

ANN ARBOR HISTORIC DISTRICT COMMISSION

Staff Report

ADDRESS: 114 N. Division Street, Application Number HDC18-116

DISTRICT: Old Fourth Ward Historic District

REPORT DATE: June 14, 2018

REPORT PREPARED BY: Jill Thacher, Historic Preservation Coordinator

REVIEW COMMITTEE DATE: Monday, June 11, 2018

OWNER

Name: Emily B. Bellock Trust
Address: 114 N. Division
 Ann Arbor, MI
Phone: 734-358-7776

APPLICANT

Same

BACKGROUND: This vernacular Queen Anne first appears in a City Directory as the home of Eliza Rathbone at number 4 (later number 6) N. Division in 1883-4. It features ornate curved porch brackets and cutout board porch skirting; a street-facing dormer with fancy trim, fishscale shingles, and a stepped triple window; cross-corner window trim; and bay windows.

The house is an eleven-unit rental (one single-room, seven efficiency, and three one-bedroom units).

APPLICATION: The applicant seeks after-the-fact HDC approval to expand a rear parking lot.

APPLICABLE REGULATIONS

Ann Arbor City Code Chapter 103 § 8:421(3)

When work has been done upon a resource without a permit, and the commission finds that the work does not qualify for a certificate of appropriateness, the commission may require an owner to restore the resource to the condition the resource was in before the inappropriate work or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply with the restoration or modification requirement within a reasonable time, the commission may request for the city to seek an order from the circuit court to require the owner to restore the resource to its former condition or to modify the work so that it qualifies for a certificate of appropriateness. If the owner does not comply or cannot comply with the order of the court, the commission may request for the city to enter the property and conduct work necessary to restore the resource to its former condition or modify the work so that it qualifies for a certificate of appropriateness in accordance with the court's order. The costs of the work shall be



charged to the owner, and may be levied by the city as a special assessment against the property. When acting pursuant to an order of the circuit court, the city may enter a property for purposes of this section.

From the Secretary of the Interior’s Standards for Rehabilitation:

- (1) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- (2) The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.
- (9) New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.
- (10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property will be unimpaired.

From the Secretary of the Interior’s Guidelines for Rehabilitating Historic Buildings (other SOI Guidelines may also apply):

District or Neighborhood Setting

Recommended: Identifying, retaining, and preserving buildings, and streetscape, and landscape features which are important in defining the overall historic character of the district or neighborhood. Such features can include streets, alleys, paving, walkways, street lights, signs, benches, parks and gardens, and trees.

Not Recommended: Destroying streetscape and landscape features by widening existing streets, changing paving material, or introducing inappropriately located new streets or parking lots.

Building Site

Recommended: Retaining the historic relationship between buildings, landscape features, and open space.

Identifying, retaining, and preserving buildings and their features as well as features of the site that are important in defining its overall historic character.

Not Recommended: Introducing new construction onto the building site which is visually incompatible in terms of size, scale, design, materials, color and texture or which destroys historic relationships on the site.

From the Ann Arbor Historic District Design Guidelines (other Ann Arbor guidelines may also apply):

Paved Areas

Appropriate: Installing new parking areas, which are compatible with the scale, proportion of yard area, and characteristics of the historic district, behind buildings. These shall be reviewed on a case-by-case basis.

Retaining and maintaining historic sidewalks, walkways, driveways, and patios/terraces.

Not Appropriate: Installing or enlarging parking areas in front of buildings.

Installing driveways or parking areas that are too wide or large for the building site and are out of character for the district.

Landscape Features

Appropriate: Retaining historic relationships between buildings, landscape features, and open spaces.

Not Appropriate: Introducing a new landscape feature or plant material that is visually incompatible with the site or destroys site patterns or vistas.

STAFF FINDINGS:

1. This property historically had a two-story home next door, which was replaced with a 12 story building in 2015. In addition to the building, a 6' tall solid masonry wall was constructed along its south and east property lines. The owner allowed the south side yard to be used by construction workers and vehicles. When construction was completed, the grass in the front yard and lawn extension was successfully replanted. The owner notes that because of the lack of sunlight, he couldn't grow grass in the side yard. The owner expanded his parking lot by graveling an additional 33' of the sideyard, to the front wall of the house. The owner also installed eight bollards along the south side of the house to help protect the house from vehicles. A row of boxwood bushes is planted along the west edge of the parking lot.
2. In this 1000 square feet of additional parking area, there is a net gain of 1 parking space. The concrete walkway from N. Division to the backyard was removed beyond the edge of the new parking area.
3. The work requires, in addition to HDC approval, a site plan approved by City Planning Commission (which will include compliance with stormwater, landscaping, solid waste, bicycle parking, and other codes), and a variance from the Zoning Board of Appeals to leave the parking lot unpaved (and possibly for other conditions, like driveway width, to be determined during site plan review).
4. Staff's opinion is that expanding the parking area into the entire side yard of the lot does not meet the *Historic District Design Guidelines* for paved areas, and that the parking area is too wide for the site and out of character for the historic district.
5. Two motions are presented below for the HDC's consideration. The first grants a Certificate of Appropriateness for the work and conditions it upon the owner gaining both site plan and variance approval within a year. If that motion fails, the second motion requires the removal of the new parking area and restoration of the yard to lawn or other landscape plants.

MOTION

I move that the Commission issue a certificate of appropriateness for the application at 114 N. Division Street, a contributing property in the Old Fourth Ward Historic District, for after-the-fact approval of a 33' by 33' gravel parking area with eight new bollards, on the following conditions: Site plan approval and all necessary variances must be obtained within one year of the date of approval of this application. The work as conditioned is compatible in exterior design, arrangement, materials, and relationship to the house and the surrounding area and meets *The Secretary of the Interior's Standards for Rehabilitation* and *Guidelines for Rehabilitating Historic Buildings*, in particular standards 1, 2, 9, and 10 and the guidelines for district or neighborhood setting and building site, as well as the *Ann Arbor Historic District Design Guidelines*, particularly as they pertain to paved areas and landscape features.

If the motion fails:

I move that the Commission finds that the gravel work done without permits does not qualify for a certificate of appropriateness, and that the property owner is ordered to restore the area to its former condition, including removing the gravel and restoring grass or other landscape plants to the area, within 60 days.

ATTACHMENTS: application, drawings, additional applicant analysis

114 N. Division (Google Street View June 2011)



June 2011 enlarged



114 N. Division Street (Google Street View August 2016)



114 N. Division (June, 2018)





HISTORIC DISTRICT COMMISSION

PLANNING AND DEVELOPMENT SERVICES

City Hall: 301 E. Huron St. Ann Arbor, MI 48104-6120
 Mailing: P.O. Box 8647, Ann Arbor, MI 48107-8647
 Phone: 734.794.6265 ext. 42608 jthacher@a2gov.org
 Fax: 734.994.8460

OFFICE USE ONLY	
Permit Number	HDC# <u>18-116</u>
	BLDG#
DATE STAMP	

APPLICATION MUST BE FILLED OUT COMPLETELY

PROPERTY LOCATION/OWNER INFORMATION

NAME OF PROPERTY OWNER <u>Emily B. Bellock Trust</u>		HISTORIC DISTRICT <u>OLD FOURTH WARD</u>
PROPERTY ADDRESS <u>114 N. Division</u>		CITY <u>ANN ARBOR</u>
ZIPCODE <u>4810</u>	DAYTIME PHONE NUMBER <u>(734) 358-7776</u>	EMAIL ADDRESS <u>drdrnono@aol.com</u>
PROPERTY OWNER'S ADDRESS (IF DIFFERENT FROM ABOVE) <u>825 CHERRYSTONE CT</u>		CITY <u>Ann Arbor</u> STATE, ZIP <u>M. 48105</u>

PROPERTY OWNER'S SIGNATURE

SIGN HERE		PRINT NAME	<u>STEVEN BELLOCK</u>	DATE	<u>4/15/18</u>
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APPLICANT INFORMATION

NAME OF APPLICANT (IF DIFFERENT FROM ABOVE)					
ADDRESS OF APPLICANT					CITY
STATE	ZIPCODE	PHONE / CELL #	FAX No		
		()	()		
EMAIL ADDRESS					

APPLICANT'S SIGNATURE (if different from Property Owner)

SIGN HERE		PRINT NAME	<u>X</u>	DATE	
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BUILDING USE - CHECK ALL THAT APPLY

<input type="checkbox"/> SINGLE FAMILY	<input type="checkbox"/> DUPLEX	<input type="checkbox"/> RENTAL	<input type="checkbox"/> MULTIPLE FAMILY	<input type="checkbox"/> COMMERCIAL	<input type="checkbox"/> INSTITUTIONAL
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PROPOSED WORK

Describe in detail each proposed exterior alteration, improvement and/or repair (use additional paper, if necessary).

<u>EXTEND GRAVEL parking area by 1,000 SQ FT</u>
<u>ADD SAFETY POSTS TO DEFEND HOUSE FROM CARS</u>
<u>ADD TREES AND SHRUBS TO SOFTEN VIEW</u>

DESCRIBE CONDITIONS THAT JUSTIFY THE PROPOSED CHANGES:

<u>SEE ATTACHED</u>

For Further Assistance With Required Attachments, please visit www.a2gov.org/hdc

114 North Division Parking History

Steve and Emily Bellock purchased 114 North Division Street in 1986. The historic home had already been converted into 11 studio and one bedroom apartments. When we purchased the property there was a gravel parking lot in the rear and side yards with 11 parking spots. 114 North Division is a prime example of an historic home that is used for affordable housing in downtown Ann Arbor.

But in 2015 everything changed. The City of Ann Arbor was faced with a development plan to create an apartment building with 400-500 bedrooms, 120 feet high, right next door to my building. The plan was approved despite loud protest from the neighborhood. As a result of this building, I have been forced to make several costly changes to my property.

Because the Foundry building plan was approved with a zero lot line, much of my parking lot, pedestrian sidewalk, trees, and lawn were damaged during construction. I worked with their contractor to repair the damage, but the original landscape never grew back. I had voiced to the city during the approval process that because this proposed building would be so close to my building, I would lose most of my sunlight. I provided data from Google Earth that showed my building would be in the shade at 12 noon 10 months a year! My side yard looked awful.

I looked at the Ann Arbor Historic District Guidelines. It says "*Installing new parking areas which are compatible with the scale, proportion of yard area, and characteristics of historic district, behind buildings. These shall be reviewed on a case by case basis.*" I looked at other historic buildings (412 and 416 East Huron) that are robbed of sunlight because of high rise buildings. In every case, buildings that are crowded out by high rises, use their entire back yard, and most of their side yard for parking. (photos attached)

I added an area about 33 feet wide and 33 feet deep to my gravel parking area. I increased my available parking from 11 spots to 12 spots and improved the spot for my off site management team to use when performing maintenance.

I don't feel that adding 1,000 square feet of gravel has done anything to detract from my building's historical appearance. Quite conversely, it has enhanced the new shaded area. The Foundry's border wall makes my yard look like a parking lot. Attempting to grow new trees would be impossible. A weak lawn with low light boxwood shrubs does not enhance beauty.

Because the Foundry was approved without a legal car or truck loading zone, the street in front of my house is crowded with Ubers and delivery trucks. A spacious parking lot is a good buffer for a property crowded out by city approved development.

When the Historic Commission and the City examine my property they should keep these facts in the forefront;

1. My property now fronts radical modernization on 3 sides. To the south and east the Foundry Lofts, and to the west my front yard has turned into an illegal loading zone for the Foundry. (photo attached)
2. Off street parking is more necessary now. The city took away all street parking on Ann Street when they remodeled city hall. A landlord's attempt to ease street parking demand is a good thing.
3. In addition to the high rise, the city also approved a faux stone wall higher than 6 feet. Because the wall sits one inch from historic district border, it is legal. This wall makes my yard look like a parking lot.
4. The parking lot at 114 N. Division is now less crowded, it more visually appealing. Cars are parked neatly in designated spots.
5. Per Historic District Guidelines, "I am retaining all historic walkways, driveways, and patios." The original and new parking areas are built with porous material on sandy loam. It drains naturally into the ground. The original pedestrian walkway which was broken by Foundry contractors has been replaced. Any potential area where a car might damage the building is now protected by iron posts.
6. Per the Historic Design Guidelines, "parking areas shall be reviewed on a case by case basis" Given how close this property is to the Foundry Lofts and the extreme hardship the lack of sunlight creates, a gravel parking area is a good fit.

I have absolutely no desire to sell this property. I want to continually upgrade 114 North Division and give it to my children, so this wonderful historic property can remain as an outstanding part of Ann Arbor's Old Fourth Ward.

Design Guidelines for Paved Areas. The following guidelines should be followed when working with driveways, curb cuts, parking, walkways or other paved areas in both historic residential and commercial settings.

Appropriate

- Retaining and maintaining historic sidewalks, walkways, driveways, and patios/terraces.
- Designing new driveways with “radius” type curb cuts and paved with gravel, concrete, asphalt, porous pavers or brick. Stamped or patterned concrete will be reviewed on a case-by-case basis.
- Installing new parking areas, which are compatible with the scale, proportion of yard area, and characteristics of the historic district, behind buildings. These shall also be reviewed on a case-by-case basis.
- On residential properties, retaining and maintaining existing historic driveways and curb cuts, including “two track” driveways and green space between the driveway and house.

Not Appropriate

- Installing or enlarging parking areas in front of buildings.
- Installing driveways or parking areas that are too wide or large for the building site and are out of character for the district.
- Reconstructing any sidewalk, driveway, terrace, patio, and other landscape features without sufficient documentation of what the historic feature looked like.



In residential settings, it is appropriate to retain and maintain existing historic driveways including “two-track” driveways.



114 N. DIVISION PARKING

REVISED PARKING PLAN
12 SPOTS

<u>SPOT #</u>	<u>WIDTH</u>	<u>DEPTH</u>
1	10 FEET	18 FEET
2	9.75 FEET	18 FEET
3	9.50 FEET	18 FEET
4	9.50 FEET	18 FEET
5	10 FEET	18 FEET
6	9.66 FEET	18 FEET
7	10 FEET	18 FEET
8	10 FEET	16 FEET
MGT	10 FEET	16 FEET
9	10 FEET	16 FEET

10	11 FEET	16 FEET
11	11 FEET	16 FEET
12	11 FEET	16 FEET
N/A		
N/A		

114 N. DIVISION PARKING

ORIGINAL PLAN
11 SPOTS

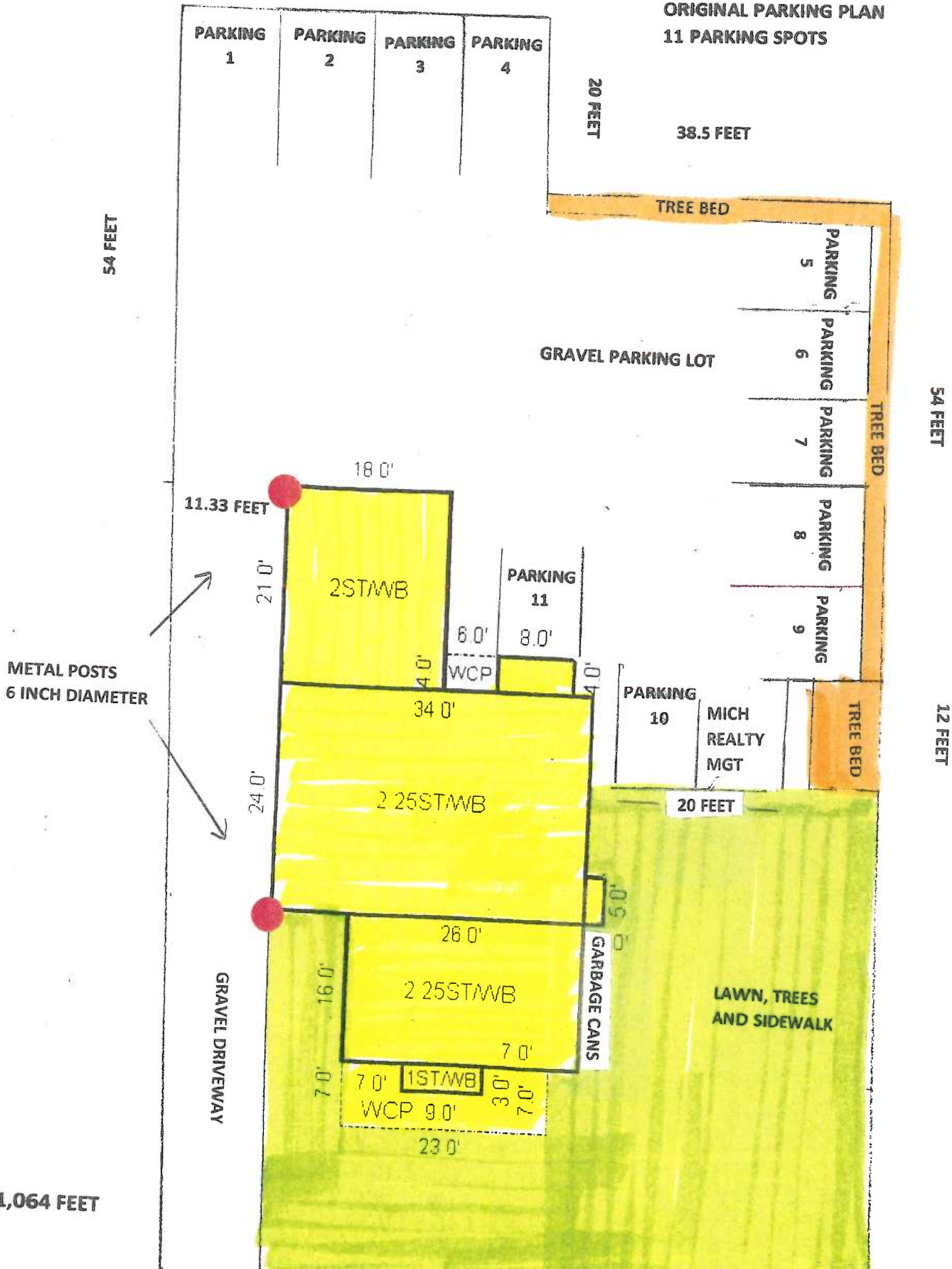
<u>SPOT #</u>	<u>WIDTH</u>	<u>DEPTH</u>
1	10 FEET	18 FEET
2	9.75 FEET	18 FEET
3	9.50 FEET	18 FEET
4	9.50 FEET	18 FEET
5	10 FEET	18 FEET
6	9.66 FEET	18 FEET
7	10 FEET	18 FEET
8	10 FEET	16 FEET
9	10 FEET	16 FEET
11	10 FEET	16 FEET

N/A		
N/A		
N/A		
10	10.50 FEET	16 FEET
MGT	9.50 FEET	16 FEET

114 NORTH DIVISION 11 APARTMENTS

41 FEET

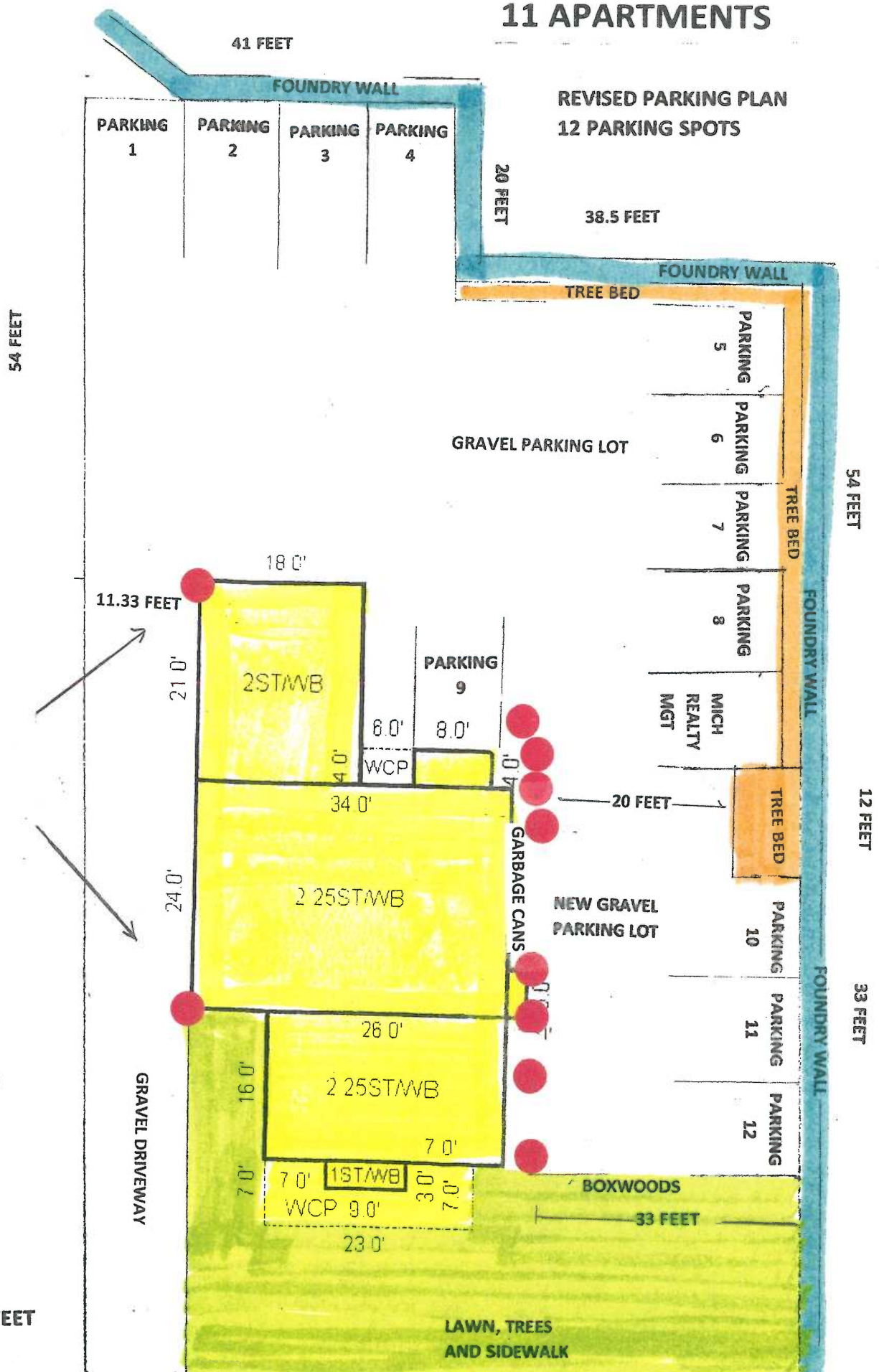
ORIGINAL PARKING PLAN
11 PARKING SPOTS



LOT SIZE 11,064 FEET

114 NORTH DIVISION 11 APARTMENTS

REVISED PARKING PLAN
12 PARKING SPOTS



METAL POSTS
6 INCH DIAMETER

LOT SIZE 11,064 FEET

416 EAST HURON







412 EAST HURON



Milliken
Small Office
For Lease
734-821-4321
millikenrealty.com
800 sq. ft.

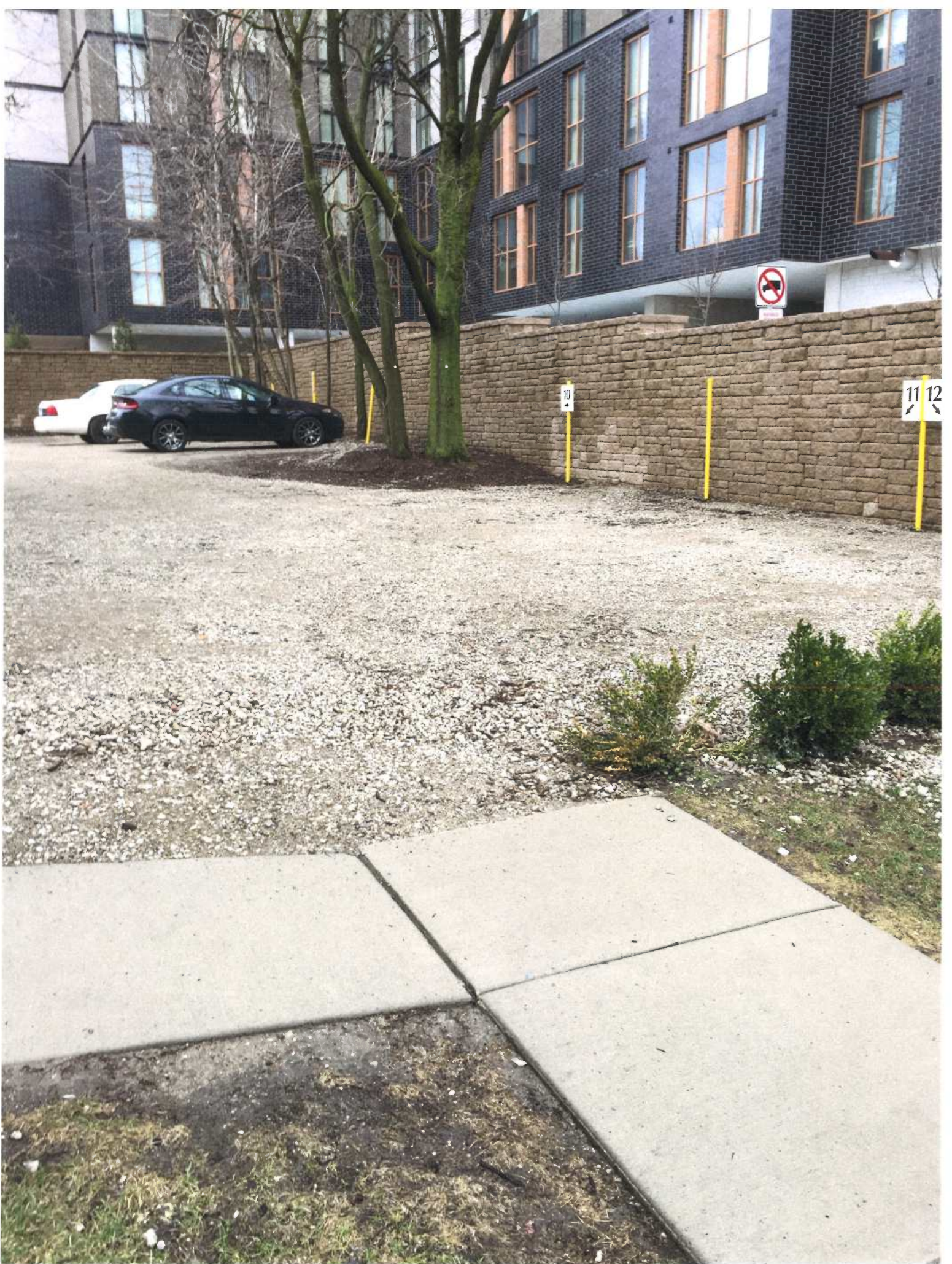


114 NORTH DIVISION













FERGUSON

Nobody expects more from us than we do

RESIDENTIAL & COMMERCIAL PLUMBING

NOV
LEASING