CITY OF BELOIT



REPORT TO THE BELOIT LANDMARKS COMMISSION

Meeting Date: February 21, 2012 Agenda Item: 6 File Number: COA-2011-32

Applicant: David J. Fogderud Owner: Overflowing Cup Total Life Location: 834 Bluff Street

Center, Inc.

Existing Zoning: R-1B, Single-Family Existing Land Use: Single-Family Parcel Size: 0.19 Acre

Residential District Dwelling

Request Overview/Background Information:

David J. Fogderud has submitted an application for a Certificate of Appropriateness (COA) to replace six wood double-hung windows with new vinyl double-hung windows for the property located at 834 Bluff Street. The applicant had begun to install the windows at the subject property without a Certificate of Appropriateness. A Notice of Violation was issued to the applicant on November 29, 2011 (see letter below). The subject property is located in the Bluff Street Historic District. Section 32.06 of the Historic Preservation Ordinance grants the Landmarks Commission the authority to issue a COA prior to the alteration of structures within a Historic District.

Consistency with the Historic Preservation Ordinance and Strategic Plan:

Consideration of this request is consistent with the intent and purpose of the Historic Preservation Ordinance. Consideration of this request supports City of Beloit Strategic Goal #4.

Key Issues:

- This project was started without a COA and without a Building Permit.
- Timeline
 - Planning Staff received a complaint regarding the replacement of windows at the subject property without a Certificate of Appropriateness or Building Permit on November 28, 2011.
 - Planning Staff coordinated with the Residential Building Official to issue a Stop Work Order to the owner of the subject property.
 - Planning Staff issued a Notice of Violation letter (see attached) on November 29, 2011 to the property owner requiring him to submit a Certificate of Appropriateness Application and to restore the building to its original appearance.
 - The property owner applied for a Certificate of Appropriateness on December 2, 2011.
 - The Landmarks Commission review of the application was tentatively scheduled for Tuesday, January 17, 2012, however; the property owner did not fully describe the project as indicated in item number seven in the application before the deadline (See letter dated December 28, 2011).
- The applicant has proposed to replace six existing wood windows with new double hung vinyl windows that are white in color on the property's northeast, south, and west sides.
- During the Beloit Intensive Survey, the house was classified as a 'contributing' structure within the Bluff Street Historic District. A copy of the Intensive Survey Form is attached to this report.
- Section 32.06(5) of the Historic Preservation Ordinance includes general review criteria to be used when evaluating COA applications. The attached COA Checklist evaluates this application against the general review criteria included in the Ordinance.
- Section 32.06 of the Historic Preservation Ordinance establishes Specific Review Criteria to be used in evaluating COA applications. The following criteria are relevant to this application:
 - (1) <u>Proportions of Windows and Doors:</u> The proportions and relationships between doors and windows should be compatible with the architectural style and character of the landmark, or in case of new construction, with surrounding structures within the historic district.

The applicant will not alter the size of any window openings.

(2) <u>Architectural Details</u>: Architectural details, including materials, colors and textures, should be treated so as to make a landmark compatible with the original architectural style or character of the landmark in the historic district.

The proposed double-hung vinyl windows are compatible with the style and character of the house.

- Section 32.06(6) of the Historic Preservation Ordinance states that the Landmarks Commission may grant a COA if it determines:
 - (a) In the case of a landmark or landmark site, the proposed work would not detrimentally change, destroy, or adversely affect any exterior architectural feature of the improvement upon which the work is to be done.
 - (b) In the case of the construction of a new improvement upon a landmark site, the exterior of such improvement would not adversely affect or would harmonize with the external appearance of other improvements on such site.
 - (c) In the case of any property located in an historic district, the proposed construction, reconstruction, or exterior alteration conforms to the objectives and design criteria of the historic preservation plan for the City and district.
- Staff believes that the proposed actions, subject to certain conditions, satisfy the standards of Section 32.06(6).

Sustainability: (Briefly comment on the sustainable long term impact of this policy or program related to how it will impact both the built and natural environment utilizing the four following eco-municipality guidelines)

- Reduce dependence upon fossil fuels The preservation and enhancement of historic structures reduces
 dependence upon fossil fuels by capitalizing on the embodied energy that is present in these structures. Our
 historic districts are compact, walkable neighborhoods that were developed when walking was a primary mode of
 travel.
- Reduce dependence on chemicals and other manufacturing substances that accumulate in nature N/A
- Reduce dependence on activities that harm life sustaining eco-systems N/A
- Meet the hierarchy of present and future human needs fairly and efficiently N/A

Staff Recommendation:

The Neighborhood Planning Division recommends <u>approval</u> of a Certificate of Appropriateness to replace six wood double-hung windows with six new vinyl double-hung windows for the property located at 834 Bluff Street, based on the standards and criteria contained in the Historic Preservation Ordinance and subject to the following conditions:

- 1. The applicant shall use Jeld-Wed Vinyl Double-Hung Windows that are white in color.
- 2. All exterior window casings, decorative trims, and other decorative elements on the house shall remain intact and be protected during installment of new vinyl double-hung windows.
- 3. All work shall be completed by June 1, 2012.
- 4. Any changes or additions to this Certificate of Appropriateness must be reviewed and approved by staff prior to the start of any work. Work done without prior approval will be subject to the issuance of correction orders or citations.
- 5. The applicant shall obtain a Building Permit before beginning any work. The completion date above does not extend any other time limits, such as those imposed by an order from the Housing Services Division.

Fiscal Note/Budget Impact: N/A

Attachments: Photographs, Location Map, Notice of Violation, Application, Intensive Survey Form, and COA Checklist.

Photographs of 834 Bluff Street



Southern side of house where upper and lower windows will be replaces with proposed new windows.



Upper windows on the south side of house that were replaced without a COA or Building Permit.



Northeast side of house where one window will be replaced.



Lower window on northeast side of house that will be replaced.

Photographs of 834 Bluff Street



West side of the house (rear of house). The lower window on left-hand side is location of window replacement.

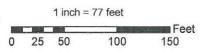
Location & Zoning Map

834 Bluff Street

COA-2011-32







Legend
Parcels
Zoning District

Map prepared by: Michael D. Lofton II Date: February 8, 2012 For: City of Beloit, Neighborhood Planning Date of Aerial Photography: April 2011

NEIGHBORHOOD PLANNING DIVISION



November 29, 2011

CITY HALL • 100 STATE STREET • BELOIT, WI 53511

Office: 608/364-6700 • Fax: 608/364-6609 www.ci.beloit.wi.us

Equal Opportunity Employer

Overflowing Cup Total Life Center, Inc. David J. Fogderud, Registered Agent 306 State Street PO Box 1075 Beloit, WI 53512-1075

Re: Notice of Violation - 834 Bluff Street

Dear Mr. Fogderud:

Our records indicate that you own the property located at 834 Bluff Street. Your property is located within the Bluff Street Historic District. Section 32.06(2) of the City's Historic Preservation Ordinance states that "any alteration of designated landmarks, landmarks sites, or structures within an historic district in the City shall first require a Certificate of Appropriateness."

On Monday, November 28, 2011, a complaint was made to the Neighborhood Planning Division about an exterior alteration occurring at the above-mentioned property. A site visit to the above-mentioned property revealed that you have altered the exterior of the house by replacing windows on the south side of the second story. These alterations were completed without a Certificate of Appropriateness (COA) and without a Building Permit. The building inspector posted a stop work order, which requires you to obtain the proper permits and approvals before any and all work can resume.

In accordance with Section 32.20(1) of the Historic Preservation Ordinance, you are hereby ordered to restore the building to its appearance prior to the violation, and or submit a Certificate of Appropriateness application to this office. This order pertains to the unauthorized windows on the house. You must submit the COA application along with the necessary attachments we discussed during your visit to the third floor of City Hall. This matter will be considered by the City's Landmarks Commission, which may or may not approve your request to retain the unauthorized windows. All of the corrective measures outlined in this paragraph must be completed by <u>December 29, 2011</u>. If these violations are allowed to continue, additional penalties may be pursued. You may request a review of this order or may appeal the order as provided in Section 1.15 of the Municipal Ordinances.

Sincerely,

Michael D. Lofton II Assistant Planner

Enclosure

c: File. Property

Housing Services Division (without enclosure) Landmarks Commission (without enclosure)

CITY of BELOIT

NEIGHBORHOOD PLANNING DIVISION

100 State Street, Beloit, WI 53511

Phone: (608) 364-6700

Fax: (608) 364-6609

CERTIFICATE of APPROPRIATENESS APPLICATION

	50	and the second s	1 1
(Please Type or Print)	1211 0.	The runnoer.	OA-2011-32
1. Address of property:	34 Blus	=	
2. Parcel#: 135715	50		
3. Owner of record: THE C	DVERFLOWENG CUP	Phone: 608-	365-0365
P.O. BOX 1075	BEWIT	WE	53512
(Address)	(City)	(State)	(Zip)
4. Applicant's Name:	STOR DAVE		
P.O. BOX 1075	BELOIT	WI	53512
(Address)	(City)	(State)	(Zip)
608/365-0365			Coaol. Com
(Office Phone #)	(Cell Phone #)	(E-mail Address)	
5. Present use of property:_	FARSONAGE		
. The following action is re	quested:		*
☐ Approval of COA by I	Landmarks Commission	(projects not listed b	pelow)
Approval of COA by s	staff: (Check all that apply	<i>,</i>	
[] Roof repair/repla	acement		
Gutter repair/rep appropriate style	lacement with historically s	appropriate material	ls and in historically
	and driveway repair/repla		ally appropriate
[] Installation of his	storic plaques (residential	properties only)	
	and tuckpointing according historically appropriate co		the Interior
Installation of fer	nces		
Storm window/st	torm door repair or replace	ement	
	ass blocks in basement win		

Please continue to #7 (Over)

CERTIFICATE of APPROPRIATENESS APPLICATION (continued)

7.	Description of Project: Describe each item of the project separately.
	Project item: Include existing condition(s) when describing item. Also describe the proposed
	work, material(s) to be used, and the impact the item would have on existing historic or
	architectural features of the property. (Attach additional sheets if necessary.)
	REPLACE 6 WINDOWS W/ ENERGY EFFECTENT
	WINDOWS - NOT VISTBLE CHINGE
	FROM OUTSIDE - NOT REPLACING STORM
1	NIDDOWS OF DOORS (SOMPLY INSERTS)
8.	Attachments:
0.	Site Plan of the lot (Please indicate direction of north, dimensions, structures, etc.)
	Sketches, drawings, building and streetscape elevations, and/or annotated photos
	Exterior photos
	Specifications (materials) for the project
	Phased development plan for the project (if proposed in phases)
	Inspection report (required for demolition requests only)
	Cost estimates for all the proposed work
	Other (please explain):
9.	Source of Funds: Please indicate if funds for the project are being secured from any of the
	following sources: [] NHS
Th are Ne Co	DTE: the Beloit Landmarks Commission meets at 7:00 PM on the third Tuesday of the month. Meetings the held in The Forum of Beloit City Hall, 100 State Street. Applications must be filed with the eighborhood Planning Division by the filing deadline date prior to the next Landmarks ommission meeting.
If Ne	you have questions or need assistance in completing this form, contact the City of Beloit eighborhood Planning Division (364-6700).
) ev	(Signature of applicant) (Print name) (Date)
* F	eview fee: \$50.00* / \$25.00* if staff approved Amount paid: \$_\color \color \co
	cheduled meeting date: 1/17/2012 polication accepted by: Michael S. Lofton II Date: 12/2/2011
A	pplication accepted by: Michael S. Loffen I Date: [2/2/20]
Pla	nning Form No. 32 Established: November 1993 (Revised: January 2011) Page 2 of 2 Pages



THE OVERFLOWING CUP

Total Life Center Christian Coffee House Ministry

P. O. Box 1075 Beloit, WI 53512-1075 Phone: (608) 365-0365

E-mail: ofctlc@aol.com

www.overflowingcup.org

December 1, 2011

To: Whom It May Concern re: COA for window inserts at 834 Bluff Street

Sometimes I get emotionally involved in disputes with the City of Beloit ordinances that affect our organization and myself. Therefore, I am expressing some facts as I see the situation regarding the "COA" requirements on the above address. Please consider my thoughts as follows:

- I have no problem applying for a "COA" to make structural changes or changes that would affect the appearance of a property in a Historic District.
- I DO THINK that it is "inappropriate" to ask permission via a COA to paint the interior of a property in a historic district or simply to replace the window panels with energy-efficient window panels, where the exchange is not even visible from the outside.
- That is precisely what is in question today. As my application indicates, we have purchased replacement panels that are energy-efficient. It involves simply removing the inside trim and replacing the old window panels with energy-efficient panels then replacing the inside trim that holds them in place.
- We are NOT replacing the window frames or storm windows or anything that would affect the historic value or appearance of the structure.

Page 2

Letter to the City of Beloit re: COA for 834 Bluff

Therefore, I ask that this approval simply be done at "staff" level and NOT have to be put on the agenda for a January meeting of the Landmarks Commission. We are ready to install the windows and are anxious to save on the heating costs. Also, we should not be penalized in having to pay an extra \$25 because we "started" the installation and we should not have to pay the \$50 for going to the Landmarks Commission meeting. The inspector gave us permission to finish the one window upstairs that we had started. Even on that, we are NOT finishing it until we hear from you.

Thank you for your prompt attention to this matter.

Sincerely,

David J. Fogderud, Founding Pastor

The Overflowing Cup Total Life Center

WHAT THE WORLD NEEDS IS JESUS!

Figure 2: Letter Submitted By Applicant

834 BLUFF STREET



Figure 3: Photographs Submitted By Applicant

834 BLUFF COST ESTEMATE

6 ENERGY EFFICIENT WINDOW INSERTS

1,186.34

QTY	DESCRIPTION	SKU	QTY	UNIT	EXTENDED
ORD		NUMBER	SHIPPED	PRICE	PRICE
D-	Double Hung \ Custom9DH2874	4000310		\$216.92	\$216.92

Rough Opening Width = 28" Rough Opening Height = 73 3/4"

Product Category:Windows \ Exterior Finish=Vinyl

Product Line-Vinyl Double Hung Windows \ Frame Type=Pocket Unit

Net Frame Width=2/ 1/2" \ Net Frame Height=73 1/4" \ Jamb Depth=3 1/4"

Exterior Frame Color-White \ Interior Frame Color-White

Energy Package=Other Glass Options

Glass Selection Option=Standard (Same in all panels) \ Tempered Glass=No

Full or Half Screen-Half Screen \ Frame Accessories=Sill Adaptor \ Lock Type=Cam Lock Number of Locks=Single Lock \ Egress=Does Not Meet Egress

QTY ORD	DESCRIPTION	SKU NUMBER	QTY SHIPPED	UNIT PRICE	EXTENDED PRICE
(IJ	Double Hung \ Custom9DH3946	4000310		\$196.72	\$196.72
У	Double Hung				

Rough Opening Width = 39" Rough Opening Height = 45 1/2"

Product Category-Windows \ Exterior Finish=Vinyl

Product Line Viny: Double Hung Windows \ Frame Type=Pocket Unit

Net Frame Width=38 1/2" \ Net Frame Height=45" \ Jamb Depth=3 1/4"

Exterior Frame Color=White \ Interior Frame Color=White

Energy Package-Other Glass Options

Glass Selection Option=Standard (Same in all panels) \ Tempered Glass=No

Full or Half Screen-Half Screen \ Frame Accessories=Sill Adaptor \ Lock Type=Cam Lock Number of Locks-Double Locks \ Egress=Does Not Meet Egress

ORD	DESCRIPTION	SKU NUMBER	QTY SHIPPED	UNIT PRICE	EXTENDED PRICE
	Double Hung \ 90H2666 \ Double Hung Rough Opening Width = 26"	4000310		\$168.93	\$337.86
-1	Rough Opening Height ~ 66" Product Category Windows \ Exterior Fi	nish≔Vinyl			
	Product Line Vinyl Double Hung Window Net Frame Width 25 1/2" \ Net Frame Ho				
	Exterior Frame Color=White \ Interior Energy Package Other Glass Options	Frame Color	-White		
	Glass Sciention Option-Standard (Same LowE Class No LowE \ Neat Glass No \ (
	Secondary Vent Stop-No \ Screen Option Full or Half Screen-Half Screen \ Fran			tor \ Lock Type=Cam Lock	
	Number of Looks/Single Lock \ Egress=	Does Not Mee	t Egress		

DESCRIPTION	SKU NUMBER	QTY SHIPPED	UNIT PRICE	EXTENDED PRICE
Double Hung \ Custom9DH2873 Double Hung	4000310		\$217.42	\$434.84
Rough Opening Width = 28" Rough Opening Height = 73 1/4"				
Product Category-Windows \ Exterior Product Line-Vipy Double Hung Win	Finish=Vinyl dows \ Frame Ty	pe=Pocket Un	it	
Net Frame Width-27 1/2" \ Net Fram Exterior Frame Color=White \ Inter			th=3 1/4"	
Energy Package Other Glass Options Glass Selection Option Standard (S	ame in all pane	ls) \ Temper	ed Glass=No	
LowE Glass LowE 272 \ Neat Glass N Grille Patterm No Grille(s) \ Seco	o \ Glass Tint= ndary Vent Stop	Clear \ Glas ≃No \ Screen	s Options=Argon Options=Fiberglas	ss Screen
Full on Half Screen=Half Screen \ Number of Locks:Single Lock \ Egre	Frame Accessori ss≃Does Not Mee	es=Sill Adap t Egress	tor \ Lock Type=Ca	am Lock

Figure 4: Description and Estimated Cost of Windows Submitted By Applicant



Figure 5: Photograph of Proposed Vinyl Window Replacement Submitted By Applicant

DOUBLE-HUNG WINDOWS



These windows are best suited to traditional architectural styles.

Double-Hung windows feature an upper and lower sash that slide vertically past each other in a single frame. Both sashes tilt in for convenient cleaning.



*Actual colors may vary from the samples displayed.

RELIABILITY for real life'





CITY HALL • 100 STATE STREET • BELOIT, WI 53511

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www.ci.beloit.wi.us

Equal Opportunity Employer

December 28, 2011

The Overflowing Cup Total Life Center, Inc. David J. Fogderud, Registered Agent 306 State Street P.O. Box 1075 Beloit, Wisconsin 53512-1075

Re: Certificate of Appropriateness Application Comments & Questions, 834 Bluff Street

Dear Mr. Fogderud:

I am in the process of reviewing your Certificate of Appropriateness Application for the subject property and need more details regarding the proposed window replacement project. A detailed description of the project and specific project items are missing from the application, which is required in order for the application to be considered complete. Please respond to the following questions and statements by Wednesday, January 4, 2012:

- 1. Describe the existing window (that is, the material of the frame or insert, whether they are single or double hung, the color, type of pane glass, and any other relevant detail).
- 2. What are the issues and or concern with the existing windows?
- 3. Was repairing the existing windows considered as oppose to replacing them?
- 4. When you considered replacing the existing windows did you look for new windows that would match the existing windows?
- 5. Describe the proposed replacement window (that is, the material of the frame or insert, single or double hung, the color, type of pane glass, etc.)
- Describe the proposed actions that will be taken to replace the existing windows (for example, a proposed work schedule for starting and completing the project, and any other relevant details).
- 7. Will the window replacement change the look of the house, or impact the architecture of the house in anyway?

Please revise your application accordingly by submitting a response in writing (hard copy or email). If you have any questions, please contact me at (608) 364-6708.

Sincerely,

Michael D. Lofton II Assistant Planner

Michael D. Lotter #

c: David J. Fogderud (Via Email) File, Property

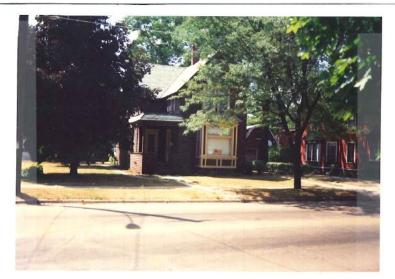
City, Village or Town:	ھئے را ماسج ارباد	Surveyor:	79		Date:	- 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1 - 1
Beloit Rock		Richard P.	-		July,	1981
Street Address:		Legal Descripti	on:		Acreage	
834-834½ Bluff				1		
Current Name & Use:		Current Owner:				
Residence					,	
RO-100		Current Owner's	Address:			
						•
Negative No.		Special Feature	s Not Visib	e In Phot	ographs:	رمه
Facade Orient					27	
-+1010A						
E			Interior vis	ited? (Yes (O No
Original Name & Use:	Source	Previous Owners	Dates	Uses	4	Source
- Date of C						
Dates of Construction /Alteration	Source	-				
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10 100 100 100 100

834 Bluff St.

South-



east



North-



July, 1991

CITY of BELOIT

Neighborhood Planning Division

100 State Street, Beloit, WI 53511 Phone: (608) 364-6700 Fax: (608) 364-6609

CERTIFICATE OF APPROPRIATENESS CHECKLIST

For property located at: 834 Bluff Street

GENERAL REVIEW CRITERIA	YES	NO	N/A
Has every reasonable effort been made to provide a compatible use			
for a property that requires alteration for use other than for its			X
originally intended purpose?			
Will the applicant retain distinguishing original qualities or character			
of a building, structure or site? The removal or alteration of any	X		
historic material or distinctive architectural features should be			
avoided when possible.			
Is the applicant proposing alterations that have a historical basis,	X		
rather than trying to create an earlier or later appearance?			
Has the applicant recognized and respected changes in the			
development of a building over time that may have acquired			X
significance in their own right?			
Has the applicant treated with sensitivity distinctive stylistic			
features, or examples of skilled craftsmanship that characterize a	X		
building, structure or site?			
Has the applicant repaired, rather than replaced, deteriorated			
architectural features, wherever possible? If replacement is			X
necessary, the new material should match the material being			
replaced in composition, design color, texture and other visual			
qualities.			
Has the applicant avoided sandblasting and other cleaning methods			X
that will damage the surface of the historic building?			
Has the applicant made every possible effort to protect and preserve			X
archeological resources affected by or adjacent to any project?			
If a contemporary design for alterations and additions is proposed,			
does this design retain significant historical, architectural or cultural	X		
material and is the design compatible with the size, scale, color,			
material and character of the property and neighborhood?			
Are new additions or alterations to buildings done in such a manner			
that if such additions or alterations were to be removed in the future,	X		
the essential form and integrity of the building would be			
unimpaired?			