



# City of Aurora

2nd Floor Council  
Chambers  
44 East Downer Place  
Aurora, Illinois 60505  
[www.aurora-il.org](http://www.aurora-il.org)

## Historic Preservation Commission Meeting Minutes

Thursday  
May 13, 2021  
7:00 PM

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**THIS PRESERVATION COMMISSION MEETING WILL BE VIEWABLE VIA  
REMOTE ACCESS ONLINE AT:**

**[www.aurora-il.org](http://www.aurora-il.org) or [www.facebook.org/cityofaurorail](https://www.facebook.org/cityofaurorail)**

**TO JOIN THIS MEETING FOR PURPOSES OF PUBLIC COMMENT VIA TELEPHONE:**

**PHONE NUMBER: +1 312 626 6799**

**MEETING ID: 899 8749 1898**

**THOSE WISHING TO PROVIDE PUBLIC COMMENT MUST PRE-REGISTER WITH THE ZONING AND PLANNING DIVISION NO LATER THAN 3:00 P.M. ON May 13, 2021 – VIA EMAIL: [COAPLANNING@AURORA.IL.US](mailto:COAPLANNING@AURORA.IL.US) OR VOICE MAIL (630) 256-3080. SPEAKERS MUST PROVIDE THEIR NAME, TELEPHONE NUMBER FROM WHICH THE MEETING WILL BE ACCESSED, AND TOPIC OF THEIR COMMENT. THE PUBLIC IS ADVISED THAT ALL TELEPHONE NUMBERS AND PARTICIPANT NAMES MAY BE VISIBLE TO THE PUBLIC.**

### **CALL TO ORDER**

*Chairman Miller called the meeting to order at 7:00 p.m. and stated the following:*

*On June 26, 2020, the Governor of Illinois issued a statewide disaster declaration related to public health concerns. As head of this body, I have determined that an in-person meeting or a meeting otherwise conducted in accordance with the Open Meetings Act is neither practical nor prudent because of the disaster. This meeting will be conducted by Internet teleconference without the physical presence of a quorum. Prior to the commencement of this meeting, all members of this body were verified and can see and hear one another.*

*I further find that the physical presence of members of the public is not feasible at this meeting due to the disaster, and more specifically, the practical difficulties associated with accommodating the public in an accessible hygienic location that allows for appropriate social distancing. Alternative arrangements have been made to allow the public to contemporaneously hear all discussion and roll call votes live on the City's official website, on Facebook, and via Zoom teleconference. Notice of these arrangements have been given in accordance with the Open Meetings Act. The public may address this body consistent with the rules previously adopted and recorded and as adapted by Mayoral order.*

*Jill Morgan, Planner, is physically present at our regular meeting location as those terms are defined by Resolution R20-124.*

*All votes shall be conducted by roll call and a verbatim record of this meeting shall be made and maintained in accordance with the Open Meetings Act.*

### **ROLL CALL**

*The following Preservation Commission members were present: Fernando Castrejon, Seth Hoffman, Kristin Ludwig, Dan Miller, Simon Munoz and Mike Walker. Amber Foster and Al Signorelli called and excused themselves from the meeting. Justyn Arnold and Jen Del Debbio were absent. Matt Hanson joined the meeting at 7:39 p.m.*

### **OTHERS PRESENT**

*The following staff members were present: Mrs. Morgan and Sue Jackson.*

*Others Present:*

*Miguel Castillo (439 Pennsylvania Avenue) and Michael DuVall (729 W. Downer Place).*

### **APPROVAL OF MINUTES**

**21-0371**

Approval of the Minutes of the Historic Preservation Commission meeting on April 8, 2021.

**A motion was made by Mr. Castrejon, seconded by Mr. Walker, that the minutes be approved and filed. The motion carried.**

### **COA REPORT**

**21-0370**

April 2021 Historic Certificate of Appropriateness Report

*Chairman Miller said Jill, would you happen to remember if 14 S. May Street with the garage doors, is that the same property where we approved a grant for them concerning the front porch?*

*Mrs. Morgan said yes. The doors were actually in his application as well.*

*Chairman Miller said I think we didn't fund the garage doors, but we funded the porch. It looks like he is going ahead with that. I have high hopes for that property. I think it will look great.*

*There were no other questions on the COA report.*

**This COA Report was discussed and filed.**

### **PUBLIC COMMENT**

*None.*

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## AGENDA

**21-0367**

Certificate of Appropriateness to retain a 4-foot open, wood fence in the front yard at 209 Blackhawk Street (Gerardo Lara Flores - 21-0367 - AU21/2-21.144-COA/HP - JM - Ward 6)

*Mrs. Morgan said let me do a screen share. This at 209 Blackhawk Street. The property is in the Tanner Historic District. The home was built circa 1921. In general, the applicant wants to retain the 4 foot open fence in the front yard that was installed without a permit. Here is the current fence. Here is the fence prior. The owner installed a 4 foot solid fence at first, which didn't adhere to the Zoning Ordinance or the historic district ordinance. The owner was cited for both. So the owner removed half of the pickets to adhere to the Zoning Ordinance, which gets you to this picture. That still doesn't adhere to the 3½ foot open fence in the front yard for the historic district. The owner is requesting the appeal because of the problems with the dog, which you can see pokes through the fence, but he said any shorter he would be able to jump over the fence. Staff did wonder if they could move the fence. I mentioned moving the fence back to just being flush with the edge of the front of the house and then they could keep even the 4 foot solid fence.*

*Chairman Miller said this is a block away from my house. We actually have the same house number, 209. The shape of this property is unusual and the lot is very tiny. I'm a little torn. I'm not willing to create lots of precedence for everybody to put up every fence they want, but on the other hand, this lot is very small. It does not have any yard on the other side. It is just an alley, so really most of their yard is on this side of the house where the fence is coming up to the sidewalk. Again, like with Mr. Shelton with the very large lot that would seem to be inviting to trespassers, they are actually asking for an extra foot. It would just help them enjoy their yard more. I did see the dog. I agree that that dog would probably jump over a 3 foot fence. It looked very athletic. I think that Jill was correct in recommending we deny the COA and it doesn't meet the guidelines. I'm trying not to create all sorts of wild precedence. This lot is shaped very unusual. It is very small. Moving it back just a few feet takes away, even if it is only a little bit of land, it takes away probably a fairly larger percentage of their yard and just on the basis on allowing the children and the dog to play together in the yard and maybe that they can enjoy that better.*

*Mrs. Morgan said I'm sorry, he is requesting to keep it closed too.*

*Chairman Miller said on the closed, that would have to be a no.*

*Mrs. Morgan said and that doesn't adhere to the city's Zoning Ordinance either.*

*Chairman Miller said the closed part.*

*Mrs. Morgan said the closed part, correct.*

*Chairman Miller said if that isn't germane with zoning, we can't really approve that then, can we?*

*Mrs. Morgan said we cannot. You can approve it for Preservation, but it would need a variance. I think it would need a variance by Planning Commission.*

*Chairman Miller said I wouldn't recommend that. I wouldn't want a closed fence right*

*on the sidewalk.*

*Mrs. Morgan said I would say his neighbor has a closed fence next door. That did get an approved permit. I think it was not viewed as a front yard. I'm going off the picture of it.*

*Chairman Miller said yes, the neighboring property also has an old 4 foot metal fence that is probably grandfathered. There is a small section that has a wood fence. I'm not sure exactly when that got there.*

*Mrs. Morgan said that is recent.*

*Chairman Miller said okay. The section actually on the sidewalk is open.*

*Mrs. Morgan said right. I stand corrected. It is not quite 50% open, but it probably was considered maybe an open fence.*

*Chairman Miller said so then this property at 209 Blackhawk has a fence that looks very similar to this one, kind of continued.*

*Mr. Hoffman said that was my impression walking by too, is this didn't stand out. I looked at it just the other day, so he had already removed half of the boards. It didn't stand out. The one that we talked about on Pennsylvania, that stood out as a big wall.*

*Chairman Miller said it does. Putting a wall up, I think, has a pretty major impact on the streetscape and the community feel that you get.*

*Mr. Hoffman said I didn't measure this. If there was a 42 and a 48 inch side by side, you'd see the difference, but if one was on one side of the street and this was on the other side of the street, I don't think I'd notice.*

*Chairman Miller said I might not. In fact, the house directly across the street does have a fence. I'm not sure it is strictly compliant either. It might be grandfathered.*

*Mr. Hoffman said the one with the curved panels?*

*Chairman Miller said yes, directly across the street it is more decorative.*

*Mr. Hoffman said it's got like little scallops on it.*

*Chairman Miller said okay, the one on the corner has scallops, but directly across doesn't have scallops, but it is more ornamental. It is wood. I didn't take a tape measure and measure it. I'm not sure it is strictly compliant. They've got that nicely painted.*

*Mr. Munoz said the only thing with this fence is I think it's got about 5 inches and I think the minimum is supposed to be 4.*

*Chairman Miller said the width of the boards?*

*Mrs. Ludwig said the gap between the boards?*

*Mr. Munoz said the gap, yes.*

*Mrs. Ludwig said they look wide. They are excessively wide.*

*Mrs. Morgan said they are because he just removed...*

*Mr. Castrejon said he removed every other one.*

*Mr. Munoz said I was there and it looks like about 5¼ distance, the gap, and it is enough for the dog to really, as you can see in one, he's got his head out.*

*Chairman Miller said were you thinking then that we should require him to replace the panels Simon?*

*Mr. Munoz said well he can close them more. He can leave it like that, but it's got to be more closed because the gap is way too open.*

*Chairman Miller said you mean for the dog?*

*Mr. Munoz said yes.*

*Mrs. Ludwig said even as a design feature, I mean it looks...*

*Mr. Munoz said it just doesn't look right.*

*Mrs. Ludwig said it doesn't look right. To me, that's an aesthetic detractor from when you go by and you go why does that look like that? It is just not in keeping with the way.*

*Mrs. Morgan said I don't know if he can remove them. The other gentleman screwed his in. I don't know if can remove them easily and reset them. I don't know.*

*Mr. Hoffman said our guidelines say should be no wider. It is not a shall.*

*Chairman Miller said thanks for taking us back to the guidelines Seth.*

*Mr. Hoffman said although maybe there is should language in here that actually is the enforced guidelines. My mind is in reading construction certifications for this week about should and shall and there's distinction there. Maybe in this case it is written should.*

*Chairman Miller said it says pickets or spindles should be no wider than 4 inches. I think these probably are wider than 4 inches.*

*Mr. Hoffman said they are probably 5½.*

*Mr. Munoz said that's about right. It is about 5½.*

*Mrs. Morgan said I have to say I do not usually ask people specifically their dimensions on the pickets. I am a little flexible on that.*

*Mr. Hoffman said I think one similar to this that went through the process and was compliant was approved over on Oak Street. It actually looks pretty similar to this. It is a little more decorative. I know some of us weren't big fans of it, but it was compliant.*

Chairman Miller said I wouldn't say I'm a huge fan of this fence either. I was just kind of willing to let them keep it and just try to give it justification. We're not creating wild precedent, or maybe wild precedent for anyone else with this unique shape of your lot, which there are not many. This is a tiny lot and most of the available land for the dog and children to play is on this one side of the house. They don't have much of a back yard. There is no yard on the other side.

Mr. Hoffman said considering the circumstances, I think this is probably the best. I think the deviation from our guidelines is small and can be justified given the specific circumstances.

Mrs. Ludwig said it's not the hill I want to die on. I'll save it for something I really want.

Chairman Miller said in a way I don't like having people create facts on the ground, but we're talking about the foot of fence, which to me is different than vinyl windows and vinyl siding.

Mr. Hoffman said well it is really 6 inches. Jill, you said his first preference was to keep it closed. Would he put the boards back on if we were especially deviant?

Chairman Miller said I'm not willing to recommend allowing a closed fence right at the sidewalk and it sounds like that would have to go to Zoning anyway. If Zoning cared about our opinion, I would not recommend that they allow a closed fence.

Mr. Hoffman said is zoning for an open fence at 4 feet?

Mrs. Morgan said 3 feet solid and 4 feet open.

Mr. Hoffman said so this is minimally compliant with just the general city zoning?

Mrs. Morgan said yes.

Mr. Hoffman said I'm comfortable with it open as it is.

Mr. Castrejon said well it still doesn't solve his dog issue.

Mr. Munoz said that's right.

Mr. Castrejon said so what if we request that he adjust the spacing?

Mrs. Morgan said we can ask.

Chairman Miller said have him put them closer?

Mr. Castrejon said yes.

Mr. Munoz said yes.

Mr. Hoffman said but it is going to be less than 50% open then.

Chairman Miller said I don't really want to violate the 50% open.

Mr. Castrejon said no, no, no. Closer so there is less of a gap.

*Mr. Hoffman said you need to cut them down then. You need to cut them narrower. If you move these closer, the total projected area is going to be less than 50%. It is going to be more than 50% solid, which it does appear his neighbor's fence is.*

*Chairman Miller said I don't want it to go over 50% solid.*

*Mr. Hoffman said and this was installed without a, was this initially installed without a permit?*

*Mrs. Morgan said yes.*

*Mr. Hoffman said I think that's worth being aware of as well.*

*Chairman Miller said being aware of leading to denial or have him come back, tell him he has to come and talk to us next month?*

*Mr. Hoffman said I don't think that's a good case for being especially liement.*

*Chairman Miller said you are correct.*

*Mrs. Morgan said any other thoughts?*

*Chairman Miller said anyway it was good discussion. If we are not ready to decide this one tonight, we can ask the homeowner to come next time.*

*Mrs. Morgan said we can just table it and I can tell the homeowner. I feel the Commission is leaning toward possibly allowing the open. The solid would have to go to Zoning as well.*

*Mr. Hoffman said if he's willing to accept the current condition and we want to make a motion on that and take it from there.*

*Mrs. Ludwig said I'm just a little confused. I wish he was here to talk about this because I'm a little confused about how he put the fence to contain the dog. You put up a fence and then we say no, it can't be closed. You pull off every other panel and now the dog can clearly fit through that thing.*

*Mr. Hoffman said I don't think the dog can get through. When I went by and looked at, the dog was there barking and he was poking his muzzle through it.*

*Mrs. Ludwig said not a mean dog too we hope.*

*Mr. Hoffman said he didn't bite me.*

*Chairman Miller said he kept his eye on me, but he was not threatening.*

*Mrs. Ludwig said I just hope like we don't make a decision and we walk away and he puts the rest of the boards back up.*

*Mrs. Morgan said we can recite him.*

*Mrs. Ludwig said well if the dog doesn't fit through and it is not a safety concern for him, then I guess it is no different than people who have dogs and no fence at all then.*

*Mr. Hanson said the danger here is making a decision on based that dog and his or her demeanor on a certain day or certain day of the week or a certain month or 2 years down the line when the dog is less friendly. I'm not a fan of some of the fencing guidelines that are there, but tonight to make a choice based on that dog and what the owner wants to do, you are setting a weird precedent based on that property and that one dog.*

*Mrs. Ludwig said and you are not required to put up a fence just because you have a dog. I think it is more just about what are the guidelines and what is it doing to the rest of the neighborhood having them do what they are doing, I guess, is the thing.*

*Chairman Miller said I would be willing to allow it based on the very unusual circumstances of this lot regardless of the dog.*

*Mr. Hoffman said I think the arrangement of the lot, that's a good enough case. Our guidelines are not based on accommodations for pets. I'll make a motion to accept it as it currently is with 50% open and 48 inches tall.*

*MOTION OF APPROVAL WAS MADE BY: Seth Hoffman*

*MOTION SECONDED BY: Kristin Ludwig*

*AYES: Fernando Castrejon, Matt Hanson, Seth Hoffman, Kristin Ludwig, Dan Miller, Simon Munoz, Mike Walker*

*NAYS: None*

**A motion was made by Mr. Hoffman, seconded by Mr. Ludwig, that this agenda item be approved. The motion carried.**

**21-0368**

Certificate of Appropriateness to retain a 6-foot solid fence in the front yard at 439 Pennsylvania Avenue (Miguel Castillo - 21-0368 - AU21/2-21.145-COA/HP - JM - Ward 6)

*Mrs. Morgan said this is located in the Tanner Historic District. It was built in 1902 in the National Front Gable style. The owner is requesting to retain the 6 foot dog eared fence that was installed contrary to the approved HCOA and fence permit. Let me show you the original plat so you can see the layout. Here is what was originally proposed. It was going to be a 4 foot fence kind in the area of the existing fence. The owner wanted to replace the fence and install the 6 foot dog eared fence in the side yard, which is contrary to the Preservation guidelines only allowing a 5 foot solid and then above that you have to the 1 foot lattice. The owner is requesting to retain the 6 foot fence due to the privacy issues with the pool.*

*Chairman Miller said so the whole fence going down the side then is contrary to the guidelines?*

*Mrs. Morgan said yes, on the side of the house. You can have a 6 foot dog eared in just the rear, but when it is on the side of the house, it has to be 5 foot maximum with 1 foot of lattice if you want to go up to the 6 foot according to our corrections of the Preservation guidelines.*

*Chairman Miller said okay. Then there is a fence that's parallel to the street that's solid. Is that 6 foot also? It is like facing the street.*

*Mrs. Morgan said yes, that's the same requirement. If it is perpendicular to the street, that would also be the 5 foot maximum and 6 foot with lattice. Any questions for staff on this one? If not, Mr. Castillo, do you have anything to add?*

*Mr. Castillo said hello everyone. The reason I put a 6 foot fence is like Jill said, it is privacy. What do I mean by privacy, right? Next to me to my left, it is a rental house and as you can tell from the pictures, that house is a mess. No one takes care of that property. I was friends with one of the tenants there and she left because the water heater wasn't fixed. Due to COVID, the City of Aurora is not going inside the houses to inspect, so she decided to leave. As soon as she left, I noticed the new neighbors. It is a group of guys, a bunch of people. They like to hang out in the driveway. I don't know how many families live there, but I know they hang out in their cars to drink there, play loud music. My kids have been begging me to put in a pool. I can't put it in the back because there's a bunch of trees. There is a lot of shade, so they are going to be cold. That piece of property is completely unused until now. That's why I want a 6 foot fence because I have a revolving door of mystery neighbors that I don't know who they are and I feel like having that 6 foot fence, since they are always in the driveway, will give my kids and myself the privacy that we're looking for. I understand that 5 is the maximum; 6 is too much. What I want to ask you guys, even if it is not approved, can you just let me have it this season? Next season we are thinking of moving, but right now it is either taking those panels down and replacing them with 1 foot lattice. They are really expensive. I looked into it. I would have done it and put these panels in the back, but it is like double the cost to have that decorative foot lattice.*

*Chairman Miller said any questions for Jill or for the homeowner?*

*Mr. Munoz said no.*

*Chairman Miller said I walked by it. The only part of it I find troublesome in the neighborhood point of view would be the panels that are parallel to the street, so when I'm on the sidewalk, as just a regular person in the historic district going for a walk, I see a solid 6 foot fence. It is just those panels in front. I suppose the one, the long side facing the rental house, was that the house where they've patched the paint, but the paint they used didn't match so it is all different colors?*

*Mr. Castillo said the house doesn't match. It is just not well taken care of, even the inside. That's what I was told by the tenants that were previously there.*

*Chairman Miller said it seems like we've even had some discussion of trying to somewhat regulate how people paint, primarily because of that house. It's been noticed.*

*Mr. Castillo said if that house wasn't a rental, if that house was someone that had lived in that house for 5 years or 10 years, someone that has an investment and a personal interest in that house, I wouldn't have a problem having the 5 foot fence, but it's because every 6 months I get someone new. I don't know who I'm going to get next. This summer I want my kids to be comfortable out there in the pool. I don't want to worry about the neighbors out there drinking. A 5 foot fence, you know, the average height of a man is 5 foot, 7 inches, so if they walk by, they are going to see the kids there. I'm just not comfortable with that.*

*Mrs. Ludwig said I do have a question about moving and the next homeowner. This is a general question, but if someone leaves with a violation, doesn't that just transfer to the next homeowner?*

*Mr. Castillo said I would fix it before that happens. I don't have any plans on selling*

*this place. I will probably rent it, but I would fix the violation. If we can't come to an agreement, and you say it has to be a 5 foot fence, at least let me have it this season.*

*Mrs. Morgan said we do have a form, too, if he was interested in selling that the new owner would need to sign saying they agree to take it on. Regardless of if they sign the form, yes, it lives with the property. We also have a form that when there is an outstanding violation we like the new owner to sign saying that they agree to cure the violation.*

*Mrs. Ludwig said okay. I was just curious. Thanks.*

*Chairman Miller said does anyone else have any questions or comments on the fence?*

*Mr. Walker said to Dan's point, how many feet is the street facing part versus the part that is adjoining with the neighbor's property because it seems like, at least from looking at the general map, that the vast majority of the costs for if he had to do the lattice all the way around, a lot of it would be that long stretch against the neighbor's property. So if you only had to do the front portion, maybe that would cut down the cost substantially.*

*Mrs. Ludwig said as far as the timing of this season, I have been waiting for 4 months, I think, to get my fence guy here to do a job that I already paid for, so they are very, very backed up this year. So even if you are looking at getting a bid for just the front or things like that, I would anticipate this is going to take you some time to do anyway, if that's any consolation or help. They are very backed up this year.*

*Chairman Miller said just as someone that, as I said, is a neighborhood person that might by, I'm mostly concerned about the panels facing the street. I'm willing to listen to the other Commissioners about the long part of the fence that faces the other property, the rental property, if those should be corrected or not or if we could allow like a 6 foot solid on the side. I'm willing to listen.*

*Mr. Hoffman said I walked past this the other day too. I have the same impression, Daniel, that that front feels kind of like a wall.*

*Chairman Miller said it does.*

*Mr. Hoffman said the side, especially with the driveway there and neighbors, I can see a better case for something there.*

*Mrs. Ludwig said I walked by it too. I concur. The front is highly visible. The long side, because it goes along with the driveway, it just doesn't have the same impact. It's not that bad.*

*Chairman Miller said right.*

*Mr. Hoffman said what I've, actually what I did at our last property, and what I see other people do is with the lattice, if you use the lattice top to kind of get the maximum height with the open section is to use kind of creeping vines or ivy to help. That what I did. It actually looks pretty nice. It takes some time, of course.*

*Chairman Miller said also as we are looking at 2 fence petitions here, I was trying to think of precedence. Years back, Herman Shelton, who served on this Commission, but before he was on the Commission he did come asking for a fence for his property*

at the corner of W. New York and Blackhawk, which is a very large home and a large double lot. I think in that case, that very large piece of property, I guess it seemed very tempting to potential trespassers who just thought oh look, land, I think I'll hang out here and leave my beer cans and things like that. We did allow him an extra foot on his metal fence and allowed a 4 foot fencing thinking the 4 foot fence would be more discouraging to opportunistic trespassers. I guess 4 feet, that's kind of hard, that's too much effort for me to jump over, so maybe I won't do it. So we did allow an extra foot for someone. It was really more for their safety and enjoyment. I just had to think of that as where we did allow some variance and why we did it. It was so the homeowners could actually enjoy their yard. Here we have a pool. Do you have children, Mr. Castillo?

Mr. Castillo said yes, 6, 9 and 11 months.

Chairman Miller said I don't have children myself. I understand most people don't care for drunken neighbors looking at their children in the pool.

Mr. Castillo said this year it could be them. Next year it could be someone else, right?

Chairman Miller said yes. I hope it is someone nicer.

Mrs. Ludwig said I thought pools required 6 foot fencing around it with a lock or something, or maybe that didn't go for an above ground. Was it a collapsible pool? I didn't see it.

Mr. Castillo said it is above ground.

Mrs. Ludwig said there is some kind of rule around...

Mr. Hoffman said maybe it depends on the type of access. If there are stairs, like permanent stairs with a platform, you would need to have a locked gate. If it is a ladder that's removable, don't quote me on that, I'm not privy to details, but there are regulations on pools. Is that a state level?

Mrs. Ludwig said I think it might be and that's where that along the driveway could be one or the other. That might be further justification for a safety hazard to not lower at least the side and then front, put the lattice at the appropriate height, but leave the side alone because of the security and safety around the pool. I'm just off the top of my head thinking I know there is a rule about height and fence and locked and I thought it was 6 feet, but it could be 4. I could be wrong.

Mr. Hoffman said whatever it is, it is primarily to prevent kids from getting in the pool.

Chairman Miller said would it seem reasonable to allow the side fence to stay and then replace the panels on the front with panels that would be compliant with the guidelines?

Mr. Walker said yes, it makes sense to me. I think just like Kristin was saying, just as long as we give a long enough timeline to do the lattice work for the front because it will probably take substantially longer than it would most seasons.

Mrs. Ludwig said I just looked it up for the State of Illinois. It is just 3½ feet, so he's covered.

Mrs. Morgan said I didn't think it was quite that high.

*Mrs. Ludwig said in my head it was this giant fence.*

*Mrs. Morgan said I believe it is about 18 feet from his house to the property line.*

*Mrs. Ludwig said if we very slowly make a decision, that's going to give him the extra time he is looking for anyway.*

*Chairman Miller said I'm sorry. What as the 18 feet?*

*Mrs. Morgan said it is about 18 feet from the edge of his house to the property line.*

*Chairman Miller said the neighbor's house you mean?*

*Mrs. Morgan said from his house to the property line.*

*Chairman Miller said is that about 3 panels? Regardless, I would be willing to allow the side fence to stay and the front fence be replaced with something that is compliant with the guidelines.*

*Mrs. Morgan said what timeframe are you looking at Dan?*

*Chairman Miller said what timeframe works for you Mr. Castillo?*

*Mrs. Morgan said well I think he was wanting a year, to keep it for this year.*

*Mr. Castillo said a year would be great. If that's not okay, at least until pool season is over. I'd be happy to move these panels to the back and get some new panels with the lattice.*

*Chairman Miller said okay, you could reuse the panels on-site because that would be great?*

*Mr. Castillo said I knew this was going to come, so I didn't nail them. I screwed them in. It is going to be a lot cheaper to just get 2 panels instead of 9 or 10.*

*Chairman Miller said well if you don't mind in the future, I hope we don't seem that bad, and if you need to do something irregular with the home in the future, please come and ask first.*

*Mr. Castillo said okay.*

*Chairman Miller said thank you for taking caring of the house. How about we make a motion? The motion would be to allow the 6 foot solid fence on the side of the property and to allow a year to replace the panels facing the front, running parallel to Pennsylvania Avenue with something compliant with the guidelines.*

*MOTION TO APPROVE THE COA WAS MADE BY: Mike Walker*

*MOTION SECONDED BY: Simon Munoz*

*AYES: Fernando Castrejon, Matt Hanson, Seth Hoffman, Kristin Ludwig, Dan Miller, Simon Munoz, Mike Walker*

*NAYS: None*

*Chairman Miller said the motion passes. Thank you for coming Mr. Castillo. Again,*

*please ask first for COA's for all work on the exterior of the house. If you buy another house in the district, please ask for that one too.*

*Mr. Castillo said thank you guys.*

**A motion was made by Mr. Walker, seconded by Mr. Munoz, that this agenda item be approved. The motion carried.**

[21-0369](#)

Certificate of Appropriateness to replace original wood basement windows with new vinyl replacement windows at 729 W Downer Place (Michael DuVall - 21-0369 - AU21/1-21.146-COA/HP - JM - Ward 4)

*Mrs. Morgan said I'll briefly introduce it and then I will hand it over to the homeowner. Let me show you some of the photos. The homeowner is requesting to replace his basement windows with vinyl windows. 726 W. Downer is in the Westside Historic District, as well as it is a local landmark. It was built about circa 1906 in the Prairie style. Staff, as you remember when we did our changes to the guidelines, cannot approve replacement of wood windows with anything other than exact wood replacement windows, so staff is bringing it before the Commission. Staff also felt that they weren't beyond repair. Here are some exterior photos of them. The owner appeals on the grounds that he wants to make the basement windows operable and that he wasn't able to get any cost estimates for any custom wood windows. I believe the wood clads are almost twice as expensive. Are there any questions for staff before I hand it over to the Petitioner to add anything or answer questions?*

*Chairman Miller said did you have a chance to look at these windows Jill?*

*Mrs. Morgan said I did, just from the exterior. Those were the photos I took.*

*Chairman Miller said any other questions for Jill?*

*Mr. Castrejon said did you happen to take any photos of when you were out there on how visible is the basement from the street?*

*Mrs. Ludwig said I live 2 blocks from there. I would say not visible. There are plantings around it. Would you agree Jill?*

*Mrs. Morgan said yes.*

*Mrs. Ludwig said not really at all.*

*Mrs. Morgan said it is a corner lot, but there are like, as Kristin mentioned, there are like shrubs and stuff.*

*Mrs. Ludwig said there are foundational plantings on all sides.*

*Mrs. Morgan said I'll share the Google image.*

*Mrs. Ludwig said I've got it up on Zillow if you want me to share it Jill. There you go, you go it. You can see it there.*

*Mrs. Morgan said you can see kind of like their plantings.*

*Mrs. Ludwig said and the front view is the same. It goes all the way across.*

*Chairman Miller said it is a lovely property. Are there more questions for Jill, or do you have anything else?*

*Mrs. Morgan said no.*

*Chairman Miller said does the Petitioner want to say something to the Commission?*

*Mr. DuVall said I guess a few points I would add. So when I sent the Certificate in, I had, actually, 3 window companies reject doing a bid because they said they would not do Hopper windows, so that's, actually, I think what Jill mentioned, just to the point that was the response. I did, actually reach out to Marvin at her advice. The reason why I'm, beyond the fact that I can't express how the windows are inoperable, they actually are, none of them have hinges. They've all been sealed up for one reason or another. They are single pane. The vinyl, which doesn't sound great, actually, I think, will be a little bit of a cleaner setup because they would screw into the existing wood frame. When you look at the picture that was shown, there is already a wood, I don't know what the right term is, but I guess sill, but that would stay and the vinyl would screw in and then the windows would then be operable within that. The clad and the wood that I looked into, they actually want to put it inside of that, so I would actually have wood inside the wood. Maybe that's a better way of doing it, but that's what the Marvin guys came back with. But biggest thing is there are 12 windows. Not including installation, it is \$150 for the vinyl. It is \$500 for the clad and \$600 for the all wood. It escalates pretty quickly. So to do 12 windows at \$500 or \$600 becomes pretty cost prohibitive.*

*Chairman Miller said did you have anyone, like a carpenter, just look at repairing them so they would open?*

*Mr. DuVall said actually the carpenter who I had reached out to was the one who originally recommended the vinyl, and so that's why I put the request in. There is a bit of work going on at the house and he had proposed those as opposed to something else.*

*Mr. Hoffman said you have not approached a window restoration specialist?*

*Mr. DuVall said like a Marvin or a Pella?*

*Mr. Hoffman said no, somebody who repairs and rebuilds windows rather than replaces them.*

*Mr. DuVall said not really, no. I don't know, I mean, some of these I'm not sure, like the one that you are not seeing there, but some windows have electrical or ventilation coming out of them, so hadn't gotten that far.*

*Mr. Hoffman said okay. Generally the contractors, especially the manufactures that do window replacements, don't have an interest in offering options to repair because it is against their business. There are specialists who do, and work around in the historic districts here quite a bit, restore wood windows. They can even replicate. These are pretty simple sashes, so even if they would need, generally the bottom rail is the first to deteriorate, they can replicate and repair damaged ones. In terms of operability, it sounds like these were originally Hopper, or actually probably awning windows where there is a hinge at the top and they swing up.*

*Mr. DuVall said they swing in, correct.*

*Mr. Hoffman said that's how they are on my house and that's pretty typical for these. So they would have originally had storm panels on the outside. I'm guessing those are probably since missing.*

*Mr. DuVall said I don't have any. The windows, I'm guessing in the 70's, had those terrible aluminum storms put over the top, which is another project for another day, but none of the storms from the house are existing.*

*Chairman Miller said actually our guidelines allow you to use storm windows because we've allowed people to put aluminum storms on before. My basement windows, I actually have the wooden storms and I did have a carpenter rebuild some of them. They needed work. That helps with the single pane issue you mentioned. It gives you another layer.*

*Mrs. Ludwig said all we're doing really is applying the rules right as they sit, but concerning the lack of visibility to these, I hope would be (inaudible). Also, I would say, and we don't know each other by the way, but I am very, very familiar with this house because it is right around the corner from Greenman School and everybody walks past it, and I will say it is an immaculately kept home and there's never been anything that wasn't in keeping with the aesthetics of the home and the original character of the home, so I would kind of doubt that as much work as they've put into the aesthetics of the home keeping it with the original intent, these would be the last people that would probably want to put in something just to be on the cheap and make it look there. I don't know if we have pictures of what you are intending to put in, but I think certainly your other design choices on the house have been spot on with the original intent.*

*Mr. DuVall said thank you very much. I appreciate that. We are just finishing the kitchen now.*

*Chairman Miller said I think what I would have liked to see here is if somebody, or a carpenter or someone who works on windows, had looked at these and said that they could with potentially some easy repairs, make them operable. Also, storm windows are allowed, so you could keep them. Personally if it were me in my house, I don't think I would do those clad windows or new windows either. The expense for one thing and with the clad, I'm afraid, especially in the basement window, of water getting underneath the aluminum cladding and then rotting out the window, which has happened.*

*Mr. Hoffman said I concur with that. The track record for the clad windows has not been good over the last 20 years.*

*Chairman Miller said although if I was a manufacturer charging \$500 a piece for them, I would be enthusiastic about selling them.*

*Mr. Hoffman said they are based on, the vinyl window industry is based on a 20 year lifecycle. They want to keep you buying windows.*

*Chairman Miller said so the vinyl insert might last about 20 years?*

*Mr. Hoffman said they won't dissolve at 20 years, but that's about the functional life of weatherstripping if they are insulated units. That's about when the seals in the insulated units start failing. They are little plastic mechanisms.*

*Chairman Miller said that's when the film develops in between the panes.*

*Mr. Hoffman said yes.*

*Chairman Miller said I think I've seen that at 10 years before.*

*Mr. Hoffman said I don't know if some of the high end manufacturers still offer them, the real good ones would actually be welded glass to seal the two layers. Most of them now just have a rubber or an adhesive seal and those are destined to fail.*

*Chairman Miller said does anyone else have any other feedback for the homeowner?*

*Mr. Munoz said in one of the windows, I saw the electrical pipe that's coming out of the corner of the window. If they are going to replace the window, are they going to do the same thing in the window?*

*Mr. DuVall said no. They ran electrical conduit outside the house to get to the second story, so over time, I've just been taking those out and disconnecting those outlets.*

*Chairman Miller said I have that picture up on one of my screens here. I think I would do the same that you are doing.*

*Mr. DuVall said I've gotten rid of most of them, but I think that's the only one I have left.*

*Mr. Hoffman said I would reiterate what Kristin and others have said. I recognize this house. It stands out along the street, which is saying something too. You've done a really good job.*

*Chairman Miller said this is a very well-maintained home. This is one I've noticed ever since I moved to Aurora in the 90's. It is just a beautiful house. For me, as far as the vinyl basement windows, I just want to see if there's like a carpenter that can verify that these windows can't be repaired. Apparently, someone has sealed them, you mentioned at some point. They need to be opened back up. It sounds like you want to open them and allow some ventilation.*

*Mr. DuVall said yes. Of all 12, zero open. They are all painted shut. As you can imagine, the hinges have been taken off of most of them. They have a couple of plexiglass screwed over the top of them.*

*Chairman Miller said okay.*

*Mr. Hoffman said from the pictures that Jill has here, I feel confident saying that these are repairable. They are going to be more than \$150 a piece if you are going to compare them with vinyl. These are old growth wood sashes, well done and weather stripped will outlast and out perform a vinyl replacement over the long-term, but the short-term cost is definitely going to be higher. It's labor. Vinyl ones are turned out in a factory assembly line, where restoration is a skilled craftsman doing the work one at a time. I guess my other thoughts, it is less visible. I guess there is a more justifiable case than if they were on the primary floors.*

*Chairman Miller said that's true. We're not taking out a leaded glass window on the front facing the street and putting in vinyl. It's not quite the same.*

*Mr. Hoffman said I presume the vinyl replacements would be just standard stock white vinyl material.*

*Mr. DuVall said they are actually going to match the ceil paint color. That's an option that we have. They should blend right in. There is a Sherwin Williams paint that they are going to match.*

*Mr. Hoffman said okay.*

*Chairman Miller said so they would be painted or the plastic itself would match?*

*Mr. Duvall said the plastic would match.*

*Mr. Hoffman said okay. That was going to be my suggestion. I've had good luck painting vinyl to match in some cases. It looks like the existing, there is a variation in size and aspect ratio, are all of the replacements side by side slider?*

*Mr. DuVall said the intent was to do the side by side slider except for a couple of the fixed ones. The one you saw the picture of was a good example. I shouldn't say it is fixed, but those we would probably replace with a fixed because then you would just have the same sort of, I don't know the right term, but you wouldn't end up having a split between that one. You'd have a slider where you have 2 panes and where you have a single pane it would be fixed.*

*Chairman Miller said okay.*

*Mr. Hoffman said are those 2 in the front the single pane?*

*Mr. DuVall said those are yes, and there are 2 in the back, which you can see, but they're super small. I shouldn't say super small, but they are much smaller than the other ones and I think those are ones that probably wouldn't be worth making sliders.*

*Mr. Hoffman said okay.*

*Chairman Miller said thanks for the discussion. As far as this COA, I mean, I personally would like to see a carpenter or someone just look at restoring the windows. That's what the guidelines ask us to do, but I don't know what everyone else is thinking.*

*Mr. Munoz said I think it will be the same, basically the wood windows, but I don't know if everybody is going to agree with it, so that will be fine.*

*Chairman Miller said you are saying to repair the existing wooden windows Simon?*

*Mr. Munoz said yes.*

*Mrs. Morgan said does anyone want to make a motion to approve or disapprove the HCOA appeal process?*

*Chairman Miller said would it be agreeable if we agree to just table or delay this until the homeowner has like someone who restores windows look at them?*

*Mrs. Morgan said we can do that. I can provide him some of the names that have gotten HCOA's in the past for this kind of work.*

*Chairman Miller said does that seem reasonable to everyone?*

*Mr. Castrejon said I think that's a reasonable thing. Are you willing to contact a few people so we could compare possibly the pricing and you have a better idea of what a next option could be?*

*Mr. DuVall said if you all have someone who wants to provide bids, I'm happy to have them take a look at it. The cost benefit on this one is a hard one me, but if they can do it for \$150 plus whatever the installation would be for the vinyl, I would consider it. I'll get estimates. Does that mean that I'll have to come back? What would the next steps on that be with you all?*

*Chairman Miller said I think if you could have someone repair the windows, you can do that with a, would it be a COA that you would approve yourself Jill, just for window repair?*

*Mrs. Morgan said yes.*

*Chairman Miller said and you really wouldn't need to come back here. If contractors are finding that these are like too difficult to repair or for some reason they can't be, then if you come back and resubmit to us and we'd say well the contractors didn't want to fix it and then we could move from there.*

*Mr. DuVall said I'm guess I think I'm signing off here, but before I do, maybe a question for you Jill. I also submitted 2 doors. I haven't heard back.*

*Mrs. Morgan said the doors are fine. I can just remove the windows from that HCOA and then approve the doors and then you could just submit a new HCOA for the windows, for the next step of the windows.*

*Chairman Miller said I do see some pictures of doors here. These do look like doors that a homeowner like yourself might want to get rid of.*

*Mr. Hoffman said I like how they are 2 different styles of entirely inappropriate doors.*

*Mr. Miller said 2 different styles of inappropriate doors. Thank you so much Mr. DuVall for taking care of this house. It's really neat. When I drive by, it is one of my favorite things to look at.*

*Mr. DuVall said thank you very much.*

*Mr. Hoffman said the curved liters on the built in gutters, that's always stood out to me. That's a real unique touch.*

*Mr. DuVall said those were replaced too.*

*Chairman Miller said the curved liters on the built in gutters are something new for me to look for on the next time I drive by.*

*Mr. Hoffman said look at the soffits and the gutters. You'll notice.*

*Mrs. Morgan said I will get that HCOA approved for the doors and I will send you the information about the contractors who have gotten HCOA's for window repair.*

*Mr. DuVall said thanks.*

*Chairman Miller said thank you so much. Thank you for taking care of this house.  
Thank you for your patience with us.*

**This COA was discussed and filed.**

**PENDING**

**COMMITTEE REPORTS**

**A) Grants**

*No Report.*

**B) Near Eastside Historic District**

*No Report.*

**C) Riddle Highlands Historic District**

*No Report.*

**D) Public Awareness**

*No Report.*

**E) Landmarks**

*No Report.*

**F) FoxWalk Design Review**

*No Report.*

**G) Tanner/Palace Historic District Committee**

*No Report.*

**ANNOUNCEMENTS**

*None.*

**ADJOURNMENT**

A motion was made by Mr. Walker, seconded by Mr. Castrejon, that the meeting be adjourned. The motion carried. Chairman Miller adjourned the meeting at 8:12 p.m.

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