

<b>COA # 2010-COA-192 (CAMA)</b>	<b>INDIANAPOLIS HISTORIC PRESERVATION COMMISSION STAFF REPORT</b>	Hearing Date <b>DEC. 1, 2010</b>
<b>612 East 9<sup>th</sup> Street CHATHAM-ARCH AND MASSACHUSETTS AVENUE</b>		Continued from: July 7, 2010 August 4, 2010 September 1, 2010 October 6, 2010  Center Township Council District: 9 Jackie Nytes
<b>Applicant: PATRICIA BIDDINGER</b> <b>Mailing address:</b> 612 East 9 <sup>th</sup> Street Indianapolis, IN 46202		
<b>Owner: Same as above</b>		
<b>CASE</b>		
<b>IHPC COA: 2010-COA-192 (CAMA)</b> • Retain siding as installed on garage not in compliance with previously issued COA.		
<b>STAFF RECOMMENDATION: Approval of staff recommended compromise, or Denial</b>		

<b>STAFF COMMENTS</b>
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**Update from the September 1, 2010 Hearing**

*During the September 2010 hearing, the applicant’s representative presented the case to the Commission since the applicant was unable to attend. Staff mentioned a couple of alternative paint coating systems to the applicant that could potentially mitigate the effects of the embossed grain surface texture on the garage. The applicant had planned to provide some test samples for staff’s review prior to the Commission hearing. As of this writing, the test samples were not available for staff’s review. Additional information from the applicant, provided at the September 2010 Commission hearing, is attached at the end of this report. Unless new information is provided before the Commission hearing, staff’s recommendation remains the same.*

**Background of the Property**

The two-story brick primary structure was built in 1992 in the Chatham-Arch Historic District. The rear detached garage was constructed in 1996. Portions of the main house and the entire rear garage were originally sided with pressed hardboard siding. The siding has suffered some deterioration as a result of water infiltration.

**Background of the Case**

The property owner applied to replace all of the deteriorating pressed hardboard siding with new fiber cement siding with a matching dimension, lap and surface texture. A staff level Certificate of Appropriateness (#2009-COA-464) was issued stipulating that all new siding have a smooth surface and the new siding must match the existing siding in dimension and surface texture. Rough-sawn finishes were called out as not permitted. After the contractor began work on the project, staff received an inquiry about the siding that was being installed on the garage. Upon investigation, staff found that the siding installed had an embossed rough-sawn pattern and was not the same as the siding that had previously existed on the buildings. The property owner immediately had the contractor switch to a smooth faced fiber cement siding material to complete the work that had not yet occurred on the upper gable ends of the main house.

The applicant was informed that the siding installed on the detached garage is not considered “appropriate.” The applicant applied to retain the siding as-is. Staff recommended the applicant either plane down (sand) the surface of the fiber cement siding or replace the siding with new material with a smooth surface texture.

**Problem with the Siding**

The siding that was approved on the upper floor of the house and the detached garage was a fiber cement siding with a smooth, ungrained surface texture. The Chatham-Arch Massachusetts Avenue Plan specifically recommends “new architectural elements added to a non-historic building should be of a simple design compatible with the building and not visually intrusive within the district”. The siding installed on the detached garage is Hardie-Plank with an embossed wood grain surface texture. This heavy graining effect is not consistent with the visual quality of smooth

sanded siding traditionally found in the historic area. The Commission has consistently rejected this siding since it developed its “hardboard siding” policy in the mid 1980s. The use of the embossed siding is very visible on the detached garage from the alleys. Its use will have a substantial visual effect on the building.

**Proposed Solution - Certificate of Authorization vs. Appropriateness**

Staff recently proposed to the applicant to apply a product called Porter-Flex Elastomeric Patching Compound over the existing textured siding. This is a product that was approved by the Commission in November, 2002 on a similar project where embossed rough-sawn fiber cement siding was installed in non-compliance in the Saint Joseph (SJ) Historic District. A picture of the siding from the SJ project with and without the patching compound is in this staff report. Staff has viewed the completed installation of the compound material and finds the result to be visually acceptable in mitigating the effect of the siding. If the same compound is applied to this detached garage, the embossed rough-sawn texture of the siding could be visually diminished to a point that a Certificate of Authorization could be justified for insubstantial effect. The cost of applying the compound material is about \$6900 including painting. Total replacement of the siding on the detached garage is estimated to be \$9700 including painting. Sanding the surface of the fiber cement siding is an alteration that is believed to void the warranty of the product and is therefore not feasible for the property owner. Cost is a motivating factor for the applicant to request the retention of the existing embossed siding as is.

**STAFF RECOMMENDED MOTION**

**CASE #2010-COA-192 (CAMA):**

**Option ‘A’ – if the applicant agrees to the compromise outlined in the staff report**

**To approve a Certificate of Authorization to retain siding as installed on garage not in compliance with previously issued COA #2009-COA-464 (CAMA); per submitted documentation and subject to the following stipulations:**

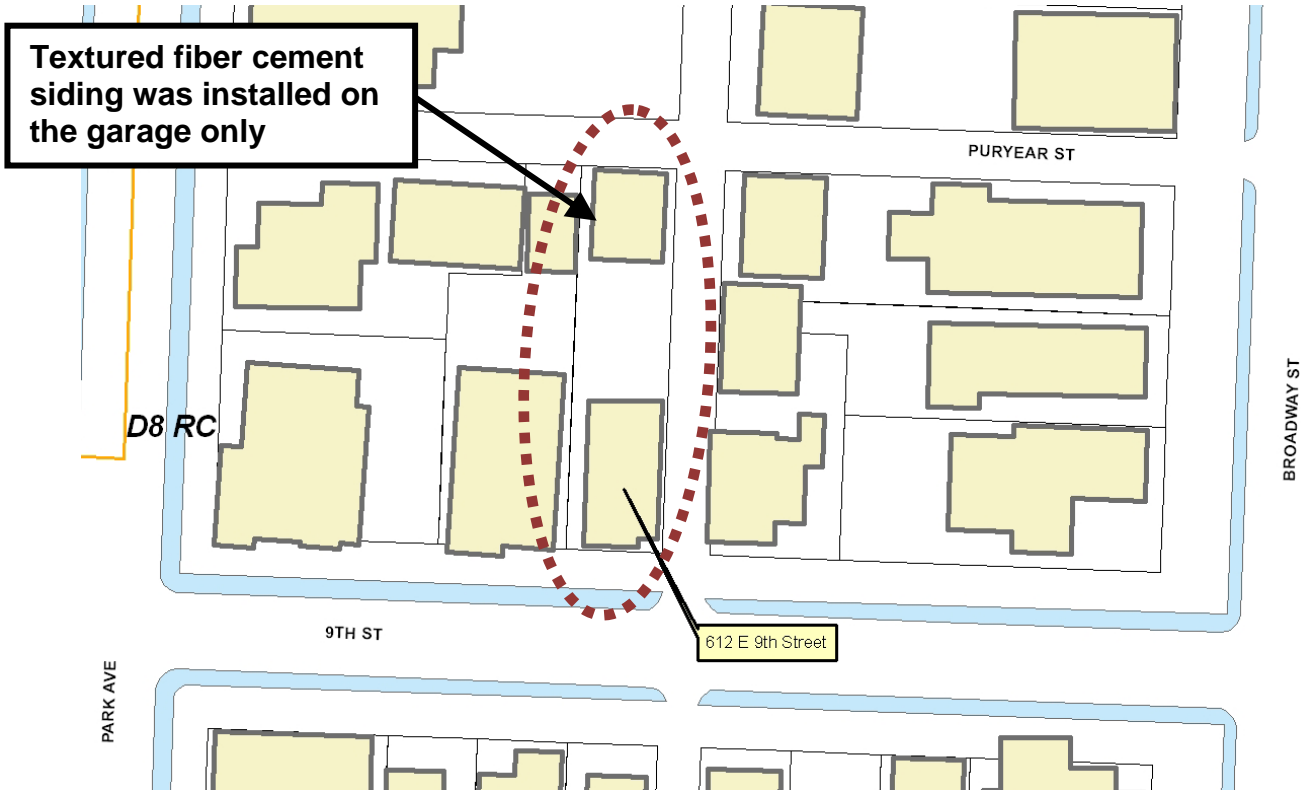
- 1. Two-coats of Porter-Flex Elastomeric Patching Compound must be applied on the surface of all existing textured siding on the garage to give the siding the appearance of a smooth surface texture.**
- 2. The patching compound shall create a smooth surface free of apparent trowel lines or marks.**

**or**

**Option ‘B’ – if the applicant *does not* agree to the compromise outlined in the staff report**

**To deny a Certificate of Authorization for the retention of siding installed on garage not in compliance with previously issued COA #2009-COA-464 (CAMA).**

**Staff Reviewer: Ann Steadham**



Map of subject property



View of front of primary structure



**View of back of primary structure seen from the adjacent alley**



**View of detached garage seen from the intersection of the rear alleys**



**View looking at the northwest corner of the garage seen from the alley**



**Detail of rough-sawn embossed surface texture evident on the detached garage**



**Close up view of siding texture**



**View of siding with and without Elastomeric Patching Compound on similar property in St. Joseph Historic District approved in November 2002**

My appeal regarding new siding on garage  
612 East 9<sup>th</sup> Street  
Chartham Arch Neighborhood  
Public Hearing  
Application No. 2010-COA-192(CAMA)

As you know from the IHPC report, the property is not a historical one. I purchased the house in 2001 from the first owner. Neither she nor I were aware that the siding on the house and the garage was of pressed board, a product of Louisiana-Pacific Siding. LP Siding faced and lost a class-action law suit regarding the unstable properties of pressed board siding, which deteriorates in a relatively short period of time, requiring replacement. It is my understanding that victims identified at the time the class-action law suit was resolved received some monetary compensation from the company. There is a website for help with failing LP siding with stark advice – “replace the siding – sooner rather than later.”

The failed siding also affected all windows in contact with the siding. There were also problems with windows not associated with the siding, indicating poor workmanship on the installation. The first indication I had of a problem was in late Summer 2009 when I saw that a window sill in my bedroom was rotting. I called a window expert but before he came, I noticed that the siding on the back upper side of my (gratefully mostly brick home) looked rippled – I think this is called “swelling.” The window expert confirmed that the siding was rotting, and all siding, which included the garage, as well as the window frames had to be replaced. He submitted an estimate which I sent to the IHPC for approval to proceed with the work.

At this time, I learned about the pervasive problems of pressed board siding. Had I known at the time of purchase, I would have negotiated a reduced purchase price and corrected the problem then. The first estimate indicated removal and replacement of siding, repair of all windows, and painting all would cost \$35,000. I got a second estimate, which pointed out the two windows on the front porch needed no repairs, for \$16,000. I consulted an architect familiar with both contractors and decided to go with the lower estimate. By this time it was Fall, a time when my work requires extensive foreign travel, so I decided to delay the work until Spring.

My mistake when the work began was in failing to bring the IHPC Certificate of Appropriateness to the attention of the contractor. He mentioned that he would use wood-grain Hardy Plank. Given that seven months had passed since IHPC approval, I did not remember that smooth siding was required and he proceeded with the work. After the garage was completed a neighbor pointed out that smooth siding was required in our neighborhood. I immediately requested of IHPC an exception as regards the garage and switched to the smooth grain Hardy Plank for the house. As you know the IHPC staff has turned down my request and I seek the Commission’s approval on the following basis:

- 1) The house is not a historic property.

INDIANAPOLIS HISTORIC PRESERVATION COMMISSION  
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**Letter submitted by applicant at September Commission hearing**

- 2) The garage is not visible from the street. We have photos from the sidewalk of the entire block I live on from which any view of my garage is possible. You can easily see that the wood grain is not discernable.
- 3) The garage is detached from the house and the difference in the two sidings is not visible except at very close range. The siding differences become even more negligible in the context of the varying ages and conditions of the siding on neighboring buildings.
- 4) The first suggestion of the staff of IHPC was to "plane" the siding and repaint. Two contractors have told me that this procedure would remove much of the outer coating to the siding, weakening the product and shortening its life span. This procedure would also void the warranty for Hardie Plank siding.
- 5) The second suggestion of IHPC was to apply two coats of Porter-Flex Elastomeric Patching Compound and repaint. The supplier of this product has explained to the contractor that this will present a maintenance problem over time; that the product will begin popping and will need to be redone, creating an expensive maintenance problem that the siding would not have otherwise.
- 6) The estimate to completely remove and replace the siding and repaint all is \$9,672.80.
- 7) The estimate to apply the Porter compound and repaint is \$6,876.84.
- 8) I am 68 years old and plan to retire in June 2011 and will have reduced income.
- 9) I had to take out a line-of-credit loan to do the work which has already increased my monthly mortgage payment when combined with payment against the line-of-credit loan.
- 10) Complying with the IHPC staff recommendations is not financially feasible at this time in my life.
- 11) The Chatham Arch Neighborhood Association (CANA) has unanimously agreed that the existing siding is not objectionable and that I should be permitted to maintain it.
- 12) The UDC representative of CANA requested an electronic vote, received 7 responses, unanimous in saying the change was not necessary.
- 13) The garage looks very nice indeed as is. Looking from the house to the garage or from the garage to the house, the difference in the siding is not noticeable because of the distance between the two.

I respectfully request that I be permitted to leave the garage siding as is to avoid the significant expense, the potential for additional maintenance that would not be required with the existing siding, and owing to the fact that the garage is detached, some 40 to 50 feet from the house, and not visible from the street.

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