



REPORT/RECOMMENDATION

To: MAYOR AND COUNCIL	Agenda Item <u>Item No. IV.G.</u>
From: Cary Teague, Community Development Director	<input checked="" type="checkbox"/> Action <input type="checkbox"/> Discussion <input type="checkbox"/> Information
Date: August 21, 2012	
Subject: Resolution No. 2012-104 Findings of Fact 4025 Bruce Avenue Appeal Certificate Of Appropriateness	
Deadline None for a City Decision:	

ACTION REQUESTED:

Adopt the attached Resolution approving the appeal to rescind the Certificate of Appropriateness and have the applicant go back to the Heritage Preservation Board for consideration of a redesigned home at 4524 Bruce Avenue.

INFORMATION/BACKGROUND:

JMS Custom Homes, LLC is requesting a Certificate of Appropriateness to tear down and rebuild a new home and attached garage at 4524 Bruce Avenue. On July 9, 2012, the Heritage Preservation Board approved a Certificate of Appropriateness for a new home and attached garage. Erik and Ann Wordelman, 4522 Bruce Avenue, and Kitty O’Dea, 4610 Bruce Avenue appealed the decision of the Board to the City Council. On August 6, 2012, The City Council directed staff to prepare findings to approve the appeal.

ATTACHMENTS:

- Resolution 2012-104



RESOLUTION NO. 2012-104
APPROVING THE APPEAL TO RESCIND THE CERTIFICATE OF APPROPRIATENESS AND
HAVE THE APPLICANT GO BACK TO THE HERITAGE PRESERVATION BOARD FOR
CONSIDERATION OF A REDESIGNED HOME AT 4524 BRUCE AVENUE

BE IT RESOLVED by the City Council of the City of Edina, Minnesota, as follows:

Section 1. BACKGROUND.

- 1.01 JMS Custom Homes, LLC is requesting a Certificate of Appropriateness to tear down and rebuild a new home and attached garage at 4524 Bruce Avenue.
- 1.02 The proposed home is located in the Country Club neighborhood which has been designated a Heritage Landmark
- 1.03 On July 9, 2012, the Heritage Preservation Board approved a Certificate of Appropriateness for a new home and attached garage. Vote: 5 Ayes, 4 Nays.
- 1.04 On July 18, 2012, Erik and Ann Wordelman, 4522 Bruce Avenue appealed the decision of the Board to the City Council.
- 1.05 On July 18, 2012, Kitty O'Dea, 4610 Bruce Avenue appealed the decision of the Board to the City Council.

Section 2. FINDINGS.

- 2.01 The Proposed home is not in compliance with the Comprehensive Heritage Preservation Plan and the heritage landmark preservation study for the Country Club; and the Secretary of the Interior's Standards for the Treatment of Historic Properties, based on the following findings:
 1. The materials board was not presented to the Heritage Preservation Board for their consideration.
 2. The proposed home's use of a non-traditional exterior material is not appropriate because the two homes on both side of the proposed new home have real or traditional stucco. The proposed exterior siding, therefore, does not "relate to the pattern of existing adjacent historic homes or respect the rhythm and continuity of similar features along the street," as required in the District's Plan of Treatment.
 3. The front porch, as proposed, is not compatible with the Country Club neighborhood. It does not "relate to the pattern of existing adjacent historic homes or respect the rhythm and continuity of similar features along the street," as required in the District's Plan of Treatment.

4. The size of the third-story window is not appropriate for the district. Typically, third-story windows in the District are smaller; therefore it too does not “relate to the pattern of existing adjacent historic homes or respect the rhythm and continuity of similar features along the street,” as required in the District’s Plan of Treatment.
5. The proposed home should be modified and reconsidered by the Heritage Preservation Board.

Section 3. DECISION.

The decision of the Heritage Preservation board is reversed and the Certificate of Appropriateness is rescinded. The matter is remanded to the Heritage Preservation Board. The home must be modified consistent with the Council’s Findings.

Adopted this 21ST day of August, 2012.

ATTEST: _____
Debra A. Mangen, City Clerk

James B. Hovland, Mayor

STATE OF MINNESOTA)
COUNTY OF HENNEPIN) ss.
CITY OF EDINA)

CERTIFICATE OF CITY CLERK

I, the undersigned duly appointed and acting City Clerk for the City of Edina do hereby certify that the attached and foregoing Resolution was duly adopted by the Edina City Council at its Regular Meeting of August 21, 2012, and as recorded in the Minutes of said Regular Meeting.

WITNESS my hand and seal of said City this ____ day of _____, 2012.

City Clerk