insurance company's research revealed that the siding was manufactured between 1989 and 1991. Staff has no permits on file approving this siding installation or the current siding. Owners of immediately adjacent buildings, also damaged during the tornado, have applied for and been granted Certificates of No Change and building permits for repairs in keeping with the historic character of the district.

**PUBLIC COMMENT:**

Staff has received no comment letters on the project.

**CERTIFICATE OF APPROPRIATENESS:** Certificate of Appropriateness to replace windows

***Findings as required by the Minneapolis Preservation Code:***

*The Planning Division of the Minneapolis Community Planning and Economic Development Department has analyzed the application based on the findings required by the Minneapolis Preservation Ordinance. Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings based upon, but not limited to, the following:*

***(1) The alteration is compatible with and continues to support the criteria of significance and period of significance for which the landmark or historic district was designated.***

The exterior portions of the building at 2026 4th Avenue Southeast contribute to the district's significance. Regardless of what changes are made to the subject property, it will maintain its historical significance, but proposed changes may affect its integrity (i.e. the property's ability to communicate its historical significance). Since the proposed changes will seriously impair the property's integrity (see findings 3-5 below), the proposed alterations are not compatible with and do not continue to support the criteria of significance and period of significance for which the historic district was designated.

***(2) The alteration is compatible with and supports the interior and/or exterior designation in which the property was designated.***

The proposed alterations are not compatible with and do not support the interior and/or exterior designation in which the property is being contemplated for designation. The exterior portions of the building at 2026 4th Avenue Southeast contribute to the district's significance. Vinyl siding was not available for use on historic buildings constructed in the late nineteenth century.

***(3) The alteration is compatible with and will ensure continued integrity of the landmark or historic district for which the district was designated.***

Based upon the evidence provided below, the proposed work will seriously impair the integrity of the contributing resource that was diminished when vinyl siding was installed without a permit approximately twenty years ago.

*Location:* The Applicant proposes no changes to the contributing resource's location, thus the project will not impair the contributing resource's integrity of location.

*Design:* The project will alter the design of the building. There are myriad architectural details that are lost when vinyl siding replaces wood siding.

*Setting:* The Applicant proposes no offsite changes, thus the project will not impair the contributing resource's integrity of setting.

*Materials:* The Applicant proposes to replace vinyl siding that does not date back to the

Department of Community Planning and Economic Development  
Planning Division

building's period of significance with new vinyl siding that does not date back to the building's period of significance. The project impairs the contributing resource's integrity of materials.

*Workmanship:* The Applicant proposes to replace vinyl siding that does not date back to the building's period of significance with new vinyl siding that does not date back to the building's period of significance. The vinyl siding used for the past twenty years has proven to be so machine-driven that simple repairs by craftsmen are impossible since even slight details cannot be replicated once factories stop manufacturing vinyl siding of a particular type. The project harms the contributing resource's integrity of workmanship.

*Feeling:* The Applicant proposes to replace vinyl siding that does not date back to the building's period of significance with new vinyl siding that does not date back to the building's period of significance. The project impairs the contributing resource's integrity of feeling.

*Association:* The proposed vinyl siding further damages the link between this residence and the historic district's concentration of late nineteenth and early twentieth century residences, thus the project will impair the property's integrity of association.

**(4) *The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the applicable design guidelines adopted by the commission.***

The Washburn-Fair Oaks Historic District Design Guidelines permit synthetic replacement siding if it matches the direction, dimensions, and texture of the original covering. The Applicant has not demonstrated that the proposed siding meets these standards. The absence of permits to install, replace, and/or maintain exterior plaster and lathe and/or masonry indicate that the building likely originally possessed some type of wood cladding, but the Applicant has not provided historic photos or physical evidence of the type and specifications of cladding used during the district's period of significance, 1858-1939. The projection of the vinyl siding beyond the horizontal plane of the windows indicates that historic siding may lie beneath this layer.

**(5) *The alteration will not materially impair the significance and integrity of the landmark, historic district or nominated property under interim protection as evidenced by the consistency of alterations with the recommendations contained in The Secretary of the Interior's Standards for the Treatment of Historic Properties.***

The proposed project does not follow the rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties*.

The Applicant is conducting a rehabilitation of the subject property.

When designing for the replacement of missing historic features, such as wall cladding, the rehabilitation guidelines of *The Secretary of the Interior's Standards for the Treatment of Historic Properties* recommend against introducing a new feature that is incompatible in size,

Department of Community Planning and Economic Development  
Planning Division

scale, material and color. While records of the building's original wall cladding are unavailable, vinyl siding was not available for use on historic buildings constructed in the late nineteenth century. Clearly, such a replacement material, regardless of its size, scale, or color, is inappropriate.

**(6) The certificate of appropriateness conforms to all applicable regulations of this preservation ordinance and is consistent with the applicable policies of the comprehensive plan and applicable preservation policies in small area plans adopted by the city council.**

Action 8.1.1 of the Minneapolis Plan for Sustainable Growth indicates that the City shall protect historic resources from modifications that are not sensitive to their historic significance. The project will modify the building in ways that are insensitive to its historical character, as discussed in items 4 and 5 above.

Comprehensive plan policy 8.1 states that the City will, "Preserve, maintain, and designate districts, landmarks, and historic resources which serve as reminders of the city's architecture, history, and culture." The proposed work will not help preserve the subject property and will tacitly encourage other property owners to conduct work on historic properties without a permit in a manner that is inappropriate to the historic designation made by the City Council

The subject property lies within no adopted small area plan area.

**(7) Destruction of any property. Before approving a certificate of appropriateness that involves the destruction, in whole or in part, of any landmark, property in an historic district or nominated property under interim protection, the commission shall make findings that the destruction is necessary to correct an unsafe or dangerous condition on the property, or that there are no reasonable alternatives to the destruction. In determining whether reasonable alternatives exist, the commission shall consider, but not be limited to, the significance of the property, the integrity of the property and the economic value or usefulness of the existing structure, including its current use, costs of renovation and feasible alternative uses. The commission may delay a final decision for a reasonable period of time to allow parties interested in preserving the property a reasonable opportunity to act to protect it.**

The project does not include the destruction of the subject property.

**Before approving a certificate of appropriateness, and based upon the evidence presented in each application submitted, the commission shall make findings that alterations are proposed in a manner that demonstrates that the applicant has made adequate consideration of the following documents and regulations:**

**(8) Adequate consideration of the description and statement of significance in the original nomination upon which designation of the landmark or historic district was based.**

Despite several requests, the Applicant did not submit an analysis of the proposed project in

relation to the district's significance statement.

**(9) *Where applicable, Adequate consideration of Title 20 of the Minneapolis Code of Ordinances, Zoning Code, Chapter 530, Site Plan Review.***

Title 20 of the Minneapolis Code of Ordinances, Zoning Code, Chapter 530, Site Plan Review does not regulate the replacement of siding.

**(10) *The typology of treatments delineated in the Secretary of the Interior's Standards for the Treatment of Historic Properties and the associated guidelines for preserving, rehabilitating, reconstructing, and restoring historic buildings.***

As discussed in finding #5, the application is not in compliance with the rehabilitation guidelines of *the Secretary of the Interior's Standards for the Treatment of Historic Properties*.

***Before approving a certificate of appropriateness that involves alterations to a property within an historic district, the commission shall make findings based upon, but not limited to, the following:***

**(11) *The alteration is compatible with and will ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.***

The Applicant is seeking approval of siding installed without a permit. The siding material chosen (vinyl) was not available for use on buildings until the 1960s, after the district's period of significance. The product cannot be repaired if the exact siding is no longer made, and past vinyl siding products on the residence have demonstrated a manufacturing period of typically three years. Continued use of the product will likely require a complete residing of the property every time a portion of the siding is damaged, or the building will look extremely poor and further damage the building's and district's ability to communicate its historical significance. The alteration is not compatible with and will not ensure continued significance and integrity of all contributing properties in the historic district based on the period of significance for which the district was designated.

**(12) *Granting the certificate of appropriateness will be in keeping with the spirit and intent of the ordinance and will not negatively alter the essential character of the historic district.***

The spirit and intent of the City of Minneapolis' Heritage Preservation Regulations is to preserve historically significant buildings, structures, sites, objects, districts, and cultural landscapes of the community while permitting appropriate changes to be made to these properties. The owner installed vinyl siding without a permit approximately twenty years ago and once again in 2009. Now the Applicant seeks approval of the latter installation of a product unavailable during the district's period of significance and which has proven to irreparable due to highly limited product manufacturing times. Clearly, this is not in keeping with the spirit and intent of the ordinance. Installation of wood siding would be in keeping with

Department of Community Planning and Economic Development  
Planning Division

the character of the historic resource and would be repairable by local craftsmen, should damage occur in the future.

***(13) The certificate of appropriateness will not be injurious to the significance and integrity of other resources in the historic district and will not impede the normal and orderly preservation of surrounding resources as allowed by regulations in the preservation ordinance.***

Approval of this Certificate of Appropriateness will impede the normal and orderly preservation of surrounding resources within the district and City at large. Approving this application will set a precedent that tacitly approves unpermitted work being conducted on historic buildings and that permits the installation of unsustainable products whose materials are not in keeping with the historic character of buildings.

### **STAFF RECOMMENDATION**

CPED-Planning recommends that the Heritage Preservation Commission **adopt** staff findings and **deny** the Certificate of Appropriateness.