



**APPROVED MINUTES OF THE SPECIAL SESSION OF THE
HISTORIC DISTRICT COMMISSION OF THE CITY OF ANN ARBOR
Thursday, September 13, 2007**

Commissioners Present: Susan Wineberg, Sarah Shotwell, Michael Bruner, Jim Henrichs
Kristina Glusac and Robert White **(6)**

Commissioners Absent: Vacancy **(1)**

Staff Present: Jill Thacher, HDC Coordinator/Planner II, Kristine Kidorf, Kidorf Preservation
Consulting and Brenda Acquaviva, Administrative Support Specialist V, Planning and
Development Services **(3)**

CALL TO ORDER:

Commissioner White called the meeting to order at 6:00 p.m.

ROLL CALL:

Quorum satisfied.

APPROVAL OF THE AGENDA:

Moved by Commissioner Henrichs, Seconded by Commissioner Glusac **“to adjourn the
meeting if all business is not completed by 11:00 p.m.”**

*(Discussion by the Commission as to how the Commission would handle any unfinished
business if business is not concluded by the time limit.)*

On a Voice Vote – MOTION TO APPROVE AS AMENDED - *PASSED* – Yes (4), No (2)

Commissioners White, Henrichs, Glusac and Shotwell – Yes (4)

Commissioners Wineberg and Bruner – No (2)

A - HEARINGS

A-1 220 South Main Street - MSHD

BACKGROUND: This three-story brick commercial building was built in 1900. At one time
the three-story Mack and Company flanked it to the south, but that building was reduced to
one story in 1939, leaving 220's south wall exposed. The first occupant was Arnold Jewelers.

LOCATION: The site is located on the west side of South Main Street between Liberty and
Washington.

APPLICATION: The applicant seeks HDC approval to install a 20-foot wide and three-foot
deep canopy over the storefront.

STAFF FINDINGS:

1. The canopy appears to have been designed so as not to harm the existing architectural features and materials. The existing business sign would be removed. There is an existing non-original box-like structure that projects a foot out from the building for nearly its entire width. It appears to cover up transom windows. The box would remain, and the canopy would wrap around it.
2. No lighting is proposed for the canopy.
3. The canopy's height and placement along the storefront is compatible with signage and canopy locations of surrounding buildings. The building to the south has an old retractable canopy that does not appear to have been used for some time. The building to the north has a small canopy over the entrance.

Owner/Address: Rob Samborski, 3865 Glazier Way, Ann Arbor MI 48105

Applicant: Elmo Morales, 220 S Main Street, Ann Arbor, MI 48105

Review Committee: Commissioners Glusac and Bruner

Commissioner Bruner – We observed the storefront and found the location of this awning as described in the staff report; it would be suitable and I am in favor of the application

Commissioner Glusac – Concurs with Commissioner Bruner

Applicant Presentation: No applicant was present to speak on behalf of the appeal.

Questions by the Commission: None.

Audience Participation: None.

Discussion by the Commission:

Commissioner Wineberg – Gave a corrected history on the building, stating it was actually built in 1860, but remodeled in 1900. It was originally built as the Mack Department Store.

Commissioner Henrichs – Mentions that it would be appropriate to attach the sign in the joints and not into the actual brick, as has been requested by the Commission in the past.

MOTION

Moved by Commissioner Wineberg, Seconded by Commissioner Glusac, **“that the Commission issue a Certificate of Appropriateness for the application at 220 South Main Street to install a canopy over the storefront. The work is generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets *The Secretary of the Interior's Standards for Rehabilitation* standards 5, 9, and 10.”**

On a Voice Vote – MOTION TO APPROVE -**PASSED** – **UNANIMOUS** (*Application Approved*)

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A-2 200-206 South Main Street - MSHD

BACKGROUND: This half of the former Kresge store was built in 1949, replacing the 1916, one-story Kresge 5 & 10 Cent Store. The 1926 Spanish Revival Kresge Dollar Store to the north was remodeled to form one new large store with porcelain enamel panels above the storefront and tan brick above a limestone string course. After several decades as Kiddieland, the store was subdivided once again in 1994 with the north half becoming the Mongolian Barbecue. Café Felix opened in the south half in early 1997. In December of 2002, the Commission approved a request to remove the porcelain enamel panels and replace them with an exterior insulated finishing system and to make other storefront modifications.

LOCATION: The site is located on the southwest corner of West Liberty Street and West Huron Street.

APPLICATION: The applicant seeks HDC approval to replace twenty-five original double-hung wood windows with aluminum-clad wood windows in the original openings. New trim on the interior and exterior would match the existing. All of the windows are on the second floor of the two-story building.

STAFF FINDINGS:

1. There are two different sizes of windows, 55" by 83" and 42" by 83". The nineteen larger windows are located on the east (9 windows) and north (10 windows) elevations and the six smaller windows face the alley.
2. The window worksheet for each size indicates that the current sill thickness is $\frac{3}{4}$ " and the proposed is $\frac{3}{8}$ ". This exceeds the difference allowed by the City's *Guidelines for Window Evaluation, Repair, and Replacement*. To address this, the applicant has agreed to a matching $\frac{3}{4}$ " sill on the new windows. The rest of the window measurements are within the *Guidelines* parameters.

Owner: David Shapiro

Applicant: George Meyer Co., 3496 Pontiac Trail, Ann Arbor, MI 48105

Review Committee: Commissioners Glusac and Bruner

Commissioner Bruner – We inspected a representative amount of windows, and even those in the worst condition were not deteriorated to the point where they should be replaced.

Commissioner Glusac – The deterioration wasn't visible and we made a recommendation to seek out someone who could do restoration work versus a complete replacement.

Applicant Presentation: Tim Gauss was present to speak on behalf of George Meyer Co.

He stated that they had been contracted to replace the windows, and they felt that the condition was past repairable. The windows are single pane, no weather stripping, dry rot, wood is bowing and most cannot be opened due to swelling. Our company did not suggest repair (but rather replacement) due to these conditions.

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We propose to put in a monumental double-hung window. Some of these have been installed at Greenfield Village and Ford Field (petitioner brought a sample of the proposed window). This window is very close to the original window design.

Commissioner Bruner – Asked who was consulted about repair. (Petitioner – We have two suppliers who make storm windows and they will not make anything larger than 54” as they won’t guarantee it.)

(The Commission and the Petitioner discussed repair vs. replacement at length.)

Public Commentary:

1, **Harvey Shapiro** – Owner-was present to speak on behalf of the appeal. He asked staff how old the windows actually were. He stated that the windows have rope and pulley systems and weights, and all are broken. He stated that repairing them is only a band-aid solution that will not last. It will be approximately \$50,000.00 to repair the windows (Commissioner Bruner stated that there are people that staff can suggest who can rebuild these, possibly cheaper than the replacements.)

Discussion by the Commission:

Commissioner Henrichs – We need to rely on the review committee’s evaluation since they have seen and examined the windows at the site.

Commissioner Wineberg – We have been consistent about asking people to repair windows that are repairable and I think this is one of those situations. It can be corrected since we have a list of people who specialize in this type of work.

MOTION:

Moved by Commissioner Henrichs, Seconded by Commissioner Wineberg, “**that the Commission deny the application at 200-206 South Main Street to replace windows. The work is not generally compatible in size, scale, massing, materials and does not meet *The Secretary of the Interior’s Standards for Rehabilitation*, standards 2, 5 and 6.**”

On a Voice Vote – MOTION PASSED – **UNANIMOUS** (*Application Denied*)

A-3 120 West Washington Street - MSHD

BACKGROUND: In 1908, this three-story brick building housed M. Staebler’s grocery store. There was a fire on April 1, 1975 in this building and next door at 118 West Washington, and as a result those facades were rebuilt in 1975/6 to the current modern style. Despite the significant alterations to the West Washington Street façade, the building is a contributing structure in the Main Street Historic District.

LOCATION: The site is located on the north side of West Washington Street between Ashley and Main. Grizzly Peak occupies the street level of the building, and the upper floors are condominiums.

206 **APPLICATION:** The applicant seeks HDC approval to install a roof deck, hot tub, black
207 aluminum railing with glass panels, wooden privacy fence, and a staircase enclosure.
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209 **STAFF FINDINGS:**
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- 211 1) In early August, a Commissioner reported seeing a structure on the roof of 120
212 West Washington that had not received a Certificate of Appropriateness. Staff
213 investigated, and found that a building permit had been issued in June to construct
214 a roof deck, glass-paneled railing, and structure to enclose the staircase (which the
215 applicant calls the “doghouse”.) The building official posted a stop-work order until
216 HDC approval is granted.
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218 As a result of this issue, staff learned that the City’s computer system flags
219 properties in Historic Districts (like 120 West Washington), but sub-listings such as
220 an apartment or condo unit at the same address (like 120 West Washington #4)
221 are not flagged consistently. Staff is systematically reviewing all properties in all
222 districts to look for missing flags.
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224 The building official approved this work without historic district review because it
225 was not flagged as historic in the City computer system. After the permit was
226 issued, the contractor called the building official again to ask whether the property
227 is regulated by a historic district, and the building official told him again that it was
228 not (based on the computer record). When the stop-work order was issued, the
229 work was about 90% completed. The railing and deck are installed and the
230 doghouse is standing, though it requires finish work and is not currently
231 weatherproof.
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- 233 2) The entire deck area, including the doghouse, is 16 feet (along the north and south
234 sides) by 21 feet (east and west sides). The decking material is wood and plastic
235 composite lumber. The 42” railing on the south and west side is black aluminum
236 with glass panels. The applicant chose this style of rail at the suggestion of the
237 National Park Service because its presence is minimized somewhat by the glass
238 panels. The railing is attached to an existing steel beam for strength and stability.
239 The wood privacy fence is 6’ tall (the drawing that indicates 5’ tall is incorrect)
240 along the north side and most of the east side (the fence drops to 42” for the last
241 several feet on the south end, to match the railing height) and screens the deck
242 from nearby chimneys and mechanical equipment. The doghouse is 9’10” tall at the
243 front elevation and 7’5” tall at the rear, with a sloping roof. It has T1-11 wood
244 composite panel siding, asphalt shingles, and a glass sliding door leading to a
245 spiral stair. The applicant intends to stain the siding.
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- 247 3) The railing is visible over the parapet wall from across West Washington, though it
248 is not conspicuous. The railing and the doghouse are visible from several blocks
249 west on West Washington. Staff recommends that the front elevation be lowered to
250 a height that nearly matches the rear elevation height. This will result in a nearly
251 flat doghouse roof, which is not ideal for shedding snow, but which will minimize
252 the profile of the doghouse. The privacy fence is also conspicuous and at a
253 minimum should have a finished face on both sides, rather than only on the side
254 facing the deck. The wood fence and T1-11 siding should be painted or stained a
255 dark color in order to help them visually recede and look more compatible with the
256 brick and metal structures commonly found on rooftops.
257

258 **Owner/Address/Applicant:** Todd Sullivan, 120 W Washington #4, Ann Arbor, MI 48104
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260 **Review Committee:** Commissioner's Bruner and Glusac
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262 Commissioner Bruner – We visited the site and we spoke with the owner and found out the
263 history of how things arrived at the point that they are. We looked at the design and
264 discussed a number of solutions. The one point most objectionable is that the rail is up
265 against the façade. The dog house is too tall and also too close to the façade given its height
266 and while the glass rail fronting is transparent, the black railing it is attached to stands out,
267 eliminating any possible transparency. It might have been less obvious if it had been silver
268 and more reflective.
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270 Commissioner Glusac – Basically, I agree with Commissioner Bruner. It is concerning the
271 location of the guardrail in relation to the parapet. The location of the setback of the dog
272 house is ok, but I don't feel that the height is appropriate for the building. It's very visible from
273 below. I'd like to know what the materials are made of.
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275 **Applicant Presentation:** Mr. Todd Sullivan, Owner of the unit and Mr. Dave Wooley,
276 Contractor, were present to speak on behalf of the appeal.
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278 Mr. Sullivan stated that they felt they had done due diligence to make sure they were
279 compliant – not only through the city but through local architecture firms and the National
280 Historic Society when he thought that Ann Arbor had converted over to those particular rules
281 in the 1980's.
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283 “What was continually told to us was that as the project was drawn out that we had nothing to
284 worry about concerning a Historic District perspective. We were given permits by the city for
285 exactly what we built. One thing to point out, particularly with the railing, is that I wanted this
286 to be inconspicuous as possible and I called the National Parks Service and said ‘these are
287 the plans that we have, we're building a 42” railing (I wanted 36”) and they said ‘please make
288 that a black railing with a glass façade.’” I had actually proposed silver, but they said “no.”
289

290 Ninety percent of the way through the work, we were issued a ‘stop work’ order. (Petitioner
291 also brought examples of surrounding buildings and other work done by his neighbors which
292 is much worse than what they had proposed, and just as obvious.) I would be happy to finish
293 the back portion of this project if it will make it look nicer, even though it would be
294 considerable additional expense. Lowering the dog house will be extremely expensive to do.
295

296 Contractor – The exterior of this building is a new structure. The front façade is all new brick,
297 and there are actually two roofs on the building and this is why the dog house ended up
298 where it is. The original roof is about 30” below where the new roof was done due to a
299 previous fire in the building in 1975, so you're talking about something that was built in 1975.
300 The only thing that is still original are some exposed brick walls on the inside. Even if you
301 drop the height of the dog house down, you'll still be able to see the exact same thing from
302 the sides. If you painted or stained it a darker color, I believe it will disappear. If you walk
303 downtown and look at the top of any buildings, you'll see various mechanical's, etc. as well.
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305 On the back of this building beyond this privacy fence is the exact same dog house, same
306 siding, stained brown. (Petitioner showed the side and rear pictures.)
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309 **(Staff Note** – *The work was given a building permit due to the fact that the Building*
310 *Department software showed the ENTIRE building to be marked historic in its electronic*
311 *record. In 2007, the building was divided up due to a “Change of Use” petition by the owner*
312 *of the building and sold as separate ‘units’ or ‘condo’s,’ and the sub-listings of these units do*
313 *not display the Historic District ‘flag’ that alerts staff to a Historic Building prerequisite, and*
314 *was therefore not detected when the petitioner applied for the building permit.)*
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316 **Questions by the Commission:**

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318 Commissioner Bruner – You misstate both in words and in text that this is not a Historic
319 Building and therefore, those guidelines do not apply (your text says ‘should not apply’) – in
320 either case, it’s not an accurate statement. In the letters, you state “we’ve gone to great
321 lengths to talk to as many people as we could, despite the fact that the Building Department
322 had given you assurances that this wasn’t in a Historic District. What caused you to go to
323 those lengths if the Building Department told you you weren’t in a Historic District?
324

325 (Petitioner stated that when he bought his condominium, that he purchased his ‘roof’ so that
326 he could build on it. The owner said ‘ok, but when go to build, you need approval from the
327 Condominium Association. He stated that he asked the Association what the rules were.
328 They told us we had to acquire our permit – this took nearly nine months. We obtained the
329 permits. The Association asked me to ‘double check,’ and this is what started all the
330 investigation and double-checking. The Condominium Association made me sign a letter
331 stating that I had done as much research as I possibly could in order to do this so that he
332 would feel comfortable approving the project. I was pushed to do this.)
333

334 Contractor – The owner asked us to comply as closely as possible with the National or State
335 Historic structure rules, because otherwise there are tax credits that you don’t qualify for if
336 you don’t adhere to these. After he stated it was a Historic Building, I called the Building
337 Department and double checked. The Building Department assured use this was fine.)
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339 Commissioner Bruner – So talking with the Parks Service was part of your due diligence in
340 appealing your Condominium Association?
341

342 Petitioner – Yes. This is what was required of me. Searching the web, I called the Secretary
343 of the Interior, and they gave me a number in Oregon, and that is when I spoke with the
344 Parks Service. The only actual recommendation I got aside from “enjoy living in an historic
345 district” was, “if you’re going to build a railing that is visible, make sure it’s black and not
346 something that reflects light like silver, and make the attached panels glass.
347

348 Commissioner Bruner – You mention that you spoke with architects in the area – specifically
349 Quinn-Evans. Who did you speak to at Quinn-Evans? (Petitioner – A woman – I don’t know.
350 I told her “this is the Grizzly Peak Building” and she said “Oh, I know that project really well, I
351 can help you.” I described what I was trying to do, and she said ‘ok, you’re not in a historic
352 building, if you got approval from the city, everything sounds right, and she had more
353 personal notes on the owner of the building who is the President of the Condominium
354 Association. She is also the person who gave me the number for the National Parks Service.
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356 Commissioner Bruner – Asked the Contractor if he had done previous work in the downtown
357 area or other Historic Districts. (Yes, I have. I did work at 452 South Seventh Street.) But
358 nothing downtown? (No.)
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Commissioner Wineberg – Be that as it may, any building that is a ‘contributing structure’ in a Historic District is a “Historic Building.” Even though parts of the historic fabric were changed due to fire loss and before it was brought into the district, this is why it looks the way it does, the arches and the keystone are part of the original building, and you can see what the original building looked like as there were two more bays to the façade (which are visible on the adjacent building). (Petitioner – So, it is a Historic Building?) Yes, it is a Historic Building. (Commissioner Wineberg informed the Petitioner that the city website gives extensive information about historic districts within the city including maps and rules which would have given proper direction for building and approval within the district.)

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Commissioner Henrichs – Just for clarification, *all buildings* that are within a Historic District are historic, of one type or another. (Coordinator Thacher explained Historic Districts, contributing structures and non-contributing structures.)

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(Continued dialogue between the Commission and the Petitioners)

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Discussion by the Commission:

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Commissioner Bruner – (Clarified for the Petitioner that surrounding buildings have been evaluated for their appropriateness of what is on the roof – they are set back from the parapet and are built differentiated – the new from the old. Wildly different architecture that is ‘of it’s time.’ These are very different from something that resembles a backyard utility building.)

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MOTION

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Moved by Commissioner Bruner, Seconded by (NO SECOND), “**that the Commission issue a certificate of appropriateness for the application at 120 West Washington Street to install a deck, a black aluminum railing with glass panels, a wood privacy fence, and a staircase enclosure on the roof ON THE CONDITION THAT the south elevation of the stair enclosure is lowered to within four inches of the height of the north elevation of the stair enclosure, and the fence is finished on both sides. The work as proposed is generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and to the surrounding area and meets the Secretary of the Interior’s Standards for Rehabilitation standards 2, 9, and 10.**”

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Commissioner Wineberg – Suggests that the motion be amended. (AFTER THE FACT) She stated that she did not want this to become a precedent and wanted the motion to reflect this.

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Coordinator Thatcher stated that they could not amend the motion, but had to vote it either up or down. (She elaborated on possible solutions to dropping the height of the dog house roof.)

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Commissioner Bruner – Stated his concern that others might see this construction and think that this is acceptable. How can this be flagged to inform the public that due to an unfortunate missed step in the process, that this was allowed when in fact it would not necessarily be approved.

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Commissioner Wineberg asked exactly what the “Notice to Proceed” would entail.

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K. Kidorf – This may be the place to issue a “Notice to Proceed” – This is issued when one of the four following conditions exists:

- 412 1. **The structure is a hazard to the public or the occupants.**
- 413 2. **It is a deterrent to a major improvement program when environmental,**
- 414 **financing and zoning have been in place.**
- 415 3. **An economic hardship is created when action beyond the owner’s control**
- 416 **created the hardship. (Your local ordinance lists requirements for economic**
- 417 **hardship and what needs to be shown.)**
- 418 4. **Retaining the resource is not in the interest of a majority of the community.**
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421 If you feel it does not fit the Secretary of Interior’s Standards for Appropriateness, you should
 422 not issue it. If you feel that this qualifies for an economic hardship, I think the Commission
 423 should ask for some evidence about what costs have been incurred, and what costs would be
 424 incurred to ‘undo’ the inappropriate work – to justify that. There have been cases of
 425 Commissions issuing a “Notice to Proceed” when the Building Permit was issued in error.
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427 *(Further discussion on the “Notice to Proceed” and the economic hardship)*

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 429 Commissioner Bruner – Amend the motion to be a “Notice to Proceed.”

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 431 Commissioner Bruner – **RETRACTS PREVIOUS MOTION** *(motion was not seconded)*

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 433 Moved by Commissioner Bruner, Seconded by Commissioner Glusac, **“that the**
 434 **Commission issue a NOTICE TO PROCEED for the application at 120 West**
 435 **Washington Street to install a deck, a black aluminum railing with glass panels,**
 436 **a wood privacy fence, and a staircase enclosure on the roof ON THE CONDITION**
 437 **THAT the south elevation of the stair enclosure is lowered to within four inches**
 438 **of the height of the north elevation of the stair enclosure, and the fence is**
 439 **finished on both sides in a dark color. An economic hardship exists due to**
 440 **events beyond the control of the applicant, which is the basis for the “Notice to**
 441 **Proceed.”**

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 443 **On a Voice Vote – MOTION PASSED – UNANIMOUS** *(Notice to Proceed Granted)*

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 446 **A-4 210 South Fifth Avenue - OWSHD**

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 448 **BACKGROUND:** A building known as Sperry’s Diner & Restaurant occupied this site in
 449 1933, and by 1940 it was the Swiss Garment Cleaning Company, which remained until 1965.
 450 By 1967 it was the Fifth Forum Theater. In 1999 the building was clad in modern pressed
 451 metal, and in February of 2004 the HDC approved the installation of an aluminum storefront
 452 double door system on the east elevation.
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454 **LOCATION:** The site is located on the west side of South Fifth Avenue, between East
 455 Washington and East Liberty.
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457 **APPLICATION:** The applicant seeks HDC approval to remove two non-original storefront
 458 windows and replace them with new glass and bronze-colored aluminum windows.
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460 **Owner/Address:** 210 S Fifth Holdings, LLC, 1712 S State, Ann Arbor, MI 48104
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462 **Applicant:** David Bona, Bona & Kolb Architects, 7910 Ann Arbor Street, Dexter, MI 48130
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STAFF FINDINGS:

- 1) The building's first floor is the former Oz nightclub, and the second floor is office.
- 2) The proposed windows are compatible in size, scale, material and color with the rest of the building and the area. The bronze color is different from the aluminum color found on much of the building, but is not incompatible, especially considering that most of the first floor of the front elevation has been painted.

Review Committee: Commissioners Glusac and White

Commissioner Glusac – The application is appropriate. The location for the new window installation – the materials matched the existing entry except for the color, but I believe the application is appropriate.

Commissioner Bruner – Concurs with Commissioner Glusac. We visited the site and spoke with the architect who is present tonight, and we understood and could see that the front of this building is contemporary and is less than ten years old. The infill, which he is hoping to restore, is wood frame and a residential type of wood window was installed in it. Its exposure to the busy street (Fifth Avenue) has caused the windows to deteriorate as they are lightweight construction. Winter, salt, rain, etc., cause them to be less serviceable, so I am in support as well.

Applicant Presentation: David Bona was present to speak on behalf of the appeal. He stated that he was available to answer any questions that the Commission might have.

Public Commentary: None.

Questions by the Commission: None.

Discussion by the Commission:

Commissioner Wineberg – Stated that she believed that this building was built in 1965 and that it was formerly a movie theatre.

MOTION

Moved by Commissioner Bruner, Seconded by Commissioner Wineberg, **“that the Commission issue a Certificate of Appropriateness for the application at 210 South Fifth Avenue to remove two non-original windows and replace them with bronze-colored aluminum and glass windows. The work as proposed is generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and to the surrounding area and meets the Secretary of the Interior’s Standards for Rehabilitation standards 2 and 9.”**

On a Voice Vote – MOTION TO APPROVE – PASSED (*Application Approved*)

Adjourn the Special Session at 7:32 – Break requested by Commissioner Henrichs. Reconvened at 7:43 p.m.

REGULAR SESSION

Commissioners Present: Susan Wineberg, Sarah Shotwell, Michael Bruner, Jim Henrichs
Kristina Glusac and Robert White **(6)**

Commissioners Absent: Vacancy **(1)**

Staff Present: Jill Thacher, HDC Coordinator/Planner II, Kristine Kidorf, Kidorf Preservation Consulting and Brenda Acquaviva, Administrative Support Specialist V, Planning and Development Services **(3)**

CALL TO ORDER:

Commissioner White called the meeting to order at 7:20 p.m.

ROLL CALL:

Quorum satisfied.

APPROVAL OF THE AGENDA:

Moved by Commissioner Wineberg, Seconded by Commissioner Shotwell, **“to approve the Agenda as Presented.”**

On a Voice Vote – MOTION PASSED – UNANIMOUS

***On a Roll Call Vote – MOTION PASSED - UNANIMOUS**

**(Commissioner Bruner requested that a Roll Call vote take place as he did not hear the Chair ‘voice’ his vote. Staff conducted a Roll Call vote, and the vote passed unanimously in favor of Approval of the Agenda as presented. Discussion within the Commission continued, and Administrative staff voiced a point of order so that the meeting could continue in an orderly manner to accommodate the public whose issues needed to be heard.)*

A-5 207 West Jefferson Street – OWSHD

BACKGROUND: This simple 1 ¾ story house was probably built between 1904 and 1910, when Floyd A. and Klara A. Sweet occupied the house. Floyd was a driver for U.S. Express Co. They lived there until 1919, when John and Katherine Behr are listed in the Polk Directory as the occupants. John was a laborer and later a clerk, enameller, elevator operator, and engineer. Katherine is listed as the occupant through 1955.

LOCATION: The site is located on the south side of West Jefferson Street between South Ashley Street and South First Street.

APPLICATION: The applicant seeks HDC approval for 1) a basement egress window that has already been installed, and 2) the removal of a small basement window and replacement with an additional basement egress window that matches the one already installed.

Owner: Tim Bell. 4922 Gullane Drive, Ann Arbor MI 48103

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Applicant/Address: Same as above

STAFF FINDINGS:

1. The building department received a complaint about work being done on this house without permits. An existing non-original 15” by 30” basement window was removed, part of the skirt board was further cut away, and the window opening was enlarged to accommodate a 42” by 60” slider egress window. The window meets City building code requirements, but a building permit is contingent upon HDC approval.
2. The size of the new window is out of scale with the side elevation of the house. The newly installed and proposed windows are neither aligned nor proportionate with the first floor windows, and as a result the character of this elevation is seriously diminished. It is not appropriate for basement windows of this size and proportion to be located on a character-defining elevation of the house

Review Committee: Commissioners Bruner and Glusac

Commissioner Bruner – We found that these windows had been installed in the basement as per the staff report. The owner has recently purchased the property and intends to use it as a rental. He states he installed the egress window so that the room in the basement could be used as a bedroom. The window is not compliant to Code. He installed an oversized ‘slider’ so that it wouldn’t interfere with operations of the driveway where he still intends to park cars. Code requires a ‘clear area’ of at least 9 sq. feet with a minimum dimension of 36”. I cannot recommend that this window remain.

Commissioner Glusac – (Was not able to visit the site)

Petitioner Presentation: Owner Tim Bell was present to speak on behalf of the appeal. He apologized to the Commission for not having the original foundation and/or basement windows repaired. He stated that in his ignorance, he didn’t realize he needed approval for the window. He also stated that a lot of the Old West Side has comparable windows in other homes in either scope of size, type or materials. I was told by a neighbor that the cinderblock foundation was done in the 1970’s.

The basement room that was referred to was already finished when the home was purchased, including a closet, so it has been used as a bedroom. The house can legally hold four persons with the two upstairs bedrooms. To think that no one would end up sleeping in that basement room would be naïve, so I wanted the egress window put in for safety. The site has numerous limitations to providing alternative solutions.

Questions by the Commission:

Commissioner Wineberg – Asked if the petitioner had made any other alterations to the home since purchasing the property. (Petitioner – I’ve invested a great deal of money to upgrade the interior of the home. This house is one of two that was severely ‘settled,’ as there is a creek that used to run under these buildings. This was built on ‘fill’ that was not compacted during the 1910 era.) Is the city requiring you to put in these egress windows? (The city requires the egress window to call the bedroom a ‘legal’ bedroom.) Is it rented as a house? (The house is rented as a whole house. I’m not going to break it up into apartments – it’s too small.)

619 Commissioner Bruner – You said the house is legal to be occupied by four individuals? (Yes,
620 the two upstairs bedrooms are large enough to have two occupants each and the living room
621 is large enough to accommodate that many people.)
622

623 Commissioner White – Is there a Certificate of Occupancy? (I've applied for one. I just
624 bought the house and the inspection is scheduled for October 5th.) That's an appearance
625 item, but from a safety standpoint, if there's a bedroom down there, you're going to need
626 some type of egress. (Yes, and there was one – I bought the house with one. I grew up on
627 this block, my grandfather was a founding member of the Old West Side Historic District,
628 I owned a house on the block that I put a dormer over the third floor stairs that I obtained
629 approval for – those things seemed obvious to me. Replacing a window that was non-original
630 in a non-original foundation – I just didn't get it.)
631

632 Commissioner Wineberg – Did a contractor do the work? (A friend of a friend. It was like,
633 "Oh, I know a guy who does that kind of work and here's his number...so... I had to sink a lot
634 of money into this so I didn't have a general contractor on this stuff.) So, the window that you
635 replaced looked like the other two? (Yes.)
636

637 Commissioner Bruner – So, the person who did the work isn't even a licensed builder? (I
638 don't even know that.) A licensed builder would certainly know that it's necessary to get a
639 building permit, much less seek HDC approval. From the point at which you start, you then
640 confess a naivety to a great number of things... like the need to consult to get a building
641 permit and the requirement for clear areaway in front of an egress window or the size – you
642 may be familiar with the size of an egress window, but it's disturbing to me. (I'm not familiar
643 with that – I couldn't tell you what the size of a window well would have to be for another kind
644 of egress window. I know with eight feet (of driveway), I'm worried about people hitting the
645 house. I just didn't think there was room for a window well at all.)
646

647 Commissioner Bruner - I guess I can clarify for you that you can't have everything you want –
648 and if you want egress windows in your basement, you can certainly have them. You can
649 have them as small as necessary – this one is far too large, but, you can't have a driveway at
650 the same time, and you were trying to do both. Can you imagine now, that you have a
651 driveway AND an egress window, where someone can park right next to it, and no one would
652 be able to gain egress to that room in case of an emergency. You're required to have nine
653 square feet of clear area in which nothing else can happen, except the possibility for egress.
654 (So, in that case, the building inspector wouldn't approve that as a bedroom anyway, right?)
655 I'm not saying you can't enjoy the full economic benefit of your property – but you need to do
656 it right. *(Commissioner Bruner elaborated on additional attributes of the house that cause
657 further problems for the egress window.)*
658

659 **Public Commentary:** None.
660

661 **Discussion by the Commission:**
662

663 Commissioner Wineberg – I visited the site today and noticed the house across the street
664 seemed to be at a higher elevation above the grade, first floor, the same as this one was,
665 except that it had a brick foundation. I don't think it's really true that this is that unusual. It
666 might have been done that way because of the flooding issues, but this window is clearly not
667 compatible with the others, and therefore, I can't support this application.
668

669 Commissioner Henrichs – I would support the motion to deny, due to what the motion states
670 – “the work is not compatible in size, scale and proportion with the rest of the building.”

671 Commissioner Wineberg – Mentioned that the house looks very nice, but this window spoils
672 the whole thing. It looks like it's recently been painted, the porch looks nice, etc.

673

674 Commissioner Bruner – The window is far too wide. If a need for an egress window does
675 exist, then a much narrower, perhaps taller one that may extend below grade, but not
676 necessarily into a window well, which wouldn't spoil the use of the driveway. I concur with
677 Commissioner Henrichs as well.

678

679 **MOTION**

680

681 Moved by Commissioner Glusac, Seconded by Commissioner Henrichs, “**that the**
682 **Commission deny the application at 207 West Jefferson Street for two basement**
683 **egress windows, and order the basement window already installed to be**
684 **restored to the size and type of the previous basement window. The work is not**
685 **compatible in size, scale and proportion with the rest of the building and does**
686 **not meet *The Secretary of the Interior's Standards for Rehabilitation standards 2***
687 **and 9.”**

688

689 **On a Voice Vote – MOTION TO DENY - *PASSED – UNANIMOUS* (Approval Denied)**

690

691

692 **A-6 823 West Washington Street – OWSHD**

693

694 **BACKGROUND:** This two-story frame house with clapboard siding has a front gabled roof, a small
695 attic window above double windows centered in the second floor, a one-story front porch with hip roof,
696 turned posts and lattice foundation. It is first listed in the 1897 Polk directory (as 83 W. Washington)
697 as the home of J. E. Clarke, an “action maker. A two-story addition was approved by the HDC in April
698 of 2006.

699

700 **LOCATION:** The site is located on the south side of Washington Street, between Seventh and
701 Mulholland Streets.

702

703 **APPLICATION:** The applicant seeks HDC approval after-the-fact to remove a chicken coop that had
704 been converted into a play structure that was attached to the back of the property's barn.

705

706 **Owner/Address/Applicant:** John and Rachel Criso, 823 W Washington, Ann Arbor, MI 48104

707

708 **STAFF FINDINGS:**

709

710 1) In July of 2007 a complaint was filed with HDC staff concerning the removal of a chicken
711 coop from 823 West Washington without prior approval from the HDC. Staff contacted the
712 property owner (this applicant), who confirmed that he removed a small shed that was
713 likely used as a chicken coop. The structure was attached to the rear elevation of a barn
714 on one end and to a children's play structure on the other. Because the structure was
715 removed shortly after the City's new Historic Preservation ordinance went into effect, the
716 applicant should have sought approval from the HDC before the work was done.

717

718 2) The age of the shed is unknown. Per the applicant, the structure's roof partially collapsed
719 ten years ago and framing had rotted away at the earthen floor. In order to keep the shed
720 from completely collapsing, the owner incorporated it into a children's play structure. The
721 half of the collapsed roof had an addition to look like a fort coming out of the roof. Last
722 winter, a tree fell on the roof of the shed, causing further damage.

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- 3) The applicant received approval from HDC in 2006 to build an addition on the house. At that time, the applicant says he also contracted to have the play structure and shed removed as part of modifications being made to the garage. At that time, the shed and garage were not regulated by City ordinance. [Note: A permit was issued before the ordinance change to allow the installation of garage doors on the barn. That work has not yet occurred.] The applicant said he was not aware that the new ordinance regulated outbuildings when he removed the shed.
 - 4) Due to previous alterations into a playhouse, the former chicken coop no longer contributes to the character and history of the district.
 - 5) The advanced state of deterioration reported by the applicant and the 14" tree that fell on the roof last winter may have prevented its repair. Since the structure is gone, it is impossible to confirm the extent of the deterioration.

741 **Review Committee:** No review Committee visited the site as the structure no longer
742 remains.
743

744 **Petitioner Presentation:** John Criso, owner/applicant was present to speak on behalf of the
745 application. He stated that the staff report was accurate and many of the current
746 Commissioners here tonight were present when they applied for the addition to this home. At
747 that time, we did inquire whether any additional permission was required for a modification to
748 the barn, play structure or chicken coop, and we were told at that time, 'no.' I understand,
749 after the fact, that the Ordinance (Chapter 103, City Code) was changed this past April to
750 include out buildings, which we were unaware of. The project began last August. At that
751 time, we did contract to have the fort removed. The removal of that fort, notwithstanding the
752 tree incident (a fallen tree on the structure) this winter, would have caused the coop to fall
753 down. Removal of the fort would have caused the entire thing to cave in. We thought we
754 were granted permission for this, and we were following our plan.
755

756 **Questions of the Applicant:**
757

758 Commissioner Bruner – The plan to remove the chicken coop was part of your original
759 application? (No. We asked, at that time, if we needed permission, and we were told no,
760 which was a correct response at that time – approximately March of 2006.)
761

762 **Public Commentary:** None.
763

764 **Discussion by the Commission:**
765

766 **MOTION**
767

768 Moved by Commissioner Wineberg, Seconded by Commissioner Bruner, “ **that the**
769 **Commission issue a certificate of appropriateness for the application at 823**
770 **West Washington Street to remove a play structure and shed located behind the**
771 **barn at the rear of the property. As the former chicken coop had been altered, its**
772 **integrity has been diminished and the structure no longer contributes to the**
773 **historic district. The work as proposed meets the Secretary of the Interior’s**
774 **Standards for Rehabilitation standard 2.”**
775

776 **On a Voice Vote – MOTION PASSED - *UNANIMOUS* (Application Approved)**
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Coordinator Thacher – Informed the Commission that there is currently a building permit waiting to be issued to alter one of the doors on the barn. Since this is a part of the original application and covered by the previous ordinance, the petitioner will be allowed to do this work as long as the permit/approved work continues. Once that permit expires or the work is not completed in a timely manner, the petitioner would have to come back to the HDC for any other alteration to the barn.

A-7 517 Second Street - OWSHD

BACKGROUND: This vacant lot at one time had a two-story house and single-car garage on it, which are shown on the 1916, 1925, and 1931 Sanborn maps. It is unknown exactly when the house was demolished, though it appears in the Polk Directory as “vacant” from 1932 – 1935 and does not appear from 1936 on.

LOCATION: The site is located on the east side of Second Street, between West Jefferson Street and West Madison Street.

APPLICATION: The applicant seeks HDC approval to construct a new two-story house and a single-car garage on a vacant lot. Proposed exterior materials are concrete fiberboard siding on the first and second story and the garage, and cedar shakes on the gable ends of the house and garage. Window and corner trim is wood, and windows are wood or aluminum-clad double hung with decorative grilles. First floor front and rear porch supports have piers of flat, rectangular pieces of cultured stone on the bottom and wood posts above. The second floor rear porch has wood supports. The front door is wood with panels and a window with grilles. The garage door is metal with a window, and the roll-up garage door is also metal.

Owner: Gary Gillis, 521 Second Street, Ann Arbor, MI 48104

Address/Applicant: Steven Seelinger, 24 Sylvan Ave, Pleasant Ridge, MI 48069

STAFF FINDINGS:

- 1) The lot is 30' wide by 132' deep. The footprint of the house, including front and rear covered porches, would be 20' wide by 63' deep. The structure is 28' 10" tall at the roof ridge. There is 10' between the proposed house and the houses on each side.
- 2) The proposed driveway straddles the property line between this lot and the house to the north. That house currently has no driveway, and the owner desires to gain access to her backyard. A parking space or garage addition on the lot to the north would have to be approved separately by the HDC.
- 3) The width and height of the building and the front yard setback are appropriate in relationship to other buildings on that side of the block.
- 4) The garage's size (22' deep by 18' wide) and placement (3 feet from the rear property line) are appropriate for the neighborhood.
- 5) The building is very deep (46' plus 7' for the front porch and 10' for the rear porches), but not unprecedented -- three other houses on this side of the block have a similar footprint.
- 6) The drawings show grilles in the window that may be an inappropriate style for a house of new construction in a historic district. The applicant is willing to use plain one-over-one windows instead, should the commission require it.

833 **Review Committee:** Commissioners Bruner and Glusac visited the site.

834

835 Commissioner Bruner – The site is a vacant lot, we reviewed the plans as submitted.

836 Generally, I'm in favor of the application with the project as shown in the drawings. I have
837 some reservations, but will elaborate during Commission discussion.

838

839 Commissioner Glusac – We discussed at the site some significant trees. There were some
840 questions we posed to the Coordinator.

841

842 Coordinator Thacher – Regarding the large street tree, since it is in the city right of way, I'm
843 going to have to work with the city forester on that. There has been a question raised about
844 whether that one falls under HDC review or not. The tree on the right is very close to meeting
845 the standards for the city's 'landmark trees,' which is when this ordinance kicks in. I have to
846 get the applicant to measure that, so it would probably be wise to mention that in the motion.

847

848 **Petitioner Presentation:** Mr. Steven Seelinger spoke on behalf of the owner. We're trying
849 to put a house there that meets all of the HDC requirements. I think the main concerns are
850 the trees. I did measure the tree in question, and it's less than 18 inches, which is the
851 standard that was mentioned. This was approximately 15 ½ inches. We do think this is a
852 dangerous tree – that if it were to break, it could fall on the house (the tree is in a 'v' shape).
853 If we can build without removing the tree in the right of way in order to build the driveway, we
854 would rather do this and work with the Parks department. If it will kill the tree to do so
855 anyway, we would prefer to remove it and plant another tree or two to supplement that.

856

857 **Questions of the Applicant:**

858

859 Commissioner Bruner – Asked about the proposed windows and suggested that alternatives
860 for what was proposed in conjunction with the Secretary of Interior's Standards. (*Concern*
861 *that this might look like it is mimicking historic windows as opposed to differentiating the old*
862 *from the new.*)

863

864 **Public Commentary:** None.

865

866 **Discussion by the Commission:**

867

868 Commissioner Wineberg – Stated that the proposed 'grills' on the windows did not appear to
869 her to be a problem. I'm in support of this.

870

871 Commissioner Glusac – I have a preference that the dormers not be a strong element to the
872 elevation, and it gives the house a strong massing compared to the adjacent homes. I'm not
873 saying I'm not in support of this, but having a similar setback to the adjacent homes is also
874 bothersome, as I feel that it looks like it's already a part of that view that has been established
875 on that street (with the original homes) – we're bringing a home in that's within the same
876 footprint.

877

878 Commissioner Wineberg – That is part of the problem with being 'compatible' with the district,
879 while 'differentiating' the old from the new.

880

881 K. Kidorf – Typically, we do require that the front face be within the setback of one of the
882 adjacent houses or in between. I think it would be more incompatible with the neighborhood
883 if it had a different setback. Too far forward or too far back for the setback is also not usually
884 recommended in any design guidelines I've seen.

885 **MOTION**

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Moved by Commissioner Wineberg, Seconded by Commissioner Bruner, “**that the Commission issue a certificate of appropriateness for the application at 517 Second Street to construct a new two-story house and single-car garage on a vacant lot. The work as proposed is generally compatible in exterior design, arrangement, texture, material and relationship to the surrounding area and meets the Secretary of the Interior’s Standards for Rehabilitation standards 2 and 9.**”

On a Voice Vote – MOTION PASSED - *UNANIMOUS* (Application Approved)

A-8 205-207 East Washington Street -

BACKGROUND: The Sudworth Building is a three-story brick Romanesque building built circa 1895. It features multiple recessed brick arches and stone trim. The first occupant was the Allmendinger Music Store. In 1965 the first floor was renovated and the stone piers were covered with 2 x 2 ceramic tile, an aluminum-framed glass storefront, an 8’ cantilevered canopy, and enameled steel panels covering the masonry above the canopy.

LOCATION: The site is located on the north side of East Washington Street, between North Fourth Avenue and North Fifth Avenue.

APPLICATION: The applicant seeks HDC approval to 1) replace an existing mechanical platform with a larger platform; 2) replace the existing steel fire escape with a new one; 3) replace three non-original egress doors on the rear elevation and enlarge a window opening on the third floor for a fourth egress door, and install transom windows over the second and third floor doors; 4) replace the existing wood windows with new aluminum clad wood windows on the rear elevation; 5) replace non-original windows on the front elevation with new wood windows on the second and third floors based on historic documentation; 6) replace the underside of the canopy; 7) on the storefront: refinish stone surfaces, replace the missing keystone, install glass block transom windows above the existing canopy, and remove non-original tile from the piers and base and install paneled wood above the existing sill and stone veneer below it; 8) remove existing large vines on the north and west elevations.

Owner/Address: 205-207 E Front St LLC., 116 W Washington St., Suite F., Ann Arbor, MI 48104

Applicant: Alexis Cecil - Bradley Cambridge, Quinn Evans Architects, 219 ½ North Main Street, Ann Arbor, MI 48104

STAFF FINDINGS:

- 1) The work proposed on the rear elevation of the building will improve its functionality. Reconfiguring the steel fire escape as proposed will result in a more contained structure with less of the negative visual impacts caused by the current one that sprawls across the entire rear elevation. The new steel mechanical platform is located in an appropriate place between the egress door and second floor windows. Per a conversation with the applicant, they will try to minimize the size of the mechanical units on the platform.
- 2) The metal egress doors, new transoms, new cellar doors, and masonry infill and repairs are all appropriate. The new third floor door requires lengthening the existing opening. The opening will not be made wider. A door at floor level is required by code, thus there is extra space within the original window opening for a transom above the door. The current third floor egress window does not meet code and would also have to be made longer, so using the existing third-floor egress in order to preserve original openings is not an option.

- 940 3) The condition of the original windows proposed for replacement on the rear elevation will
941 have to be determined by the Review Committee. See note following possible motion.
942
- 943 4) There will not be sufficient salvaged brick for the project for infill areas, so matching
944 common brick will be used.
945
- 946 5) The existing canopy and non-original storefront windows will remain. Per the applicant, the
947 underside of the canopy will be replaced with either wood with small wood beams to give a
948 coffer look, or a contemporary decorative metal panel. The proposed exposure and re-
949 texturing of existing stone, partial exposure of the keyhole, and keystone replacement
950 should be very beneficial in repairing the character of the front elevation, and the glass
951 block transom is a compatible design. Replacement of the second and third-floor windows
952 based on historic documentation is strongly encouraged (replacement is a bid alternate to
953 retaining and repairing the existing windows, so the work is included here in the event that
954 such a bid is accepted).
955
- 956 6) The applicant provided the following information when asked about alternative treatments
957 for the front piers:
958
- 959 “...the existing piers are all covered with 2" square tile. We have not done any
960 selective demo to uncover what is under that tile. However we did remove the
961 metal panels above the canopy along the pier on the east wall. That condition
962 there did show the to be the stone pier on the face that wrapped around the corner
963 approximately 1'-0", then it changed to brick for approximately another 1'-0", then
964 changed to painted plaster. Originally we believe the storefront was forward in the
965 facade, not pushed back as it currently is today. Knowing the condition above, and
966 the change in the location of the storefront, we don't believe the stone, or an
967 exterior material will be fully exposed. We believe something will need to replace
968 the tile in order to properly finish out those piers. Obviously, once we begin
969 removal of the tile, we may uncover a different scenario at which point we will
970 reevaluate and if necessary re present to the HDC. But we believe that rewrapping
971 the piers will be our worst case scenario.”
972
- 973 7) The window worksheet provided meets the City's window guidelines for all but the casing
974 width (within 1/8" of original - - proposed is 3/8" smaller) and thickness (must match
975 original - - proposed 5/8" deeper) and the sill thickness (within 1/8" of the original - -
976 proposed is 1/2" thinner). See worksheet for exact measurements.
977

978 **Review Committee:** Commissioner's Bruner and Glusac visited the site.
979

980 Commissioner Bruner – *Second floor windows at the rear are existing and in place.
981 *The third floor interior windows that could be seen were removed. They're boarded up on
982 the inside too, but the two that I could see, the entire sash and frame had been removed, so it
983 is as the applicant stated. The windows in the rear are not deteriorated to the degree that we
984 would use the standard for a replacement, so it's my recommendation that they restore those
985 windows instead of replacing them. This also leaves them with the problem of replacing the
986 windows above which are missing. They could match the dimensions there. Their intentions
987 are to replace all windows with a smaller window that would fit into the opening with some
988 carpentry infill.
989

990 *We examined the mechanical platform and agreed that it was being located and placed in
991 such a way that it is an improvement over the old. The fire/egress stair in its reconfiguration
992 is necessary because they are relocating or bringing doors in to comply with code.

993 *Their request to “replace non-original windows on the front elevation with new wood
994 windows on the second and third floor, based on historic documentation” remains to be seen.
995 We need more documentation on how that will be accomplished; otherwise, we may want to
996 postpone that portion of the request as well as the canopy request which lacks information.
997

998 *Replacement of the keystone – We talked about what the stone is like behind an existing tile
999 jacket or enclosure. It’s still conjecture at this point. I think they would like to restore it, but
1000 not sure if it can be approved until they do exploratory demolition.
1001

1002 *Glass block transom – I can’t agree with this – it’s conjectural and seems to approximate the
1003 effect of a prismatic transom that probably didn’t exist there, based on the historic
1004 documentation we’ve been provided with. There is no precedent for allowing glass block in
1005 any transom in any downtown buildings that I’ve seen.
1006

1007 *Remove the existing large vines – I would be in favor of this, as they are invasive.
1008

1009 Commissioner Glusac – The windows on the second floor elevation could be repaired rather
1010 than replaced. I didn’t get a chance to look at the third floor windows from the interior.
1011

1012 Commissioner White – Mentioned that it could be a conflict of interest for Commissioner
1013 Bruner as he was formerly employed by the petitioner (Quinn-Evans). Commissioner Bruner
1014 stated that because he has not been monetarily compensated for this issue, he does not
1015 need to recuse himself, and feels that he can be impartial where the case is concerned.
1016

1017 Coordinator Thacher – Stated that staff does not feel that it would be inappropriate for
1018 Commissioner Bruner to vote on this.
1019

1020 **Petitioner Presentation:** Mr. Bradley Cambridge of Quinn Evans Architects was present to
1021 speak on behalf of the appeal. The first floor of this building is proposed to become a
1022 restaurant and the upper floors to office space. There are quite a few proposed alterations to
1023 the front and rear of the building to spruce it up for the new businesses. The staff report was
1024 clear for the work to be done. The historic picture we were provided with does not show what
1025 we believe to be the original storefront conditions, so we do not know what was there in the
1026 beginning. We think there was some form of transom there because of the canopy there and
1027 the nature of how you’ll see that window from the interior space.
1028

1029 We felt a more modern approach to it as opposed to a re-creation of something we’re not
1030 sure of was a better approach, so we decided on the glass block. The ‘piers’ which were not
1031 a part of the original packet – we’ve done some exploratory work above this and believe that
1032 originally the storefront was pushed all the way forward and that is why plaster is behind
1033 there. If that is the case, if we do reveal plaster, we can’t leave that exposed to weather, and
1034 at that point, we could clad the entire thing. *(The petitioner went on to expound on the
1035 window detail and elevation view to the public.)*
1036

1037 **Questions of the Applicant:**

1038

1039 *(The Commission discussed the windows - replacement versus repair and the glass block
1040 proposed for the transom and whether the block would be clear or frosted or whether it was
1041 appropriate at all. It was suggested that Luxfer (a material) or a Luxfer like material be used
1042 as opposed to glass block. The design for the new fire escape was also a concern.)*
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1044 **Public Commentary:** None.

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Discussion by the Commission:

MOTION #1

Moved by Commissioner Bruner, Seconded by Commissioner Wineberg, “**that the Commission issue a certificate of appropriateness for the application at 205-207 East Washington to: replace an existing mechanical platform with a larger platform; replace the existing steel fire escape with a new one; replace three non-original egress doors on the rear elevation and enlarge a window opening on the third floor for a fourth egress door, and install transom windows over the second and third floor doors; install new wood windows on the third floor of the rear elevation and remove vines from the north and west elevations as shown on the attached plans. The work as proposed is generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and to the surrounding area and meets the Secretary of the Interior’s Standards for Rehabilitation standards 2, 5, 6, 9, and 10.**”

On a Voice Vote – MOTION PASSED – UNANIMOUS *(Partial Application Approval)*

(Discussion by the Commission on what issues still need to be addressed)

MOTION #2

Moved by Commissioner Bruner, Seconded by Commissioner Glusac, “**to approve a certificate of appropriateness for the application at 205-207 East Washington Street, to replace non-original windows on the front elevation with new wood windows on the second and third floors, based on historic documentation as shown on the attached drawings. The work is generally compatible with the size, scale, design, and materials and meets the Secretary of the Interior’s Standards for Rehabilitation, standard number 6.**”

On a Voice Vote – MOTION PASSED – UNANIMOUS *(Partial Application Approval)*

(Commissioner Wineberg provided the HDC with various historic photos)

MOTION #3

Moved by Commissioner Bruner, Seconded by Commissioner Shotwell, “**to approve a certificate of appropriateness for the application at 205-207 East Washington Street, to make improvements to the storefront; refinish stone surfaces, replace the missing keystone and remove non-original tile from the piers and base and install panel wood above the existing sill and stone veneer below it as shown on the attached drawings. The work is generally compatible in exterior design, arrangement, texture and material in relationship to the rest of the building and the surrounding area and meets the Secretary of the Interior’s Standards for Rehabilitation, standard number 6.**”

On a Voice Vote – MOTION PASSED – UNANIMOUS *(Partial Application Approval)*

1097 **MOTION #4**

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Moved by Commissioner Bruner, Seconded by Commissioner Glusac, "to deny a certificate of appropriateness for the application at 205-207 East Washington Street to replace existing wood windows with new aluminum clad wood windows on the rear elevation at the second floor. As shown on the attached drawings, the work is incompatible with the size, scale, massing and materials and does not meet the Secretary of Interior's Standards for Rehabilitation, standard 6."

On a Voice Vote – MOTION TO DENY – PASSED - Yes (5), No (1)
(Partial Application Denial)

Commissioners Bruner, White, Henrichs, Glusac and Shotwell – Yes (5)
Commissioner Wineberg – No (1)

MOTION #5

Moved by Commissioner Bruner, Seconded by Commissioner Shotwell, "to postpone the portion of the application at 205-207 East Washington Street as it applies to replacement to the underside of the canopy pending information submitted to the Commission on how the applicant plans to proceed on the design."

On a Voice Vote – MOTION TO POSTPONE – PASSED – UNANIMOUS
(Partial Application Postponed)

MOTION #6

Moved by Commissioner Bruner, Seconded by Commissioner Glusac, "to deny the portion of the application at 205-207 East Washington Street, to install a glass block transom over the windows at the storefront as submitted on the drawings. The work as proposed does not comply with the Secretary of Interior's Standards for Rehabilitation, standard 6. The proposed materials are from the mid twentieth century do not address the historic character or documentation of the building."

On a Voice Vote – MOTION TO DENY – PASSED - Yes (5), No (1)
(Partial Application Denial)

Commissioners Bruner, Wineberg, Henrichs, Glusac and Shotwell – Yes (5)
Commissioner White – No (1)

**– Break requested by Commissioner White. Meeting recessed at 10:05 p.m.,
Reconvened at 10:12 p.m.**

A-9 452 Third Street – OWSHD

BACKGROUND: This clapboard Colonial Revival house was built around 1900 for Mary Wagner after her husband William had died. It replaced an older but smaller house on the same site that the Wagners occupied. The new house features one of the Old West Side's exceptional field stone front porches, topped with short, round, fluted columns.

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LOCATION: The site is located at the northwest corner of Third Street and West Jefferson Street.

APPLICATION: The applicant seeks HDC approval to construct a one story addition on the rear elevation of an existing house; reconfigure the roofline on an existing rear addition to the existing house; fill in, replace, or enlarge several windows; construct a two-story unit with a one story wing to connect to the existing house; construct a new deck on the rear of each unit; remove a shed; construct two new two-car garages; pave the driveway; remove a landmark tree; and add a privacy fence.

Owner/Address: Tom Fitzsimmons, PO Box 3753, Ann Arbor, MI 48106

Applicant: Marc Rueter, 515 Fifth Street, Ann Arbor, MI 48103

STAFF FINDINGS:

- 1) The existing house, currently a two-family dwelling, would be converted back to one dwelling unit. The addition of the new attached house would then bring it back up to two dwelling units (so there would be no net increase in dwelling units.)
- 2) Two trees are proposed to be removed as part of this project, a 16" diameter flowering cherry and a 15" diameter box elder. The flowering cherry is a landmark tree as defined by Chapter 57 of City Code and falls under HDC review as part of the historic landscape of the site. It is located about 30' south of the existing house where the proposed two-story addition would be constructed.
- 3) Important information on previous additions to the house is provided by the applicant on sheet E3.
- 4) The proposed one-story addition on the rear of the existing house would replace a non-original enclosed porch that was probably added in the '40s or '50s, per the applicant. This addition is appropriate in size and scale and would not destroy any character-defining features of the existing house.
- 5) Reconfiguring the roofline on the existing second-floor addition (which was added between the late '20s and early '40s per the applicant) of the existing house results in a new north side gable that complements the existing gable on the south elevation, though the north gable would be located further toward the rear of the existing house than the south gable.
- 6) On the first-floor south elevation of the existing house, the second window from the front would be removed and filled in. Staff believes this window should be left as a window in the proposed closet shown in the new floor plan, or blocked from within. On the first-floor north elevation, a pair of small double-hung windows on the bump-out toward the rear would be replaced with a pair of larger windows. On the second-floor north elevation, a small window on the bump-out toward the rear would be replaced and relocated farther up the wall with a larger double-hung window (within the new gable described above). On the west (rear) elevation, two second-floor windows would be replaced by new windows of different sizes, and a third window would be added between them. Also, a small casement window would be added in the attic gable. (See sheets A-2, A-3)
- 7) Changing window opening sizes and filling in windows is not recommended, particularly on character-defining elevations. Similarly, installing replacement windows or sashes in place of original windows is not recommended. The application does not indicate which windows are original and which have been replaced, so it is assumed that the windows are original.

- 1205 8) The proposed new two-story house is appropriate in size and proportion to the existing
1206 house. The new house is placed symmetrically between the existing house and the street,
1207 and spacing between the two two-story residences is similar to spacing between many
1208 houses in the neighborhood. The one-story wing that connects the two houses is set back
1209 from the front elevations, which preserves more of the integrity of the existing house. The
1210 one-story wing's attachment to the back half of the south elevation of the existing house
1211 will cause the destruction of a window and a side-door which may be original to the house.
1212
- 1213 9) The existing house would have an 11'2" by 24' (approx) deck off the rear addition. The
1214 new house would have an approximately 14' by 14' deck off the rear of the one-story wing
1215 that connects the two dwellings.
1216
- 1217 10) A one-stall garage in approximately the same dimensions as the existing shed/garage is
1218 shown on the 1931 Sanborn map. The two proposed two-car garages occupy too much of
1219 the backyard, especially the one behind the new unit. In general, this lot may be large
1220 enough to support more than single car garages, but they should be located close to the
1221 rear lot line. A single shared four-stall garage might be an option, or pushing the garage
1222 that is behind the new unit back to the rear of the lot and reducing it to one stall, and
1223 swinging the driveway around it.
1224
- 1225 11) This is a difficult application because of its many components, any one of which (duplex or
1226 rear addition, window replacement, adding a garage, etc.) should be considered on its own
1227 merits as well part of the larger project. Generally speaking, staff thinks this project is
1228 conceptually good but has concerns about some of the details, such as the window and
1229 garage issues outlined above.
1230

1231 **Review Committee:** Commissioners Bruner and Glusac visited the site.
1232

1233 Commissioner Glusac – I agree with the staff report and have nothing to add.
1234

1235 Commissioner Bruner – This application is worthy and I am in support of it. We have met
1236 previously in a working session with the petitioner and we are familiar with the project.
1237

1238 **Petitioner Presentation:** Marc Reuter, Architect and Tom Fitzsimmons, owner, were
1239 present to speak on behalf of the appeal. Mr. Fitzsimmons stated that the goal here is to
1240 build a new housing unit with a minimal attachment to the existing house so as not to destroy
1241 any characteristics of the existing house.
1242

1243 The setback of the one story connector wing is such from the front elevation, that it is hard to
1244 tell that the house is even attached. We do feel the site can support two garages, as the lot
1245 is full sized.
1246

1247 Mr. Rueter stated that he and the owner had met with various members of the Old West Side
1248 Historic District Association regarding this plan as well as some of the neighbors and the
1249 Historic District Commission. *(He gave a recap of questions that had been raised and
1250 solutions they're proposing to use to address those.)*
1251

1252 **Questions of the Applicant:** None.
1253

1254 **Public Commentary:**
1255

1256 1. Len Wolf – (neighbor) – I support the plan with the two garages. I would prefer that over
1257 something that would be a larger structure. I think it will also help acoustically using the
1258 layout they've presented. I support the project overall.

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Discussion by the Commission:

MOTION # 1

Moved by Commissioner Bruner, Seconded by Commissioner Henrichs, “**that the Commission issue a certificate of appropriateness for the application at 452 Third Street to: construct a one story addition on the rear elevation of an existing house; reconfigure the roofline on an existing rear addition to the existing house; construct a two-story unit with a one story wing that connects to the existing house; construct a new deck on the rear of each unit; remove a shed; remove a landmark tree and add a privacy fence ON THE CONDITION THAT no windows that are original to the building be removed, their size altered or replaced, with the exception of the enlarged window in the new second-floor gable, and that the location of the driveway and garage(s) be considered as a separate application. The work as proposed is generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and to the surrounding area and meets the Secretary of the Interior’s Standards for Rehabilitation standards 2, 9, and 10.**”

Commissioner Bruner – Stated that he could not totally support the motion he had read, and wanted to amend it as follows:

Amendment to Motion #1

Moved by Commissioner Bruner, Seconded by Commissioner Glusac, “**to amend the motion to remove the conditional language with regard to windows**”

On a Voice Vote – MOTION on AMENDMENT PASSED – UNANIMOUS

MOTION #1 as AMENDED

Moved by Commissioner Bruner, Seconded by Commission Henrichs, “**to APPROVE the application at 452 Third Street in the Old West Side Historic District, and issue a Certificate of Appropriateness to construct a one story addition on the rear elevation of an existing house; reconfigure the roofline on an existing rear addition to the existing house; fill in, replace, or enlarge several windows; construct a two-story unit with a one story wing to connect to the existing house; construct a new deck on the rear of each unit; remove a shed; remove a landmark tree; and add a privacy fence per the attached drawings ON THE CONDITION THAT the location of the driveway and garage(s) be considered as a separate application.**

The proposed work is generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and to the surrounding area and meets *The Secretary of the Interior’s Standards for Rehabilitation* standards 2, 9 and 10”

**On a Voice Vote - ORIGINAL MOTION AS AMENDED - PASSED – UNANIMOUS
(Application Approved)**

**Repeated discussion By the Commission on the meeting ending or continuing.
As a result, another motion was proposed:**

MOTION

Moved by Commissioner Bruner, Seconded by Commissioner Shotwell, “**to rescind the previously passed motion to end the meeting by 11:00 p.m.**”

On a Voice Vote – MOTION FAILED (TIE VOTE) – *SPLIT VOTE*

Commissioners Shotwell, Wineberg and Bruner – Yes (3)

Commissioners Henrichs, White and Glusac – No (3)

MOTION

Moved by Commissioner Shotwell, Seconded by Commissioner Wineberg, “**to move OLD BUSINESS, Item “B-1” up to the present point in the agenda (between items A-9 and A-10) due to time constraints and legal timeliness issues for the application.**”

On a Voice Vote – MOTION PASSED – Yes (5), No (1)

Commissioners White, Wineberg, Henrichs, Glusac and Shotwell – Yes (5)

Commissioner Bruner – No (1)

B - OLD BUSINESS –**B-1 1131 West Washington Street –**

BACKGROUND: This application was postponed at the August 9, 2007 HDC meeting. The Commission requested that the applicant incorporate existing original elements of the house into the design of a new addition. The applicant has provided a drawing showing an existing original 9-over-1 window on the south elevation relocated to the east elevation of the addition. The other elements that will be removed from the south elevation because of the addition include a non-original casement window and a door.

PREVIOUS BACKGROUND: This two-story clipped-gable craftsman-influenced house first appears in the 1923 Polk Directory as the home of Oswald R. and Alice M. Mayer. Oswald was the president of Mayer-Schairer Co. on Main Street. Oswald lived in the house until 1966 (when he presumably passed away) and Alice continued to live in the house until at least 1979. The 1926 Sanborn Map shows a full-width front porch. The porch was enclosed prior to 1979.

LOCATION: The property is located on the south side of West Washington Street, west of Buena Vista and east of Crest.

APPLICATION: The applicant requests HDC approval to add a one story addition on the southeast corner of the house by enclosing an existing 6.7’ by 6.5’ entry deck. An existing rear door on the east elevation and two windows on the south elevation would be removed. An aluminum-clad wood Jeld-Wen sliding door wall and two light fixtures would be added on the new south elevation. The addition would be sided in vinyl to match the existing house.

Petitioner Presentation: Leslie Pincus, owner, and Charles Shiver, Contractor, were present to speak on behalf of the appeal.

1363 Ms. Pincus stated that she appreciated the opportunity to once again present her proposal.
1364 At the last meeting the HDC voiced hesitation for a small rear addition to the house because
1365 it involved the removal of an original element, a 9 over 1 double hung window currently in the
1366 south facing wall of the house. Several of the HDC recommended integrating this window
1367 into the addition, specifically on the east facing wall which we originally proposed without
1368 windows. In the spirit of the Secretary of the Interior's Standards for retaining distinctive
1369 elements and based on the HDC suggestions, we've modified the plan in a way that we
1370 believe is both appropriate to the historical style of the house and in balance with the other
1371 window elements on the east facing side of the house. (Modified plans were presented to the
1372 Commission).

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1374 **Questions to the Applicant:** None.

1375
1376 **Discussion by the Commission:**

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1378 Commissioner Bruner – The four wide doors that you're installing, which I felt were in conflict
1379 with that elevation – my concerns are not addressed and I cannot support this for the same
1380 reasons I could not support it at the last meeting. (Petitioner - The four panel doors are less
1381 than 9 ½ feet across, and that is the heart and soul of the renovation. The whole idea is to
1382 bring light into a very dark portion of the house and we designed it so that the four windows
1383 there would match the four windows above, and we felt it had balance.)

1384
1385 Commissioner White – I believe I was on the Review Committee for this application, and part
1386 of your mission was to overlook the garden? (Petitioner – Yes, the dining room has a
1387 cloistered feel to it, so we're bringing it out to the level of the rest of the back of the house so
1388 that I have light and a view of the garden.) I support your project.

1389
1390 Commissioner Henrichs – When we discussed this previously, Commissioner Wineberg
1391 brought up the 9 over 1 existing window on the second floor as being removed? (On the first
1392 floor, and it was going to be discarded – but we're now incorporating that into this revised
1393 plan.) (Coordinator Thacher – explained that there was no 'revised' staff findings – just the
1394 revised plans and explanation in the 'background' information of the staff report.)

1395
1396 **Public Comment:** None.

1397
1398 **MOTION**

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1400 Moved by Commission Glusac, Seconded by Commissioner Wineberg, “ **that the**
1401 **Commission issue a certificate of appropriateness for the application at 1131 West**
1402 **Washington Street to add a one story addition on the southeast corner of the house as**
1403 **proposed. The work is generally compatible in exterior design, arrangement, texture,**
1404 **material and relationship to the rest of the building and to the surrounding area and**
1405 **meets *The Secretary of the Interior's Standards for Rehabilitation* standards 2 and 9.”**

1406
1407 **On a Voice Vote – MOTION PASSED – Yes (5), No (1)**

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1409 **Commissioners White, Wineberg, Henrichs, Glusac and Shotwell – Yes (5)**
1410 **Commissioner Bruner – No (1)**

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BACKGROUND: The following information was submitted by the owner: “This vernacular Greek Revival house was built about 1870. Original owners were Andrew and Margaretha Gruner. The rear addition first appears on the 1899 Sanborn map. A front porch appears on the 1908 Sanborn map, but the current front porch is a later replacement. The stairway to the basement appears on the 1916 map and a sideporch on the 1925 map, but the current side porch with its acrylic glass windows is at least in part of later construction. The west facade of the house was remodeled in the early 20th century with the addition of a bay window and replacement of the second floor windows. The house is currently sided with aluminum, which we plan to remove.”

LOCATION: The site is located at the southeast corner of West Jefferson Street and Fourth Street.

APPLICATION: The applicant seeks HDC approval to remove an enclosed porch and in its place construct a one-story L-shaped addition on the side elevation of the existing house. The addition would begin approximately 9’ from the front of the house, and extend 13’ into the sideyard (or 8’ farther than the existing enclosed porch). It would be 25’6” deep, and the rear 8’ would extend 7’7” from the wall of the house (see drawing labeled Opt. F). The larger, forward part of the addition would have a gable roof. The addition would be sided with concrete board to match the exposure of the wood siding on the house, which is currently covered with aluminum. Trim would be concrete board or cedar. The windows are proposed to be aluminum-clad, with one casement on the front elevation, two casements on the side, and a double-hung on the rear elevation.

Owner/Address/Applicant: James Egge, 521 W Jefferson, Ann Arbor, MI 48103

STAFF FINDINGS:

- 1) The applicants propose to keep the original door and window openings intact within the new addition. The non-original window would be removed. The door may be original, but per the applicant, the upper panels were replaced at some point with thin, untempered glass. The applicant would like to replace the glass with tempered, low-e glass and re-use the door for the new laundry room entrance on the rear of the addition.
- 2) The proposed addition is quite large and staff usually does not support side additions. The configuration of this particular lot, however, is somewhat unusual in the Old West Side because it is wider (82 feet) than it is deep (66 feet). Though the proposed addition would take up quite a bit of side yard, there will still be 32 feet between the front part of the addition and the east lot line and 13 feet between the rear part of the addition and the garage.
- 3) The addition’s single story is an appropriate height, and its design, materials, and setback from the front of the house distinguish the addition from the original house without overwhelming it.

Review Committee – Commissioners Glusac and Bruner visited the site.

Commissioner Glusac – I’m supportive of the project. The new roof for the new addition to the side of the house makes sense to the peculiar roof condition. The new design is tastefully done with the existing home.

Commissioner Bruner – I concur. This is worthy of my support.

Petitioner Presentation: James Egge, Owner, was present to speak on behalf of the appeal. He stated that he had nothing to add but that he was available for questions.

1470 **Questions of the Petitioner:**

1471 Commissioner Wineberg – Do you have any plans to change the front porch or the door?
 1472 (Petitioner – The front porch will stay as it is. We have no old photos, but once we took the
 1473 aluminum off the porch, we liked what we saw. The front door will be replaced with the
 1474 original, the problem it has is a thin glass window that needs attention, but we'll look into
 1475 repairing that.

1476
 1477 **Public Commentary:** None.

1478
1479 **MOTION**

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 1481 Moved by Commissioner Bruner, Seconded by Commissioner Shotwell, “ **that the**
 1482 **Commission issue a certificate of appropriateness for the application at 521**
 1483 **West Jefferson to remove a one-story enclosed porch and construct a one story**
 1484 **addition on the east elevation of the house. The work as proposed is generally**
 1485 **compatible in exterior design, arrangement, texture, material and relationship to**
 1486 **the rest of the building and to the surrounding area and meets the Secretary of**
 1487 **the Interior’s Standards for Rehabilitation standards 2, 9, and 10. “**

1488
 1489 **On a Voice Vote – MOTION PASSED – *UNANIMOUS* (Application Approved)**

1490
1491 **A-11 1012 West Liberty Street – OWSHD**

1492
 1493 **BACKGROUND:** This two-story Tudor style house was first occupied in 1916 by Albert and Martha
 1494 Weimer. Albert was a well driller and later a painter. They are listed in the Polk Directory through at
 1495 least 1972. The current applicant’s parents were the second owners of the house.

1496
 1497 **LOCATION:** On the north side of West Liberty between Eighth Street and Eberwhite Boulevard.

1498
 1499 **APPLICATION:** The applicant seeks HDC approval to: 1) remove a rear porch and block in the first-
 1500 floor and second-floor doorways, 2) swap the locations of a pair of windows; move a third window to
 1501 the location of the blocked-in second-floor doorway; move a fourth window to the location of the third
 1502 window, and install a new window in the former location of the fourth window, 3) replace the west side
 1503 entrance door with the matching door from the removed rear porch, and 4) replace the galvanized
 1504 gutter system with a seamless aluminum gutter system.

1505
 1506 **Owner/Address/Applicant:** Michael Cherney, 1012 West Liberty, Ann Arbor, MI 48103

1507
1508 **STAFF FINDINGS:**

- 1509
 1510 1) On the narrative provided by the applicant, item number 3 should say “swap windows 2
 1511 and 3”, not windows 1 and 3.
 1512
 1513 2) A black walnut tree described in the application was determined to not be large enough to
 1514 qualify as a landmark tree, and therefore is not regulated by the HDC. Nevertheless, the
 1515 tree appears to be quite close to the house and its root system would probably negatively
 1516 impact the house’s basement walls in the future, if it has not done so already.
 1517
 1518 3) From the style and detailing of the rear porch, it does not appear to be original to the
 1519 house. The current porch was probably a replacement for an earlier porch. It is likely that
 1520 the first and second-floor rear doorways are original to the house, however, and as such
 1521 they should not be permanently filled in. If the applicant desires to remove the non-original
 1522 porch and block the doorways from the inside, leaving the door and trim intact on the
 1523 exterior, it would be appropriate.

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- 4) Changing the size of windows is not recommended. The proposed window exchanges would keep the original materials on the house, but not in their original location or configuration.
 - 5) The side door on the west elevation appears to be in poor condition from the photographs provided. The Review Committee will determine the extent of the door's deterioration. If it is beyond repair, staff recommends that a new door with the same design be approved.
 - 6) Per the applicant, more than half of the gutters are missing on the house, some of the remaining gutters are rusted out, and water is appearing in the basement. Since only a small portion of the original galvanized gutters remain and are functioning, aluminum replacement gutters with the same profile as the galvanized, in a dark brown color to match the house's trim, are appropriate.

1539 **Review Committee:** Commissioners Glusac and Bruner visited the site.

1540
1541 Commissioner Bruner – We examined the house and the door on the west side which is
1542 deteriorated beyond repair. There is damage around the lock and lockset as well. We
1543 examined the windows. He's moving a few of those and this application is not very different
1544 from another application heard this evening in that the applicant will be reusing, and I support
1545 this application.

1546
1547 Commissioner Glusac – Stated she was not present for the site visit.

1548
1549 **Applicant Presentation:** Mr. Michael Cherney, owner, was present to speak on behalf of the
1550 application. He stated that he was available for questions.

1551
1552 **Questions by the Commission:** None.

1553
1554 **Audience Participation:** None.

1555
1556 **Discussion by the Commission:**

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1558 Commissioner Wineberg – I support most of this application, but I don't support 'filling in' the
1559 door openings, so I can't support the motion. I'm in favor of keeping the porch and the door
1560 operating as a door on the first floor.

1561
1562 **MOTION**

1563
1564 Moved by Commissioner Bruner, Seconded by Commissioner Henrichs, "**that the**
1565 **Commission issue a Certificate of Appropriateness for the portion of the**
1566 **application at 1012 West Liberty to remove a rear porch, remove the black**
1567 **walnut tree, and replace the galvanized gutter system with a seamless aluminum**
1568 **gutter system.*** The work as proposed is generally compatible in exterior**
1569 **design, arrangement, texture, material and relationship to the rest of the building**
1570 **and to the surrounding area and meets the Secretary of the Interior's Standards**
1571 **for Rehabilitation standards 2, 9, and 10."**

1572
1573 **On a Voice Vote – MOTION PASSED – Yes (5), No (1) (Application Approved)**

1574 **Commissioners White, Bruner, Henrichs, Glusac and Shotwell – Yes (5)**

1575 **Commissioner Wineberg – No (1)**

1576

1577
1578 *****Note:** the Review Committee must determine the condition of the side door on the west elevation. If
1579 the door is deteriorated beyond repair, a line should be added to the motion stating “...and install a
1580 new door in the same design or a compatible new design that is approved by staff.”
1581

1582 A-12 516 Detroit Street – OFWHD

1583
1584
1585 **BACKGROUND:** Built in 1896 and the home of the Elk’s Pratt Lodge.
1586

1587 **LOCATION:** The site is located on Detroit Street between North Fifth Avenue and Division Street.
1588

1589 **APPLICATION:** The applicant seeks HDC approval to replace concrete steps onto the front porch
1590 with wooden steps, replace an existing non-original window with a vinyl-clad replacement window,
1591 remove a solar collector from the roof, and extend the roofline up to eight inches along the first floor of
1592 the north elevation (above the dining room and bath). Other parts of the application may be approved
1593 at the staff level, including replacement of deteriorated porch decking with new decking, and replacing
1594 deteriorated wood siding (both qualify as a repair).
1595

1596 **STAFF FINDINGS:**

- 1597 1) Work was begun on this structure without a building permit or a Certificate of
1598 Appropriateness. A stop work order was posted on the property pending the issuance of a
1599 building permit. The work that was done before the stop work order was posted includes
1600 replacement of much of the porch decking, removal of the concrete stairs, replacement of
1601 siding on the north elevation of the rear addition, and replacement of a non-original window
1602 on the north elevation of the rear addition with a vinyl-clad window. The porch, stair, and
1603 window require a building permit. The applicant was allowed to install temporary stairs for
1604 up to 60 days in order to minimize safety hazards.
1605
- 1606 2) The replacement of the front concrete stairs with wooden stairs is appropriate. The
1607 applicant will install posts, handrails, and balusters to match the existing ones.
1608
- 1609 3) The window that was removed from the rear addition was part of a 1983 bathroom
1610 addition. Staff may approve the replacement of non-original windows if they are compatible
1611 with the historic character of the building. Staff questions, however, whether a vinyl-clad
1612 window is appropriate on a side elevation that has many original wood windows, and is
1613 seeking the opinion of the HDC. The applicant says the cladding can be painted, and he
1614 would also install a new storm window to match the existing.
1615
- 1616 4) The solar collector would be removed from the roof, which would then be repaired and
1617 shingled to match the existing roof.
1618
- 1619 5) Extending the roof overhang over the lower (first floor) roof on the north elevation (above
1620 the dining room and bathroom, behind the front porch) is appropriate if it allows proper
1621 venting to take place. This area of the house is visible from the street, but is located on the
1622 back half of the north elevation and should not negatively impact the historic character or
1623 imbalance the house’s appearance.
1624

1625
1626 **Review Committee:** Commissioner’s Bruner and Glusac visited the site.
1627

1628 Commissioner Bruner – We met with the owner and he had apparently proceeded to make
1629 these improvements with a building permit following severe damage from a tree falling on it.
1630 (Coordinator – We should clarify this then, as I was told there was no building permit and this
1631 is why there was a stop-work order put on this.)

1632 Commissioner Glusac – I support the staff findings and the project

1633

1634 **(Administrative Note:** From information from the electronic building files, a permit was
 1635 issued on 8/21/07 for the following: *Construct temporary entry steps pending review and*
 1636 *approval of final design. Construction in accordance with plans and specifications and*
 1637 *information sheet 7 detail – this permit also carried the following stipulation: PERMIT VALID*
 1638 *FOR 6 WEEKS ONLY. NEEDS HISTORICAL APPROVAL. – This ‘temporary’ permit was*
 1639 *issued AFTER the Coordinator had posted the stop work order on 8/14/07.)*

1640

1641 Commissioner Shotwell - Apologized for interrupting proceedings, but stated that since it was
 1642 11:00 p.m., she would like to make a motion to rescind the earlier motion to end Commission
 1643 business by 11:00 p.m. (Administrative Note: Clock in Council Chambers was fast – time
 1644 was actually 10:54 P.M.)

1645

MOTION

1646

Moved by Commissioner Shotwell, Seconded by Commission Bruner, “ **to stay until**
 1648 **all appeals are heard**” -On a Voice Vote – MOTION PASSED – **UNANIMOUS** -
 1649 **(Back to the Regular Agenda)**

1650

1651

1652

(PETITION CONTINUED)

1654 **Applicant Presentation:** Mr. Dan Hanlon, owner, was present to speak on the appeal.

1655

Questions by the Commission:

1656

1658 Commissioner Glusac – Can you clarify the building permit situation? (Yes. When you were
 1659 at the site, I thought you were referring to when the addition was originally built. What
 1660 happened was that I started making repairs, and it got to be a very complicated problem, and
 1661 I had to close it up, as there was much more damage internally than I had realized due to the
 1662 tree. The tree damaged the roof, water had seeped in, and it was apparent by looking at it.

1663

1664 **Audience Participation:** None.

1665

Discussion by the Commission:

1666

Moved by Commissioner Bruner, Seconded by Commissioner Glusac, “**that the**
 1668 **Commission issue a certificate of appropriateness for the application at 516**
 1669 **Detroit Street to replace concrete steps onto the front porch with wooden steps,**
 1670 **replace an existing non-original window on the north elevation with a vinyl-clad**
 1671 **replacement window, remove a solar collector from the roof, and extend the roof**
 1672 **overhang on the first floor of the north elevation. The work as proposed is**
 1673 **generally compatible in exterior design, arrangement, texture, material and**
 1674 **relationship to the rest of the building and to the surrounding area and meets**
 1675 **the Secretary of the Interior’s Standards for Rehabilitation standards 2 and 9.”**

1676

1677 **On a Voice Vote** – MOTION PASSED – **UNANIMOUS** – *(Application Approved)*

1678

1680 **B - OLD BUSINESS** – *(THIS ITEM WAS MOVED BY THE BOARD AND HEARD PRIOR*
 1681 *TO ITEM A-10)*

1682

1683 **C - NEW BUSINESS** –

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C-1 Appoint a nominating committee for October for nominations for Officers at the October Regular Session.

Commissioners Bruner and Glusac

AUDIENCE PARTICIPATION/PUBLIC COMMENT - None.

Moved by Commissioner Bruner, Seconded by Commissioner Shotwell, **“to postpone all else on the Agenda until the October Meeting.”**

On a Voice Vote – MOTION TO POSTPONE – PASSED – UNANIMOUS

G – REVIEW COMMITTEE –

For the October 11, 2007 Regular Session – Commissioner’s Bruner and Glusac will meet J. Thacher on Monday, October 8, 2007, at 5:00 p.m.

Moved by Commissioner Bruner, Seconded by Commissioner Glusac, “to adjourn the meeting.”

On a Voice Vote – MOTION TO ADJOURN – PASSED – UNANIMOUS (Meeting Adjourned at 11:25 p.m.)

The Following Items Will Be Heard at the October 11, 2007 Regular Session

D - APPROVAL OF MINUTES –

D-1 Draft Minutes of the July 12, 2007 Regular Session

D-2 Draft Minutes of the August 9, 2007 Regular Session

D-3 Draft Minutes of the August 9, 2007 Special Session

E - REPORTS FROM COMMISSIONERS – None.

F - ASSIGNMENTS –

- 220 South Main Street – Commissioner _____
- 120 West Washington Street – Commissioner _____
- 210 South Fifth Avenue – Commissioner _____
- 823 West Washington Street – Commissioner _____
- 517 Second Street – Commissioner _____
- 205-207 East Washington Street – Commissioner _____
- 452 Third Street – Commissioner _____
- 521 West Jefferson Street – Commissioner _____
- 1012 West Liberty Street – Commissioner _____
- 516 Detroit Street – Commissioner _____
- 1131 West Washington Street – Commissioner _____

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G – REVIEW COMMITTEE –

Moved and heard at the September Regular Session (Item Satisfied)

H – CONCERNS OF COMMISSIONERS –

I - STAFF ACTIVITIES REPORT

I-1 Staff Activities Report for August 2007

J - CONCERNS OF COMMISSIONERS –

K - COMMUNICATIONS – None.

SUBMITTED BY: Brenda Acquaviva, Administrative Service Specialist V, Planning and Development Services.