

# **NN ARBOR HISTORIC DISTRICT COMMISSION**

## **Staff Report**

**ADDRESS:** 541 Third Street, Application Number HDC21-293

**DISTRICT:** Old West Side Historic District

**REPORT DATE:** October 14, 2021

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

**REVIEW COMMITTEE DATE:** Tuesday October 12, 2021

	<b>OWNER</b>	<b>APPLICANT</b>
<b>Name:</b>	Rebekah Shaw & Tyler Bradley-Hewitt	Same
<b>Address:</b>	541 Third Street Ann Arbor, MI 48103	
<b>Phone:</b>	(678) 313-1993	

**BACKGROUND:** This two-and-a-half story gable-fronter features a cut stone foundation, recessed front door on a cross-gable facing north, shallow mansard-roofed front porch with turned posts, balusters, and trimwork around the top, and a first-floor single-story bump-out on the south elevation. There is a 1 ¾ story barn behind the house with the gable end facing the street.

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

**APPLICATION:** The applicant seeks HDC approval to: pave the brick, gravel and grass driveway with concrete; replace the concrete front walk with pavers; remove chain link fence and install 6' wood lattice-top privacy fence; and replace concrete steps leading to a rear door with same.

## **APPLICABLE REGULATIONS**

### **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.
- (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):****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.

Removing or radically changing buildings and their features or site features which are important in defining the overall historic character of the building site so that, as a result, the character is diminished.

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

*Not Appropriate:* Introducing any new building, streetscape, or landscape feature that is out of scale or otherwise inappropriate to the district's historic character.

**Paved Areas**

*Appropriate:* On residential properties, retaining and maintaining existing historic driveways and curb cuts, including "two track" driveways and green space between the driveway and house.

**STAFF FINDINGS**

1. 1994 and 1947 aerial photos show no brick driveway and a lightly used dirt two-track extending slightly farther back than the front door. The bricks were installed by 2007, where they appear on a google street view. Staff was initially concerned by the concrete extending all the way to the house (where there is an existing concrete strip), but the driveway is so narrow that leaving a planting strip along the house would result in a driveway less than 9 feet wide, which leaves very little room for door swing along the house or room on the driver's side without having to step off the curb onto the neighbor's driveway. At the end of the proposed 64 foot driveway is a double gate, which would leave 40 feet of grass between the driveway and the barn, which is appropriate.
2. The front walk would be 4' x 16' and centered on the front steps. A planting strip of about a foot and a half would remain between the new driveway and the front walk. Staff would like the HDC's thoughts on a change away from the historic walk material.
3. The 6' lattice top wood fence is an appropriate design and material. The placement is far enough back on the lot to not interfere unduly with views of the barn. Repairing the concrete steps to the rear door by replacing them with the same is appropriate. Staff will

review the building permit application when it is submitted. The current design likely does not meet code, but the changes should be minimal. If they are substantial, staff will request an additional HDC application before signing off on the building permit.

4. Staff recommends approval of the application. The brick two tracks on the driveway are not from the period of significance. The proposed work is generally compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding neighborhood and meets the *Ann Arbor Historic District Guidelines* for paved areas and landscape features, and *The Secretary of the Interior's Standards for Rehabilitation*, in particular standards 1, 2 and 10, and the guidelines for building site.

**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 541 Third Street, a contributing property in the Old West Side Historic District, to pave the driveway with concrete; replace the concrete front walk with pavers; remove chain link fence and install 6' wood lattice-top privacy fence; and replace concrete steps leading to a rear door with the same, as proposed. The work is compatible in exterior design, arrangement, texture, material and relationship to the surrounding resources and meets the *Ann Arbor Historic District Guidelines* for paved areas and landscape features, and *The Secretary of the Interior's Standards for Rehabilitation*, in particular standards 1, 2, and 10, and the guidelines for building site.

#### **MOTION WORKSHEET:**

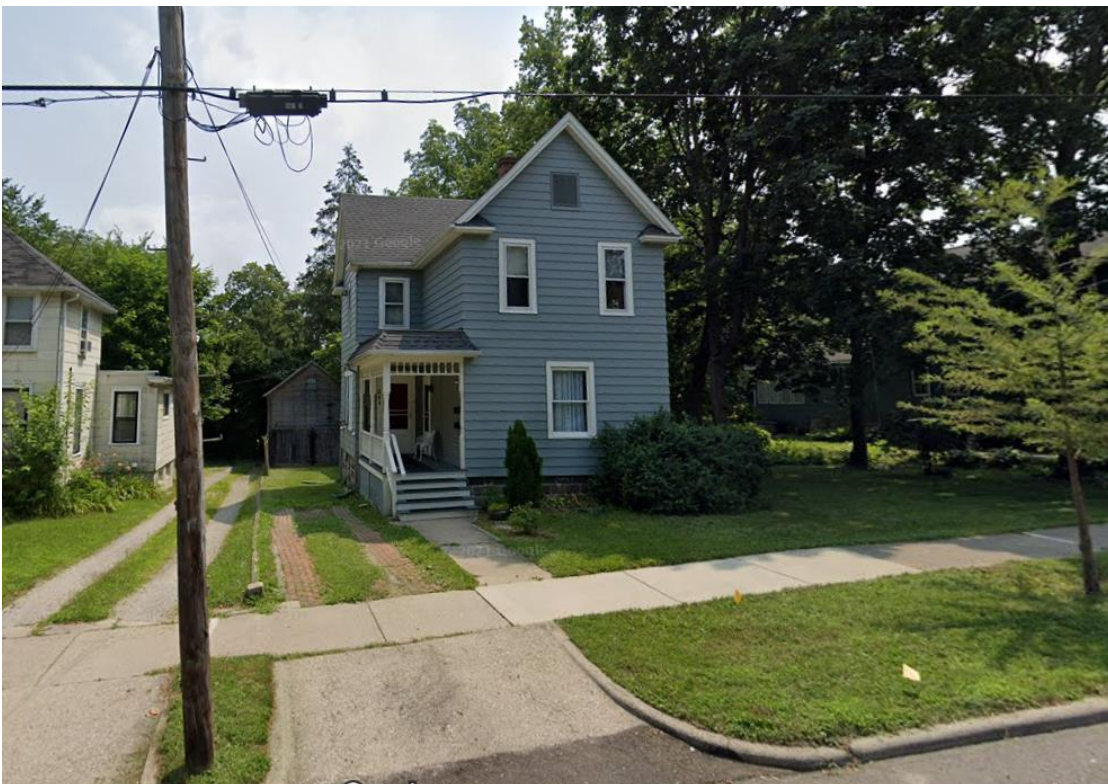
I move that the Commission issue a Certificate of Appropriateness for the work at 541 Third Street in the Old West Side Historic District

\_\_\_\_\_ Provided the following condition(S) is (ARE) met: 1) STATE 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) (*circle all that apply*): 1, 2, 3, 4, 5, 6, 7, 8, 9, 10

**ATTACHMENTS:** application, site drawing, photos, paver and fence examples

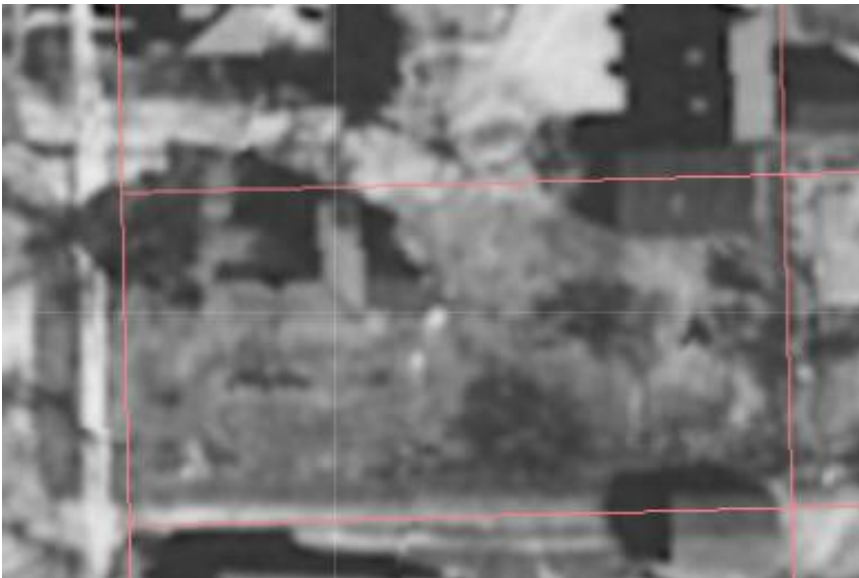
541 Third Street (November 2020, courtesy Google Street View)



1993 City Aerial



1947 City Aerial







# 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

[ithacher@a2gov.org](mailto:ithacher@a2gov.org)

Fax: 734.994.8460

### APPLICATION MUST BE FILLED OUT COMPLETELY

OFFICE USE ONLY	
Permit Number	HDC#
	BLDG#
DATE STAMP	

#### PROPERTY LOCATION/OWNER INFORMATION

NAME OF PROPERTY OWNER <b>Rebekah Shaw and Tyler Bradley-Hewitt</b>		HISTORIC DISTRICT <b>Old West Side</b>	
PROPERTY ADDRESS <b>541 3rd St.</b>		CITY <b>ANN ARBOR</b>	
ZIPCODE <b>48103</b>	DAYTIME PHONE NUMBER <b>( 678 ) 313-1993</b>	EMAIL ADDRESS <b>bekahsshaw@gmail.com</b>	
PROPERTY OWNER'S ADDRESS (IF DIFFERENT FROM ABOVE)		CITY	STATE, ZIP

#### PROPERTY OWNER'S SIGNATURE

<b>SIGN HERE</b>		<b>PRINT NAME</b>	<b>Rebekah Shaw</b>	<b>DATE</b>	<b>7/23/2021</b>
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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)

<b>SIGN HERE</b>	<b>PRINT NAME</b>	<b>x</b>	<b>DATE</b>
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#### BUILDING USE – CHECK ALL THAT APPLY

<input checked="" 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).

Driveway improvement - level ground area and install concrete driveway in keeping with other driveways in the historic area. New driveway will enhance property without taking away from the historic importance. Front walk improvement - level front walk, center with existing stairs and replace with gray pavers to match foundation. Install wood fence with double gate at end of driveway replacing old fence.

DESCRIBE CONDITIONS THAT JUSTIFY THE PROPOSED CHANGES: Fence design and placement attached to application.

Remove deteriorated, unlevel, and dated paver strips and front walk which currently are unsafe for walking, retain excess water after heavy rainfall, and make parking challenging. Additionally, will replace deteriorated retaining wall between properties to decrease runoff to neighbors property.

For Further Assistance With Required Attachments, please visit [www.a2gov.org/hdc](http://www.a2gov.org/hdc)



# HISTORIC DISTRICT COMMISSION APPLICATION

## FEE CHART

DESCRIPTION	
STAFF REVIEW FEES	
Application for Staff Approval	\$35.00
Work started without approvals	Additional \$50.00
HISTORIC DISTRICT COMMISSION FEES	
All other proposed work not listed below	\$100.00
Work started without approvals	Additional \$250.00
RESIDENTIAL – Single and 2-story Structure	
Addition: single story	\$300.00
Addition: taller than single story	\$550.00
New Structure - Accessory	\$100.00
New Structure – Principal	\$850.00
Replacement of single and 2-family window(s)	\$100 + \$25/window
COMMERCIAL – includes multi-family (3 or more unit) structures	
Additions	\$700.00
Replacement of multi-family and commercial window (s)	\$100 + \$50/window
Replacement of commercial storefront	\$250.00
DEMOLITION and RELOCATION	
Demolition of a contributing structure	\$1000.0
Demolition of a non-contributing structure	\$250.00
Relocation of a contributing structure	\$750.00
Relocation of a non-contributing structure	\$250.00

### FOR COMMISSION REVIEWS:

- Application withdrawals made before public notice is published will qualify for a 50% refund of the application fee.
- Application withdrawals made after public notice is sent but before the public hearing will qualify for a 25% refund of the application fee.

## INSTRUCTIONS FOR SUBMITTING APPLICATIONS

All HDC applications must be signed by the property owner and the applicant, if different, with the exception of staff approvals, which may be signed by only the applicant.

All completed HDC applications and their attachments may be submitted to Planning and Development Services by mail, in person (paper or digital), faxed, or via email to [building@a2gov.org](mailto:building@a2gov.org).

We accept CASH, CHECK, and all major credit cards. Checks should be made payable to “City of Ann Arbor”

HDC applications that are incomplete or not submitted with the required documentation or payment will not be processed or approved.

## APPLICATION EXPIRATION

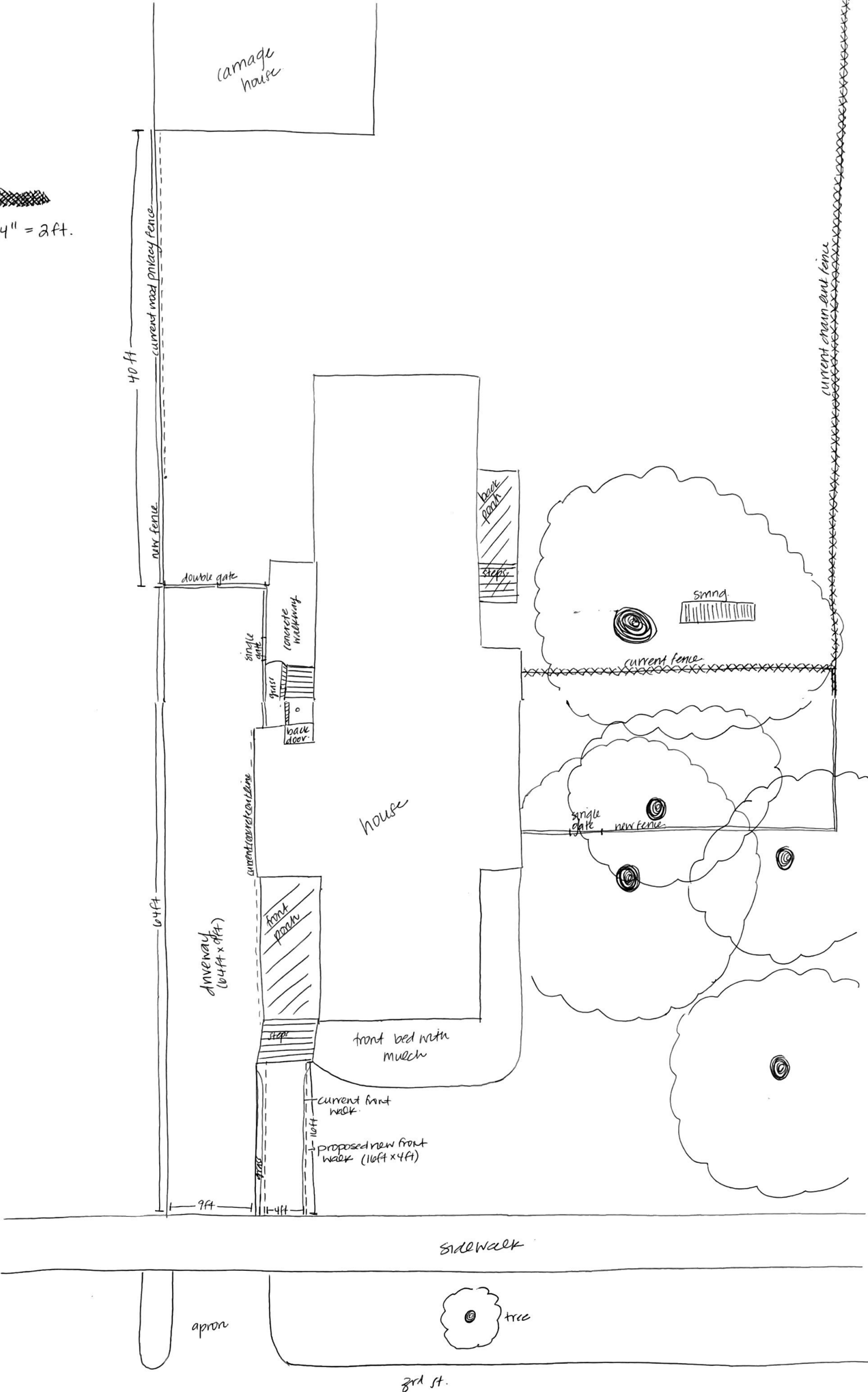
HDC applications expire three (3) years after the date of approval.

## OFFICE USE ONLY

Date of Hearing:		
Action	<input type="checkbox"/> HDC COA	<input type="checkbox"/> HDC Denial
	<input type="checkbox"/> HDC NTP	<input type="checkbox"/> Staff COA
Staff Signature		
Comments		
Fee:	\$ _____	
Payment Type	<input type="checkbox"/> Check: # _____ <input type="checkbox"/> Cash <input type="checkbox"/> Credit Card	



1/4" = 2 ft.





## Thacher, Jill

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**From:** Bekah Shaw <bekahsshaw@gmail.com>  
**Sent:** Tuesday, August 31, 2021 1:59 PM  
**To:** Thacher, Jill  
**Cc:** Tyler Bradley-Hewitt  
**Subject:** Re: HDC Application for Driveway Repair/Fence replacement  
**Attachments:** aerial drawing of proposed work\_updated.pdf

**Follow Up Flag:** Follow up  
**Flag Status:** Flagged

This message was sent from outside of the City of Ann Arbor. Please do not click links, open attachments, or follow directions unless you recognize the source of this email and know the content is safe.

Hi Jill,

1. Glad the additional photos are helpful! Happy to answer your additional questions.
2. I have attached a new drawing showing more of the lot. I have traced from the mortgage survey and this drawing is drawn to scale. I tried to limit the words on the drawing to make it less busy. I put in the corner but for your information as well, 1/4" equals 2ft in the drawing. The carriage house will be 40ft from the proposed end of the driveway.
3. That should be fine that we could continue the grass strip from the front walk back until the end of the front porch and then pour the concrete all the way up the house in the back.
4. The door that is seen in the pictures is the current back door and not a storm door. The back door is in good working order, is water tight, and we were not planning to replace the door at this time. There is a drain at the bottom of the steps that is not working well so we plan to replace that as well which should assist with the weathering of the back door. I have reached out to our contractor regarding the back steps and building code requirements. I will let you know once I hear back from him. We have had 4 different contractors give us estimates for this project and all of them have recommended replacing the back steps given the condition of the support wall which is crumbling.
5. I understand your concerns with the fence. The top foot will be open with only small slats as seen in the picture so only the bottom 4 ft will be lost from view. We do have a temporary fence in place now that is 4ft tall and from the grade of the driveway, the entire carriage house can still be seen from the street so I do not think the new fence will change the view that much. I have included the carriage house in the updated drawing attached. I have shown the location of the trees on the south side of the yard and there is space between 2 of the trees to place a fence. The fence will meet up with a current fence on the south property line. This is also shown in the new drawing that I have attached.
6. The front walk will be the same size as the current walk but we will move it 4" to the right (south) in order for the walk to be centered on the front steps. The grass strip will be 2ft between the driveway and new front walk with the 4" move (currently the grass is 20" wide). Yes, the pavers will also have the black edging like in the photo.

Thank you for your time and assistance in getting our application completed. Let us know if you have additional questions or concerns.

Thanks again,

Bekah Shaw and Tyler Bradley-Hewitt

On Mon, Aug 30, 2021 at 9:54 PM Thacher, Jill <[JThacher@a2gov.org](mailto:JThacher@a2gov.org)> wrote:

Hi Bekah,

1. The additional photos are helpful, thank you! And they lead me to more questions. ☺
2. Is it possible for you to use the mortgage survey as a base and either trace or draw on top of it the extent of concrete, pavers, and fencing? The sketch is very busy and it's not clear that it's to scale. This application may be a tough sell given that this driveway has not been previously paved. It's important to show the entire lot and that you are not proposing concrete all the way back to the barn.
3. I still strongly recommend including a planting strip if you have room. The 9" concrete strip at the foundation isn't typical, and weeds alone aren't going to harm your historic block foundation. Could you maintain a grass strip along the front porch as a visual buffer, then expand it to reach the house? That might be found more appropriate than concrete all the way up to the porch.
4. Is the back door in good working condition? It looks like there's been water damage from the below-grade threshold, but I'm not sure if that photo shows the door or a stormdoor. Will the concrete steps be in the same configuration they are now? If yes, have you checked to make sure they meet building code requirements?
5. My concern about a 5' fence across the back of the driveway is that it will block the barn from view and totally box in a backyard that has historically been fairly visible from the street. I realize that you have a big dog and want him boxed in! On the south side of the house, please add to your drawing the location of the large tree that looks like it's near the path of the new N/S fence. That fence runs off the page – does it join up to an existing fence along the south property line, or will that be a new fence also?
6. Will the front walk match the extent of the existing concrete walk, or is it getting wider? How wide is the strip of grass between the new front walk and driveway? Would the pavers you want to use have brick edging like in the photo?

I do think you are getting closer! If you have any questions about any of the above, please let me know.

Best,

Jill

***Please note Planning Staff are continuing to work remotely and are committed to responding as soon as possible.***

**Jill Thacher | City Planner/Historic Preservation Coordinator | [jthacher@a2gov.org](mailto:jthacher@a2gov.org)**  
**City of Ann Arbor, Michigan | [www.A2Gov.org](http://www.A2Gov.org)**  
301 E. Huron St. | Ann Arbor, MI 48104 | **734.794.6265 x42608** | 734.994.8312 (fax)

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**From:** Bekah Shaw <[bekahshaw@gmail.com](mailto:bekahshaw@gmail.com)>  
**Sent:** Monday, August 16, 2021 9:17 PM  
**To:** Thacher, Jill <[JThacher@a2gov.org](mailto:JThacher@a2gov.org)>  
**Cc:** Tyler Bradley-Hewitt <[thewitt08@gmail.com](mailto:thewitt08@gmail.com)>  
**Subject:** Re: HDC Application for Driveway Repair/Fence replacement

This message was sent from outside of the City of Ann Arbor. Please do not click links, open attachments, or follow directions unless you recognize the source of this email and know the content is safe.

**Current Driveway Conditions:**













Concrete strip along driveway and front porch currently:







Curb between driveways:











Current fences:

Fence by driveway (5ft dogged ear privacy fence)





Current fence on opposite side of house (chain link):









**Desired fence design:**



(we would leave natural and not paint)

**Current Back Step conditions:**

















Front walk current conditions:









# KEM-TEC

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Professional Engineering,  
Surveying & Environmental  
Services

22556 Gratiot Avenue · Eastpointe, MI 48021-2312  
800-295-7222 · Fax: 586-772-4048

**INVOICE NO.** 20-01790

Navy/7

TO:

ABSOLUTE TITLE, INC.  
2875 W. LIBERTY ROAD  
ANN ARBOR, MI 48103-

**DATE:** 07/21/20

**INV DATE:** 07/15/20

**AMOUNT DUE:** \$200.00

**ADDRESS:** 541 THIRD ST.

**APPLICANT:** REBEKAH S. SHAW AND TYLER BRADLEY-HEWITT

**ORDERED BY:** PAM GURICA

PLEASE MAIL LOWER PORTION WITH PAYMENT

**INVOICE NO:** 20-01790



**AMOUNT DUE:** \$200.00

**CLIENT:** 1220 - ABSOLUTE TITLE, INC.

**ADDRESS:** 541 THIRD ST.

**APPLICANT:** REBEKAH S. SHAW AND TYLER BRADLEY-HEWITT

**KEM-TEC**

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22556 Gratiot Avenue  
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PLEASE DO NOT STAPLE CHECK TO INVOICE





**KEM-TEC LAND SURVEYORS**

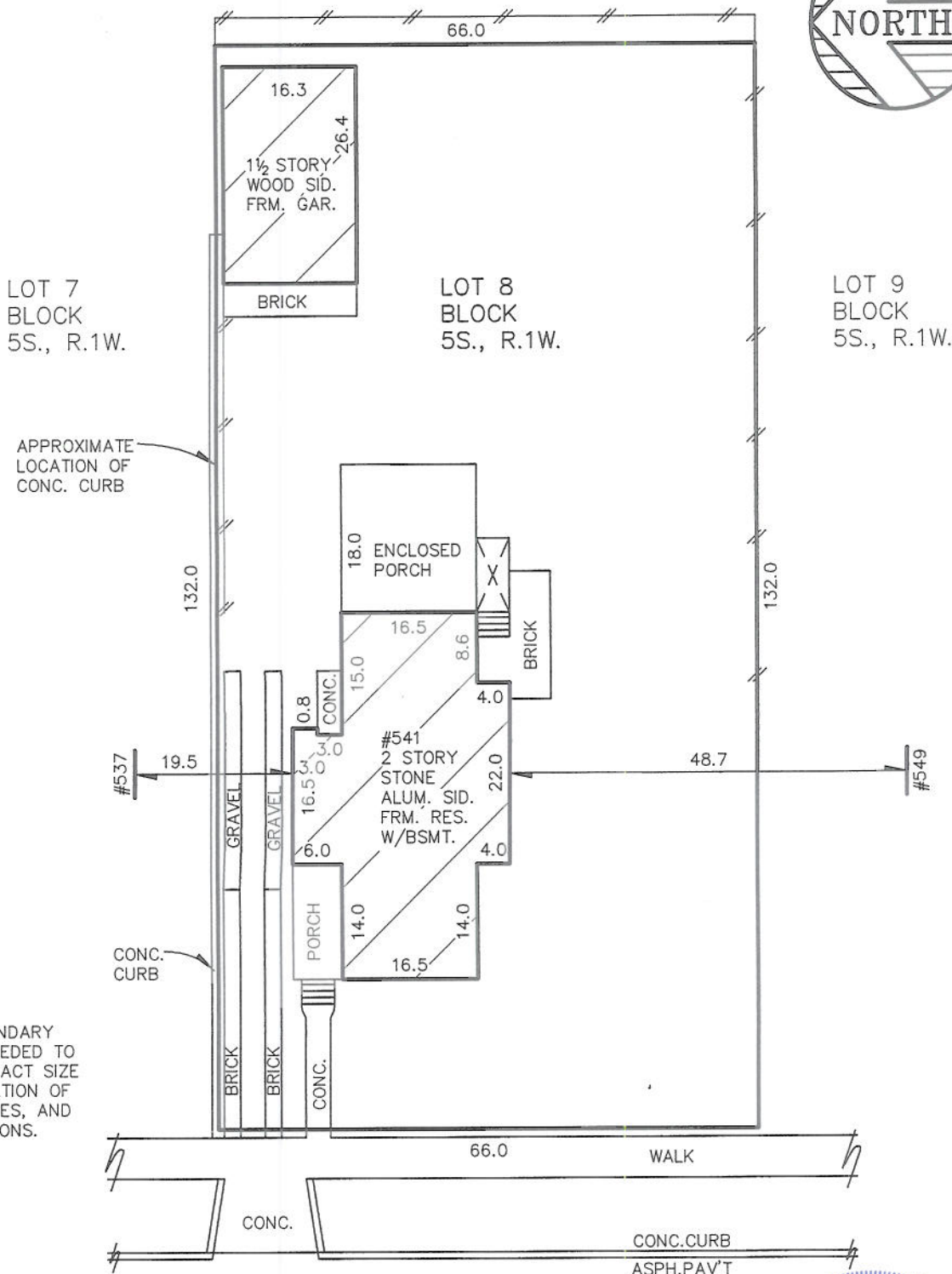


Certified to: ABSOLUTE TITLE, INC.

Applicant: REBEKAH S. SHAW AND TYLER BRADLEY-HEWITT

Property Description:

Lot 8, Block 5 South, Range 1 West; WILLIAM S. MAYNARD'S ADDITION, to the Village of Ann Arbor (now City of Ann Arbor), Washtenaw County, Michigan, as recorded in Liber Z of Deeds, Page 548 of Washtenaw County Records.



NOTE: A BOUNDARY SURVEY IS NEEDED TO DETERMINE EXACT SIZE AND/OR LOCATION OF PROPERTY LINES, AND FENCE LOCATIONS.

CERTIFICATE: We hereby certify that we have surveyed the above-described property in accordance with the description furnished for the purpose of a mortgage loan to be made by the forementioned applicants, mortgagor, and that the buildings located thereon do not encroach on the adjoining property, nor do the buildings on the adjoining property encroach upon the property heretofore described, except as shown. This survey is not to be used for the purpose of establishing property lines, nor for construction purposes, no stakes having been set at any of the boundary corners.

*[Signature]*



THIS SURVEY DRAWING IS VOID IF THE PROFESSIONAL SEAL IS NOT IN BLUE INK.

JOB NO: 20-01790 SCALE: 1"=20'  
DATE: 07/17/20 DR BY: CS/AK



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FAX: (586) 772.4048 FAX: (586) 772.4048 FAX: (734) 994.0667 FAX: (810) 694.9955  
[www.kemtecagroupofcompanies.com](http://www.kemtecagroupofcompanies.com)

Desired pavers for front walk:





