

**BOARD OF ARCHITECTURAL REVIEW  
MINUTES**

The Board of Architectural Review held its regularly scheduled meeting on Thursday, September 18, 2014, at 4:00p.m. in Council Chambers, Rouss City Hall, 15 North Cameron Street, Winchester, Virginia.

**POINTS OF ORDER:**

**PRESENT:** Chairman Rockwood, Mr. Bandyke, Mr. Serafin, Ms. Jackson, Mr. Walker, Ms. Elgin

**ABSENT:** None

**STAFF:** Josh Crump, Nasser Rahimzadeh, Carolyn Barrett, Katherine Herrman

**VISITORS:** Jay Hanke

**APPROVAL OF MINUTES:**

Chairman Rockwood called for corrections or additions to the minutes of September 4, 2014. Hearing none, he called for a motion. Mr. Bandyke moved to approve the minutes as submitted. Mr. Serafin seconded the motion. Voice vote was taken and the motion passed 4-0-2 with Ms. Jackson and Mr. Walker abstaining.

**CONSENT AGENDA:**

None.

**NEW BUSINESS:**

**BAR-14-543** Request of Jay and Harriett Hanke for a Certificate of Appropriateness to replace windows at the property located at 500 North Braddock Street.

Mr. Hanke outlined his request to the Board. Mr. Serafin asked if Mr. Hanke had brought a sample of the window. Mr. Hanke replied that he had. Chairman Rockwood noted that some of the windows had already been replaced. Mr. Hanke said that was correct and there had been a stop work order given to the contractor he had hired. Chairman Rockwood noted that the windows being replaced were aluminum clad frames and sills. Mr. Hanke said the outer frame of the window was aluminum. Some of the windows were original to the house and some were not because they had been replaced with a synthetic window. Mr. Serafin asked if the windows that had been replaced and the ones going to be replaced were all wood sashes with an aluminum covering on the sill and the sides of the frame. Mr. Hanke confirmed that the sashes were all wood. Mr. Walker asked whether the replacement window was a wood window with vinyl cladding.

Chairman Rockwood asked what the condition of the wooden sash was before replacement. Mr. Hanke said some of the muntins were rotted out and had been repaired so many times that it was unsightly. Some of the windows being replaced are newer but had not been cared for. He wanted to upgrade to a better window in terms of efficiency. Mr. Hanke pointed out which windows were original, which had been replaced and which were going to be replaced on the illustrations. Mr. Bandyke pointed out that

the replacement windows were all vinyl in construction. He said that when he looked at the house, he noted that it had been clad in aluminum siding. Mr. Hanke said that he believed that when the aluminum siding was put on, the windows were also clad in aluminum.

Mr. Serafin said that he was sympathetic because the work had already been started and it puts everyone in a tough position but it also sets precedence in two very hard ways in the Historic District. First, starting work without an approval then asking for forgiveness. That could get the Board in hot water as far as what if everybody did that. Second, the idea of replacing wood windows with vinyl windows, there would be people at nearly every meeting saying "That guy down the street has done this." There would be people pointing at this case for the next 20 years saying "Well, he put in vinyl windows, why can't I?" That was how he viewed the position the Board was in. It does not follow the guidelines for the Historic District. It was not something they would ever approve.

Mr. Bandyke asked Mr. Hanke how long he had owned the house. Mr. Hanke said since 1998. Mr. Bandyke asked if, at that time, the realtor had given him information about the Historic District. He did not know if the district had been changed as Mr. Hanke had stated in his application. Mr. Hanke said the facts he had read online when he was looking into buying the house noted the original addresses of the Historic District and that 500 North Braddock Street was not included in those addresses. It was added some time before 1998 but he was not given that information. Mr. Bandyke asked Mr. Crump about the dates. Mr. Crump said the district had not changed much since it was formed in 1976. There were two other times when people had requested to join the district but the City has not altered it since it was formed. He pointed out the 1976 inventory page that was included in the packet.

Chairman Rockwood said he agreed with Mr. Serafin about the precedent in terms of using non-original materials. One thing that struck him was that Mr. Hanke had said that some of the windows were not original. Others were badly degraded and ordinarily he would say replace the muntins or replicate them with the same materials. The other thing was the house had been extensively altered by aluminum siding. It reminded him of an application from a year ago on South Braddock Street. The house had been extensively resided in non-original materials and the Board was in a position of having to say the wood windows have to be replaced with wood but he could replace the vinyl clad windows with vinyl. It did not advance the Historic District to make the owner go through that and the Board has been wrestling with the use of substitute materials ever since.

Mr. Bandyke made the observation that the house probably had triple-track storm windows throughout at one point. It would actually look better with newer windows if the triple-track windows were removed. It would be in keeping with the style of the house, unfortunately, it is in the Historic District. The house itself, in this case, lends itself to that particular style of windows because it has been wrapped in aluminum siding over the years. It is hard for the Board to give permission for something like that without some caveat and he did not know what that would be. If the aluminum storm windows were removed and the windows were in bad shape and vinyl windows were put in, it would be a step in the right direction. It gets rid of the aluminum windows which are unsightly but puts in an inappropriate window material that looks better.

Mr. Walker quoted from the Significance Statement in the September 2011 Architectural Survey, "Although the vernacular dwelling has been clad in vinyl siding, it retains the original wood-sash windows..." He noted that it is a significant portion of the building. The wood windows are a significant portion of the elevation and it is hard for him to say it is okay to replace them with substitute materials. It is an important part of the historic significance of the house.

Chairman Rockwood said if they approved the windows, they would be announcing that they would not approve something unless an applicant came to them in advance but if the applicant went ahead and did the job, the Board would look the other way. He was not comfortable with that.

Mr. Bandyke said Mr. Hanke could have used double-glazed wood windows that were pre-painted, even if painted with a vinyl-like material, the whole issue could have been avoided. If the house was out of the Historic District, it would not be a problem but it is inside the District. If the Board says yes to him, someone would use that as fodder for their argument that it was done by someone else. What was done before the Historic District and the rules that govern it were established is another issue. They do not have any say so over that but anything after that has to be approved.

Chairman Rockwood said if Mr. Hanke had come to them and said he was going take off the aluminum siding and return the house to its original historic look and take off all the additional stuff, repair the siding etc., in that context the windows would be appropriate. What he keeps wrestling with is that is not what he is doing, the house is completely wrapped in aluminum siding. He is not proposing to repair the windows.

Mr. Hanke said his reticence in bringing the project to the Board was because of the aluminum siding. The house is already not a period house and does not have a historic look to it anymore since it was wrapped in aluminum siding.

Mr. Bandyke asked Mr. Hanke if he knew the house was in the Historic District and he replied yes. Mr. Bandyke asked if the contractor or anyone else knew the house was in the Historic District. Mr. Hanke said he talked to staff before he started and they indicated they could not predict how the Board would rule. He went ahead with the project because of timing issues. He also stated there is another house very close to his with new windows that still have the stickers on them. Mr. Bandyke said the Board did not give their permission for that.

Mr. Serafin made a motion to deny the Certificate of Appropriateness for **BAR-14-543** with the following comments:

- The vinyl windows are inappropriate replacement windows in the Historic District.

Mr. Walker seconded the motion. Voice vote was taken and the motion passed 6-0.

#### **OLD BUSINESS:**

None.

#### **DISCUSSION:**

Mr. Crump said he had not heard back from Ms. VanDiest about putting the substitute materials presentation on the October 7, 2014 agenda. He said she had indicated that it could be done and he would let the Board know when it was definite. The meeting would be at 6:00pm in Council chambers.

#### **ADJOURN:**

With no further business before the Board, the meeting was adjourned at 4:23pm.