



ST. JAMES' EPISCOPAL
CHURCH

833 West Wisconsin Avenue
Milwaukee, Wisconsin 53233
phone: 414-271-1340 fax: 414-271-5086
Email: dannah833@gmail.com
Website: ww.stjamesmilwaukee.org

To: Historic Preservation Commission
From: St James' Episcopal Church
833 W. Wisconsin Avenue
Milwaukee, WI 53233

RECEIVED

NOV 3 - 2015

LEGISLATIVE
REFERENCE BUREAU

Re: Application for Certificate of Appropriateness
to replace frames for Windows; file No. 150800;
Response to Staff Report prepared for 11/9/2015
Date: 10/28/2015

St. James' building manager, Henry Monaco, applied for a Certificate of Appropriateness (hereafter referred to as a CoA) to replace and reconstruct window frames for two stained glass windows we intend to sell. He filed the application on September 15, 2015.

Mr. Monaco did not apply for a CoA regarding removing the glass in the windows, and St. James' objects to our application being characterized as one for permission to sell the glass. We do not believe we need permission to sell the glass because we do not believe the glass, which is invisible from the outside of the church, is covered by the applicable ordinance, sec. 320-21.11(a)

We concede that the frames are subject to the ordinance cited above, which provides in relevant part:

“a. Certificate Required. No person or entity shall alter, reconstruct or rehabilitate any part of the *exterior* of a historic structure or [...many other categories of buildings within historic districts etc.] ... unless a certificate of appropriateness has been granted by the commission.”

Window glass, invisible from the outside of the building, however beautiful or historically significant when viewed from the inside, is not subject to the restrictions of the ordinance.

Exterior appearance is what the Historic Preservation Ordinance addresses. The **“Preservation Guidelines”** section of the Historic Designation Study Report issued to us by the HPC staff in anticipation of the hearing on the application for Historic designation in 1990 support this view. The section on Windows and Doors found on Page 6, provides as follows:

2. Wood/Metal

- a. Retain original material, whenever possible. Avoid removing architectural features that are essential to maintaining the building's character and appearance.
- b. Retain or replace deteriorated material with new material that duplicates the appearance of the old as closely as possible. Avoid covering architectural features with new materials which are inappropriate or were unavailable when the building was constructed.

C. Windows and Doors

1. Retain existing window and door openings. Retain the existing configuration of panes, sash, surrounds and sills, doors, and hardware, except as necessary to restore the building to its original condition. Avoid making additional openings or changes in existing fenestration by enlarging or reducing window or door openings to fit new stock window sash or new stock door sizes. Avoid changing the size or configuration of window panes or sash. Use storm windows or protective glazing which have glazing configurations similar to the prime windows and which obscure the prime windows as little as possible.
2. Respect the building's stylistic period. If the replacement of doors or window sash is necessary, the replacement should duplicate the appearance and design of the original window sash or door. Avoid using inappropriate sash and door replacements. Avoid the filling-in or covering of openings with inappropriate materials such as glass-block or concrete block. Avoid using modern style window units in place of the existing sash or the substitution of units with glazing configurations not appropriate to the style of the building.

D. Trim and Ornamentation

There should be no changes to the existing trim or ornamentation except as necessary to restore the building to its original condition. Replacement features shall match the original member in scale, design, color and appearance.

E. Additions

The north, east and west elevations and roofline are integral to the structure's architectural significance. Additions require the approval of the Commission. Approval shall be based upon the addition's design compatibility with the building in terms of height, roof configuration, fenestration, scale, design, color and materials, and the degree to which it visually intrudes upon the principal elevations.

Nothing in this section states that glass that is not visible from the outside is subject to the jurisdiction of the HPC.

This is also consistent dictionary definitions. For example, Webster's New Twentieth Century Dictionary (2nd ed 1968) defines "exterior" as "...2. Outward appearance"

The application for Historic designation was filed by a citizen, Susan Buchanan, in 1990. The leadership of St. James' did not oppose the designation. That leadership relied on the study report. Had the leadership of the Church (the owners of the building) had any idea that the designation would mean the church could not sell interior fixtures, that leadership might well have opposed the designation.

On March 4, 1999, Brian Pionke, a Historic Preservation officer, did send the church a letter (attached) that said the church would need permission for exterior alterations, citing a since renumbered Ordinance, 308-81.

Included in those exterior alterations were:

“alterations to and replacement of windows and doors including installation of security doors or windows.’

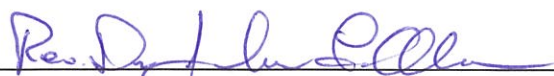
It is clear from the letter that the concern was with exterior appearance and did not constitute an extension of the ordinance to interior fixtures. The Ordinance itself was revised in 2012 and nothing in the revision extends jurisdiction to interior fixtures.

The glass in the windows in question is not visible from the outside and has not been visible for 30 years. We are attaching pictures taken in daylight and at night. The church does not light the interior of the church at night, so the glass is not visible then either.

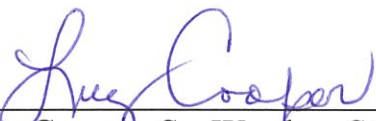
We note that the staff report cites various preservation guidelines of the U.S. Department of the Interior. However, the U.S. Department of the Interior does not have binding rule-making authority over property not owned by the U. S. Government. We know that the staffer is distressed that we would remove beautiful glass windows from our building. However, St. James' church is governed by a City of Milwaukee Ordinance, and that ordinance makes a clear distinction between exterior appearance and interior fixtures,

as detailed above. We maintain that glass in our windows, invisible from the exterior, is not something we need permission to remove and replace.

Thank you for your attention.



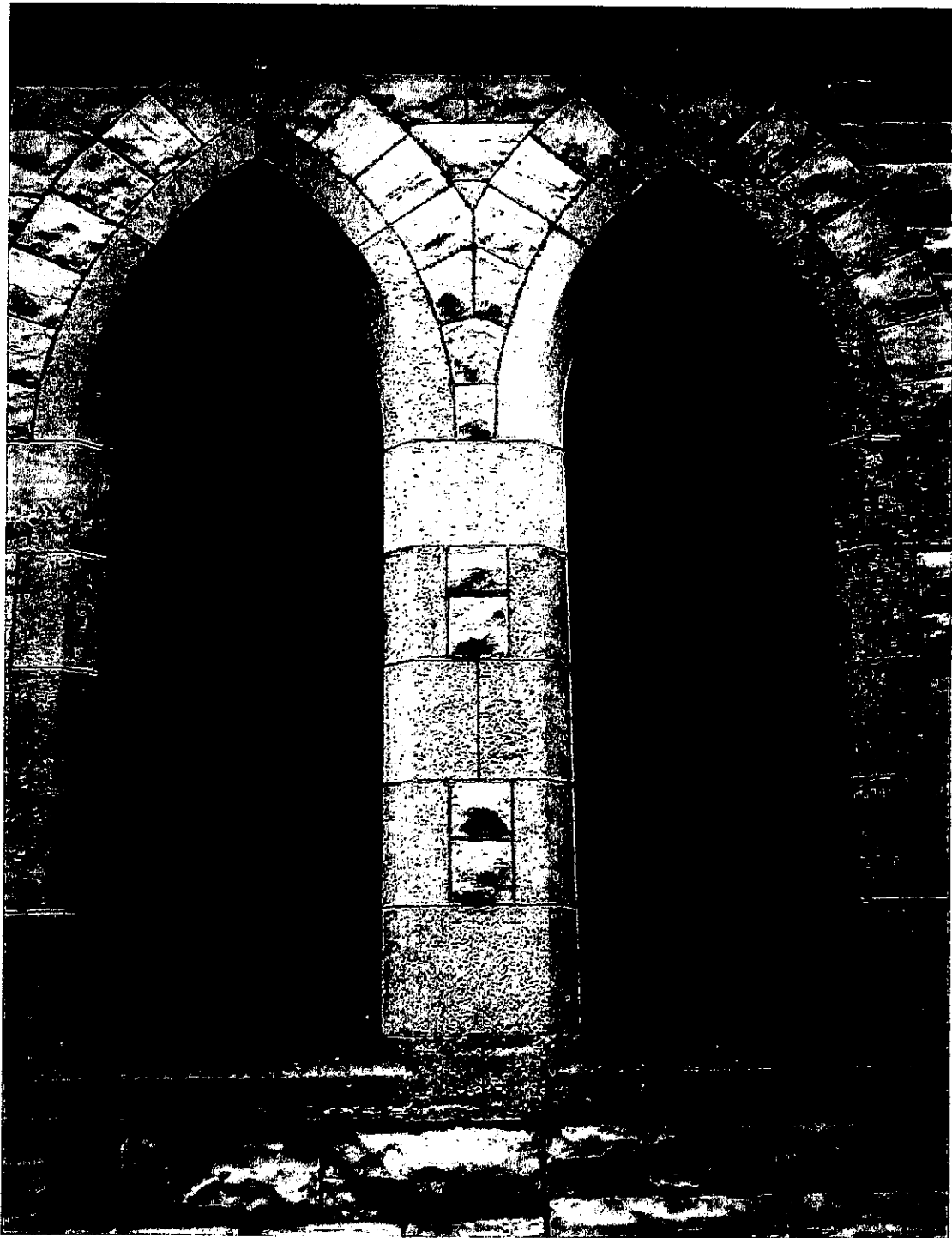
Fr. John Allen, Priest -in-Charge, St. James' Parish



Lucy Cooper, Sr. Warden, St. James' Parish



Approved: The Rt. Rev. Steven A. Miller, Bishop,
Episcopal Diocese of Milwaukee



10/31/2015

St. James

833 W. Wisconsin

View of East Windows from Exterior



Michael L. Morgan
Commissioner
Patrick G. Walsh
Deputy Commissioner

Department of City Development

Housing Authority
Redevelopment Authority
City Plan Commission
Historic Preservation Commission

March 4, 1999

File Reference:

To All Property Owners or Tenants
of Historic Properties

RE: Projects That Require the Review of the Historic Preservation Commission

Dear Property Owner or Tenant:

Because you are the owner or tenant of a property that is locally designated as an historic landmark, I am writing to thank you for your past cooperation. I wish to take this opportunity to remind you that all exterior alterations and corrections of exterior code violations must be reviewed and approved by the Historic Preservation Commission (Ordinance 308-81) before work begins. Among the items that must be reviewed are such commonly undertaken projects as:

1. alterations to and replacement of windows and doors, including installation of security doors or windows
2. installation or repair of siding materials, window and door trim, and tuckpointing of brick
3. installation or repair of fences, porch railings, retaining walls, and planters
4. changes to roofing, gutters, and the installation of skylights
5. changes to any buildings on site to include construction, alteration or demolition of accessory structures such as garages and sheds
6. installation of new signs, replacing existing signs, or the erection of temporary signs
7. construction of driveways or parking areas, installation of handicap ramps, decks, patios and sidewalks
8. installation of mechanical equipment, air conditioning compressors, exterior ductwork and vents
9. up-grades to an electrical service or electrical meter placement
10. repairs or replacement of ornamental features such as cornices, brackets, rafter tails, bargeboards and chimneys

March 4, 1999
Page 2

Because the above list of projects is not all-inclusive the Historic Preservation Commission's guidelines for viewable work are available upon request. Any work undertaken without a Certificate of Appropriateness may require correction at the owner's expense.

Staff can assist you with technical information and how-to suggestions that can make your projects more successful. Complimentary copies of several books were sent to the property owners of record at the time of publication. Replacement books and copies are available at a nominal fee. Contact our office if you are a new owner or have not received one the following books:

"As Good as New: A Guide for Rehabilitating the Exterior of Your Old Milwaukee Home," 258 pages with photographs and text.

"Living with History: A guide to the preservation standards for historically designated houses in Milwaukee," 116 pages with line drawn illustrations.

"Good for Business: A Guide to Rehabilitating the Exteriors of Older Commercial Buildings," 130 pages with photographs and text.

To further assist you, a Certificate of Appropriateness application and the annual meeting schedule are included, along with information about lead paint hazards. Thank you in advance for your cooperation and please contact me or my staff at (414) 286-5705 if you have any questions about this letter or a proposed project.

Sincerely,



Brian J. Pionke
Historic Preservation Officer

Enclosures