



# City of Ann Arbor

301 E. Huron Street  
Ann Arbor, MI 48104  
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## Meeting Minutes - Final Historic District Commission

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Thursday, January 10, 2013

7:00 PM

City Hall, 301 E. Huron Street, 2nd Flr.

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### A CALL TO ORDER

*Chair McCauley called the meeting to order at 7:02 p.m.*

### B ROLL CALL

*Jill Thacher called the roll.*

**Present:** 5 - Ellen Ramsburgh, Patrick McCauley, Thomas Stulberg, Benjamin L. Bushkuhl, and Jennifer Ross

**Absent:** 2 - Robert White, and John Beeson

### C APPROVAL OF AGENDA

**The agenda was unanimously approved as presented. On a voice vote, the Chair declared the motion carried.**

*Commissioner Beeson arrived.*

**Present:** 6 - Ellen Ramsburgh, Patrick McCauley, Thomas Stulberg, Benjamin L. Bushkuhl, John Beeson, and Jennifer Ross

**Absent:** 1 - Robert White

### D AUDIENCE PARTICIPATION - PUBLIC COMMENTARY - (3 Minutes per Speaker)

*None*

### E HEARINGS

**E-1**     [12-1683](#)     HDC12-236; 215 North Fifth Avenue - Fence and Lighting Modifications - MSHD

*Jill Thacher presented the following staff report:*

**BACKGROUND:**

*A two-story Greek revival house built on this site c.1835 was the home of Edward Mundy, an Ann Arbor merchant who became Michigan's Lt. Governor under Stevens T. Mason in 1835 and was later a state Supreme Court Justice. The house was condemned and razed in 1975. (See attached survey sheet.) A commercial auto*

repair shop that had been constructed behind the house in the 1950s remained, and in 1980 a single-story office addition was attached to the front of the garage. The building most recently housed the Bessenberg Bindery, which was demolished in 2012 to make way for a new single-family home approved by the HDC in January 2011 (HDC10-164).

**LOCATION:**

The site is located on the west side of North Fifth Avenue, north of East Ann and south of Catherine Street.

**APPLICATION:**

The applicant seeks HDC approval to change site details including materials used for curbswalls, fencing, and walkways, and the addition of two exterior pathway lights.

**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.*

**STAFF FINDINGS**

1. *This home is under construction and nearing completion in the next couple of months. The owner desires relatively minor alterations to several features that were included in the original HDC approval.*

2. *Fencing. The applicant is requesting fencing made of 4' wide x 5' tall metal panels with 2" square perforations spaced 2" apart. The fence is set into a curbswall, constructed on the south lot line, of bricks that match the house, and which varies in height from around one foot near Fifth Avenue to around three feet near the alley at the rear of the lot. Along the north lot line, three small sections of fence with brick curbswalls are proposed as privacy screen for the front and rear entrances, and a section at the rear of the lot along the driveway has the same metal fencing with a poured concrete curbswall. The fencing was formerly a combination of concrete walls, concrete curbswalls with metal picket fencing above, and in the front yard, metal*

*pickets. The front yard fencing would be removed altogether.*

3. *Walkways. The walkways to the front and rear entrances, along the north lot line, are proposed to change from stone with wooden bridge sections to concrete flags.*

4. *Lighting. Two post-mounted lights are proposed to be added along the front and rear walkways.*

5. *It is staff's opinion that the proposed changes to the approved project are appropriate and generally compatible in exterior design, arrangement, texture, material and relationship to the surrounding neighborhood and meet The Secretary of the Interior's Standards for Rehabilitation, particularly numbers 9 and 10.*

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

*Commissioners Beeson and McCauley visited the site as part of their review.*

*McCauley said he agreed with the staff report.*

**PUBLIC HEARING:**

*Kevin Stansbury, Mitchell and Mouat Architects, 113 S. Fourth Avenue, spoke on behalf of the applicant.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Motion made by Ross, Seconded by McCauley, that the Commission issue a certificate of appropriateness for the application at 215 North Fifth Avenue, a contributing property in the Old Fourth Ward Historic District, to change the materials used for curbswalls, fencing, and walkways, and add two exterior pathway lights. The proposed work is compatible in exterior design, arrangement, texture, material and relationship to the surrounding resources and meets 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.**

**(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 shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

**COMMISSION DISCUSSION:**

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the Chair declared the motion carried.  
Certificate of Appropriateness was granted.**

**Yeas:** 5 - Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, Beeson, and Ross

**Nays:** 1 - Ramsburgh

Absent: 1 - White

E-2 [12-1684](#)

HDC12-232; 203 East Washington Street - New Room and Deck on Roof - MSHD

*Jill Thacher presented the following staff report:*

**BACKGROUND:**

*This two-story Queen Anne commercial building was built in 1893 and originally had a finial on the corner turret with a cow on it advertising the Hoelzle Meat Market. It was the home of Harry's Army Surplus for many years, then in 1990 Metzger's expanded into the space from #203 next door. See attached Ann Arbor Observer article for more information on the Hoelzles and Metzgers.*

**LOCATION:**

*The site is located at the northeast corner of East Washington Street and South Fourth Avenue.*

**APPLICATION:**

*The applicant seeks HDC approval to add a one-story addition and deck on the roof as part of a second floor conversion back to residential.*

**APPLICABLE REGULATIONS:**

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

*(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall 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 shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

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

*Alterations/Additions for the new use*

**Recommended:**

*Designing additions to roofs such as residential, office, or storage spaces; elevator housing; decks and terraces; or dormers or skylights when required by the new use so that they are inconspicuous from the public right-of-way and do not damage or obscure character-defining features.*

**Additions**

**Recommended:**

*Designing new additions in a manner that makes clear what is historic and what is new.*

*Considering the attached exterior addition both in terms of the new use and the appearance of other buildings in the historic district or neighborhood. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids, and color.*

*Designing additional stories, when required for the new use, that are set back from the wall plane and are as inconspicuous as possible when viewed from the street.*

*Not Recommended:*

*Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character.*

*Duplicating the exact form, material, style, and detailing of the historic building in the new addition so that the new work appears to be part of the historic building.*

*Constructing a rooftop addition so that the historic appearance of the building is radically changed.*

*District or Neighborhood Setting*

*Recommended:*

*Designing and constructing new additions to historic buildings when required by the new use. New work should be compatible with the historic character of the setting in terms of size, scale, design, material, color, and texture.*

*Not Recommended:*

*Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the setting.*

**STAFF FINDINGS:**

- 1. The proposed home office is 10'4" x 21'2" and 9' at the low, hipped, metal roof ridge, and features a brick wall on the east elevation (in case of future additions on top of the neighboring building), hardi-plank and hardi-board siding, wood windows, and double doors leading to a deck. The roofdeck would consist of removable cedar decking panels with a planting area on the south end. A privacy fence would be located on the north end of the deck where the roof drops off several feet.*
- 2. The existing HVAC unit located where the deck is proposed would be relocated to the rear of the roof, out of sight from the street. A painted steel guardrail would be attached to brackets on the inside of the parapet wall and would not be visible from the street or sidewalk.*
- 3. Per the SOI Guidelines for additions, no character-defining features of the historic building are obscured, damaged, or destroyed by this proposal. The addition's height is intentionally low, and the room is set back from the two street frontages in order to minimize site lines from pedestrians on South Fourth Avenue. It will not be visible from East Washington Street. The materials and methods of construction clearly delineate what is historic and what is new. The design is contemporary, and most visible on the back (north end) of the building and from across South Fourth Avenue in front of the parking structure.*
- 4. The design and scale of the proposed addition does not detract from the existing*

*building and uses distinct materials to further differentiate it from the historic structure. Overall, staff feels that the historical integrity and character-defining features of the building will not be harmed.*

5. *Staff recommends approval of the addition and deck as proposed. The proposed 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, in particular standards 2, 9 and 10, and the guidelines for additions and district or neighborhood setting.*

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

*Commissioners Beeson and McCauley visited the site as part of their review.*

*McCauley said he was in favor of the addition.*

**PUBLIC HEARING:**

*Angie Lane, Momus Inc. Architects, 106 S. Main Street, spoke on behalf of the applicant.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Motion made by Bushkuhl, Seconded by Beeson, to approve the application at 203 East Washington Street, a contributing property in the Main Street Historic District, and issue a certificate of appropriateness, to construct a one-story addition and deck on the roof, as proposed. The work is 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 and Guidelines for Rehabilitating Historic Buildings, in particular standards 2, 9 and 10 and the guidelines for additions and district or neighborhood setting.**

**(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall 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 shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

**COMMISSION DISCUSSION:**

*None*

**On a voice vote, the Chair declared the motion carried.  
Certificate of Appropriateness was granted.**

**Yeas:** 5 - Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, and Beeson

**Nays:** 1 - Ross

**Absent:** 1 - White

**E-3**     [12-1685](#)

HDC12-238; 711 West Jefferson Street - New Two-Story Rear Addition - OWSHD

*Jill Thacher presented the following staff report:*

**BACKGROUND:**

*This two story Queen Anne was built in 1895 and was first occupied by John Steinke, a laborer. The house remained in the Steinke family until 2010, when it was sold to the current owner. It features a full-width front porch with turned posts, a two story cross-gable on the east side, and a textured block foundation. There is a one and a half story barn on the property that staff considers to be a contributing structure. Its condition is unknown.*

*In January, 2012 an application for a rear addition was approved by the commission (HDC12-003). If a certificate of appropriateness is granted for this application, it would replace and invalidate that approval.*

**LOCATION:**

*The property is located on the south side of West Jefferson Street, between Fifth and Sixth Streets.*

**APPLICATION:**

*The applicant seeks HDC approval to add an 825 SF rear addition and a new window to the second floor of the existing house on the east elevation.*

**APPLICABLE REGULATIONS:**

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

*(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 shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

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

**New Additions**

**Recommended:**

*Constructing a new addition so that there is the least possible loss of historic materials and so that character-defining features are not obscured, damaged, or destroyed.*

*Designing new additions in a manner that makes clear what is historic and what is new.*

*Locating the attached exterior addition at the rear or on an in-conspicuous side of a historic building; and limiting its size and scale in relationship to the historic building.*

*Considering the attached exterior addition both in terms of the new use and the appearance of other buildings in the historic district or neighborhood. Design for the new work may be contemporary or may reference design motifs from the historic building. In either case, it should always be clearly differentiated from the historic building and be compatible in terms of mass, materials, relationship of solids to voids, and color.*

*Not Recommended:*

*Attaching a new addition so that the character-defining features of the historic building are obscured, damaged, or destroyed.*

*Designing a new addition so that its size and scale in relation to the historic building are out of proportion, thus diminishing the historic character.*

*District or Neighborhood Setting*

*Not Recommended:*

*Introducing new construction into historic districts that is visually incompatible or that destroys historic relationships within the setting.*

*Windows*

*Recommended:*

*Designing and installing additional windows on rear or other-non character-defining elevations if required by the new use. New window openings may also be cut into exposed party walls. Such design should be compatible with the overall design of the building, but not duplicate the fenestration pattern and detailing of a character-defining elevation.*

*Not Recommended:*

*Installing new windows, including frames, sash, and muntin configuration that are incompatible with the building's historic appearance or obscure, damage, or destroy character-defining features.*

*From the City of Ann Arbor Design Guidelines:*

*Guidelines for All Additions*

*Appropriate:*

*Limiting the size and scale of the addition in relationship to the historic building so that it does not diminish or visually overpower the building or the district. The addition should exceed neither half of the original building's footprint nor half of the original building's total floor area.*

**STAFF FINDINGS:**

1. *The proposed two story addition is roughly T-shaped (see drawing 1 Proposed Roof Plan) and would add a cross gable on top of the existing rear one-story kitchen and screened porch additions. A new covered entry porch would be located on the*



back of the house at the northeast corner, and the rear southeast corner would have a one-story bumpout with a hipped roof that houses a basement stair and bathroom. The addition would be clad in 4" composite siding (it is not specified whether fiber-cement or wood composite would be used), windows on the addition would be clad wood double-hung and casements, and the basement would have a large egress window well on the west side.

2. The existing house is 1293 SF and the addition is 825 SF, for an increase of 64%. The footprint adds 300 SF, a 38% increase. The square footage of the addition exceeds the Ann Arbor Historic District Guidelines: Guidelines for All Additions (see above) by about 178 SF.

3. One entry door, and two second floor and one first floor double-hung windows on the rear of the house would be removed to make way for the addition. The age and condition of the windows and door is unknown. On the second floor of the east elevation of the original house, a double-hung window in a new opening is proposed to let light into a hall. Staff has concerns about the proportions and trim on this window matching the originals too closely. Per the Guidelines, "Such design should be compatible with the overall design of the building, but not duplicate the fenestration pattern and detailing of a character-defining elevation." The window itself will be clad wood, but the opening and trim could be easily mistaken for original.

4. The rear entrance porch is designed to be compatible with the front porch. Since the front porch posts and guardrails are not original to the house, matching these elements is appropriate.

5. On previous discussions about this house, some commissioners felt that the one story rear gable-roofed kitchen wing was a character-defining feature of the house. This proposal would eliminate that feature of the house.

6. The addition is compatible in design with the original house, but clearly differentiated from the original by foundation materials (stone v cmu/concrete), siding materials (wood v composite), and window materials (wood v clad). The addition's roofline preserves the form of the roof of the original house.

7. The addition of a second floor cross gable is a compatible design with the existing house, and should visually mitigate some of the largeness of the addition that continues behind it. Staff would prefer if there were no one story bumpout on the southwest corner because it continues the spreading-out effect of the proposed west elevation that is started by the second floor addition to the existing bumpout (see Proposed North Elevation). Overall, however, staff feels that the historic character of the house and property is preserved, and that the size and massing of the addition is pushing the envelope but meets the intent of the Standards, Guidelines, and HDC Design Guidelines.

#### REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:

Commissioners Beeson and McCauley visited the site as part of their review.

McCauley said he agreed with the staff report.

Beeson also agreed with the staff report.

#### PUBLIC HEARING:

Marc Rueter, Rueter Associates Architects, 515 Fifth Street, spoke on behalf of the

*applicant.*

*Matthew Haran, 1639 White Cliff Drive, owner, spoke on behalf of their project.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Motion made by McCauley, Seconded by Bushkuhl, that the Commission issue a certificate of appropriateness for the application at 711 West Jefferson Street, a contributing property in the Old West Side Historic District to construct an 825 Square foot rear addition and a new window to the second floor of the existing house on the east elevation, as proposed. The work is compatible in exterior design, arrangement, materials, and relationship to the house and the surrounding area and meets the City of Ann Arbor Historic District Design Guidelines, and The Secretary of the Interior’s Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standards 2, 9 and 10 and the guidelines for New Additions and District or Neighborhood Setting.**

**(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 shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

**Motion withdrawn by McCauley, Seconded by Bushkuhl.**

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**A motion was made by McCauley, seconded by Bushkuhl, that the application be Postponed until the February 14, 2013 HDC meeting. On a voice vote, the Chair declared the motion carried.**

**Item Postponed.**

**Yeas:** 6 - Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, Beeson, and Ross

**Nays:** 0

**Absent:** 1 - White

**E-4**     [12-1686](#)

HDC12-241; 2781 Packard Road - Replace Roof on Non-Contributing Barn with New Material - CFHD

*Jill Thacher presented the following staff report:*

*BACKGROUND:*

*The Ticknor-Campbell house is known as the Cobblestone Farm because of the unique construction technique of the cobblestone house on the property. It was built by Dr. Benajah Ticknor in 1844 in the Classic Revival style, and is one of the finest of the few examples of cobblestone construction in Michigan. Together with the wooden kitchen ell in the rear, it forms an unusually fine example of a pioneer Michigan farm dwelling. There has been only one alteration to the exterior of the cobblestone house. During the Booth family tenure (1860-1880), an Italianate-style wooden front porch with bracketed columns was added to the front façade. The barn was constructed on the property in 1986 as part of the farmstead restoration after the property was acquired by the City in 1972. The barn has no historic precedent (i.e. it is not a replica of a barn that once existed at this location on the farm), though the form is in keeping with those once found on the site.*

*The HDC issued a certificate of appropriateness in 2008 to build a permanent entry awning on the barn and make landscape improvements, and another in 2011 to build a storage shed.*

**LOCATION:**

*The site is located on the north side of Packard Road, east of Colony Road and west of Easy Street.*

**APPLICATION:**

*The applicant seeks HDC approval to replace the cedar shake roof on the 1986 barn with imitation shakes.*

**APPLICABLE REGULATIONS:**

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

*(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.*

**STAFF FINDINGS:**

*1. Parks staff seeks to replace the roof of the event barn, which was constructed in 1986, with recycled plastic shingles. The barn is currently roofed with western red cedar shingles that are similar to the ones on the rear wing of the house. A condition assessment report was completed in 2012 (see attachments to the application), and found that the barn's cedar roof was in poor condition, with little hope for successful repair because of its age. The recycled plastic shingles (brand name: Enviroshake) have a lifespan of fifty or more years. Enviroshakes cost slightly more than cedar shingles for this installation.*

*2. The barn's roof is high off the ground and has a fairly shallow pitch. As a result, once you get close enough to identify the roofing material, not much of the roof is visible from the ground.*

*3. Staff recommends approval of the application and finds the roofing material is*

*visually compatible in size, scale, design, texture, material and relationship to the rest of the site, does not detract from the historic character of the surrounding area, and meets The Secretary of the Interior's Standards for Rehabilitation, in particular standards 2 and 10.*

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

*Commissioners Beeson and McCauley visited the site as part of their review.*

*They agreed with the staff report.*

**PUBLIC HEARING:**

*George Taylor, Cobblestone Farms Association President, 2781 Packard Road, spoke on behalf of the project.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Motion made by Ramsburgh, Seconded by McCauley, that the Commission issue a certificate of appropriateness for the application at 2781 Packard Street, the Cobblestone Farm Historic District, to reroof the event barn with recycled plastic Enviroshake shingles. The work 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 2 and 10.**

**(2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.**

**(10) New additions and adjacent or related new construction shall be undertaken in such a manner that if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.**

**COMMISSION DISCUSSION:**

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the Chair declared the motion carried.  
Certificate of Appropriateness was granted.**

**Yeas:** 6 - Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, Beeson, and Ross

**Nays:** 0

**Absent:** 1 - White

**E-5**     [12-1687](#)

HDC12-235; 210 South Fifth Avenue - New Front Façade - MSHD

*Jill Thacher presented the following staff report:*

**BACKGROUND:**

*The site at 210 S Fifth Avenue has a history dating back to 1933, when a building there was known as Sperry's Diner & Restaurant. By 1940, it was the location of the*

Swiss Garment Cleaning Company, which it remained until 1965. The Fifth Forum Theater building was constructed in 1967. In 1999, the then-owner gained approval to clad the theater building in modern pressed metal. Windows were also added to the south and east elevations at that time. The building has been occupied since the early 2000s by a succession of nightclubs, most recently the Fifth Quarter. Modifications were approved to add double doors in 2004, and to alter the two large front windows in 2007.

The building is now planned to be repurposed for office space. In September of 2012, work began without permits or a certificate of appropriateness (CofA) to re-establish windows that had been bricked over on the south elevation. A stop work order was posted, and permits and a staff CofA were applied for and issued.

In late November of 2012, the existing front façade was largely removed without permits or a certificate of appropriateness, and work on a new façade was begun. A stop work order was posted, an application was made to amend the building permit to include the façade, and an application was made to this commission for a CofA. The applicant also requested permission to complete some work on the façade that was in progress (applying EIFS exterior plaster to columns and installing the front windows).

In early December of 2012, another stop work order was posted because work had proceeded on the front façade while HDC staff and the Chief Building Official were still reviewing the EFIS and window request, and other site issues that had been called into question. This was eventually resolved and the EFIS and window work were allowed to proceed at the applicant's risk, knowing that the HDC might or might not issue a certificate of appropriateness for the work.

**LOCATION:**

The two-story building is located on the west side of South Fifth Avenue between East Washington and East Liberty Streets.

**APPLICATION:**

The applicant seeks after-the-fact HDC approval to replace the front façade with a new design featuring larger windows and horizontal wood siding. In addition, conceptual approval for future signage as shown on the drawings is also requested.

**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:*

*Storefronts*

*Not Recommended:*

*Introducing a new design that is incompatible in size, scale, material, and color. Using inappropriately scaled signs and logos or other types of signs that obscure, damage, or destroy remaining character-defining features of the historic building.*

**STAFF FINDINGS:**

1. *The proposed design and materials of the front façade on this non-contributing building are compatible with the surrounding historic district, and an improvement over the most recent façade. The streamlined, metal-clad 1999 design had been painted over and altered by an awkward sign and unbalanced double doors. The proposed redesign features horizontal tongue and groove cedar siding, vertical columns with EFIS plaster, a large amount of glazing, balanced bays, and two single entry doors.*

2. *The proposed conceptual signage consists of two first-floor awnings and a blade sign. The signage is balanced and tasteful. Staff requests conceptual approval of the signage conditioned on the applicant's obtaining a future staff approval for the final design, dimensions, and materials before sign permits may be issued.*

2. *Staff feels that the proposed façade design is appropriate for this site, protects the integrity of the surrounding historic district, and meets the Secretary of the Interior's Standards and guidelines.*

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

*Commissioners Beeson and McCauley visited the site as part of their review.*

*Beeson said he agreed with the staff report.*

*McCauley said he was in favor of the application and felt it would improve the condition of the building.*

**PUBLIC HEARING:**

*Andrew Hauptman, O/X Studio, Inc, 308 1/2 S. State Street, spoke on behalf of the applicant.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Motion made by Bushkuhl, Seconded by McCauley, that the Commission issue a certificate of appropriateness for 210 South Fifth Avenue, a non-contributing structure in the Main Street Historic District, for the application to reconstruct the front façade, provided the following condition is met: before sign permits are issued, a staff approval must be obtained for signage and awnings that are in keeping with the concept shown on this application. The work as conditioned 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 and Guidelines for Rehabilitating Historic Buildings, in particular standard 9 and the guidelines for storefronts.**

**(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.**

**COMMISSION DISCUSSION:**

*The members of the Commission took into consideration the presented application*

*and discussed the matter.*

**On a voice vote, the Chair declared the motion carried.  
Certificate of Appropriateness was granted.**

**Yeas:** 6 - Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, Beeson, and Ross

**Nays:** 0

**Absent:** 1 - White

**E-6**      [12-1688](#)

HDC12-230; 710 East Ann Street - Replace Original and Non Original Windows - OFWHD

*Jill Thacher presented the following staff report:*

**BACKGROUND:**

*This Queen Ann was originally 2 ½ stories, but infill of all four corners of the cross gables have essentially made it three stories. It features very large one-over-one windows on the front and side elevations, and a center window flanked on both sides by smaller fixed windows in each of the cross gables. It was first occupied in 1899 by Alfred Fruehauf, a carpenter and contractor.*

*The house now contains seven efficiency and one one-bedroom apartments, with a maximum total occupancy of 16 people.*

*HDC records show the following past work on the property while under the current ownership:*

- 1991 staff certificate of appropriateness (CofA) to repair fire escape
- 1991 Housing Board of Appeals decision to require three windows to be replaced in Unit 6 on the third floor. A CofA for one of those windows (on the rear elevation) is in the file.
- 1991 Building Department enforcement action for failure to obtain permits before installing a curbcut and driveway.
- 1996 staff CofA for vinyl replacement windows from wallside (but no indication of which windows is included on the form).
- 1998 staff CofA for a reroof.
- 2001 two staff CofAs to repair fire escape (to different contractors)
- 2009 Building Division enforcement action for failure to obtain permits before replacing fire escape; subsequent staff CofA to rebuild fire escape and front stairs.

*On October 18, an inspector from the Building Division visited the property after a complaint was received about windows being replaced without building permits or a CofA. (This information can be looked up by anyone online in the City's eTrakit system). On October 19, the inspector visited the site again and posted a stop work order. Twenty-three windows had been replaced with new vinyl windows.*

**LOCATION:**

*The site is located on the south side of East Ann Street between East Washington Street and East Liberty Street.*

**APPLICATION:**

*The applicant seeks after-the-fact HDC approval to replace 22 wood, vinyl, and aluminum windows with vinyl windows.*

*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:*

*(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.*

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

*Identifying, retaining, and preserving windows – and their functional and decorative features – that are important in defining the overall historic character of the building. Such features can include frames, sash, muntins, glazing, sills, heads, hoodmolds, paneled or decorated jambs and molding, and interior and exterior shutters and blinds.*

*Recommended:*

*Repairing window frames and sash by patching, splicing, consolidating or otherwise reinforcing. Such repair may also include replacement in kind of those parts that are either extensively deteriorated or are missing when there are surviving prototypes such as architraves, hoodmolds, sash, sills, and interior or exterior shutters and blinds.*

*Replacing in kind an entire window that is too deteriorated to repair – if the overall form and detailing are still evident – using the physical evidence to guide the new work. If using the same kind of material is not technically or economically feasible, then a compatible substitute material may be considered.*

*Not Recommended:*

*Retrofitting or replacing windows rather than maintaining the sash, frame, and glazing.*



*Replacing an entire window when repair of materials and limited replacement of deteriorated or missing parts are appropriate.*

*Removing or radically changing windows which are important in defining the overall historic character of the building so that, as a result, the character is diminished.*

*Installing new windows, including frames, sash, and muntin configuration that are incompatible with the building's historic appearance or obscure, damage, or destroy character-defining features.*

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

#### *Windows*

##### *Appropriate:*

*If a window is completely missing, replacing it with a new window based on accurate documentation of the original or a new design compatible with the original opening and the historic character of the building. Materials other than wood will be reviewed by the Commission on a case-by-case basis.*

##### *Not Appropriate:*

*Failing to maintain and repair existing windows.  
Replacing an entire window that is not deteriorated beyond repair.*

*Removing or radically changing a window that is important in defining the overall historic character of the property.*

#### *STAFF FINDINGS:*

- 1. The property owners met with staff on October 19, 2012 to discuss the window situation, and a follow-up letter was sent to the owners on October 26 (see attached) explaining steps to take to bring an application to the HDC for consideration.*
- 2. Per a window schedule provided by the applicants, and the staff modifications listed below, eleven of the windows replaced were vinyl, nine were wood, and three were aluminum. The schedule says window N-9 was wood and not replaced, but a photo provided clearly shows a vinyl window. Another window, F-3 on the front elevation, appears very clearly to be wood in the "before" photo provided, but the schedule says it was vinyl.*
- 3. The owners reported that the wood windows had weights and pulleys, and matched the fixed wood windows (see photos provided by applicant) that were not replaced. Based on this, staff is confident that the wood windows were installed during the period of significance for the district.*
- 4. The replacement of wood windows with vinyl windows is not appropriate under the Secretary of the Interior's Standards or Guidelines, and the City of Ann Arbor Historic District Design Guidelines. The replacement of vinyl or aluminum windows with appropriate wood windows is preferred to in-kind replacement.*
- 5. The replacement of a single double-hung window with a pair of double-hung windows in the same original opening is not appropriate, as was done on windows F-5, F-6, S-7, S-10, N-3 and N-5. The owner explained that this was done because of cost constraints to put in such a large sized window, and because the house has shifted and the opening is no longer square.*

6. *In staff's opinion, the replacement of wood windows with vinyl ones does not qualify for a certificate of appropriateness. Since the wood windows removed from the house were immediately discarded, reinstallation is not an option. Therefore, where wood windows previously existed, modifying the work by removing the vinyl windows and installing compatible wood windows that meet the City of Ann Arbor Design Guidelines for Historic Districts is recommended by staff. The replacement of vinyl or aluminum windows with vinyl windows qualifies for a certificate of appropriateness.*

7. *Three suggested motions are listed below. A) The first would allow the new vinyl windows to stay in openings that previously had vinyl or aluminum windows. Two of those windows would need to be replaced with a single doublehung instead of a pair. If a vinyl doublehung is not available to fit an opening that large, a wood window may be substituted. Staff recommends approval of this motion. B) The second would allow the new vinyl windows to stay in openings that previously had wood windows. Staff does NOT recommend approval of this motion. C) The third motion would require that wood windows of the original size be reinstalled in openings that previously had wood windows. Staff recommends approval of this motion.*

**REVIEW COMMITTEE'S REPORT AND RECOMMENDATIONS:**

*Commissioners Beeson and McCauley visited the site as part of their review.*

*McCauley and Beeson agreed with the staff report.*

**PUBLIC HEARING:**

*Young Kim, 2067 Bay Hill Court, owners, spoke on behalf of the application.*

*Jeremy Lent, 710 E. Ann Street, student tenant, spoke in support of the application.*

*Noting no further public speakers, the Chair declared the public hearing closed.*

**Wood to vinyl windows:**

**Motion made by McCauley, Seconded by Bushkuhl, that the Commission issue a certificate of appropriateness for the portion of the application at 710 East Ann Street, and contributing property in the Old Fourth Ward Historic District, to replace wood windows F-3, F-6, S-3, S-9, S-10, N-3, N-5, N-6, and N-9 with one-over-one double-hung vinyl windows, as proposed. The work is compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The City of Ann Arbor Design Guidelines for Historic Districts, and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standard 6 and the guidelines for windows.**

**(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.**

**COMMISSION DISCUSSION:**

*The members of the Commission took into consideration the presented application and discussed the matter.*

On a voice vote, the vote was as follows with the Chair declaring the motion defeated.

Yeas: 0

Nays: 6 - Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, Beeson, and Ross

Absent: 1 - White

**Wood to vinyl windows:**

Motion made by Ramsburgh, Seconded by McCauley, that because this work was done without permission of the Commission and does not qualify for a certificate of appropriateness, the property owner is ordered to restore windows F-3, F-6, S-3, S-9, S-10, N-3, N-5, N-6, and N-9 to their prior condition, or to modify the windows so that they would qualify for a certificate of appropriateness, consistent with section 8:421 of Ann Arbor City Code, by replacing the windows with wood windows, under the following conditions: the owners must apply for and receive a staff approval for the proposed replacement windows before building permits are issued, and windows F-6, S-10, N-3 and N-5 must be replaced with a single window, not a pair, in the original opening. The windows must be restored to their prior conditions or replaced as stated by July 10, 2013.

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

(6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires replacement of a distinctive feature, the new feature shall match the old in design, color, texture, and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical, or pictorial evidence.

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

On a voice vote, the vote was as follows with the Chair declaring the motion carried.

Yeas: 6 - Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, Beeson, and Ross

Nays: 0

Absent: 1 - White

**Vinyl/aluminum to vinyl windows:**

Motion made by Stulberg, Seconded by Bushkuhl, that the Commission issue a certificate of appropriateness for the portion of the application at 710 East Ann Street, a contributing property in the Old Fourth Ward Historic District, to replace windows F-4, F-5, S-1, S-4, S-6, S-7, S-8, S-11, S-12, N-2, N-4, N-7, B-1, and B-2 with vinyl one-over-one double-hung windows, provided the following conditions are met: windows F-5 and S-7 must be replaced with a single window, not a pair, in the original opening. Further, per section 8:421 of Ann Arbor City Code, the work on windows F-5 and S-7 must be completed and pass city inspection within eight months. The work as conditioned is

compatible in exterior design, arrangement, texture, material and relationship to the rest of the building and the surrounding area and meets The City of Ann Arbor Design Guidelines for Historic Districts, and The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, in particular standard 6 and the guidelines for windows.

Friendly Amendment accepted by Stulberg, Agreed by Bushkuhl, to remove reference to window S-1 in motion.

*COMMISSION DISCUSSION:*

*The members of the Commission took into consideration the presented application and discussed the matter.*

**On a voice vote, the vote was as follows with the Chair declaring the motion carried.**

**Yeas:** 5 - Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, and Ross

**Nays:** 1 - Beeson

**Absent:** 1 - White

Motion made by Stulberg, Seconded by Bushkuhl, that because this work was done without permission of the Commission and does not qualify for a certificate of appropriateness, the property owner is ordered to restore window S-1 to its prior condition, or to modify the window so that it would qualify for a certificate of appropriateness, consistent with section 8:421 of Ann Arbor City Code, by replacing the window with a wood window, under the following conditions: the owners must apply for and receive a staff approval for the proposed replacement window before building permits are issued. The window must be restored to their prior conditions or replaced as stated by July 10, 2013.

**On a voice vote, the vote was as follows with the Chair declaring the motion carried.**

**Yeas:** 6 - Ramsburgh, Chair McCauley, Vice Chair Stulberg, Secretary Bushkuhl, Beeson, and Ross

**Nays:** 0

**Absent:** 1 - White

**F UNFINISHED BUSINESS**

**G NEW BUSINESS**

**H APPROVAL OF MINUTES**

**12-1689** Minutes of the December 13, 2012 HDC Meeting

**A motion was made by Chair McCauley, seconded by Secretary Bushkuhl, that the Minutes be Approved. On a voice vote, the Chair declared the motion carried.**

**I**      **REPORTS FROM COMMISSIONERS****J**      **ASSIGNMENTS**

**Review Committee: Monday, February 11 at Noon for the February 14, 2013 Regular Session**

*Beeson and McCauley volunteered for the February Review Committee.*

**K**      **REPORTS FROM STAFF**

[12-1690](#)      December 2012 HDC Staff Activities

**Received and Filed**

**L**      **CONCERNS OF COMMISSIONERS**

*Reference was made to a handout provided by Commissioner Ramsburgh regarding 413 E. Huron proposed project.*

*Proposed retreat topics were solicited by Thacher.*

**M**      **COMMUNICATIONS****N**      **ADJOURNMENT**

**The meeting was unanimously adjourned at 10:30 p.m.**

*Community Television Network Channel 16 live televised public meetings are also available to watch live online from CTN's website, [www.a2gov.org/ctn](http://www.a2gov.org/ctn), on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>).*

*Live Web streaming is one more way, in addition to these listed below, to stay in touch with Ann Arbor City Council and board and commission actions and deliberations.*

- *Video on Demand: Replay public meetings at your convenience online at [www.a2gov.org/government/city\\_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx](http://www.a2gov.org/government/city_administration/communicationsoffice/ctn/Pages/VideoOnDemand.aspx)*
- *Cable: Watch CTN Channel 16 public meeting programming via Comcast Cable channel 16.*

*The complete record of this meeting is available in video format at [www.a2gov.org/ctn](http://www.a2gov.org/ctn), on "The Meeting Place" page (<http://www.a2gov.org/livemeetings>), or is available for a nominal fee by contacting CTN at (734) 794-6150.*