



*Catherine E. Pugh*  
Mayor

**COMMISSION FOR  
HISTORICAL & ARCHITECTURAL  
PRESERVATION**

*Tom Liebel, Chairman*

**STAFF REPORT**



*Thomas J. Stosur*  
Director

**June 12, 2018**

**REQUEST:** Economic Hardship to allow for installation of vinyl windows

**ADDRESS:** 1419 Eutaw Place (Bolton Hill Historic District)

**RECOMMENDATION:** Table decision until applicant presents two additional estimates that meet specified conditions.

**STAFF:** Lauren Schiszik

**PETITIONER(S):** Johnathon Brett

**SUMMARY:** The applicant is requesting approval of vinyl windows on the basis of economic hardship.

**SITE/HISTORIC DISTRICT**

**Bolton Hill Historic District:** Bolton Hill retains a strong Victorian-era, traditional rowhouse character with relatively intact blocks of structures from the middle- to- late- 19th century. This residential community encompasses approximately 170 acres in the central northwest section of the city. The rowhouse building type predominates in Bolton Hill, but it is treated in a variety of ways. Later treatments include use of stone for the façade, carved stone or more elaborate brickwork around openings, and small ornamental iron balconies at the first floors. The 1960s development of Bolton Square adapts the characteristic rowhouse form to a modernist ideal.

**Site Conditions/Architectural Description:** This brick duplex rowhouse was constructed in the late 19<sup>th</sup> century. It is set back from Eutaw Place with a deep yard that is largely uncommon in Bolton Hill. The rear of the house fronts on Jordan Street. The house was originally Italianate in design, based on some surviving original features. The house was “colonialized” likely sometime in the early 20th century, along with its neighbors at 1415, 1417, and 1421 Eutaw Place. On the façade, this resulted in the construction of bay windows on the second and third floor, installation of multi-light wood windows, and installation of porch details with classical components. Conversely, the rear retains some features that are Italianate in design, including the ornate porch spindles, a 2/2 window, and 1/1 windows with dropped ogee details at the meeting rail (*Image 5, 6, 7*). However, there are also replacement 6/6 windows – some historic, some recent – that are iterative of the colonialization on the façade (*Image 8*). As a whole, the house exhibits alterations over time during the period of significance that have gained significance in their own right.

## BACKGROUND

- Staff has reviewed and approved various projects at this property over the years, such as installing storm windows and awnings, and painting features. However, a great deal of work has been completed without CHAP approval, such as removal of a small rear addition, and replacement windows in the rear: 6/6 wood windows in approximately the 1980s, and undersized vinyl windows with grills between the glass likely sometime in the 1990s or 2000s--all prior to the current ownership.
- The applicant is undertaking a significant scope of work on his home, interior and exterior. CHAP staff only has purview over the exterior scope of work, and has approved the majority of the proposed exterior work.
- The applicant has provided financial information about the majority of the scopes of work, both interior and exterior, as a demonstration of economic hardship for the 26 replacement vinyl windows on the rear and side elevation of the house.

## PROPOSAL & APPLICATION OF GUIDELINES

The applicant is requesting that the Commission approve 26 insert frame 1/1 vinyl Insulator 8710i windows manufactured by WeatherMaster on the rear and side elevations of the house. The applicant entered into a contract for these windows in February 2018, and has partially paid for them. (Attachment 24) Insert frame windows are installed within the existing historic frame, which is typically wrapped with aluminum or vinyl. These 26 windows may be replaced because the majority of them are a demonstrated lead-based paint hazard and the remaining windows are inappropriate replacement windows that were installed without CHAP approval or building permits.

**Conformity to Guidelines:** The relevant guidelines for this project are Chapter 1: Design Guidelines for Building Exteriors.

- Guideline 1.5 Alternative Materials
  - The guideline states that a visually and physically compatible alternative product may be used, provided that it “Replicate elements in size, form, shape, texture, and appearance of the historic feature.”
    - Staff finds that the proposed window product does not replicate the historic wood windows in form, shape, texture, or appearance. See below guideline for further detail.
- Guideline 1.7 Windows
  - The guideline states “Do not cover historic window frames, sills or trim with metal or vinyl siding materials”
    - The proposal is to wrap the 26 window frames on the rear and side elevations with white vinyl. Up to ten replacement wood window sills will also be wrapped with white vinyl.
  - The guideline states that “Replacement windows shall match the historic windows in size, type, configuration, form, detail, and overall appearance”
    - Staff finds that the proposed window product does not replicate the historic wood windows in texture, detail or appearance. The proposed pocket frame vinyl windows do not adequately replicate the finish,

exterior profiles, or overall finish of the existing historic windows. Because this product requires the installation of a whole new frame within the existing historic window frame, the new pocket window frame is very thick and the dimensions of the window rails are incredibly thin to compensate. Thus, the proportions are very different even though the daylight opening dimensions are close. Additionally, the details of the proposed vinyl product (sheen, visible seams in the plastic, angled projecting frame profile) do not properly replicate the details of the historic windows.

- The guidelines further state that “Replicating the material of historic windows is always appropriate. Replacement windows in an alternative material may be considered if it adequately replicates the overall size, glazing, operation, finish, exterior profiles, and arrangement of the historic window.”
  - Staff finds that the proposed window product does not adequately replicate the overall finish or exterior profiles. See above comment.
  
- “CHAP may apply these standards strictly or leniently based on site conditions.”
  - CHAP can be more lenient in the application of guidelines for the rears of properties. In this case, the rear of the property is adjacent to the public right of way of Jordan Street, with houses facing the rear of the property. There are a number of windows on the side and rear of Mr. Brett’s property, many of which are not highly visible from the street.
  - Currently, there is a variety of window glazing types dating to different historic periods (1/1, 2/2, 6/6). Staff finds that it is appropriate to allow replacement with 1/1 windows on the rear, as there is an historic precedent for this window type on the rear, and because 1/1 windows are far more affordable than windows with simulated divided lights.

## **NEIGHBORHOOD COMMENTS**

The Architectural Review Committee considered the proposal (without taking into consideration the economic hardship submission) at their meeting on 5/16/2018, and provided meeting minutes with recommendations. Overall, they found that the proposed vinyl windows were inappropriate, and directed the applicant to explore alternatives. The ARC found that the ten most highly visible windows on the rear should be replaced with a wood or aluminum-clad wood window that meets CHAP guidelines, and the remainder of the rear and side windows could be an alternative material, but should match the typical details and framing of windows from the period. The ARC has offered to assist Mr. Brett in finding more appropriate replacement windows.

## **ANALYSIS**

### **Application of Guidelines**

CHAP staff finds that the proposed vinyl window product, capping of wood sills, and capping of the original wood window framing does not comply with CHAP guidelines. If amenable to the Commission, staff suggests that only the ten windows that are highly visible from Jordan Street (as illustrated in *Image 8*) should be replaced with windows that fully meet CHAP guidelines. Staff further recommends that the remaining windows located on the side and rear

elevation can be replaced with an alternative product that doesn't fully meet the guidelines, such as a vinyl 1/1 window, but one that has details and overall appearance that better replicates the existing windows, and does not utilize a vinyl or aluminum wrap on the historic window frame.

### **Economic Hardship**

The Commission's Rules and Regulations state that "An applicant may request additional consideration when the denial of an Application for Authorization to Proceed will result in a substantial economic hardship." As staff finds that the proposed vinyl insert frame 1/1 windows produced by WeatherMaster do not comply with the guidelines, the applicant is seeking a finding of substantial economic hardship from the Commission.

The economic hardship application requires the submission of personal financial information, which has been provided to the Commission. In addition to these items, the applicant has submitted the costs of the rehabilitation of his home, including the conversion of the basement into an income-producing apartment. Staff has provided a separate sheet to the Commission detailing the various project costs, and this information is available in more detail in the applicant's submission.

CHAP staff advised the applicant about state and local historic tax credits for which the full scope of work may be eligible; however, the applicant decided not to pursue them.

The economic hardship application also requires the submission of the "cost of the proposed work that was denied and an estimate of any additional costs that would be incurred to comply with recommendations of the commission for changes necessary for the issuance of an Authorization to Proceed":

- The applicant has submitted a February 2018 contract for the proposed WeatherMaster vinyl windows, for approximately \$14,000 (Attachments 24 and 26), of which approximately \$4,000 is the cost of the 26 windows (Attachment 13).
- Based on the submission of the applicant, the labor cost of window removal and installation is \$10,000.
- The applicant also submitted an estimate of \$60,000 for 26 LePage sash-pack replacement wood windows with 6/6 simulated divided lights. LePage is one of the highest quality brands of wood windows on the market. The applicant is using wood LePage windows for the façade of his property and for three casement windows on the side elevation not visible from Robert Street.

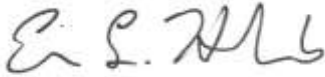
Staff finds that the LePage estimate, as a single alternative estimate, is insufficient to demonstrate substantial economic hardship by the applicant. Staff has advised the applicant multiple times to explore alternative products such as aluminum-clad wood, wood-vinyl composite windows, to which the applicant has responded that these are too expensive. Based on staff's experience reviewing and approving window products, staff believes that there are a variety of replacement window products made of wood or alternative materials that could meet CHAP guidelines and not result in significant economic hardship to the applicant. The ARC has also offered to assist the applicant in finding affordable windows that meet CHAP

guidelines. Given the submission provided by the applicant, staff finds that there is insufficient information to fully vet this economic hardship request.

Additionally, staff finds that if the Commission determines that only the ten rear windows most visible from Jordan Street must fully meet CHAP guidelines, then the applicant can replace the three wood casement windows on the side elevation with a less costly product, thus further easing the overall cost of the rear replacement windows.

**Staff recommends that the Commission table their decision until the applicant returns to the Commission with two estimates for the following scope:**

- **Replacement of the ten windows on Jordan Street with 1/1 windows that fully meet CHAP guidelines.**
- **Replacement of the remaining windows on the side and rear elevations (including the dining room casement windows) with 1/1 replacement windows that more closely meet the typical framing and detail of the historic windows and which do not require vinyl or aluminum wrapping.**

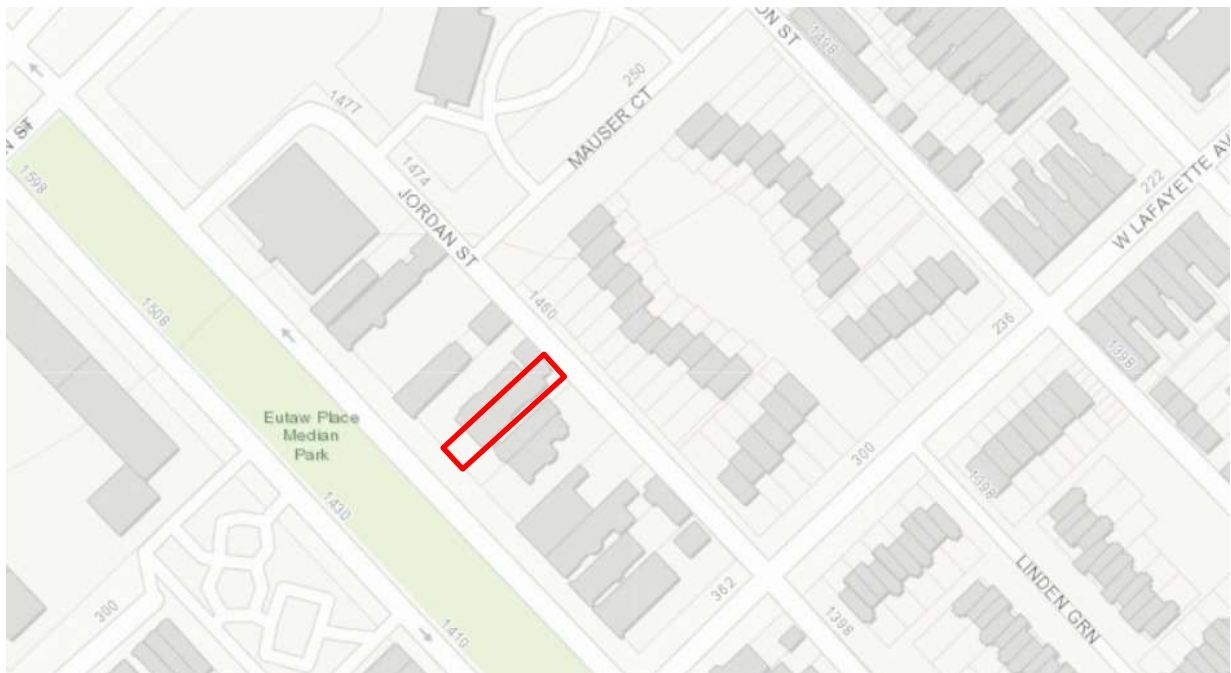


**Eric Holcomb**  
**Director**

## MAP AND IMAGES



Map 1– Location of site.



Map 2– View of site.





*Image 1: Aerial view of the property from the west.*



*Image 2: Aerial view of the property from the south.*



*Image 3: Aerial view of the property from the north.*



*Image 4: Aerial view of the property from the east.*





*Image 5:* Polaroid of rear elevation, undated. Note the 2/2 windows on the rear elevation, as well as the wooden wall and small rear addition. (All of which were removed without CHAP review at some point in the last 50 years)



*Image 6:* Photograph of rear windows from 1980, demonstrating a mix of wood windows from several eras, including a 2/2 and 1/1 window, indicative of the late 19<sup>th</sup> and early 20<sup>th</sup> centuries. The 6/6 windows are likely early 20<sup>th</sup> century replacements. On the far right windows, note the lambs tongue lugs on the meeting rail, indicative of a late 19<sup>th</sup>/early 20<sup>th</sup> century window.



*Image 7:* Rear elevation from Jordan Street.



*Image 8:* Rear elevation from Jordan Street, highlighting the ten windows that are highly visible from this public right-of-way. All of these windows have been replaced sometime in the past 30 years without CHAP approval or building permits.





*Image 9:* Rear elevation from Jordan Street, highlighting the 10 windows that are highly visible from this public right of way.



*Image 10:* The remaining 15 windows located on the rear and side elevation are not highly visible from Jordan Street. This view is from the back gate of the property. The windows at the rear are the same as in Image 6.





*Image 7:* Contextual view of Jordan Street, showing the rear of the property and neighboring 1415 and 1417 Eutaw Place.



*Image 11:* Contextual view of Jordan Street, showing the rear of the property and neighboring 1421 Eutaw Place.



*Image 12:* Bolton Square, a 1960s rowhouse community fronts on Jordan Street, facing the rear of the subject property. This development, designed by nationally renowned architect Hugh Newell Jacobsen contributes to the local historic district and is also designated as a Baltimore City Landmark for its architectural significance.



*Image 12:* Sample of proposed vinyl window product. Note that the windows will not have grills between the glass.



*Image 13:* Detail of proposed product.



*Image 14:* Detail of window frame.



*Image 15:* Detail of window base.