



# CITY OF BATTLE CREEK

## COMMUNITY SERVICES DEPARTMENT – PLANNING AND ZONING

### AGENDA

#### Historic District Commission Meeting

**Date:** Monday, February 10, 2025

**Time:** 4:00 P.M.

**Where:** City Hall, Room 301

1. Call to Order:

2. Attendance:

3. Additions or Deletions to Agenda:

4. Approval of minutes: January 12, 2025

5. Correspondence:

6. Old Business:

7. New Business:

**A. H03-25 (123 W Manchester St)**

Petition for a Certificate of Appropriateness for the property located at 123 W Manchester Street, filed by The Calhoun County Land Bank for the rehabilitation of the home, to include the replacement and wrapping of the windows on the home, the exterior doors, and the fascia as well as replacing the siding and installing new soffits where needed.

Parcel #5020-00-113-0.

**B. H04-25 (263 N Washington Ave)**

Petition for a Certificate of Appropriateness for the property located 263 N Washington Ave., filed by Donita Moye for the re-siding (like-for-like replacement of the existing vinyl siding) and for the replacement of the existing asphalt shingled roof with a new metal roofing system

8. Comments by the Public:

9. Comments from Commission members and Staff:

10. Adjournment:

*The City of Battle Creek will provide necessary reasonable auxiliary aids and services, such as signers for the hearing impaired and audio tapes of printed materials being considered in the meeting upon notice to the City of Battle Creek. Individuals with disabilities requiring auxiliary aides or services should contact the City of Battle Creek by writing or calling the following: Office of the Planning & Zoning Division, 10 North Division – Suite 117, Battle Creek, MI 49016, (269)966-3348 (Voice), (269)966-3348 (TDD)*

# CITY OF BATTLE CREEK

## HISTORIC DISTRICT COMMISSION MEETING

10 North Division, Battle Creek, MI 49014

Minutes for Monday, January 13, 2025

**MEETING CALLED TO ORDER:** By Chairperson Simpson 4:03 p.m.

**ATTENDANCE:** Chairperson Simpson asked for a roll vote.

**Comm. Simpson,** Present

**Comm. Drozdowski,** Present

**Comm. Davis,** Present

**Comm. Sallee,** absent

**Comm. Thornton,** Present

**Comm. Steinbrunner,** absent

**Comm. Case,** Present

**Staff Present:** Travis Sullivan, Planner Administrator, Melody Carlsen, Administrative Assistant, Ben Peacock, Planner, Patrick Batterson, Assistant City Attorney.

**ADDITIONS OR DELETIONS TO AGENDA:** None.

**APPROVAL OF MINUTES:** Approval of the December 9, 2024 meeting minutes.

**COMMISSIONER DROZDOWSKI MADE A MOTION TO APPROVE THE DECEMBER 9, 2024 MEETING MINUTES, SECONDED BY COMMISSIONER THORNTON.**

**A roll vote was take: ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.**

**CORRESPONDENCE:** None.

**OLD BUSINESS:**

**A. H22-24 (99 W Michigan Ave)**

Petition for a Certificate of Appropriateness for the property located at 99 W Michigan Ave, filed by Cody Newman for the addition of a second floor to the building that will become residential units with a brick façade in the rear of the building, an addition of a third floor and rooftop deck. Masonry on the front and rear facades. Parcel #0253-00-044-0.

**Staff Presentation:** Travis Sullivan gave the staff report for H22-24.

**Applicant Presentation:** Cody Newman of Driven Design Studio was present to speak and answer questions from Commissioners.

**COMMISSIONER DROZDOWSKI MADE A MOTION TO APPROVE H22-24. SECONDED BY COMMISSIONER THORNTON.**

**A roll vote was taken: ALL IN FAVOR, NONE OPPOSED. MOTION APPROVED.**

**NEW BUSINESS:**

**A. H01-25 (238 NE CAPITAL AVE)**

Petition for a Certificate of Appropriateness for the property located at 238 NE Capital Ave, filed by Donald McClellan for the construction of a carport for residential use, reconstruction of the sidewalk, and replacement of the stairs with formal painted concrete. Parcel #3870-00-008-0.

**Staff Presentation:** Travis Sullivan gave the staff report for H01-25.

**Applicant Presentation:** Donald McClellan was present to speak and answer questions from Commissioners.

**Questions from Commissioners:**

**Commissioner Simpson** asked about the color of the current siding, inquired to staff about the appearance of the proposed carport, showed the applicant his suggestion on placement of the carport, asked if there is a 20 foot setback, asked what's to stop the owner from putting in blacktop there.

**Commissioner Case** asked if the applicant would consider moving the carport "L" shape behind the building so it isn't visible from the road, asked if the applicant would be opposed to using trees as screening, asked the owner how many units were in the building, asked how wide the original carriage house was, gave the applicant some suggestions, asked the applicant if he liked what Commissioner Simpson proposed, proposed a pitch roof, asked if the sidewalk would be done with stamped concrete, asked how the sides of the steps were treated, inquired to the handrails replacement.

**Commissioner Drozdowski** asked the owner how many occupants he currently has in the building and how many currently have vehicles, feels a 14 car carport changes the character of the neighborhood and not sold on the idea.

**Commissioner Davis** asked what the parking requirements were for a 14 unit multiple family building, asked if the steps would be painted.

**MOTION MADE BY COMMISSIONER CASE TO PROSPONE THE PARKING/CARPORT PORTION OF THE APPLICATION, AND TO APPROVE THE COBBLESTONE SIDE WALK, POURING OF THE FRONT STEPS TO THEIR ORIGINAL HISTORIC FORM INCLUDING WROUGHT IRON REPLICATIONS TO MATCH THE ORIGINAL HANDRAILS, SECONDED BY COMMISSIONER DAVIS.**

**A roll vote was taken: ALL IN FAVOR, NONE OPPOSED. MOTION APPROVED.**

**B. H02-25- (252 Chestnut St)**

Petition for a Certificate of Appropriateness for the property located at 252 Chestnut St, filed by Olmstead Construction for the removal and replacement of roofing, to include the replacement of 3 tab asphalt shingles and replacement of the cooper flat roofing. Parcel #5390-00-014-0.

**Staff Presentation:** Travis Sullivan gave the staff report for H02-25.

**Applicant Presentation:** Homeowner Jessica Scott was present to speak and answer questions from Commissioners.

**Questions from Commissioners:**

**Commissioner Simpson** asked Commissioner Case if he had any issues with the proposed asphalt shingles.

**Commissioner Case** inquired to one of the pictures in the meeting packet and the street view of the flat roof, asked what copper parts are visible, and asked about the drip edge and transitions.

**MOTION MADE BY COMMISSIONER CASE TO APPROVE H02-25, REPLACEMENT OF SHINGLES AND NOT REQUIRED ONE PORTION OF COPPER TRIM, SECONDED BY COMMISSIONER DROZDOWSKI.**

**A roll vote was taken: ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.**

**C. 4<sup>th</sup> Quarter Administrative Approval Report**

**Staff Presentation:** Travis Sullivan gave the 4<sup>th</sup> Quarter Administrative Approval Report.

**INFORMATIONAL ITEM, NO ACTION NEEDED.**

**D. SHPO CLG Grant Letter of Support**

**Staff Presentation:** Travis Sullivan gave a report for the SHPO CLG Grant.

**MOTION MADE BY COMMISSIONER DAVIS TO APPROVE THE LETTER OF SUPPORT AND TO SEND OFF FOR A GRANT APPLICATION, AND TO APPROVE A STEERING COMMITTEE MEETING FOR FEBRUARY 10<sup>TH</sup> AT 3:00 PM, SECONDED BY COMMISSIONER THORNTON.**

**A roll vote was taken: ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.**

**E. Election of Officers**

**MOTION MADE BY COMMISSIONER DROZDOWSKI TO KEEP THE SAME OFFICERS IN PLACE FOR 2025 AS WERE IN 2024, ROSS SIMPSON AS CHAIR AND KURT THORNTON AS VICE CHAIR, SECONDED BY COMMISSIONER CASE.**

**A roll vote was taken: ALL IN FAVOR, NONE OPPOSED, MOTION APPROVED.**

**COMMENTS FROM THE PUBLIC:** None.

**COMMENTS FROM COMMISSION MEMBERS AND STAFF:** None.

**ADJOURNMENT:** Chairperson Simpson adjourned the meeting at 5:41 pm.

*Submitted by: Melody Carlsen, Planning and Zoning Administrative Assistant*





## **Battle Creek Historic District Commission**

### **Staff Report**

**123 W Manchester St.**

Meeting: February 11, 2025

**To:** Historic District Commission

**From:** Travis Sullivan, Planning and Zoning Administrator

**Date:** January 28, 2025

**Subject:** The petition, filed by Calhoun County Land Bank Authority, for the rehabilitation of the home at 123 W Manchester St., to include the replacement and wrapping of the windows on the home, the exterior doors, and the fascia as well as replacing the siding and installing new soffits where needed.

### **Summary**

Staff recommends approval, pending discussion and consideration of specifics as covered in this staff report, of the subject petition at 123 W Manchester St. (Parcel 5020-00-113-0) for the replacement of the existing wood and vinyl windows with new vinyl windows wrapped in aluminum, the replacement of the exterior doors, the replacement of the fascia, and the replacement of the existing vinyl siding with new vinyl siding and new soffits where needed. Provided that the Historic District Commission (HDC) is satisfied with the assessment of the resource as detailed in this report, the proposed work meets the standards outlined in Chapter 1470.09 "Review of Applications," Chapter 1470.17 "Preservation of Historic Features," and the Secretary of the Interior's Standards and Guidelines.

### **Site & History**

The subject site is located at 123 W Manchester St. (Parcel #5020-00-113-0), along the south side of W Manchester St. and between Kendall St. N to the west and Howland St. to the east within the Old Advent Town local historic district. The Old Advent Town District features primarily Colonial Revival, Americian Foursquare, Bungalow, and American Craftsman style single-family residences that were constructed throughout the late 19<sup>th</sup> and early 20<sup>th</sup> Centuries. While not independently included in the National Register of Historic Places, the subject site does fall within the federally listed Advent Historic District, which was added to the register on June 30, 1994.

The subject site consists of a 1,705 sq. ft. single-family residence, constructed in 1918. According to information contained within the City's BS&A system, the site has not been the subject of any prior applications for Certificates of Appropriateness, although the current applicant was given emergency approval in 2022 for the replacement of the asphalt-shingled roof with new asphalt shingles in order to prevent further destruction to the existing roofline (as a portion of the previous roof had caved into the

living room). Additionally in 2022, two geo-lock wall anchors were installed in the basement's interior in order to stabilize the foundation.

The home is currently included on the City's Dangerous Buildings list and has been since 2013, which requires that a number of repairs and rehabilitation activities take place at the site in order for the building to receive a new certificate of occupancy and avoid further progressing toward demolition. Attached as an exhibit to this report is a copy of the 2013 dangerous building violation notice, which includes the items that were identified at the time as needing to be addressed by the owner.

It will be important for the Historic District Commission (HDC) to note the significant degradation to a number of the historically-defining features of this resource which has taken place over the years and is evidenced by comparison of present day photos to the historical photo of the resource provided by the Willard Library digital collection. Examples of degradation of features includes the enclosure of the previously existing historic porch, the apparent alteration of the window sizes and openings along the front of the building facing W Manchester St., the current cladding of the home with vinyl siding, and what appears to be significant alterations to roofline of the home, specifically with regard to the addition of a dormer on the second story of the east side of the home and the with the aforementioned full enclosure of the what was once a porch at the northeast entrance to the home.

Figure 1 provides an aerial view of the subject site. Figure 2 provides a street level view of the subject site.



**Figure 1:** Orange pin on aerial points to subject site (123 W Manchester St). The thick yellow outline shows the boundary of the subject parcel. Photo courtesy of Nearmap.





**Figure 2:** Street view of the subject structure at 123 W Manchester St., January 2025. Photo courtesy of City of Battle Creek staff.

### **Summary of Request**

The applicant has filed the subject HDC Certificate of Appropriateness application for a variety of rehabilitation items, including:

1. The replacement of the existing vinyl siding with new Certainteed 3" Clapboard Encore Siding (or comparable company and product) vinyl siding.
2. The existing wood windows with new Jeld-Wen Better Series white double-hung vinyl windows with aluminum wrapping. The applicant is proposing to examine the type of window trim that is under the current aluminum, and if salvageable, to utilize the existing trim to the extent possible. If replacement proves to be more cost effective, the applicant is proposing replacement. While not indicated on the application, conversations with the applicant have confirmed that windows currently on the building are a mixture of wood and vinyl materials, and are not uniform throughout the home.
3. The replacement of all three of the existing exterior doors with doors from the Heritage Company or other historic architectural restoration company/store (doors will be selected to match the existing 1900-era and Italianate style). The applicant is, however, also seeking

flexibility to apply a more conventional option should affordability and function become an issue. The applicant has stated that none of the doors are original to the building, and that the rear door is missing and currently boarded. The applicant has also stated that the estimated cost of restoration of the home, if each of the proposed materials are used, will be between \$225 and \$250 per square foot, and that the estimated market for such a property in this location to be roughly \$120,000. The applicant's goal is to save the home from demolition, with the hope of selling the home to a lower to moderate income buyer in order to encourage and provide an opportunity for homeownership.

**Applicable HDC Guidelines and Analysis for a Certificate of Appropriateness for multiple rehabilitation items at 123 W Manchester St.**

This property is reviewed in accordance with City of Battle Creek Building and Housing Code Chapter 1470 "Historic Preservation", as amended, the Michigan Local Historic Districts Act, as amended, and the criteria for the National Register of Historic Places as outlined in the Secretary of the Interior's Standards and Guidelines.

Specifically, the Commission shall follow Section 1470.09 *Review of Applications*, as follows:

- (b) *The Commission shall also consider all of the following:*
  - (1) *The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.*
  - (2) *The relationship of any architectural features of the resource to the rest of the resource and the surrounding area.*
  - (3) *The general compatibility of the design, arrangement, texture, and materials proposed to be used.*
  - (4) *Other factors, such as aesthetic value that the Commission finds relevant.*
- (c) *The Historic District Commission shall review and act upon only exterior features of a resource and shall not review and act upon interior arrangements...*

**And**

**1470.17 PRESERVATION OF HISTORIC FEATURES.**

- (a) *Every reasonable effort shall be made to provide a compatible use for a resource which requires minimal alteration of the building, structure or site and its environment, or to use the resource for its originally intended purpose.*

Staff finds that some aspects of the proposed replacement of the existing vinyl siding with new vinyl siding, the replacement of the existing wood windows with new vinyl windows, and the replacement of the existing exterior doors on the site with doors that may potentially offer an economically and functionally feasible

option may not on their face meet a number of the Secretary of the Interior's Standards for Rehabilitation. However, staff feels it will be important for the HDC to consider the current state of the resource, and evaluate the degree to which the resource has been degraded and potentially lost its historical significance over time. The proposed alterations to the exterior of the building are substantial, but required in order for the resource to be used for its originally intended purpose.

- (b) *The distinguishing original qualities or character of a resource and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.*

The proposed rehabilitation activity involves aspects of the resource that may have already seen original qualities or character destroyed.

With regard to the windows, a comparison of the historical photo from the Willard Library to present day photos appears to clearly indicate that the original windows, as well as the sizes of the openings, have been previously altered on the front of the resource. Unfortunately, photographic evidence does not exist of the west side or rear of the home with which to evaluate any additional changes. It is also worth noting that the hood feature visible over the top of the front first story window was also at some point removed.

The original siding on the resource is presumed to have been wood clapboard. However, the existing siding on the home is of a vinyl material, and is in a badly deteriorated state, as is evidenced by the present day photos which display a number of holes and cracks, as well as degradation of the corner trim. As an aside, the replacement of artificial siding with a material matching the existing (provided that the exposed vertical dimension of the new "clapboard" is no more than five inches or within one inch of the missing or covered original) and provided that no new material covers nor requires the removal of any original trim or architectural detail such as ornamental shingles, carved brackets, window hoods and the like may be approved administratively as a minor class of work.

With regard to the replacement of the exterior doors, the applicant has stated in conversations that of the three doors, one door at the rear of the building is missing and with the opening currently boarded. The other two doors (one on the west side of the building, one on the front) are non-original. With regard to the front door, this statement can be confirmed by comparing the historical photo (porch was unenclosed) to the present day photo (the former porch area has been completely enclosed). The side door is visible in photos submitted by the applicant, and does not appear to be original.

Should Commissioners be satisfied with the assessment that the resource in its current state has experienced significant degradation and loss of the majority of its historically defining features, the Commission may find this standard to be met. However, should the Commission find the standard the standard to be met, staff would recommend the preservation of the existing ornamental shingles on

the front of the second story, as well as the ornate trim feature along the roofline at the peak of the building.

- (c) ***All resources shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.***

The applicant is not proposing any alterations that have no historic basis or which seek to create an earlier appearance.

The Commission may find this standard to be met.

- (d) ***Changes which may have taken place in the course of time are evidence of the history and development of a resource and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.***

None of the proposed work at the subject site is anticipated to represent a change in any characteristic of the resource which may have acquired significance in its own right.

The Commission may find this standard to be met.

- (e) ***Distinctive stylistic features or examples of skilled craftsmanship which characterize a resource shall be treated with sensitivity.***

As has been stated, while it is staff's opinion that the resource has seen significant degradation of its historically significant features, what appear to be original ornamental shingles on the front of the second story of the building as well as the trim feature above do remain in place.

Staff recommends as a condition of approval that the ornamental shingles and ornate trim feature be preserved throughout the rehabilitation process.

- (f) ***Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other resources.***

As has been discussed, the resource at the subject site has experienced years of neglect and significant degradation to the point that the home has been on the dangerous buildings list since 2013. Additionally, many of the features which would have defined the home in its original state (the existence of the historic porch and entryway, the presumably original wood siding, and the original windows and window opening dimensions) are no longer present or have been

significantly altered, as evidenced by comparing the historical photo from the Willard Library with present-day photos. Additionally, discussions with the applicant confirm that a number of the windows and doors proposed for replacement have been either removed from the building (and boarded over), or have been replaced with more modern contemporary materials (vinyl windows, modern door on the west side of the home). The windows that remain on the home appear to be in a significant state of disrepair, and are likely beyond salvageable (although the Commission may want to discuss this with the applicant).

Given the missing features, the combination of existing wood and vinyl windows (and the significant state of degradation to the wood windows), and the lack of original doors on the building, the building as a whole (with the exception of the aforementioned ornamental shingles and trim features) may be viewed as having lost its historical significance.

The Commission may find this standard to be met, provided that Commissioners are satisfied with the assessment that the resource has lost its historical significance.

- (g) ***The surface cleaning of resources shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic materials shall not be undertaken.***

No surface cleaning of the resource on the subject site is being proposed.

The Commission may find this standard to be met.

- (h) ***Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.***

No groundwork associated with the proposed work on the resource is anticipated.

The Commission may find this standard to be met.

- (i) ***Contemporary design for alterations and additions to existing resources shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and when such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.***

The applicant is proposing the use of contemporary materials in the way of the proposed installation of vinyl windows (although, as the applicant states, a number of the existing windows on the home are made of a vinyl material). The applicant is also proposing the use of contemporary door materials, as the three existing doors on the home are not original. Finally, the applicant is proposing the replacement of the existing vinyl siding with new vinyl siding (3" Clapboard Encore Style). The applicant is also proposing the use of aluminum window wrap,



although also states that the existing trim that is under the current aluminum wrapping will be inspected and salvaged where possible.

Should the Commission be satisfied with the assessment that the resource at the subject site has lost the majority of its historically defining features over the course of time, the Commission may find this standard to be met.

- (j) *Whenever possible, new additions or alterations to resources shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the resource would not be impaired.*

The proposed work on the resource does not include an addition or alteration which, if removed in the future, would impair the essential form and integrity of the resource.

The Commission may find this standard to be met.

### **Recommendation**

The applicant is proposing significant replacement and rehabilitation work at the subject site at 123 W Manchester St. in an effort to salvage the home and provide an affordable option for an individual (or individuals) seeking to become homeowners. As has been discussed in this staff report, numerous historically defining elements of this resource appear to have deteriorated over the course of time or are no longer present. The windows facing W Manchester St., as evidenced by comparison of the historical photo to present day street view provided by staff, are not original to the building, and the sizes of the openings appear to have been altered. Additionally, in conversations with the applicant, it has been discovered that a number of the existing windows on the home are constructed of a vinyl material. The once open front porch visible in the historical photo with defining column work and balustrade has been fully enclosed and sided, with the ornate detail no longer present. A second story dormer appears to have at some point been added to the east side of the building (visible in a supplementary photo attached to this report), with the roofline of the east side of the home also altered as a result of this change and the full enclosure of the porch. As evidenced by the photos attached to this report, each of the three doors on the building appear to not be original. A number of the existing window openings have also been boarded over, as the windows themselves are missing. Finally, the home was granted emergency approval for the like-for-like reroofing of the resource in 2022 as a result of the roof having caved in over the living room, exposing the home to potentially significant water damage.

**Therefore, following discussion of the specifics of the property, should HDC members be satisfied with the assessment that the home has lost most of its historically defining features, planning staff recommends approval of a Certificate of Appropriateness for the proposed replacement of the siding, replacement and wrapping of all windows on the home, replacement of the three exterior doors, and repair and replacement of any fascia work and soffits in need as detailed in the application and in this report for the property at 123 W Manchester St., as the request meets the standards outlined in Section 1470.09 “Review of Applications,” Section 1470.17 “Preservation of Historic Features” and the Secretary of the Interior’s Standards and Guidelines, as outlined in the staff report, with the following condition:**

- That the ornate siding and trim detail near the peak of the home facing W Manchester St. be preserved during the rehabilitation process.

**Support Material**

Historic District Commission Application

Supplementary Photos and Description



# City of Battle Creek

Department of Planning and Community Development

77 E. Michigan Avenue, Ste. 204 • Battle Creek, Michigan 49017 • (269) 966-3320

[www.battlecreekmi.gov](http://www.battlecreekmi.gov)

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## HISTORIC DISTRICT COMMISSION Information and Procedures

A local historic district is a historically significant area that is protected by historic district ordinance under the authority of Michigan P.A 169 of 1970. The purpose of the districts are to safeguard the heritage of the City by preserving the resources located within the districts, foster civic beauty, strengthen local economy, and encourage property owners and residents to participate in preservation activities. The City of Battle Creek has designated four Local Historic Districts in order to preserve the architectural, historical, and/or cultural resources of the community. Proposed modifications affecting the exterior appearance of buildings (except minor classes of work) and property improvements within a historic district require approval from the Historic District Commission (HDC).



### **PRE-APPLICATION RECOMMENDATIONS**

Prior to submitting an application to the Historic District Commission for review it is recommended that an applicant consult with Planning Department staff to discuss the proposed work and application requirements. It is further recommended that the applicant contact the Inspections Department at (269) 966-3382 to discuss any possible requirements of the building, plumbing, mechanical, electrical, and/or fire code.

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## **APPLICATIONS TO THE HISTORIC DISTRICT COMMISSION**

Typically, any exterior changes to a structure require an application to the Planning Department to ensure that modifications and improvements do not compromise the historical integrity of the building or district in which it is located. Staff will determine if the proposed work is considered a “minor class of work” requiring only administrative staff approval, or it if will require approval by the Historic District Commission. Projects involving repairs or rehabilitations require a Certificate of Appropriateness issued by the Historic District Commission and demolition requests require a Notice to Proceed.

### **Certificate of Appropriateness (repair/rehab)**

In order to be approved for a Certificate of Appropriateness, a project shall conform to each of the following standards. As outlined in chapter 1470.09 “Review of Applications” of the City of Battle Creek Codified Ordinances, the Historic District Commission shall follow the U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings. These standards can be found at the following website:

[http://www.nps.gov/hps/tps/standguide/rehab/rehab\\_standards.htm](http://www.nps.gov/hps/tps/standguide/rehab/rehab_standards.htm)

*Please note that the above website also contains guidelines concerning specific building improvement projects, i.e. window repair vs. replacement, masonry repair, cleaning methods, and general maintenance.*

The commission shall also consider the following:

- (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.
- (2) The relationship of any architectural features of the resource to the rest of the resource and the surrounding area.
- (3) The general compatibility of the design, arrangement, texture and materials proposed to be used.
- (4) Other factors, such as aesthetic value that the Commission finds relevant.

Lastly, the Historic District Commission shall review the plans for compliance with the preservation standards adopted by the Historic District Commission set forth in Chapter 1470.17 as follows:

- (a) Every reasonable effort shall be made to provide a compatible use for a resource which requires minimal alteration of the building, structure or site and its environment, or to use the resource for its originally intended purpose.
- (b) The distinguishing original qualities or character of a resource and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.
- (c) All resources shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.
- (d) Changes which may have taken place in the course of time are evidence of the history and development of a resource and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.
- (e) Distinctive stylistic features or examples of skilled craftsmanship which characterize a resource shall be treated with sensitivity.
- (f) Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material

- being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other resources.
- (g) The surface cleaning of resources shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic materials shall not be undertaken.
  - (h) Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.
  - (i) Contemporary design for alterations and additions to existing resources shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and when such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.
  - (j) Whenever possible, new additions or alterations to resources shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the resource would be unimpaired.

### **Notice To Proceed (demolition)**

Demolition is irreversible, and therefore the Historic District Commission encourages creative rehabilitation and adaptive re-use solutions be considered before demolition of a structure is proposed. There may be situations in which the quality and/or condition of a structure make demolition an appropriate solution. Demolition of properties within a Historic District shall be permitted through the issuance of a Notice to Proceed by the Commission if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the Historic District Commission to be necessary to substantially improve or correct any of the following conditions:

- (1) The resource constitutes a hazard to the safety of the public or to the structures and occupants.
- (2) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community, and the applicant proposing the work has obtained all necessary planning and zoning approvals and financing and environmental clearances.
- (3) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God or other event beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the Historic District, have been attempted and exhausted by the owner.
- (4) Retaining the resource is not in the interests of the majority of the community.

### **SUBMITALL REQUIREMENTS**

In general, the completed application must be submitted to the Planning Department at least three weeks prior to a scheduled Historic District Commission meeting. Meeting dates and application deadlines can be found on the city website, or by calling the department. In order for the application to be accepted, the following items must be submitted with the completed application:

- 1. An affidavit authorizing an applicant to act on behalf of the owner if the petitioner is not the owner.
- 2. Property Site Plan:

- a) For residential occupied properties, applicants shall submit a drawing of the property indicating existing and proposed property features, including but not limited to any structures, drives, fences, decks/patios, etc. The dimensions of all existing and proposed features shall be labeled, as well as property dimensions. Distances between existing and/or proposed buildings and property lines shall also be included on the drawing. Indicate location of any proposed building additions subject to review by the HDC.
- b) Non-residential properties that propose any revisions from an approved site plan will require a new site plan submittal, per Ch. 1294 of the Zoning Ordinance. If the requested project will NOT result in changes to the property including buildings (new or additions), parking, landscaping, etc. the applicant shall submit a drawing as specified in 2a.
3. Photographs of the property and structure, including all four elevations of the building, historical photographs of the property and structure (check the Willard Library 1940 picture file), and street photos of structures adjacent to the property. Photographs shall be mounted, and labeled, on an 8 ½ x 11 sheet of paper.
4. **For Certificate of Appropriateness applications only:**
  - a) Provide one set of drawings that explain exactly what is being proposed including details of the project, specifications, and product information as needed. All drawings should be to scale.
  - b) Provide specific information on all materials proposed for the project including manufacturer names, illustrations, specifications, and samples. Material information should be submitted with this application and all samples should be brought to the meeting.
5. **For Notice to Proceed applications only:**
  - a) Labeled photographs of the interior and exterior of the structure proposed for demolition
  - b) Estimates for the complete repair of the property and estimates for demolition of the property OR
  - c) Documentation that the demolition is needed in order to further a major improvement program that has community wide benefit OR
  - d) Any other supporting documentation that demonstrates compliance with any of the above standards for issuance of a Notice to Proceed.

## **REVIEW PROCESS**

At the time the application is submitted, you will be given the date of the Historic District Commission meeting at which your request will be discussed, and once prepared, an applicant will be mailed a meeting agenda and staff report specific to the application.

The Historic District Commission meets once a month, on the second Monday of each month at 4:00 pm, and are conducted in the Commission Chamber (Rm 301) of City Hall. **Please call or email to verify the date of the meetings. It is possible that some months may have required a different meeting date to accommodate holidays or other events.** There is no fee to make application to the Historic District Commission.

At the meeting the applicant is asked to present their request. The Historic District Commission will discuss the request, possibly asking additional questions of the applicant and/or staff. The Historic District Commission may postpone a decision pending additional information that is needed in order to make a decision. They may also approve, approve with conditions, or deny the request based on the standards listed above. **The applicant or a representative is highly encouraged to attend the meeting to present your request and answer any questions.**



### **ADDITIONAL CONSIDERATIONS**

Staff will be available to review applications for completeness and advise applicants in the preparation and submittal of their application. For complex projects, such as building additions, applicants may consider seeing the advice and expertise of an architect familiar with historic preservation.

Please ensure that the application fully details the proposed work that warrants review by the Historic District Commission. The Certificate of Appropriateness or Notice to Proceed is based upon the contents of the submitted application. Any future proposed exterior change must be reviewed with the Planning Department to ensure consistency with the approved work, and may be subject to additional review by the Historic District Commission.

### **QUESTIONS**

Please contact the Planning Department if you have any additional questions regarding the Historic District Commission, the application, or other requirements.



# City of Battle Creek

Department of Planning and Community Development

77 E. Michigan Avenue, Ste. 204 • Battle Creek, Michigan 49017 • (269) 966-3320

[www.battlecreekmi.gov](http://www.battlecreekmi.gov)

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## HISTORIC DISTRICT COMMISSION

Application for (check all that applies)

☐ Certificate of Appropriateness (for repairs or rehab projects)

☐ Notice to Proceed (for demolition requests)

Petition No. \_\_\_\_\_

Date Received: \_\_\_\_\_

### APPLICANT\*\*

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL: \_\_\_\_\_

### OWNER (if different from applicant)

NAME: \_\_\_\_\_

ADDRESS: \_\_\_\_\_

PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_

EMAIL: \_\_\_\_\_

**\*\*If the applicant is not the property owner, a letter signed by the owner agreeing to the application to the Historic District Commission must be included with the application.**

### SUBMITTAL REQUIREMENTS/EXISTING CONDITIONS

Address(es) of property for which the request is being sought: \_\_\_\_\_

Current use of the property: \_\_\_\_\_

List existing structures on the property and the approximate age of each.

Please list all activities/proposed work for the property area and how the proposed work relates to the building as a whole.



Indicate in which manner the proposed work will result in changes to the size and/or appearance of the features outlined in this application.

Does the work proposed include maintenance/repair of existing features of the structure, or will it create new features that do not currently exist?

Please indicate the existing building materials of the following structural features and the proposed materials if that feature is included as part of the application.

	Existing Materials	Proposed Materials (if applicable)
Roof	_____	_____
Windows	_____	_____
Siding	_____	_____
Foundation	_____	_____
Other _____	_____	_____

**For Notice To Proceed requests only:**

What options have you explored for the repair or relocation of the structure proposed for demolition?

**SUBMITTAL REQUIREMENTS**

As outlined in "HDC, Information and Procedure", each request requires supplementary items that thoroughly describe the existing structure and proposed project. These items are to be submitted with the completed application; incomplete applications will not be forwarded to the Historic District Commission.

**APPLICANT SIGNATURE**

By signing this application, the applicant hereby declares that all answers given herein are true to the best of their knowledge, and confirms that all information required for Historic District Commission review has been submitted. Furthermore, the applicant confirms that they have thoroughly read the "Historic District Commission, Information and Procedures" and agrees to comply with all requirements and procedures outlined therein.

*Krista Saint Edwards*

\_\_\_\_\_  
 Name

\_\_\_\_\_  
 Date

### **Supplementary Items for 123 Manchester St W Rehabilitation Project – Exterior components**

This home is an Italianate style architecture. The design is simple and clean, elements will be replaced with this style in mind.

Windows – Jeld-Wen Better Series white double hung vinyl windows. Features include; tilt latch, screen, Low-E glass (or comparable company and product). Window style and size will remain the same as existing.

Doors – Will be replaced with doors from The Heritage Company or other historic architectural restoration company/store. The Heritage Company has thousands of doors in their inventory. They will be selected to match the 1900-era and Italianate style. If at all possible, however, we may need to have conventional option if affordability and function become an issue.

Siding – Will be replaced with Certainteed 3” Clapboard Encore Style siding, or comparable company and product.

Aluminum window wrap – It will be examined as to what type of window trim is under the aluminum. If it is salvageable it will be used if at all possible. If it can be replaced and is more cost effective it may be replaced. CCLBA is planning to make a determination prior to the specification development.

### **Historic Photo – Willard Library Digital Archives**



Existing Condition – CCLBA Images















## CITY OF BATTLE CREEK, MICHIGAN

## LICENSING AND COMPLIANCE DEPARTMENT

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**NEIGHBORHOOD CODE COMPLIANCE DIVISION**  
**\*\*\* DANGEROUS BUILDING VIOLATION NOTICE \*\*\***

Inspection date: February 11, 2013

EN13-00007

Notice Issued to:

**MCDONALD, EARLINE D**  
**C/O VANESSA MCDONALD**  
**PO BOX 1505**  
**EAST LANSING, MI 48826**

Notice in reference to: 123 W MANCHESTER ST

Please be advised that an inspection was made of the above stated property in accordance with Chapter 1454 of the Codified Ordinances of Battle Creek, Michigan. Upon inspection, CONDITIONS AS LISTED were observed which violate the City's Dangerous Buildings Ordinance, Chapter 1454.

Although you are required to correct the violations listed below, there may be additional violations that require your attention.

To determine if there are additional violations, you may contact the Inspections Division at (269) 966-3382 to schedule a safety inspection. This inspection is free of charge and will determine the extent of repair required to allow a new Certificate of Occupancy to be issued. The issuance of a Certificate of Occupancy would remove your property from further dangerous buildings consideration.

**VIOLATIONS: House vacant in excess of 180 days, front door unsecure, several boarded windows, water service off since August 31, 2011 and house lacks property maintenance.**

1454.01(1). . . A door, aisle, passageway, stairway, or other means of exit does not conform to the approved fire code of the city.

1454.01(6) . . . The building, structure, or a part of the building or structure is manifestly unsafe for the purpose for which it is used.

1454.01(8). . . A building or structure used or intended to be used for dwelling purposes, including the adjoining grounds, because of dilapidation, decay, damage, faulty construction or arrangement, or otherwise, is unsanitary or unfit for human habitation, is in a condition that the health officer determines is likely to cause sickness or disease, or is likely to injure the health, safety, or general welfare to people living in the dwelling.

1454.01(9). . . A building or structure is vacant, dilapidated, or open at door or window, leaving the interior of the building exposed to the elements or accessible to entrance by trespassers, or becomes a haven for vermin, rodents, vectors or other insects and animals odious to humans.

1454.01(10). . A building or structure remains unoccupied for a period of 180 consecutive days or longer, and is not listed as being available for sale, lease or rent with a real estate broker licensed under article 25 of the occupational code, Act No. 299 of the Public Acts of 1980, as amended. For purposes of this subdivision, "building or structure" includes, but is not limited to, a commercial building or structure. This subdivision does not apply to any of the following:

- A. A building or structure as to which the owner or agent does both of the following:
  - 1. Notified the city police department that the building or structure will remain unoccupied for a period of 180 consecutive days. The notice shall be given to the police department by the owner or agent not more than 30 days after the building or structure becomes unoccupied.
  - 2. Maintains the exterior of the building or structure and adjoining grounds in accordance with the act or the building code of the city.
- B. A secondary dwelling of the owner that is regularly unoccupied for a period of 180 days or longer each year, if the owner notifies the city police department that the dwelling will remain unoccupied for a period of 180 consecutive days or more each year. An owner who has given the notice prescribed by this subparagraph shall notify the police department not more than 30 days after the dwelling no longer qualifies for this exception. As used in this subparagraph, "secondary dwelling" means a dwelling such as a vacation home, hunting cabin, or summer home that is occupied by the owner or a member of the owner's family during part of a year.
- C. A building or structure declared to be a public nuisance secured pursuant to Chapter 662 of the city ordinances.

In regard to the cited violations, the following should be noted:

- 1. **APPROPRIATE PERMITS MUST BE OBTAINED** prior to any building construction or structural alteration, demolition, electrical, plumbing, mechanical installation or repair. If there is any question as to what type of work requires a permit or a licensed contractor, please contact the Inspection Division at (269) 966-3382, to speak with the appropriate trade inspector.
- 2. All electrical, plumbing or mechanical installations, modifications or repairs, must be done by a licensed contractor.

If you have any questions or concerns, please feel free to contact me. Your cooperation is appreciated.

Sincerely,

*Dennis D. McKinley*

Dennis D. McKinley  
 Code Compliance Administrator  
 Telephone No. (269) 966-3387  
 Email: ddmckinley@battlecreek.mi.gov

DDM/lms

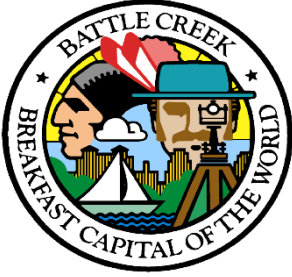


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## **Battle Creek Historic District Commission**

### **Staff Report**

**263 N Washington Ave.**

Meeting: February 11, 2025

**To:** Historic District Commission

**From:** Travis Sullivan, Planning and Zoning Administrator

**Date:** February 4, 2025

**Subject:** The petition, filed by Donita Moye for the re-siding (like-for-like replacement of the existing vinyl siding with new vinyl siding) and for the replacement of the existing asphalt shingled roof with a new metal roofing system on the home at 263 N Washington Ave.

### **Summary**

Staff recommends that the Historic District Commission (HDC) seek further details and discuss with the applicant the materials proposed to be used (vinyl siding as a replacement for the existing vinyl, and a metal roofing system as a replacement for the existing asphalt shingles) on the home located at 263 N Washington Ave. Following discussion and pending the HDC's evaluation of the proposed materials, should the HDC be satisfied that the standards outlined in Chapter 1470.09 "Review of Applications," Chapter 1470.17 "Preservation of Historic Features," and the Secretary of the Interior's Standards and Guidelines have been met, staff would recommend approval of the proposed re-siding and reroofing of the home at 263 N Washington Ave.

### **Site & History**

The subject property is located at 263 N Washington Ave. (Parcel # 3750-00-001-0), along the west side of N Washington Ave. and between Bowen Ave. to north and Greenwood Ave. to the south within the Old Advent Town local historic district. The Old Advent Town District features primarily Colonial Revival, American Foursquare, Bungalow, and American Craftsman style single-family residences that were constructed throughout the late 19th and early 20th Centuries. While not independently included in the National Register of Historic Places, the subject site does fall within the federally listed Advent Historic District, which was added to the register on June 30, 1994.

The subject site consists of a 1,304 sq. ft. single-family residence, constructed in 1925. According to information contained within the City's BS&A system, the site has not been the subject of any prior application for Certificates of Appropriateness.

The HDC will want to note that work had begun on the home prior to application for a building permit and HDC approval. Upon discovery of the work by City staff on January 28, the applicant and contractor were notified that work on the property was to cease until the proper approvals were obtained. The

applicant applied for a building permit for the reroofing on January 28, and completed their application to the HDC on February 3.

At this point, most of the existing siding has been removed from the home. The siding that remains is the existing vinyl siding, visible in both the current day photo as well as the 2016 photo from the assessor's office. Both photos are attached to this report.

The current asphalt roof has not yet been removed from the home. However, the HDC will want to note that the applicant has stated that the proposed metal roof (photos and information attached to this report) has already been purchased, with the seller having a "no refunds" policy.

Figure 1 provides an aerial view of the subject site. Figure 2 provides a street level view of the subject site prior to work, and Figure 3 provides a street level view of the subject site from the corner of Seedorff St. and N Washington Ave. at present, with siding removed.



**Figure 1:** Orange pin on aerial points to subject site (263 N Washington Ave.). The thick yellow outline shows the boundary of the subject parcel. Photo courtesy of Nearmap.





**Figure 2:** Street view of the subject structure at 263 N Washington St., November 2016. Photo courtesy of City of Battle Creek assessing staff.



**Figure 3:** Street view of the subject structure at 263 N Washington Ave., taken February 4, 2025. Much of the existing siding has been removed from the structure.

### **Summary of Request**

The applicant has filed the subject HDC Certificate of Appropriateness application for the like-for-like replacement of the existing vinyl siding, and for the replacement of the existing asphalt shingled roof with a new metal roofing system.

It is important for the HDC to note that while the replacement of the vinyl siding with new vinyl siding could normally be approved administratively, this item is being referred to the HDC for consideration due to the fact that staff does not have information sufficient to substantiate that the exposed vertical dimension of the new “clapboard” is no more than five inches or within one inch of the missing or covered original. While the photographs provided by the applicant appear to indicate that the proposed siding meets the requirements, staff would request that the HDC ask the applicant for clarification on this item at the meeting.

### **Applicable HDC Guidelines and Analysis for a Certificate of Appropriateness for multiple rehabilitation items at 263 N Washington Ave.**

This property is reviewed in accordance with City of Battle Creek Building and Housing Code Chapter 1470 "Historic Preservation", as amended, the Michigan Local Historic Districts Act, as amended, and

the criteria for the National Register of Historic Places as outlined in the Secretary of the Interior's Standards and Guidelines.

Specifically, the Commission shall follow Section 1470.09 *Review of Applications*, as follows:

- (b) *The Commission shall also consider all of the following:***
  - (1) *The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area.***
  - (2) *The relationship of any architectural features of the resource to the rest of the resource and the surrounding area.***
  - (3) *The general compatibility of the design, arrangement, texture, and materials proposed to be used.***
  - (4) *Other factors, such as aesthetic value that the Commission finds relevant.***
- (c) *The Historic District Commission shall review and act upon only exterior features of a resource and shall not review and act upon interior arrangements...***

**And**

#### ***1470.17 PRESERVATION OF HISTORIC FEATURES.***

- (a) *Every reasonable effort shall be made to provide a compatible use for a resource which requires minimal alteration of the building, structure or site and its environment, or to use the resource for its originally intended purpose.***

Staff finds that the proposed alterations would allow for the continued use of the resource for its originally intended purpose. However, staff also understands that the proposed reroofing of the site could be viewed as a substantial alteration to the home. In researching the use of metal roofs in historic districts, staff has gleaned that a number of communities (the City of Kalamazoo in particular) do at times permit the use of metal roofing within their local historic districts, contingent upon evidence indicating that metal or copper materials have previously been used on the building, and that for normally sloping roofs that standing rib metal material be used. Based upon the applicant's information, the proposed material does appear to be a standing ribbed product. Other historic districts researched indicate that they at times allow for the use of metal roofing provided the material has a matte finish, and that the material be of an earth-toned coloration and complimentary of the architectural details of building.

Unfortunately, staff was unable to find a previous example of an application to the HDC which involved the use of metal roofing.



Staff would encourage the HDC to engage in discussion with the applicant regarding these items. If satisfied with the proposed aesthetic of the material, the Commission may find this standard to be met.

- (b) ***The distinguishing original qualities or character of a resource and its environment shall not be destroyed. The removal or alteration of any historic material or distinctive architectural features shall be avoided when possible.***

The applicant is proposing the like-for-like re-siding of the building. Additionally, the applicant seeks to replace the existing asphalt shingled roof with a metal roofing system.

While a significant alteration to the property, neither change would be anticipated to result in the removal, alteration or destruction of any historic material or distinctive architectural features.

The Commission may find this standard to be met.

- (c) ***All resources shall be recognized as products of their own time. Alterations that have no historic basis and which seek to create an earlier appearance shall be discouraged.***

The applicant is not proposing any alterations that have no historic basis or which seek to create an earlier appearance.

The Commission may find this standard to be met.

- (d) ***Changes which may have taken place in the course of time are evidence of the history and development of a resource and its environment. These changes may have acquired significance in their own right, and this significance shall be recognized and respected.***

None of the proposed work at the subject site is anticipated to represent a change in any characteristic of the resource which may have acquired significance in its own right.

The Commission may find this standard to be met.

- (e) ***Distinctive stylistic features or examples of skilled craftsmanship which characterize a resource shall be treated with sensitivity.***

As has been stated, while the proposed re-siding and reroofing would in staff's estimation be considered a substantial alteration, neither would impact any stylistic features or examples of skilled craftsmanship. The existing materials are standard vinyl siding and asphalt roofing shingles.

The Commission may find this standard to be met.



- (f) ***Deteriorated architectural features shall be repaired rather than replaced wherever possible. In the event replacement is necessary, the new material should match the material being replaced in composition, design, color, texture and other visual qualities. Repair or replacement of missing architectural features should be based on accurate duplications of features, substantiated by historic, physical or pictorial evidence rather than on conjectural designs or the availability of different architectural elements from other resources.***

As has been discussed, the resource at the subject site no longer contains the original siding, as the existing siding proposed for replacement is of a vinyl material. While the applicant is proposing a change in the coloration of the siding from the existing light green to a deeper gray, the siding itself does not represent an alteration or removal of an architectural feature. In this same way, the proposed replacement of the existing asphalt roofing with a new metal material (of a similar brown coloration) would not represent the removal an architectural feature.

The Commission may find this standard to be met.

- (g) ***The surface cleaning of resources shall be undertaken with the gentlest means possible. Sandblasting and other cleaning methods that will damage the historic materials shall not be undertaken.***

No surface cleaning of the resource on the subject site is being proposed.

The Commission may find this standard to be met.

- (h) ***Every reasonable effort shall be made to protect and preserve archaeological resources affected by or adjacent to any project.***

No groundwork associated with the proposed work on the resource is anticipated.

The Commission may find this standard to be met.

- (i) ***Contemporary design for alterations and additions to existing resources shall not be discouraged when such alterations and additions do not destroy significant historic, architectural or cultural material and when such design is compatible with the size, scale, color, material and character of the property, neighborhood or environment.***

The applicant is proposing the use of contemporary materials. The replacement of the existing vinyl siding would normally be an item eligible for administrative approval had evidence existed to substantiate that the replacement “clapboard’s” exposed vertical dimension does not exceed 5 inches. Staff would recommend that the HDC seek clarification from the applicant on this detail prior to approval.

The applicant is also proposing the use a contemporary metal roofing material. However, the installation of the proposed material would not result in the

destruction of a significant historic or architectural feature (the existing roofing is a typical asphalt shingle).

The Commission may find this standard to be met.

- (j) *Whenever possible, new additions or alterations to resources shall be done in such a manner that if such additions or alterations were to be removed in the future, the essential form and integrity of the resource would not be impaired.*

The proposed work on the resource does not include an addition or alteration which, if removed in the future, would impair the essential form and integrity of the resource.

The Commission may find this standard to be met.

### **Recommendation**

The applicant is proposing the like-for-like replacement of the existing vinyl siding, which is an item that could normally be administratively approved (if it were known that the vertical exposed dimension of the “clapboard” does not exceed 5 inches). Staff would recommend that the HDC seek clarification on this item prior to rendering its decision.

The applicant is also proposing the replacement of the existing asphalt shingled roof with a new metal roofing system of a similar coloration. Unfortunately, no previous examples of the use of metal roofing in a historic district could be found. Additionally, while not an officially adopted document, the rudimentary set of design guidelines does not contemplate metal as a roofing material. However, even in light of these facts, staff would also seek to highlight that the removal of the existing asphalt shingles would not represent the loss of a historically defining or architectural material. However, should the Commission seek to provide an approval for the proposed reroofing, staff would recommend that the Commission discuss the finish of the material with the applicant, as a material with a matte finish may be more likely to blend into the existing environment.

**Therefore, following discussion of the specifics of the project, and should HDC members be satisfied with the aesthetic qualities of the proposed roofing material, planning staff recommends approval of a Certificate of Appropriateness for the proposed like-for-like replacement of the existing vinyl siding, and the replacement of the existing asphalt shingled roof with a new standing ribbed metal roofing system, as the request meets the standards outlined in Section 1470.09 “Review of Applications,” Section 1470.17 “Preservation of Historic Features” and the Secretary of the Interior’s Standards and Guidelines, with the following conditions:**

- **That the proposed replacement siding material consist of an exposed vertical dimension of not more than 5 inches.**
- **That should members of the HDC find it appropriate, the proposed metal roofing consist of a matte finish.**

### **Support Material**

Historic District Commission Application  
Supplementary Photos and Description



# City of Battle Creek

Department of Planning and Community Development

10 N. Division Street, Ste. 117 • Battle Creek, Michigan 49014

Phone: (269) 966-3320 • [www.battlecreekmi.gov](http://www.battlecreekmi.gov)

## HISTORIC DISTRICT COMMISSION

Application for:

- ☒ Certificate of Appropriateness (for repairs or rehab projects)  
☐ Notice to Proceed (for demolition requests)  
☐ Minor Class of Work (admin approval)

Petition No. \_\_\_\_\_

Date Received: 1-28-2025

### APPLICANT\*\*

NAME: Donita moye  
 ADDRESS: 263 N. Washington ave  
 PHONE: 269-419-5433 FAX: -  
 EMAIL: dmichelle234@yahoo.com

### OWNER (if different from applicant)

NAME: Same  
 ADDRESS: PO Box 979 BC 49016  
 PHONE: \_\_\_\_\_ FAX: \_\_\_\_\_  
 EMAIL: \_\_\_\_\_

\*\*If the applicant is not the property owner, a letter signed by the owner agreeing to the application to the Historic District Commission must be included with the application.

### SUBMITTAL REQUIREMENTS/EXISTING CONDITIONS

Address(es) of property for which the request is being sought: 263 N. Washington

Current use of the property: rental

List existing structures on the property and the approximate age of each. 1 House  
blt 1925

Please list all activities/proposed work for the property area and how the proposed work relates to the building as a whole.

new metal roof and siding

Indicate in which manner the proposed work will result in changes to the size and/or appearance of the features outlined in this application.

Bringing beauty to the area updating bringing Value to the home and neighbors homes.

Does the work proposed include maintenance/repair of existing features of the structure, or will it create new features that do not currently exist?

Structure

Please indicate the existing building materials of the following structural features and the proposed materials if that feature is included as part of the application.

	Existing Materials	Proposed Materials (if applicable)
Roof	<u>old shingles</u> <sup>Asphalt</sup>	<u>metal</u>
Windows	<u>no</u>	
Siding	<u>yes</u> <sup>over 20 years old</sup>	<u>yes</u>
Foundation	<u>no</u>	<u>Sidering</u>
Other	<u>n/a</u>	

**For Notice To Proceed requests only:**

What options have you explored for the repair or relocation of the structure proposed for demolition?

Amish tend to do the work.

**SUBMITTAL REQUIREMENTS**

As outlined in "HDC, Information and Procedure", each request requires supplementary items that thoroughly describe the existing structure and proposed project. These items are to be submitted with the completed application; incomplete applications will not be forwarded to the Historic District Commission.

**APPLICANT SIGNATURE**

By signing this application, the applicant hereby declares that all answers given herein are true to the best of their knowledge, and confirms that all information required for Historic District Commission review has been submitted. Furthermore, the applicant confirms that they have thoroughly read the "Historic District Commission, Information and Procedures" and agrees to comply with all requirements and procedures outlined therein.

Alma McMay  
 Name

1.28.25  
 Date









11/15/2016

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CONFORMS TO UBC STANDARD 14-2

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CONFORMS TO UBC STANDARD 14-2  
www.provia.com







Brown



# Limited 40 Year Warranty on Akxo-1050 Siliconized Polyester Finish Applies to Alpha Roofing and Siding Panels

This color-coded finish on Alpha Building Center Panels is produced and applied according to standard application practices. Alpha Building Center warrants that the integrity of the color-coded finish applied to its roofing and siding panels will not, within a period of 40 years after the installation or 40 years and one month after the date of shipment of panels from Alpha Building Center (whichever comes first) under normal atmospheric conditions (which excluding corrosive aggressive chemicals, chemical fumes, or direct contact with certain treated lumber.)

1. Peel, crack, check, flake, or blister to an extent that it is apparent on ordinary outdoor visual observation.
2. Vertical installations of Alpha Panels will not change color more than five (5) and non-vertical installations will not change more than seven (7) NBS (Hunter)
3. For (30) years, Sidewall Panels of Product will not chalk more than a number eight rating and non-vertical installations will not chalk more than a number six rating when measured for ASTM D-4214 Method A.

This is an anti-weathering limited warranty and does not apply to other causes of degradation, including; Product which has suffered scratching or abrasion or has been damaged by abrasive or chemical cleaners; has been abused, altered, modified, used in a manner not originally intended, or stored contrary to recommendations of Akzo Nobel, Alpha, or the coil coater, or contrary to good industry practice; has been damaged due to moisture entrapment in coils and/or bundles during transit or storage; has been stored or installed in a way which allows water on the coating or in any chemically aggressive environment (containing such substances as fumes, ash, salts, dirt, grease, or high humidity); has been stored or installed in such a way that allows contact with animals and/or animal waste or its decomposition products; has suffered from improper forming, fabrication, or embossing; corrosion of the substrate and/or corrosion at cut edges; or develops and other condition between the coating and the substrate or delaminate. Product which is installed within 1000 meters (3,250 feet), unless approved in writing by Akzo Nobel prior to installation, based on Akzo Nobel's review of the information provided on the Site Conditions Form (appendix A.) Product topcoats which are not applied onto metal which has been primed with an approved Akzo Nobel primer on both sides of the metal sheet, and which has been coated with an approved Akzo Nobel backer coating on the reverse side, all per specifications on the Akzo Nobel Product Data Sheet.

**This warranty is expressly subject to the following terms and conditions:**

1. The remedy for any claims arising from a defective color-coated finish on Alpha Panels shall be limited to refinishing or replacing the defective panels, or where applicable, a refund of purchased price. ALPHA SHALL NOT BE LIABLE FOR ANY LOSSES, DAMAGES, OR EXPENSES WHETHER DIRECT, INCIDENTAL, OR CONSEQUENTIAL, CAUSED BY OR RESULTING FROM THE USE OF DEFECTIVE OR NONCONFORMING ALPHA PANELS OR ANY OTHER INCIDENTAL OR CONSEQUENTIAL DAMAGES. ALPHA'S TOTAL LIABILITY IS EXPRESSLY LIMITED TO THE PURCHASED PRICE OF THE ALPHA PANELS. Some states do not allow the exclusion or limitation of incidental or consequential damage, so this limitation or exclusion may not apply to a particular consumer.
2. The express warranty state herein is the exclusive express warranty applicable to the color-coated finish on Alpha Panels. ANY IMPLIED WARRANTIES, INCLUDING ANY IMPLIED WARRANTY OR MERCHANTABILITY OR FITNESS FOR A PARTICULAR PURPOSE, ARE LIMITED IN DURATION TO THE TIME PERIOD OF THE EXPRESS WARRANTY SET FORTH HEREIN. Some states do not allow limitation on how long an implied warranty lasts, do this limitation on the duration of implied warranties may not apply to a particular customer.
3. This warranty provides specific legal rights, and other rights which may vary from state to state may apply.
4. Claims under this warranty must be made in writing to Alpha at the address set forth below within 30 days after the discovery of the defect. Alpha shall have an additional 30 days to inspect the Alpha Panels before any further action shall be taken.
5. Defects or damages to the Alpha color-coated finish caused by handling, shipping, transit, processing, storage, or installation are not covered by this warranty. This warranty further shall not extend to or cover damage to the warranted color-coating occasioned by moisture or other contamination detrimental to the color-coated metal prior to installation.
6. Minor hairline cracking of the color-coated finish is not covered by this warranty.
7. The Alpha color-coated finish is not warranted to weather uniformly under non-uniform conditions of exposure or use.
8. All claims under this warranty must be accompanied by the original invoice.
9. The remedy for any claims arising from the defective color-coated finish on Alpha Panels shall be limited to refinishing or replacing the defective panels, or where applicable, a refund of purchased price. The amount of refund shall be reduced by 3.3% for each year the Alpha Panels were in use. This beginning after the ninth year.
10. THIS WARRANTY IS LIMITED TO THE ORIGINAL PURCHASER ONLY AND IS NON-TRANSFERABLE.

**Alpha Building Center**

0855 N SR 5

Shipshewana, IN 46565













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EXTRUSION POLYPROPYLENE

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## PLEASE REMEMBER TO REGISTER YOUR WARRANTY

For all warranty-related matters scan this QR Code  
or visit [www.provia.com/warranty](http://www.provia.com/warranty).



COLOR KEEPER  
ANTI-FADE PROTECTION

**ProVia**  
THE PROFESSIONAL WAY

**Super Polymer  
Vinyl Siding**

**Lifetime Limited  
WARRANTY**

**IMPORTANT: ALL CLAIMS UNDER THIS WARRANTY MUST BE REPORTED TO PROVIA WITHIN SIXTY (60) DAYS OF THE DATE THAT THE DEFECT IS FIRST DISCOVERED. CLAIMANT SHOULD DESCRIBE THE DEFECT AND PROVIDE NAME, ADDRESS, DATE OF INSTALLATION AND WARRANTY CERTIFICATE NUMBER IF AVAILABLE.**

ProVia shall be allowed a reasonable opportunity and time to investigate the claim and to inspect the Products for defects before repairs are begun. You may be requested to allow photos and/or samples to be taken, at ProVia's option, in connection with this investigation. If your Product contains manufacturing defects covered by this warranty, ProVia will, at its option, repair or replace the Products determined to be defective in accordance with the terms of this warranty, or, in lieu of repair or replacement, ProVia may refund the actual purchase price of the products determined to be defective. ProVia may direct and pay a company, dealer, contractor, applicator or distributor to perform any remedy under this warranty on ProVia's behalf. The warranty period shall not be extended by any repair, replacement, or refund settlements on defective or hail damaged Products. Due to normal weathering, the replacement Products may vary in color and gloss from products originally installed. Such variances are not defects and ProVia is not liable for such variances.

### G. GENERAL PROVISIONS

PROVIA RESERVES THE RIGHT TO DISCONTINUE OR MAKE CHANGES IN ANY OF ITS PRODUCTS. IF THE PRODUCTS COVERED BY THIS WARRANTY ARE NOT AVAILABLE, PROVIA SHALL HAVE THE RIGHT TO SUBSTITUTE A PRODUCT THAT IN PROVIA'S SOLE DISCRETION IS OF EQUAL QUALITY OR VALUE.

PROVIA MAKES NO EXPRESS WARRANTIES EXCEPT AS HEREIN STATED AND SHALL NOT BE LIABLE FOR ANY INCIDENTAL, SPECIAL OR CONSEQUENTIAL DAMAGES OF ANY KIND RESULTING FROM THE BREACH OF ANY WARRANTIES SET FORTH HEREIN OR WITH RESPECT TO THE PRODUCTS COVERED BY THIS WARRANTY, THE EXTENT OF ITS LIABILITY AND THE OWNER'S EXCLUSIVE REMEDY BEING LIMITED TO REPAIR, REPLACEMENT OR REFUND AS SET FORTH HEREIN. NO REPRESENTATIVE OF PROVIA OR ANY DISTRIBUTOR, DEALER OR CONTRACTOR IS AUTHORIZED TO MAKE ANY MODIFICATIONS OR CHANGE TO THIS WARRANTY.

Some states do not allow the exclusion or limitations to incidental or consequential damages, so the above limitation or exclusion may not apply to you.

This warranty gives you specific legal rights, and you may have other rights which vary from state to state.



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# PROVIA'S LIFETIME LIMITED WARRANTY

Original Owner's Limited Non-Prorated Warranty

Labor and Material – Non-Prorated – Hail Damage Protection – No Service Charges

Transferable (50 Years Proratable Upon Transfer)

## A. ORIGINAL OWNER'S LIFETIME PLUS LIMITED WARRANTY

ProVia, LLC hereinafter "ProVia", warrants exclusively to the original purchaser of our Super Polymer Vinyl Siding, Soffit and/or Accessories (the "Products") for as long as the original purchaser is living in and is the owner of the property to which our Products were applied, that the Products applied to that property will not peel, rot, blister, rust, flake, chip, crack, corrode or be consumed by termites solely as a result of defects in material or manufacturing or exposure to ocean air (salt spray).

Additionally, ProVia also warrants, exclusively to the original owner only and for as long as he/she is living in and is the owner of the property to which the Products are applied, that its Products will not fade, other than as may result from normal weathering or can be expected to occur from exposure to exterior elements. For the added, special color-keeper anti-fade protection purposes of this limited warranty, "fade" or "fading" is defined as a loss of color, after cleaning with the recommended solution, of more than four (4) standard color units as measured by a recognized industry-approved color meter.

Should any of these defects occur during the lifetime of the original purchaser while he or she is the owner of the property to which the Products were applied, and provided that the terms and conditions of this warranty are met and the claim is properly reported as stated below, ProVia will, at its option, repair or replace, at no cost to the original homeowner, the Products determined to be defective, in accordance with the terms and conditions of this warranty. In lieu of repair or replacement, ProVia reserves the right in its sole discretion to refund the actual purchase price of the Products determined to be defective.

## B. REGISTRATION AND TRANSFER OF WARRANTY

This warranty, except for the added, special color-keeper anti-fade protection discussed in Section A, and the special energy-savings warranty discussed in Section E, is transferable by the original owner to subsequent owners of the property on a prorated basis, provided ProVia receives written notice from the transferee of the transfer of the property within thirty (30) days from the date of real estate title transfer. This notice should include the address of the property being transferred, name of the original owner, name and address of the transferee, and date of transfer. Failure to so notify ProVia of the transfer will relieve it of any further obligation under this warranty, notice to ProVia being a condition precedent to transfer of this warranty. In the event of transfer of the property and this warranty as hereinabove provided, the warranty period shall extend only for fifty (50) years from the original date of installation of the Products and shall be prorated as set forth herein. During the first five years after the date of original installation of the Products, ProVia will, at its option, repair or replace the Products determined to be defective in accordance with the terms and conditions of this warranty at no cost to the transferee owner or, in lieu of repair or replacement, at its discretion, ProVia may refund the actual purchase price of the Products determined to be defective. During the sixth year after the date of the original installation of our Products, ProVia will bear ninety percent (90%) of the labor and material costs for replacing or repairing the Products in accordance with the terms and conditions of this warranty. Thereafter, during the seventh and each subsequent year through the twelfth year after the date of original installation of the Products, ProVia's share of the total labor and material costs for replacing or repairing the Product will decrease by ten (10) percentage points each year. For example, ProVia shall bear eighty percent (80%) of the labor and material costs during the seventh year, sixty percent (60%) during the ninth year and thirty (30%) during the twelfth year. During the thirteenth and fourteenth years after date of original installation, ProVia's obligation will be twenty percent (20%) of the labor and material costs. During the fifteenth year after the original installation date, ProVia's share will decrease to ten percent (10%) of the labor and material costs and shall remain at that rate for the remaining thirty-five (35) years of the fifty year limited warranty period. The warranty period shall not be extended by any such repairs or replacement.

## C. CONDITIONS NOT COVERED BY THIS WARRANTY

Except for the hail damage warranty and the energy-savings warranty described below, this warranty covers only the specified damages arising solely from defects in the material or manufacture of the Products and only if such damages occur under normal use and service. It does not cover, and ProVia is not liable for, conditions or failure of or damage to the Products resulting from improper storage prior to installation, faulty or improper installation, settlement of the structure on which the Products are installed or shifting of structural members or adjoining surfaces, failure of the structure (including foundations and walls), accidental damage or negligence, intentional acts or damage, fire, wind, flood, lightning, acts of God, misuse, improper care or failure to provide reasonable and necessary maintenance of the product, normal and expected weathering of the surface, mildew, exposure to harmful chemicals or vapors or acid rain, surface discoloration due to atmospheric pollution, distortion or warping due to unusual heat sources (including outdoor grills and reflection from windows or foil sheathing), or the installation of non-ProVia accessory products or accessory products which are incompatible with the Products or which are installed in a manner detrimental to the performance of the Products. This warranty covers only unpainted Products and is inapplicable to finishings applied to the Product by the homeowner.

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Number of Years from Date of Original Installation to Date of Claim	Percentage of Coverage Originally Installed Products Found to be Defective for Which ProVia Will Be Responsible
During the original purchaser's Ownership of the Property	100%
Subsequent owners and others covered by a 50-year prorated warranty:	
0-5	100%
more than 5 but less than 7	90%
more than 7 but less than 8	80%
more than 8 but less than 9	70%
more than 9 but less than 10	60%
more than 10 but less than 11	50%
more than 11 but less than 12	40%
more than 12 but less than 13	30%
more than 13 but less than 14	20%
more than 14 but less than 50	10%
*Total cost of refund not to exceed original installed purchase price. The fade protection coverage of this warranty is not transferable.	

## WARRANTY COVERAGE SCHEDULE

### EXCLUSION FOR CERTAIN USES:

This warranty is not applicable to Products applied to motor homes or used in roofing or non-residential applications. Further, soffit is not covered under this warranty when utilized as sidewall paneling except for Universal D5 .044 soffit (part #H-SO-4566V).

### MULTI-FAMILY PRO-RATING:

For multi-family applications, warranty coverage shall extend only for 50 years from the original date of installation and shall be prorated as set forth in Section B applicable to transferee owners.

## D. SPECIAL LIMITED WARRANTY FOR HAIL DAMAGE

ProVia provides a limited warranty on its Products against damage directly caused by hail. In the event of hail damage, the homeowner should report the damage to his or her homeowner's insurance carrier and pursue coverage under any homeowner's insurance policy. To the extent such hail damaged Products are not covered by insurance, ProVia will provide replacement of the damaged part or portion of the hail damaged Products. ProVia's sole obligation under this limited coverage is to provide replacement of hail damaged Products. All other costs, including the cost of labor or any other expenses, shall be the sole responsibility of the homeowner.

## E. SPECIAL LIMITED WARRANTY FOR ENERGY-SAVINGS (CedarMAX only)

ProVia provides, to the original homeowner only, a limited energy-savings warranty on its CedarMAX Super Polymer Thermal Siding for the first 12-month period after the CedarMAX Super Polymer Thermal Siding is installed. If the cost of heating and cooling the home for the first 12-months after installation is not at least 20% lower than for the previous 12-months, ProVia will make up the difference, up to a maximum of \$500, at the area average cost for gas and electricity for the previous calendar year. The cost of heating water, operating temperature maintained pools, hot tubs and any home devices except heating and cooling units are excluded from the computation. This limited energy-savings warranty for ProVia CedarMAX Super Polymer Thermal Siding also assumes full home siding coverage and no excessive leaving of windows and doors open or extensive usage of fireplaces. ProVia shall be the sole authority on the applicability of this limited warranty.

## F. CLAIMS AND WARRANTY PROCEDURE

If you feel that your Products contain manufacturing defects covered by this limited warranty, please first contact the place of purchase. An inspection will be conducted to determine whether the limited warranties contained herein apply. Subsequent communication can be directed to ProVia by phone at 800.669.4711 or in writing at cs.siding@provia.com. Further correspondence by mail may be sent to: ProVia, 301 Industrial Park Rd, Booneville, MS 38829. Attention: Sales and Warranty Services