



Architectural Review Board
February 13, 2018 at 4:00 p.m. Westwood City Hall

Members Present: Ryan Bowden, Chairman
Terry Cooper
Jenna McCarter
Mary Hunkeler

Members Absent: Pete Newcomer

Also Present: Christine Roto, City Attorney
Eddie McNeil
JoAnne Cash, Applicant
Tom Reed, Energy Pro Windows and Siding

Chairman Bowden called the meeting to order at 4:01 p.m. A quorum was present. There was one item on the agenda.

1. 2115 W. 51st Street

Chairman Bowden introduced himself and explained there were enough members present for a quorum. He then explained the request at issue was for the installation of vinyl windows at JoAnne Cash's home.

Tom Reed asked the ARB members what the current regulations were in regard to the issue. Chairman Bowden explained the city code ordinance states that windows should be made of metal, wood or glass. Mr. Reed explained that windows have changed drastically since the 1970's with the invention of the double pane window. He explained that vinyl windows are more efficient than other types because other materials can cause moisture build up between the window panes causing the materials to warp. Mr. Reed stated that he has counted six homes in Ms. Cash's neighborhood that have vinyl windows. Mr. Reed then asked the ARB members what the problem is with vinyl windows. Chairman Bowden explained that the City would like to preserve the historic nature and aesthetics of many homes in the area.

Mr. Reed then set up a model window to show the ARB members the aesthetics of the window Ms. Cash would like to use. He explained that there is no difference in appearance between the wood and vinyl.

Chairman Bowden then asked for the specs of the window. Mr. Reed presented a pamphlet on warranty and a brochure of the window models. Board Member McCarter then explained the importance of the quality and integrity of windows and asked how the windows sold by Mr. Reed compare price-wise to others. Mr. Reed explained the difference between clad and wood windows.

Board Member Cooper asked if the vinyl ever discolors. Mr. Reed explained that vinyl can discolor but it depends on the quality. He explained the windows in his brochure have a no-warp guarantee.

Chairman Bowden and the ARB members then took a closer examination of the window demonstrative, and Mr. Reed explained the functionality of the window. He explained that Ms. Cash does not plan to have grid lines in her windows. Any broken window will be replaced under warranty.

Chairman Bowden then instructed the ARB members to focus on aesthetics rather than technical aspects of vinyl and opened the floor for questions.

Chairman Bowden again read the city ordinance instructing windows to be made from metal, wood, or glass. He explained that he has been on the ARB for five years and this issue has come up twice.

Mr. Reed then explained that Ms. Cash's street already has vinyl windows, and Ms. Cash is on a limited budget because of her disability so she needs to buy a more efficient window. Chairman Bowden offered the idea of a new storm window. Mr. Reed explained those are not as efficient as vinyl. Board Member McCarter explained that the ARB is not in charge of changing the ordinance, but rather that is the job of the City Council.

Ms. Cash then asked to speak and stated that it is difficult for her to maintain a wood window because of her poor vision. She stated that she needs something easy to care for because her current wooden windows are rotting due to moisture in her windows.

Board Member Hunkeler stated that the ARB is unable to set a new precedent because of the current code ordinance. Board Member McCarter explained the ARB's hands are tied by the ordinance.

Mr. Reed stated he has already installed vinyl windows in Mission Woods. Board Member Cooper instructed Mr. Reed to provide the address of the home where he installed it; Mr. Reed stated he was not willing to provide those addresses

Chairman Bowden again stated his opinion that the code is clear and the ARB cannot set precedent on future projects but instead must follow the code.

With no further comments from the audience and no further questions, Chairman Bowden asked for a motion by a Board Member. Mr. Cooper moved to approve the vinyl window at Ms. Cash's home. Board Member McCarter seconded the motion. (Ayes 0 – Nays 4). Motion fails.

After the vote, Mr. Reed asked what would happen if Ms. Cash installed the windows anyway. He then asked Mr. McNeil if the "bylaws" could be updated. The ARB members explained it is not Mr. McNeil's job to update the code. Mr. McNeil explained Ms. Cash and Mr. Reed could face consequences such as fines or jail time if they do not follow the city code. Chairman Bowden explained options for Ms. Cash to submit a different window option that meets the code.

Having no further business, the meeting adjourned at approximately 4:39 p.m.



Christine Roto, City Attorney