

# ANN ARBOR HISTORIC DISTRICT COMMISSION

## Staff Report

**ADDRESS:** 223 S Main Street, Application Number HDC24-0072

**DISTRICT:** Main Street Historic District

**REPORT DATE:** July 11, 2024

**REPORT PREPARED BY:** Mariana Melin-Corcoran, Historic Preservation Coordinator

**REVIEW COMMITTEE DATE:** July 8, 2024

### OWNER

**Name:** Benjamin Curtis  
Cherry Republic  
**Address:** 103 E Liberty St Unit 207  
Ann Arbor, MI 48104  
**Phone:** (734) 761-6163

### APPLICANT

Jerome Fletcher  
Fletcher Contracting Group  
1331 S Zeeb Road  
Ann Arbor, MI 48103  
(734) 216-2826

**BACKGROUND:** 223 S Main Street is located on a prominent corner lot in downtown Ann Arbor. This Italianate-style building was constructed in 1869 and was historically used as a grocery store for John Gerner. It is a three-story brick building with a modern storefront at the ground floor. There have been minimal changes to the building. In 2008, the HDC approved the installation of two bay windows on the south elevation (facing Liberty Street). The current signage was installed in 2011.

**LOCATION:** The site is on the east side of S Main Street, just north of E Liberty Street and south of E Washington Street.

**APPLICATION:** The applicant is requesting review of work started or completed at this address without a Certificate of Appropriateness. This work includes the installation of three new vents on the south elevation and, therefore, the removal of historic masonry. On May 15, 2024, the work was noticed by a city official who had previously explained to the mechanical contractor that HDC approval would be required for new openings in the exterior facade.

### APPLICABLE REGULATIONS:

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



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

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

- (1) A property will be used as it was historically or be given a new use that requires minimal change to its distinctive materials, features, spaces, and spatial relationships.
- (2) The historic character of a property shall be retained and preserved. The removal of historic materials or alteration of features and spaces that characterize a property shall be avoided.
- (5) Distinctive features, finishes, and construction techniques or examples of craftsmanship that characterize a property shall be preserved.
- (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):**

**Masonry – Identify, Retain, Preserve**

*Recommended:* Identifying, retaining, and preserving masonry features that are important in defining the overall historic character of the building such as walls, brackets, railings, cornices, window architraves, door pediments, steps, and columns; and details such as tooling and bonding patterns coatings, and color.

**Not Recommended:** Removing or radically changing masonry features which are important in defining the overall historic character of the building so that, as a result, the character is diminished.

Replacing or rebuilding a major portion of exterior masonry walls that could be repaired so that, as a result, the building is no longer historic and is essentially new construction.

## **Mechanical Systems**

*Recommended:* Installing a completely new mechanical system if required for the new use so that it causes the least alteration possible to the building's floor plan, the exterior elevations, and the least damage to the historic building material.

## **Health and Safety**

*Recommended:* Identifying the historic building's character-defining spaces, features, and finishes so that code-required work will not result in their damage or loss.

Complying with health and safety codes, including seismic code requirements, in such a manner that character-defining spaces, features, and finishes are preserved.

*Not Recommended:* Altering, damaging, or destroying character-defining spaces, features, and finishes while making modifications to a building or site to comply with safety codes.

Making changes to historic buildings without first exploring equivalent health and safety systems, methods, or devices that may be less damaging to historic spaces, features, and finishes.

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

### **Masonry Walls, Trims & Foundations**

*Appropriate:* Retaining original masonry and mortar whenever possible without the application of any surface treatment.

Protecting, maintaining and preserving masonry features and surfaces that contribute to the overall historic character of a building or site.

### **Mechanical Equipment**

*Appropriate:* Attaching mechanical equipment so historic fabric is not damaged or destroyed.

Installing mechanical equipment and wiring in locations on the roof, rear elevations, or in alleys, so they are not visible from the street.

Painting mechanical equipment to blend with the historic building.

### **Safety Codes**

*Appropriate:* Complying with barrier free and safety codes in a manner that ensures the preservation of character-defining features.

**STAFF FINDINGS:**

1. On May 15, 2024, city staff noticed that there were three new exterior penetrations in the masonry on the south elevation of 223 S Main Street. These were installed for ventilation as part of ongoing renovations at the site, even though staff explained that an HDC application is necessary for any exterior work.
2. The work does not follow the Secretary of the Interior's recommendation of "Identifying, retaining, and preserving masonry features that are important in defining the overall historic character of the building such as walls," nor does it follow the Ann Arbor Historic District Guidelines, which state that "Attaching mechanical equipment so historic fabric is not damaged or destroyed" and "Installing mechanical equipment and wiring in locations on the roof, rear elevations, or in alleys, so they are not visible from the street" is appropriate.
3. The new penetrations are circular and approximately one foot in diameter. They are located 10 feet above the sidewalk. The applicant proposes to cover the penetrations with a square, 1 ft by 1 ft metal HVAC vent that will be painted the same color as the exterior masonry. At its widest, the vent will protrude 6 and  $\frac{3}{4}$  inches from the building plane.
4. The Commission must decide if these three new penetrations on the south elevation are significant intrusions and require remediation, or if they are approvable.

**POSSIBLE MOTIONS:** (Note that the motion 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 three exterior masonry penetrations for ventilation on the south elevation of 223 S Main Street, a contributing property in the Main Street Historic District. The work as completed 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 1, 2, 5, and 9 and the guidelines for masonry and mechanical systems; and the *Ann Arbor Historic District Design Guidelines* for masonry and mechanical equipment.

In addition, if the motion does not pass:

I move 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 the masonry on the south elevation to its prior condition. The restoration work must be completed by October 11, 2024.

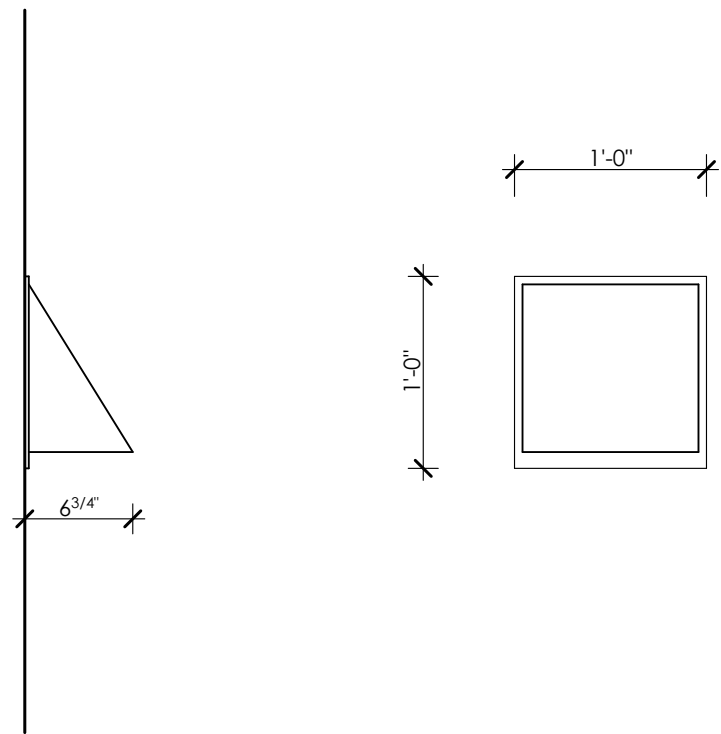
**ATTACHMENTS:** application materials, drawings, photos





ENLARGED VENT ELEVATION

SCALE: 1" = 1'-0"



PARTIAL LIBERTY STREET ELEVATION

SCALE: 1/4" = 1'-0"









