

## ANN ARBOR HISTORIC DISTRICT COMMISSION

### Staff Report

**ADDRESS:** 549 Fifth Street, Application Number HDC13-077

**DISTRICT:** Old West Side Historic District

**REPORT DATE:** June 7, 2013

**REPORT PREPARED BY:** Jill Thacher, Historic Preservation Coordinator

**REVIEW COMMITTEE DATE:** Monday, June 10, 2013 for the Thursday, June 13 HDC meeting

#### OWNER

**Name:** Laura Lee  
**Address:** 549 Fifth Street  
Ann Arbor, MI 48103

**Phone:**

#### APPLICANT

Ryan Stanton  
520 W. Hoover Street  
Ann Arbor, MI 48103

**BACKGROUND:** The building started out as a one-story cottage which appears on the 1925 Sanborn Map. Polk's City Directories show the first occupants as Earl H Novess, tile str [setter??], and his wife Lillie in 1926. A tile business run out of the house was called Washtenaw Tile & Fireplace Company in later Polk directories. The Novesses lived there until 1938 or 1939.

The roof was raised and the pitch changed in the late 1980s, allowing two bedrooms and a bath to be added to the second floor. The house is a contributing structure in the Old West Side Historic District, despite the alterations to the roof.

**LOCATION:** The site is located on the east side of Fifth Street, just north of West Madison Street and south of West Jefferson Street

**APPLICATION:** The applicant seeks HDC approval to install a 4ft picket fence with gate along the front of the property and replace damaged wire fencing at the rear of the property with new 4ft wire fencing.

#### APPLICABLE REGULATIONS

**From the Secretary of the Interior's Standards for Rehabilitation:**

- (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.

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

***District/Neighborhood***

*Not Recommended:* Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the district or neighborhood.

***Setting***

*Recommended:* Retaining the historic relationship between buildings and landscape features of the setting. For example, preserving the relationship between a town common and its adjacent historic houses, municipal buildings, historic roads, and landscape features.

**From the Ann Arbor Historic District Design Guidelines:**

**Design Guidelines for Fencing and Walls**

*Appropriate:* Installing fences and walls that meet Chapter 104 of the Code of the City of Ann Arbor, and that are no higher than three (3) feet in the front yard and six (6) feet in the rear yard.

Locating new fences and walls on lot and setback lines whenever possible.

Using wood (picket or alternating board), wrought iron or metal (wrought iron style), or chain link (rear yards only) for fencing.

**STAFF FINDINGS**

1. The applicant is in the process of purchasing the house, and would like to install a 4' tall wood picket fence across the front of the lot to keep his dog in the yard. The fence would have 2.75" wide pickets with the same size spaces between (to achieve the maximum 50% opacity required by city fence code), and pointed tops. The wood picket fence would extend across the front of the lot with a jog around the existing single parking space, where a gate would be located.
2. The *Ann Arbor Historic District Guidelines* call for fences no higher than 3' in the front yard, so staff was not able to issue an approval for this proposal.
3. Staff's opinion is that since the house has no backyard, and the house is located very close to the rear lot line, there isn't an alternate place to put a fence high enough to keep a dog in. Also, the picket fence will be set back to accommodate existing mature landscaping. In the rear yard, wire fencing is appropriate, and both fences will meet Chapter 104 Fence code.
4. Staff recommends approval of the application since the size, scale, design, and materials, of the proposed fences are compatible with the historic character of the building and would have no negative impact on the surrounding historic resources.

**POSSIBLE MOTIONS:** (Note that the motion supports staff findings and is only a suggestion. The Review Committee, consisting of staff and at least two Commissioners, will meet with the applicant on site and then make a recommendation at the meeting.)

I move that the Commission issue a certificate of appropriateness for the application at 549 Fifth Street, a contributing property in the Old West Side Historic District, to install a 4' wood picket fence across the front of the yard, and a section of 4' wire fence in the rear yard, as proposed. The proposed work is compatible in exterior design, arrangement, texture, material and relationship to the surrounding resources and meets the *Ann Arbor Historic District Guidelines* for fences, and *The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings*, in particular standards 9 and 10, and the Guidelines for Setting and District/Neighborhood.

**MOTION WORKSHEET:**

I move that the Commission

\_\_\_ Issue a Certificate of Appropriateness

\_\_\_ Deny the Application

For the work at 549 Fifth Street in the Old West Side Historic District

\_\_\_ As proposed.

\_\_\_ Provided the following condition(S) is (ARE) met: 1) CONDITION(s)

The work

\_\_\_ Is generally compatible with the size, scale, massing, and materials and meets the Secretary of the Interior's Standards for Rehabilitation, standard(S) number(S) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

\_\_\_ Is not generally compatible with the size, scale, massing and materials, and DOES NOT MEET the Secretary of the Interior's Standards for Rehabilitation, standard(S) number(S) 1, 2, 3, 4, 5, 6, 7, 8, 9, 10 for the following reason(S): 1) REASON(s)

**ATTACHMENTS:** application, photos.

cc# 4023

HDC 13-077



**City of Ann Arbor**  
**PLANNING & DEVELOPMENT SERVICES — PLANNING SERVICES**  
100 North Fifth Avenue | P.O. Box 8647 | Ann Arbor, Michigan 48107-8647  
p. 734.794.6265 | f. 734.994.8312 | [planning@a2gov.org](mailto:planning@a2gov.org)

**ANN ARBOR HISTORIC DISTRICT COMMISSION APPLICATION**

|   |   |
|---|---|
| <b>Section 1: Property Being Reviewed and Ownership Information</b>   |   |
| Address of Property:  | <u>549 Fifth St.</u>  |
| Historic District:  | <u>Old West Side</u>  |
| Name of Property Owner (If different than the applicant):   | <u>Laura Lee (seller)</u>   |
| Address of Property Owner:  | <u>549 Fifth St.</u>  |
| Daytime Phone and E-mail of Property Owner:   | <u>[phone] lee.laur@gmail.com</u>   |
| Signature of Property Owner:  | <u>[signature]</u> Date: <u>5/20/13</u>   |
| <b>Section 2: Applicant Information</b>   |   |
| Name of Applicant:  | <u>Ryan Stanton (buyer)</u>   |
| Address of Applicant:   | <u>520 W. Hoover St.</u>  |
| Daytime Phone:  | <u>(734) 255-5016</u> Fax: <u>( )</u>   |
| E-mail:   | <u>stant1rj@gmail.com</u>   |
| Applicant's Relationship to Property:   | <input type="checkbox"/> owner <input type="checkbox"/> architect <input type="checkbox"/> contractor <input checked="" type="checkbox"/> other <u>(soon to be owner)</u> |
| Signature of applicant:   | <u>[signature]</u> Date: <u>5/24/13</u>   |
| <b>Section 3: Building Use (check all that apply)</b>   |   |
| <input checked="" type="checkbox"/> Residential   | <input checked="" type="checkbox"/> Single Family <input type="checkbox"/> Multiple Family <input type="checkbox"/> Rental  |
| <input type="checkbox"/> Commercial   | <input type="checkbox"/> Institutional  |
| <b>Section 4: Stille-DeRossett-Hale Single State Construction Code Act</b><br>(This item <b>MUST BE INITIALED</b> for your application to be <b>PROCESSED</b> )   |   |
| Public Act 169, Michigan's Local Historic Districts Act, was amended April 2004 to include the following language: " the applicant has certified in the application that the property where the work will be undertaken has, or will have before the proposed completion date, a a fire alarm or smoke alarm complying with the requirements of the Stille-DeRossett-Hale Single State Construction Code Act, 1972 PA 230, MCL 125.1501 to 125.1531." |   |
| Please initial here:  | <u>RS</u>   |

**Section 5: Description of Proposed Changes (attach additional sheets as necessary)**

1. Provide a brief summary of proposed changes. Would like to install 4-foot white wooden fence at front of property where no fence exists now, with gate at walkway to house. Also would replaced damaged/rusted wire fencing at rear of property with new wire fencing measuring 4-feet high.

2. Provide a description of existing conditions. A row of trees at sidewalk prevent fence from going right up to sidewalk line, so fence would go just behind trees on property. Property is all front yard with house set at back of ~~the~~ lot. Gaps exist in damaged wire fencing behind house.

3. What are the reasons for the proposed changes? To create a safe, contained yard for my dog. Also would be an aesthetic improvement.

4. Attach any additional information that will further explain or clarify the proposal, and indicate these attachments here. Attached is a one-page letter and three pages of photos of property as it exists and other picket fences on neighboring properties. Also attached is map.

5. Attach photographs of the existing property, including at least one general photo and detailed photos of proposed work area.

**STAFF USE ONLY**

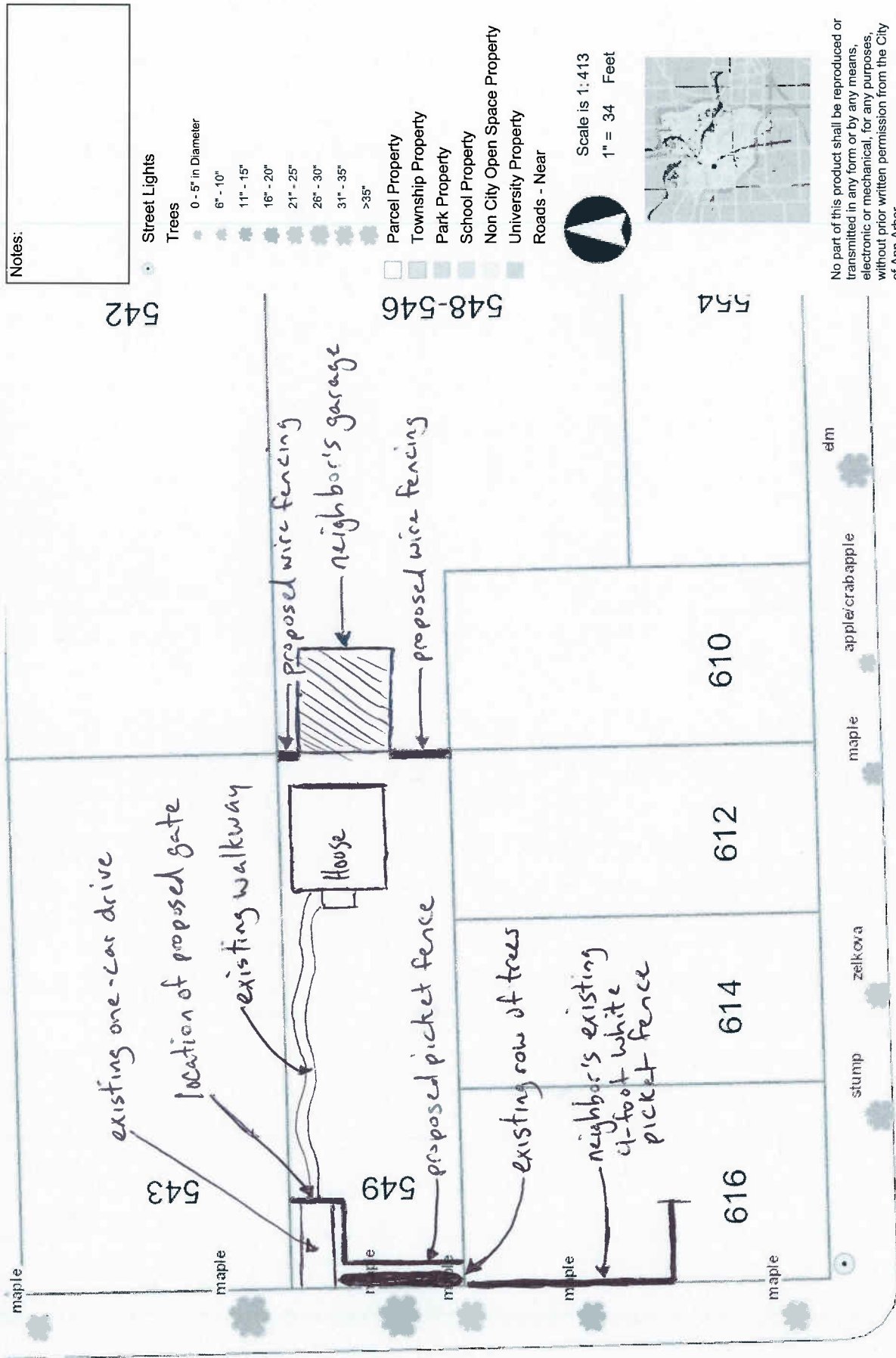
Date Submitted: 5/24-2013 Application to \_\_\_\_\_ Staff or  HDC  
Project No.: HDC 13-077 Fee Paid: 100<sup>00</sup>  
Pre-filing Staff Reviewer & Date: \_\_\_\_\_ Date of Public Hearing: 6/13-2013  
Application Filing Date: 5/17-2013 Action: \_\_\_\_\_ HDC COA \_\_\_\_\_ HDC Denial  
Staff signature: \_\_\_\_\_ HDC NTP \_\_\_\_\_ Staff COA

Comments:





# 549 Fifth St. proposed fence



No part of this product shall be reproduced or transmitted in any form or by any means, electronic or mechanical, for any purposes, without prior written permission from the City of Ann Arbor.

This map complies with National Map Accuracy Standards for mapping at 1 inch = 100 Feet. The City of Ann Arbor and its mapping contractors assume no legal responsibility for the content and/or inappropriate use of information represented on this map.

5/26/2013

May 24, 2013,

Members of the Historic District Commission,

I will be assuming ownership of the property at 549 Fifth St. in the Old West Side Historic District on or before June 28. With the current owner's permission, I am requesting approval for a 4-foot white picket fence in the front yard so I can have a safe, fenced yard for my dog right away when I move in.

I was told there may already be a previous request pending for constructing a garage on the property. Just to be clear, I am not interested in putting a garage on the property. Rather, I think a white wooden picket fence at the front of the property would be an aesthetic improvement and would serve the intended purpose of keeping my energetic puppy contained to my yard. (That's a big reason why I decided to buy this property — to have a nice fenced yard for my dog, and he could easily leap a 3-foot fence.)

The property is already fenced, or in some cases walled off by retaining walls, on two sides. That leaves the front and rear property lines to consider.

The property is unique in that it's all front yard (no rear yard because the house is set way at the very back of a long, narrow lot) and it's pretty well secluded with a row of trees at the sidewalk frontage.

The location of the trees prevents installing a fence immediately adjacent to the sidewalk, so I propose running the picket fence just behind the trees, then zagging up around the one-car drive/parking spot, with a gate that opens to the brick walkway to the house. I intend to use good-quality cedar with pickets measuring roughly 2.75 inches and spaced evenly apart so the fence is 50% opaque. Standard support beams measuring 3.5 inches by 3.5 inches would be spaced appropriately.

There also are a couple of unsightly gaps in the damaged/rusted wire fencing at the rear of the property behind the house that I propose replacing with new welded wire fencing also measuring 4 feet tall. I would prefer a more permanent solution there, but given some of the logistical challenges posed by the layout and spacing of trees and a retaining wall, that may require additional study.

A quick walk around the block reveals there already are a number of picket fences in front yards ranging from 41 to 48 inches tall, including a 4-foot white picket fence along the sidewalk directly next door at the corner of Fifth and Madison, and another 4-foot brown picket fence around the corner on Fourth Street that serves the similar purpose of safely containing a family dog, so what I am proposing would not be out of character with what already exists in the neighborhood.

The fence I am proposing would be somewhat similar in style and size to the next door neighbor's 4-foot white picket fence, though the pickets would more resemble those found on another neighbor's fence directly behind the property. Pictures of these are included in my application packet.

Thanks for your consideration of this request. Do not hesitate to contact me at (734) 255-5016 or [stant1rj@gmail.com](mailto:stant1rj@gmail.com) if you have any questions or concerns.

Sincerely,

Ryan J. Stanton

A handwritten signature in blue ink, appearing to read "Ryan J. Stanton", with a long, sweeping horizontal stroke extending to the right.

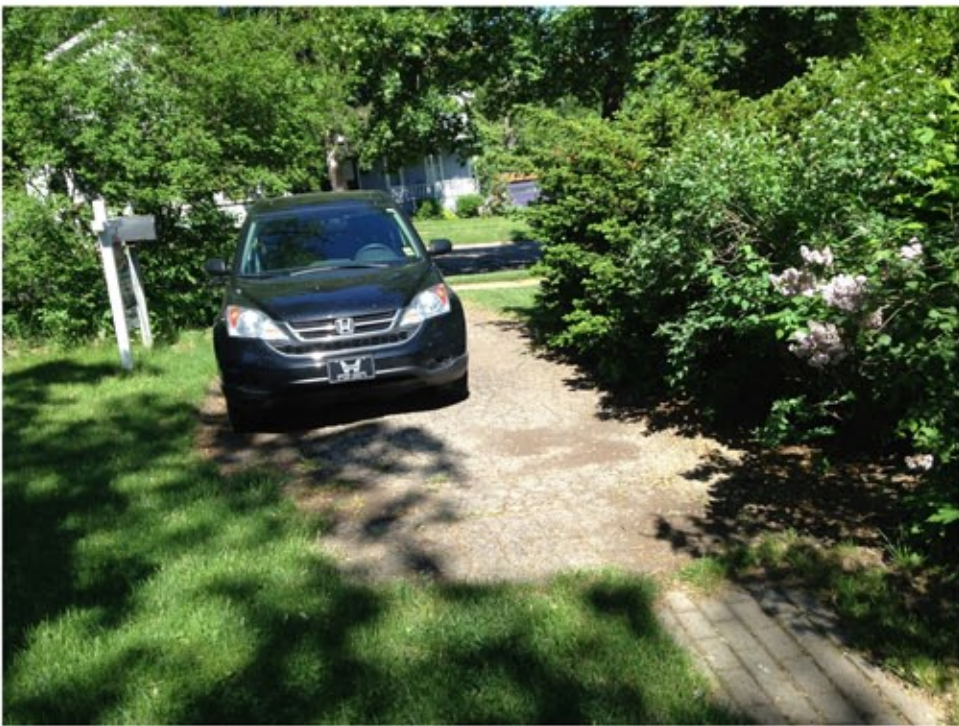




**View of 549 Fifth St. from front yard. Home built in 1926 with second-story addition believed to have been put on in 1980s.**



**Stepped back view of 549 Fifth St. front yard showing walkway.**



**View of one-car drive looking toward street/sidewalk. Standard picket fence gate proposed at edge of walkway at lower right.**



**View showing row of trees along sidewalk. Fence would run along trees, then nicely follow around driveway to walkway.**



**View of row of trees along sidewalk from in front of property (taken from sidewalk, looking toward house).**



**View of property from street showing how proposed picket fence would be largely unnoticeable to casual passersby.**

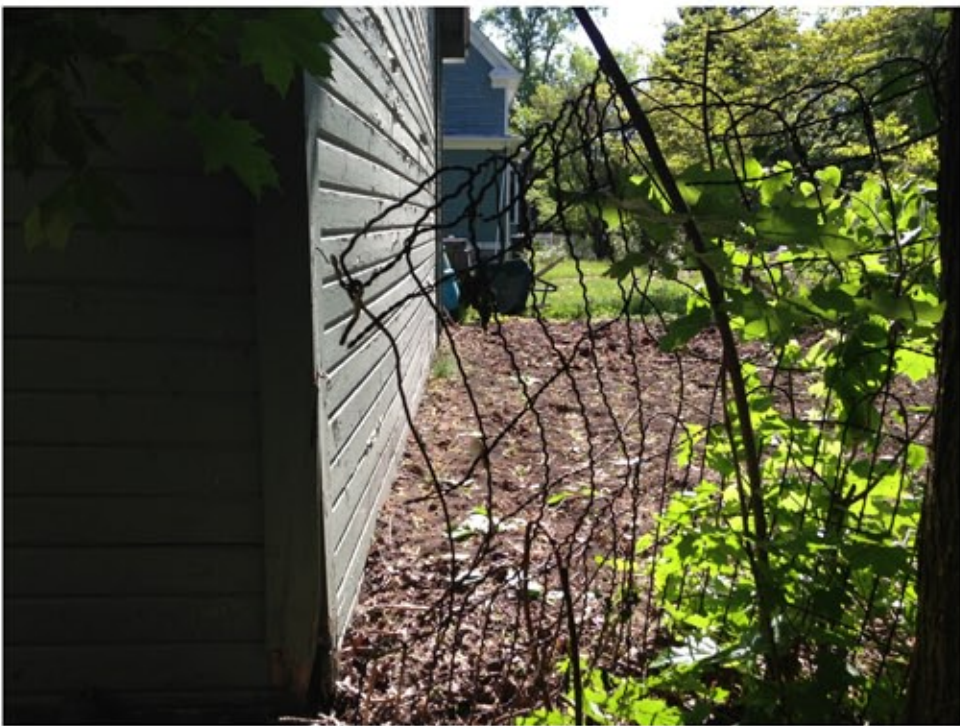




**View looking toward east toward rear of house where damaged wire fencing is proposed to be replaced with new wire fencing.**



**Closer view of rear property line where damaged wire fencing is proposed to be replaced with new wire fencing (4 feet).**



**Closeup of damaged wire fencing at rear of house. Structure shown in left of photo is rear neighbor's garage.**



**Other side of rear lot line where a small stretch of wire fencing needs to be replaced with new wire fencing.**



**Example of rear neighbor's white picket fence standing 41 inches tall with pickets about 2.6 inches. Would use similar style pickets to this.**



**Another look at rear neighbor's white picket fence that would serve as inspiration for picket fence proposed at front of 549 Fifth St.**





**Example of next door neighbor's 4-foot white picket fence located along Fifth Street sidewalk just south of subject property.**



**Another look at next door neighbor's fence (Fifth Street visible at left) with 2.75-inch pickets and gate to yard.**



**Example of another 4-foot picket fence lining sidewalk around corner on Fourth Street. Owner indicated 4 feet was needed to contain dog.**



**Example of different types of cedar available at Fingerle Lumber in Ann Arbor. 2.75-inch pickets will be cut from good-quality cedar.**