

Council disagrees with HPC decision

By Jeanne Davant

Manitou Springs City Council took a rare step Tuesday night by overturning a decision of the Historic Preservation Commission.

Council's action came in an appeal by Ted and Beth Beattie of St. Louis, Mo., owners of a cottage at 5 Cherokee Road.

The Beatties had sought permission to install vinyl siding on their cottage, which is nearly 100 years old. The Beatties, who have owned the cottage since 1972, told the HPC that its wood siding was deteriorating and that repairing and painting the siding was no longer practical. They noted that a neighboring home, as well as numerous others in the Historic District, had been covered with vinyl siding. They also contended that they were not notified of any opportunities to opt out of the Historic District.

The commission on Sept. 1 denied their application on grounds that the request was not compatible with the city's Historic Design Guidelines. The guidelines state that original architectural details must be preserved, when feasible, and that "original materials, textures and finishes must be maintained. Avoid covering or removing historic building materials when renovating."

With the Beatties participating through a conference call, Council held a hearing on their appeal. City Attorney Jeff Parker said Council's focus should be whether the HPC had correctly applied the guidelines.

"Whether they had an opportunity to (opt out) really isn't part of the review," Parker said.

Planning Director Dan Folke said staff had concluded that vinyl siding was not appropriate and would degrade the historic value of the cottage.

James Largent, a Pueblo contractor who has been retained by the Beatties, said trying to replace or repair the original siding would be quite expensive. He said the Beatties want to improve the exterior of the cottage and that he would use a high-quality vinyl siding. He said the siding could be installed without disturbing the original wood siding and that historic architectural details would be preserved.

Mayor Pro Tern Aimee Cox, who presided at Tuesday's meeting in the absence of Mayor Marc Snyder, said she lived near the cottage and was familiar with it.

"You cannot see this property from the street, so I don't even think MCAC (Material Change of Appearance Certification) applies," Cox said. "The code says you should avoid covering existing materials; it does not prohibit it. While I'm not personally a fan of vinyl siding, I think we have criteria here and I think this meets the criteria."

Cox added that while the neighborhood has a summer cottage feel, there is a mixture of historic and non historic buildings and a mixture of materials, including vinyl siding.

"I do think this material fits the neighborhood, Cox said. She added that she was concerned that two large houses recently were approved in the neighborhood that were "out of character. It does bother me that we would be so rigid with vinyl siding when the previous approval of one of those houses ruined the neighborhood."

Council voted 4-2 to reverse the HPC's decision and allow the Beatties to install vinyl siding on their cottage.

"Although the HPC was thoughtful in their deliberations, I don't see that vinyl siding is prohibited," Councilman Rick Barry said in voting for the reversal.

Councilmen Michael L Gerbig and Matt Carpenter dissented.

"I do feel as though the HPC applied their code," Gerbig said. "I don't see overturning it based on the record ... I think these same arguments can be made by just about everyone applying for siding."

Carpenter noted that "in the appendix (to the Guidelines) it says avoid covering wood with aluminum or vinyl. I fail to see where we don't continue to follow the guidelines ... If we're going to continue to run into these issues, I do think we should look at changing the guidelines."

Several Council members agreed that it would be prudent to have a discussion about the guidelines and the opt-out provision.

Folke said the Beatties would have been allowed to install vinyl siding without any design review if they had opted out of the district.

There have been several opportunities for owners to opt out, but all property owners were not notified, Folke said. Parker said the city is not required to individually notify owners of such an opportunity.

Folke clarified that opting out means only that property owners can make changes without having to go through design review. An opted-out property returns to the Historic District when it is sold.

"I would like to see a review of (the opt-out process) and possibilities for further opt-out," Cox said.

In other business, Council...

- Passed on first reading an ordinance authorizing the Fire Chief to declare the existence of high fire danger and announce restrictions on open burning without having to come before Council.

- Approved an amendment to its contract for water delivery and exchange with Colorado Springs Utilities that extends the current contract for another year.

- Heard a report from Deputy Finance Director Rebecca Davis, who presented an initial draft of the 2011 budget. "The summary is showing the ending fund balance is pretty healthy looking, but don't count on these figures," Davis said.

- Received an unexpected gift from the Economic Development Council. Board member Rev. Hunting said the organization has "more than enough" to finish its projects through the end of the year. "I do not see any more need for City Council to continue to fund the EDC," he said. Hunting added that the consolidation process with the Chamber of Commerce was continuing and that any extra funds would be turned over to the new organization.

- Heard a request for funding for the street performer program next year from Manitou Springs Arts Council member Frank Gray. Cox suggested that the arts council get together with the Chamber to discuss taking over the program, which was halted last year because of issues with the panhandling ordinance as well as funding.

[Return to Article Index](#)