



The Blue Grass Trust  
for Historic Preservation

Tuesday, August 07, 2012

**Board of Directors**

Linda Carroll  
**President**

Tom Meng  
**Vice President**

Jessica Case  
**Secretary**

Randall Miloszewski CPA  
**Treasurer**

John Darnell  
Andrea Gottler  
Marcia Gray  
John Hackworth  
Joseph Hillenmeyer  
Barbara Hinkle  
Hart James  
Bill Johnston  
Mike Meuser  
Andrew Moore  
Tom Moore  
Pamela Perlman  
Maureen Peters  
Fran Taylor  
Phillip Tibbs, MD  
Barbara Tilghman

**Executive Director**  
**Emeritus**  
Richard DeCamp

**Advisory Board**  
Barbara Hulette, Chair  
Clyde Carpenter  
Richard DeCamp  
Ann Garden  
Gay Darsie Glenn  
John Hackworth  
Nancy Iliff  
Susan Jackson Keig  
Zee Faulkner Kurfees  
Gloria Martin  
Mike Meuser, Esq.  
Joyce Ockerman  
Foster Pettit  
Sharon Reed  
Daniel Rowland  
James Thomas  
Elizabeth Wagner  
Vivian Weil

Mr. L. Michael Owens, Chairman  
Planning Commission  
LFUCG Division of Planning  
200 East Main Street  
Lexington, KY 40507

Dear Chairman Owens and Planning Commission Members:

The Blue Grass Trust for Historic Preservation serves as the region's leading advocacy organization for all preservation related matters. Founded in 1955, we are the 14th oldest preservation organization in the United States. Since the time of its formation, the BGT has endeavored to promote the public recognition and preservation of buildings, structures, neighborhoods, districts, areas and objects which form the foundation of the Bluegrass Region's historic fabric.

On Thursday, August 9, 2012, Mr. Michael Hayes brings to you an appeal to retain vinyl windows installed on his two historic properties located at 354 and 358 Oldham Avenue. It is imperative for you to deny Mr. Hayes request for the following reasons:

1. Mr. Hayes, while fully aware of the H1 zoning overlay at 354 and 358 Oldham Avenue, proceeded to replace eleven windows on two properties without approval from the Board of Architectural Review.
2. The Design Guidelines, adopted in 2010 after extensive review and public comment, clearly state "Vinyl or vinyl clad windows are not allowed."

Mr. Hayes rambling defense before the Board of Architectural Review on April 11, 2012, demonstrated a disregard for the nature of historic preservation. While stating he had "sympathy for preservation," his two-fold decision to let his tenant undertake the removal and replacement of windows on one property followed by his own removal and replacement on the second property demonstrates his disregard. It further shows him to be the worst type of landlord, one who would leave the care and maintenance of his property to a tenant with no vested commitment to the greater good of the community where they live.

Mr. Hayes stated before the Board of Architectural Review that 61% of the properties in the Aylesford Historic District are not historic. Yet, the Planning Commission in 1998 found it to be worthy of designation and the Urban County Council ratified that decision. The Aylesford Historic District designation was led by many active members of the Blue Grass Trust for Historic Preservation. The designation turned much of the neighborhood around and enlivened the growing number of single family homes restored to their earliest condition. Mr. Hayes cannot now ask for exclusion for his property nor can he ask for a different standard. And, this Planning Commission should respect the decision of its predecessor body by respecting the H1 zoning overlay and the related Design Guidelines written for and applied to all 14 Historic Districts.

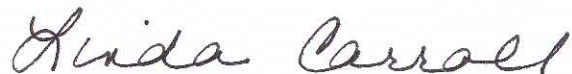
Mr. Hayes will testify to hardship and costs associated with restoration of his existing windows. He may even choose to mention the family's best car, as he did at the Board of Architectural Review hearing, one with 494,000 miles. But the Planning Commission must not lose sight of his gross disregard for the Guidelines established for all historic districts in Lexington. Mr. Hayes cannot now be rewarded for his careless disdain for historic district policy.

Furthermore, the Planning Commission should remind Mr. Hayes that if he had elected to better educate himself about the real benefits of historic zoning overlays, he would have known about Historic Tax Credits available for the restoration of the windows and more on his charming Oldham properties.

The staff of the Urban County Government's Division of Historic Preservation and Planning has twice recommended disapproval of this matter. Their diligent work with each other and Mr. Hayes is to be commended. They are experts in their field and care enormously for the greater good of Lexington. The Planning Commission members should support the staff recommendation.

But, most importantly, The Blue Grass Trust asks the members of the Planning Commission to stand behind the Design Guidelines and the standard of care established for the 14 Historic Districts in Lexington. Do not allow yourselves to be indifferent to this matter, but rather to care mightily and stand for policy set by your predecessors and adhered to by the vast number of property owners living in those designated historic districts.

Respectfully submitted,

A handwritten signature in cursive script that reads "Linda Carroll".

Linda Carroll, President