

**ANN ARBOR HISTORIC DISTRICT COMMISSION****Staff Report****ADDRESS:** 502 North State Street, Application Number HDC20-169**DISTRICT:** Old Fourth Ward Historic District**REPORT DATE:** December 10, 2020**REPORT PREPARED BY:** Jill Thacher, Historic Preservation Coordinator**REVIEW COMMITTEE DATE:** Monday, December 7, 2020

	<b>OWNER</b>	<b>APPLICANT</b>
<b>Name:</b>	Doug Milkey	Rob Fowler
<b>Address:</b>	117 N Division Street Ann Arbor, MI 48104	5550 Fox Run Saline, MI 48176
<b>Phone:</b>	(734) 665-5552	(734) 476-4851

**BACKGROUND:** This two-story gable-fronter features a front boxed bay window with ornate detailing, cut stone foundation, one-over-one windows, and a small ornate side porch on the south elevation. Staff estimates, based on these features, that it was built in the 1880s.

**LOCATION:** The site is located at the northeast corner of North State Street and East Kingsley Street.

**APPLICATION:** The applicant seeks HDC approval after-the-fact to construct an enclosure around an exterior basement stair on the north elevation of the house. Staff adds to this request the replacement of the front door without a certificate of appropriateness.

**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.
- (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):**

#### **Entrances and Porches**

*Recommended:* Designing and constructing additional entrances or porches on secondary elevations when required for the new use in a manner that preserves the historic character of the building (i.e., ensuring that the new entrance or porch is clearly subordinate to historic primary entrances or porches).

*Not Recommended:* Constructing secondary or service entrances and porches that are incompatible in size and scale or detailing with the historic building or that obscure, damage, or destroy character-defining features.

#### **Additions**

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

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

*Not Recommended:* Attaching a new addition so that the character-defining features of the historic building are obscured, damaged, or destroyed.

Designing and constructing new additions that result in the diminution or loss of the historic character of the resource, including its design, materials, workmanship, location, or setting.

#### **Building Site**

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

destroys historic relationships on the site.

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

**Doors**

*Appropriate:* Replacing a missing original or non-original door with a design that matches original doors remaining on the house, or with a compatible new design and material that fits the style and period of the house and the existing opening. The Commission will review materials on a case-by-case basis.

*Not Appropriate:* Replacing a non-original door with a new door that is not compatible with the house style, or that has frosted or decorative glass that is not replicating an original door.

**STAFF FINDINGS:**

1. In June of 2019 a rental housing inspector noted that a new exterior basement stair enclosure had been built without permits or HDC approval, and ordered that permits be obtained and finalized. The property owner was sent reminders monthly until early March 2020 when the property was posted for being out of compliance. In June the contractor applied for a building permit and in October submitted an HDC application. The enclosure replaced an aluminum awning supported by metal poles, which had a tree fall on it per the HDC application.
2. The new stair enclosure is wood framed with vinyl siding and fixed windows (material not indicated, but they look like vinyl). It has north and east walls and covers the stairwell, is open on the west facing the street, and extends 3' past the front of the house (flush with the front edge of the concrete front porch). The owner desires to keep rain, snow, leaves and debris out of the stairwell
3. A stairwell at the front of the house, leading to the basement, would not be considered appropriate to install today. This one pre-exists, however, so the HDC must determine whether either this new enclosure or a different canopy are appropriate for this house. The Secretary of the Interior Guideline that seems the most appropriate says:

Not Recommended: Constructing secondary or service entrances and porches that are incompatible in size and scale or detailing with the historic building or that obscure, damage, or destroy character-defining features.

4. This house has had many changes that detract from its historic character, like the use of vinyl siding, a replacement front porch of concrete block, a transom over the front door that has been infilled and exterior fire stairs. Despite these changes, it retains its overall form and mass and historic details like the character-rich front boxed-bay window and cut stone foundation. It is a contributing structure and changes should be made with an eye toward enhancing its historic character, not further detracting from it.
5. Staff notes that the front door was also replaced without HDC approval. That work was not included in this application but is being added by staff since it requires a certificate of appropriateness. The door that was removed was modern, with a half light and two

vertical panels. From photos it appears to have not been wood (probably steel). The new door appears to be wood, with a small upper window that may have decorative glass and three long vertical panels. The Review Committee will report back on observations on the material and design.

6. Suggested motions are below. The first is for approval of both the new stair enclosure and the new front door. If one or both are not included in the motion, or if the motion fails, the second motion is provided.

**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.)

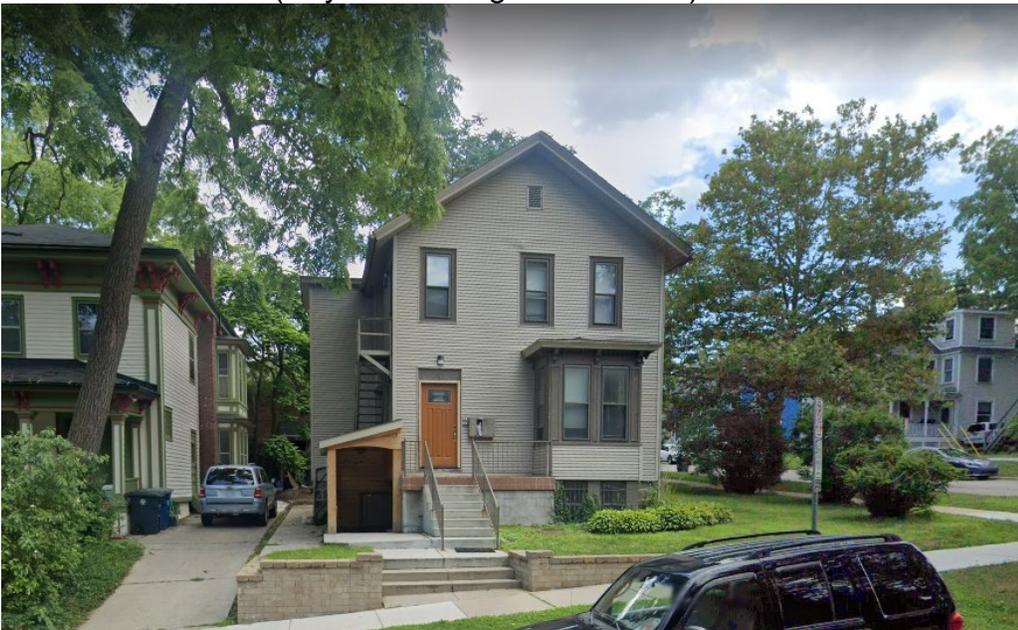
I move that the Commission issue a certificate of appropriateness for the application at 502 North State Street, a contributing property in the Old Fourth Ward Historic District, for the prior installation of an exterior basement stair enclosure and replacement of the front door. The completed work is compatible in exterior design, arrangement, and material to 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 entrances and porches, additions and building site and the *Ann Arbor Historic District Design Guidelines* for doors.

*If a motion to approve fails:*

I move that the Commission finds that the stair enclosure and replacement door built and installed without permits at 502 North State Street do(es) not qualify for a certificate of appropriateness, and that the property owner is ordered to remove the stair enclosure and replace the door with a door that meets the *Ann Arbor Historic District Design Guidelines* within 60 days.

**ATTACHMENTS:** application, drawings.

502 N State Street (July 2019 Google Streetview)





502 N State (September 2014, courtesy Google Streetview)





# 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 [jtthacher@a2gov.org](mailto:jtthacher@a2gov.org)  
 Fax: 734.994.8460

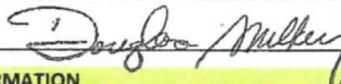
OFFICE USE ONLY	
Permit Number	HDC# 20-169
	BLDG#
DATE STAMP	

APPLICATION MUST BE FILLED OUT COMPLETELY

### PROPERTY LOCATION/OWNER INFORMATION

NAME OF PROPERTY OWNER <b>DOUG MILKEY</b>		HISTORIC DISTRICT	
PROPERTY ADDRESS <b>502 N State</b>		CITY <b>ANN ARBOR</b>	
ZIPCODE <b>48104</b>	DAYTIME PHONE NUMBER <b>(734) 665-5552</b>	EMAIL ADDRESS <b>PHSI@PHSI PROPERTIES.COM</b>	
PROPERTY OWNER'S ADDRESS (IF DIFFERENT FROM ABOVE) <b>117 N DIVISION</b>		CITY <b>ANN ARBOR</b>	STATE, ZIP <b>MI 48104</b>

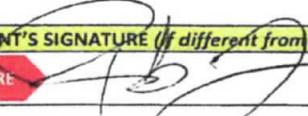
### PROPERTY OWNER'S SIGNATURE

**SIGN HERE**  **PRINT NAME** **DOUGLAS MILKEY** **DATE** **10/19/20**

### APPLICANT INFORMATION

NAME OF APPLICANT (IF DIFFERENT FROM ABOVE) <b>Rob Fowler</b>			
ADDRESS OF APPLICANT <b>5550 Fox Run</b>			CITY <b>Saline</b>
STATE <b>MI</b>	ZIPCODE <b>48176</b>	PHONE / CELL # <b>(734) 476-4851</b>	FAX No <b>( )</b>
EMAIL ADDRESS			

### APPLICANT'S SIGNATURE (If different from Property Owner)

**SIGN HERE**  **PRINT NAME** **x Rob Fowler** **DATE** **10/19/20**

### BUILDING USE - CHECK ALL THAT APPLY

SINGLE FAMILY    DUPLEX    RENTAL    MULTIPLE FAMILY    COMMERCIAL    INSTITUTIONAL

### PROPOSED WORK

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

**Rebuild Covered Entry to Basement after Tree Falling on it**

### DESCRIBE CONDITIONS THAT JUSTIFY THE PROPOSED CHANGES:

**Covering Existed prior to damage**

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



# 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	



