

**Department of Community Planning and Economic Development (CPED)**  
Appeal of the Decision of the Planning Director  
BZH-27687

**Appellant:** Anders Christensen, 612-827-4739

**Address of Property:** 2320 Colfax Avenue South

**CPED Staff and Phone:** John Smoley, Ph.D., 612-673-2830

**Date Application Deemed Complete:** March 15, 2013

**Public Hearing:** April 16, 2013

**Appeal Period Expiration:** April 26, 2013

**Ward:** 10

**Neighborhood Organization:** Lowry Hill East Neighborhood Association

**Concurrent Review:** n/a

**Appeal of the Decision of the Planning Director:** Anders Christensen submitted an application for an Appeal of the Planning Director’s determination that 2320 Colfax Avenue South did not meet the Heritage Preservation Regulations’ definition of a historic resource.

**599.180. Appeals of decisions of the planning director.** All findings and decisions of the planning director, director of inspections or other official involved in the administration or the enforcement of these heritage preservation regulations shall be final subject to appeal to the heritage preservation commission, except that appeal of a decision of the director of inspections involving a violation of Title 5 of the Minneapolis Code of Ordinances, Building Code, or Title 12 of the Minneapolis Code of Ordinances, Housing, shall be as provided in the written order. Appeals may be initiated by any affected person by filing the appeal with the planning director on a form approved by the planning director and shall be accompanied by all required supporting information, as specified in section 599.160., and fees as specified in section 599.175. All appeals shall be filed within ten (10) calendar days of the date of the decision. Timely filing of an appeal shall stay all proceedings in the action appealed;. No action shall be taken by any person to alter the property in any manner until after a final decision has been made by the heritage preservation commission, unless the planning director certifies to the commission, with service of a copy to the applicant, that a stay would cause imminent peril to life or property, in which case the proceedings shall not be stayed. The commission shall hold a public hearing on each complete application for an appeal as provided in section 599.170. All findings and decisions of the commission concerning appeals shall be final, subject to appeal to the city council as specified in section 599.190. (2001-Or-029, § 1, 3-2-01)

## A. BACKGROUND

The subject property is a two and one-half-story residence at the northwest corner of Colfax Avenue South and 24<sup>th</sup> Street West (Attachment 1a). On September 12, 2012, Pete Keely submitted an application for a historic review letter for the subject property. On September 25, 2012, CPED issued this letter (Attachment 1b), noting that the property did not meet the definition of a historic resource. On February 26, 2013, Doboszinski and Sons, Incorporated submitted a Wrecking/Moving application for the residence at 2320 Colfax Avenue South. On March 8, 2013 CPED signed off on the permit, reaffirming that the subject property did not meet the Heritage Preservation Regulations' definition of a historic resource. On March 15, 2013, Anders Christensen submitted an Appeal of the Planning Director's determination that 2320 Colfax Avenue South did not meet the Heritage Preservation Regulations' definition of a historic resource. CPED has withheld issuance of the Wrecking/Moving application pending the results of this appeal.

Section 599.110 of the Heritage Preservation Regulations defines a historic resource as, "A property that is believed to have historical, cultural, architectural, archaeological or engineering significance and to meet at least one of the criteria for designation as a landmark or historic district as provided in this chapter."

The appellant contends that the residence at 2320 Colfax Avenue South, built by Theron Healy in 1893, meets the Heritage Preservation Regulations' definition of a historic resource, contending that:

Theron Healy is an iconic builder, the most important and prolific vernacular master architect of the golden age of Minneapolis architecture (1885-1915). The Orth House, 2320 Colfax Avenue South, is Healy's turning-point house in his transition from designing and building the romantic Queen Annes of the Healy Block and the North Wedge, to the more classically inspired designs on the 2400 block of Bryant Avenue South and his houses on Lowry Hill. (Attachment 3a)

Such significance is evaluated using designation criterion #6 ("The property exemplifies works of master builders, engineers, designers, artists, craftsmen or architects.").

Theron Potter Healy is an acknowledged master builder. Indeed, the Healy Block Historic District, designated locally in 1989 and listed in the National Register of Historic Places in 1993, is substantial acknowledgement of this. This collection of twenty-four properties was designated for being the finest surviving collection of Queen Anne architecture in Minneapolis and for being the most concentrated collection of work done by master builder Theron Healy. The residence at 2320 Colfax Avenue South does not exemplify his work, however, primarily due to extensive alterations that have taken place over time, but also due to numerous better remaining examples of his work.

The subject property has been altered extensively over time (see historical and current photographs in Attachments 1 and 2). Originally built as a single family home, the residence was converted into a multi-family residence in 1962, and again in 1982. It currently possesses fifteen rooming units. The building has sustained a number of fires over the years. While Healy repaired damages from the first fire in 1895, additional fires in 1991 and 2011 affected the building. The masonry porch that dominates the front of the home was enclosed in 1948. The building has been resided twice – once in 1960 with asbestos siding, and again in 2003 with vinyl siding. In 2003 some of the building's windows were

replaced with vinyl inserts. An impressive Healy-built barn that once stood at the rear of the lot has been lost. Visual evidence indicates many more changes. Eaves have been wrapped in aluminum; a weathervane and finials have been removed; the frieze is narrower than its historical counterpart while new siding is wider; fenestration has been covered with aluminum storm windows whose division of lights and operation frequently conflict with those of the historic windows; corner boards have been added; shingles that curve into a recessed window on the half-story have been replaced and squared at their base; front dormer gable detailing has been removed or covered; a porthole window on the front and a Palladian window on the corner side have been removed; flared belt courses and walls no longer exist; and the rear porch has been enclosed and expanded into a side addition.

In addition to these extensive alterations, better remaining examples of Healy's work challenge the assertion that this property exemplifies his skills. Beyond the Healy Block Historic District, which boasts Healy's residence, surveys have uncovered a number of other examples deemed potential historic resources. In the 2008 reconnaissance survey of the Loring Park, Elliot Park, and Lowry Hill East neighborhoods the evaluators did not deem 2320 Colfax Avenue South worthy of an intensive level survey. The survey did identify a potential historic district, the Lowry Hill East Residential Historic District, less than one block south and east of the subject property. Evaluators noted that this potential district exhibits remarkable integrity, with fifty contributing properties and only three noncontributors, in a period of significance ranging from 1880 to 1913. Several Healy homes were among these contributors. The appellant himself has conducted extensive research into Healy-built homes in Minneapolis and found many extant examples of his work. His letter to CPED's Brian Schaffer (Attachment 3b) notes that, of the thirty homes Healy constructed in the Wedge, twenty-seven are still standing. A 1980 survey conducted by the appellant and updated as recently as 2012 has identified over one hundred forty Healy homes in Minneapolis, the majority of which remain standing.

#### **E. PUBLIC COMMENT**

Staff has received supplementary historical information from Kathleen Kullberg (Attachment 4a) and a historical evaluation of the property prepared by Landscape Research (Attachment 4b) but no comment letters as of the date of publication of this staff report.

#### **F. FINDINGS**

1. The subject property does not appear to meet the Heritage Preservation Regulations' significance criteria and therefore does not meet the definition of a historic resource.

#### **STAFF RECOMMENDATION**

The Department of Community Planning and Economic Development recommends that the Heritage Preservation Commission adopt the above findings and **deny** the appeal of the Planning Director's determination that 2320 Colfax Avenue South did not meet the Heritage Preservation Regulations' definition of a historic resource, on the contention that the property exemplifies the work of a master builder and architect, Theron Potter Healy.

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Attachments:

1. Materials submitted by CPED
  - a. Zoning map
  - b. Historic review letter
  - c. Photograph of 2320 Colfax Avenue South, circa 1900
  - d. Photograph of 2320 Colfax Avenue South, 2013
2. Materials submitted by applicant
  - a. Photographs of 2320 Colfax Avenue South, 2013
3. Materials submitted by appellant
  - a. Statement of reason for appeal
  - b. January 30, 2013 letter to Brian Schaffer, CPED
4. Materials submitted by other parties
  - a. Historical information compiled by Kathleen Kullberg
  - b. Historical evaluation from Landscape Research, LLC