

HISTORIC DISTRICT COMMISSION
Minutes
March 21, 2006
DRAFT

City Commission Chambers
City Hall
241 W. South Street
Kalamazoo, MI 49007

Members Present: Bill Snyder (Acting Chair); Fred Decker, Vice Chair; Linda DeYoung; Nelson Nave; Bob Oudsema; James Tribu

Members Excused: Lisa Poole-Woldring, Chair

City Staff: Sharon Ferraro, Historic Preservation Coordinator; Amy Thomas, Recording Secretary

CALL TO ORDER

Fred Decker called the meeting to order at 5:05 p.m.

Ms. DeYoung, supported by Mr. Decker, moved to allow Mr. Snyder to chair the meeting in Ms. Poole-Woldring's absence, in order to allow Mr. Decker, the newly appointed vice chair, to complete his orientation before chairing a meeting. With a roll call vote, the motion carried unanimously.

APPROVAL OF ABSENCES

It was noted that Ms. Poole-Woldring was an excused absence.

AGENDA

Mr. Snyder requested that the following six properties be added to the end of the agenda for discussion regarding the status of violations: 614 W. Lovell, 816 W. Lovell, 820 W. Lovell, 414 Davis, 418 Davis and 916 Lee Barton Court.

With a voice vote the March 21, 2006 HDC agenda was approved unanimously.

PUBLIC COMMENT

None

DISCLAIMER

Ms. Ferraro read the disclaimer into the record.

OLD BUSINESS

628 S. Park (Case #: IHV 05-0023)

There was no one present to represent the property, and the commission proceeded to the next agenda item.

NEW BUSINESS

730 W. Kalamazoo (Case #: IHA: 06-00018)

Harold Swift was present to discuss the application. The application requests replacement of all basement windows with glass block windows and metal screens.

Mr. Swift advised that the old windows were rotten and that he had the glass block installed for security reasons and to seal up the basement and protect it from water damage. He stated that he had skipped the application process, but that was not out of disrespect. Mr. Swift advised that he would like to install glass blocks in the rest of the basement windows of the house, which he purchased in May of 2005.

Mr. Snyder commented that he was only aware of the HDC approving glass block for windows that were below grade, and the applicants went through the proper process for approval.

Mr. Nave inquired if Mr. Swift was familiar with the historic district when he bought the house, and the applicant advised that he was not. Mr. Nave inquired if the applicant had several of the windows left, and Mr. Swift confirmed that he did.

Mr. Oudsema advised that the HDC has approved glass block above grade for safety reasons. Mr. Snyder added that, if the windows were above grade, it was only slightly.

Mr. Nave inquired if Mr. Swift did the work himself. Mr. Swift advised that West Michigan Block did the work. Mr. Nave suggested that Ms. Ferraro send West Michigan Block a letter to inform them of the rules involving historic districts.

(5:10 p.m. – City Commissioner David Anderson arrived at the meeting.)

Discussion followed with regard to possible repair of the windows. Mr. Nave pointed out that there was also Wolmanized wood on the trim and he questioned if there was enough room to install screens.

Mr. Nave mentioned that many of the windows and doors off the rear parking area of Mr. Swift's house and adjacent houses appeared to have been fortified. Mr. Swift advised that his neighbor had a window kicked in last week. Mr. Snyder commented that, if someone wants to break in, they will find a way to get in. The best deterrent to theft is to have the area illuminated at night in addition to having it secured. Mr. Snyder stated that he would not vote in favor of the glass block because it goes against the historic district guidelines. Mr. Decker mentioned that he lives in the applicant's neighborhood and that he agreed with Mr. Snyder's statements.

Mr. Oudsema inquired if Mr. Swift bought the house through a broker and Mr. Swift stated that he did. Mr. Oudsema inquired if Mr. Swift knew when he bought the house that he was in the historic district. Mr. Swift advised that he knew the house was in the historic district, but that he didn't know what that meant. He advised that this is his residence, he's improving the house, and he didn't think the glass block would detract from the look of the house.

Mr. Snyder stated that it was not the intention of the HDC to criticize the applicant, but that he should have contacted Ms. Ferraro. Mr. Swift stated that he did contact Ms. Ferraro and she advised that the glass block would probably be o.k. Mr. Snyder commented that, if there was a security issue, Ms. Ferraro could have approved the temporary installation of plywood to board up the windows. Mr. Swift expressed concern that a regular glass window in that location would likely be kicked in since that area is dark. Mr. Swift stated that it would have cost \$500.00 for repair of the wood framing on one window and he was able to have three windows done for \$400.00 with the glass block. Mr. Snyder questioned the price quote and advised that he was not spending that amount for repair of his windows.

Mr. Nave commented that the Historic District Commission exists to provide advice to people in the historic district as well as design review.

Mr. Nave, supported by Ms. DeYoung, moved to disapprove the application for retroactive approval of the installation of glass block in the basement windows at 730 W. Kalamazoo Avenue based on Secretary of the Interior's Standards and Guidelines numbers 6 & 9.

Mr. Decker commented that it was unfortunate that Mr. Swift had invested money in the property without a Certificate of Appropriateness but certain rules must be followed in the historic district. Any changes made to the exterior of the house must first be approved. Mr. Snyder mentioned to the applicant that he might have some recourse against the installer if a permit wasn't pulled. Ms. Ferraro advised that, if the window size changes, a permit would be necessary. She added that she was not sure how that rule would apply to the installation of glass block

since, frequently, the frame of a window is removed when glass block is installed. Ms. Ferraro stated that she would look into the details of this situation.

Ms. Ferraro advised Mr. Swift that, if the application is denied, he can appeal the decision to the State Historic Preservation Review Board within 60 days of the denial. Information about that process will be provided with the letter from the Historic Preservation Coordinator. She further advised Mr. Swift that he would need to remedy the situation by removing the glass blocks and putting in wood windows. Ms. Ferraro stated that installation of the glass block may have negated the applicant's chance to use the 25% historic tax credit for the new roof he put on last year.

With a roll call vote, the motion carried by a majority vote.

Ayes: Oudsema

Nayes: Nave, DeYoung, Decker, Snyder, Tribu

Mr. Swift expressed concern that he was being questioned about the installation of glass blocks and the aesthetics of his house when there are so many houses in horrendous condition in the historic district. He stated that Ms. Ferraro informed him that the installation of glass blocks could probably be done, and that all he had to do was put in an application and there was no way it was going to get denied. He further commented that he's taking care of the house and he questioned why he would be treated this way.

Mr. Swift expressed concern that Mr. Snyder was against the glass block from the beginning. Mr. Snyder advised that the installation of glass block goes against the guidelines that the historic district commission must uphold. Mr. Swift questioned that, if it's against the guidelines, why wasn't the HDC pursuing slumlords who are letting houses fall apart. Mr. Swift questioned why the HDC would be pursuing him, a hardworking man trying to finish up his doctorate at Western Michigan University. Mr. Snyder advised that, only when a change is made to the exterior of a historic property, does the HDC have authority to tell the property owner what they can or can't do.

Mr. Swift stated that he is the one paying the mortgage every month and he has no say whatsoever. He added that he just spent \$7,800 on the roof, and \$2,000 to replace the knob and tub electrical wiring and the HDC acts like he's tearing the house apart. Mr. Swift stated that he felt the commission had wasted his time and that they already had their minds made up before they even sat down. Mr. Snyder advised that each of the commissioners takes their personal time to visit the houses on the agenda. Mr. Swift commented that he thought the commission was taking this too personal, but they were letting other homes "go to shit."

Ms. Ferraro stated that the maintenance of the exterior of homes is up to the building and housing inspectors and that she cannot initiate an action against someone unless they have taken action or have asked to take action first. For instance, if the housing inspector

advises the owner that their steps need to be replaced, then Ms. Ferraro can talk to the owner about the steps. Mr. Swift stated that his steps were rotten and he was criticized for replacing them. He questioned why he should have to wait to get approved, when there is concern that someone might fall and break their neck on the steps. Ms. Ferraro stated that she approves 80% of the applications she receives within an hour, including steps. All she needs is a phone call and description of the work to be done. Mr. Swift commented that Ms. Ferraro saw how he keeps his house and the things he's doing to it. Ms. Ferraro advised that during her visit to Mr. Swift's house they discussed the windows, the deck of the porch and the steps. Mr. Swift stated that he was not looking for Ms. Ferraro's defense, but that she was acting like she didn't have a discussion with him or that they hadn't gone down in the basement. He commented that Ms. Ferraro didn't mention that the level of the windows might be a factor to consider. Ms. Ferraro stated that her comment to Mr. Swift was that sometimes glass blocks are approved and sometimes they're not, but that he would need to apply in advance.

It was noted that there was still no one present to represent 628 W. Park Street and the commission proceeded to the next agenda item.

1217 Merrill (Case #: IHA 06-0018)

Nancy McKinney was present to discuss the application. The application requests replacement of deteriorated aluminum framed jalousie windows on the front porch with wooden windows.

Mr. Oudsema inquired if Ms. McKinney was requesting approval in concept. Ms. McKinney advised that she hadn't done anything yet. There are two windows on each side of the front door and two wider ones on the south side of the porch.

Mr. Snyder commented that jalousie windows don't belong with this era of house; they should be replaced with wooden windows. Mr. Oudsema mentioned that the front porch isn't from the era of the house, but the jalousie windows are from the same era as the porch. Accordingly, he suggested replacement in kind.

Ms. Ferraro inquired if the applicant had looked into having the windows repaired. Ms. McKinney advised that she consulted with one person for an estimate. The crank is stripped on three of the four windows and if you try to push the windows, the glass breaks. Ms. Ferraro stated that she would be happy to meet with Ms. McKinney to see what would work.

Mr. Snyder inquired if the applicant wanted the porch to be enclosed and she advised that she did.

Mr. Nave suggested the use of windows with muntins. The house was built around 1938 or 1939. Mr. Oudsema commented that the jalousie windows have likely been there in

excess of 50 years and, therefore, have a historical significance of their own. Mr. Snyder stated that he would be comfortable with repair in kind or replacement with other windows that were available at that time. Mr. Decker concurred and urged the applicant to work with Ms. Ferraro to find a solution.

Mr. Nave, supported by Mr. Decker, moved to allow replacement of the windows at 1217 Merrill with casement windows with appropriate muntins, one on each side of the door and at least three on the side. The owner also has the option to repair or replace in kind with jalousie windows. Details are to be worked out with the Preservation Coordinator, Sharon Ferraro. With a roll call vote, the motion carried unanimously.

1218 Oak St. (Case #: IHA 06-0022)

Lance and Charlotte Ferraro were present to discuss the application. The application requests a new addition, including a bathroom, laundry room and study on the first floor at the rear of the house. (It should be noted that Mr. & Mrs. Ferraro are the historic preservation coordinator's parents.)

Mrs. Ferraro stated that the proposed new addition would be 16' x 24' with a full basement, a back porch and back deck. The back door will no longer enter directly onto the driveway. The foundation will be concrete block and the garage will remain.

Mr. Nave advised that he designed this addition. The porch will be restored to look as much like the original as possible, except a pair of windows will be flipped and will mimic the look of old window. The new windows are of similar size and shape as the old windows. The pair of windows on the west are similar to the windows above that are facing west. The door from the existing house is under an existing lintel. The roof will have the same shape and slope that the front porch has. The trim and siding will be the same size and reveal as the original. Mr. Nave provided further details of the project.

Mr. Decker, supported by Ms. DeYoung, moved approval of the project as presented for 1218 Oak St. With a roll call vote, the motion carried by a majority vote.

Ayes: DeYoung, Decker, Snyder, Oudsema, Tribu
Abstain: Nave

(Mr. Nave provided assistance with the drawings and, therefore, abstained from voting.)

421 Woodward (Case #: IHV 06-0022)

Larry Hoekstra was present to discuss the application. The application requests retroactive approval of the replacement of deteriorated materials on the back porch including windows, knee-walls and door.

Mr. Hoekstra stated that the back wooden door was replaced with a metal door. The wooden door didn't lock and there have been two break-ins over the last year. When the door was replaced, the whole west wall of the back porch gave in. The porch was an old addition to the house and wasn't constructed very well. The latest construction was done while Mr. Hoekstra was at work. He stated that he was not aware of the do's and don'ts and he told the workers to do what they had to do to get the job done and thought that the HDC did not review work on the rear of the house.. He advised that he went to Menard's and found windows similar to the existing fixed multi lite windows but they are vinyl sliders. The metal door and the vinyl windows have already been installed, and Mr. Hoekstra inquired as to what he should do.

Mr. Snyder inquired if a building permit had been pulled for this project, and Mr. Hoekstra stated that he didn't know. Ms. Ferraro stated that, if there is a safety issue such as doors and steps, or a structural issue such as reconstructing a porch, a building permit is required. She advised the applicant that he might have some recourse against the contractor. Mr. Hoekstra stated that Steve Sangsland from Mattawan was the contractor for this project.

Mr. Nave advised the applicant to come before the HDC, even if he only needs to change the gutters. Discussion followed with regard to the original bead board. Mr. Hoekstra advised that he has a picture of the house from when he first purchased it, but he didn't bring the picture to the meeting. The siding around the windows doesn't match the rest of the house. Ms. Ferraro advised that it was probably an open porch originally and when the changes were made around WWI, the windows were added and the bead board siding was used to enclose the porch. She stated that the siding on the newer construction should not match the rest of the house since it might give a false sense of history.

Mr. Hoekstra stated that he's lived in the house since 1991. He commented that he was aware that he couldn't put vinyl on the front and sides, but that he thought he would have some leeway on the back porch. Mr. Snyder advised that the HDC is concerned about the door in the back of the house. Metal doors are sometimes allowed but there should be allowances for light. He inquired if the applicant still had the original door, and Mr. Hoekstra stated that he has the replacement door that was already on the property. It is a single lite door. Mr. Snyder commented that he didn't find the door or the siding to be totally inconsistent with the guidelines. However, there should be some trim on the door. The vinyl windows are not appropriate. Mr. Nave mentioned that the windows are sliding windows. Mr. Snyder commented that he thought the HDC had approved sliders that don't look like sliders.

Discussion followed with regard to the trim on the back of the house. Mr. Snyder mentioned the infill between the windows and the door. He commented that it was unusual for the bead board to extend all the way to the ceiling, and he inquired if that's what was already there. Mr. Hoekstra responded in the affirmative. Ms. Ferraro advised that she may have a picture showing those details.

Mr. Snyder suggested putting in trim and changing out the vinyl windows for wood windows. Mr. Oudsema added that the windows need to be spaced differently. Mr. Hoekstra advised that the other window could be put back in, but it's not operable. The glass has to be removed so the screen can be put in. He suggested making the opening larger, restoring the window and putting it back.

Mr. Oudsema inquired as to why the applicant was in front of the HDC. Ms. Ferraro advised that the neighbor had reported the construction to city staff. Mr. Oudsema stated that replacing the big window with two operable windows would be acceptable as long as the windows are spaced correctly. Mr. Hoekstra commented that he was just going to replace the door, but then the wall came down the window had to be replaced. Mr. Oudsema advised that part of the new wall would have to be deconstructed if the windows were changed. The property used to be a rental and Mr. Nave advised the applicant to consult with the HDC if he ever decided to have the outside staircase removed.

Mr. Snyder suggested either changing the framing to accommodate two independent windows with appropriate spacing, or using the existing opening and framing it in to have in two smaller windows to match the spacing requirements. Mr. Nave mentioned that another option might be to have one big window with a mullion in the middle so the window would appear as four big squares. Four big double or single-hung windows could operate on either side and it would give the impression of one, big window without the mullion in the middle.

Mr. Nave, supported by Ms. DeYoung, moved to deny the application for retroactive approval of the porch, windows and door and new construction at 421 Woodward, based on the Secretary of the Interior's Standards and Guidelines 6 & 9. With a roll call vote, the motion carried unanimously.

Ms. Ferraro advised that she would meet with the applicant to formulate a new plan.

418 Pearl (Case #: IHA 06-0023)

Dean Plichta was present to discuss the application. The application requests demolition of the garage and the construction of an open parking shelter.

Mr. Plichta advised that the garage is worse since the last time he appeared in front of the HDC and he wants to tear it down. The insurance company has advised that they will

cancel coverage if the garage isn't taken care of by April 5th. Mr. Plichta commented that it would probably cost more to repair the garage than to demolish it.

Ms. Ferraro stated that the HDC previously denied the application for demolition. Mr. Plichta advised that there was supposed to be a site visit a year and half ago, but only one commissioner showed up with Ms. Ferraro. Mr. Snyder and Mr. Oudsema stated that they both went to look at the garage. Ms. Ferraro advised that Mr. Snyder had not been part of the official site visit.

Discussion followed with regard to the back of the garage and the lack of accessibility. Ms. Ferraro advised that you can't see the back wall without a ladder to go over the 6-foot tall fence.

Mr. Nave, supported by Mr. Decker, moved to allow a site visit of the garage at 418 Pearl. With a roll call vote, the motion carried unanimously.

Mr. Decker, Mr. Nave and Mr. Tribu advised that they could be available for a site visit on Thursday morning, March 23rd at 9:00.

628 S. Park (Case #: IHV 05-0023)

Shaun Willis and William Neal were not present to represent the property. The application requests approval of the proposal reached between City Attorney John Kneas and Historic Preservation Coordinator Sharon Ferraro pertaining to the porch decking.

Ms. Ferraro advised that the HDC needs to affirm the decision from the appeal.

Mr. Snyder expressed concern that he understood that the new deck was installed over the existing joists. He suggested having the applicants remove the porch deck to inspect the joists underneath. Ms. Ferraro advised that the applicants need a barrier-free access. Installing one deck over the other would make the floor almost flush with the doorsill and, therefore, easier to access with a wheelchair. Mr. Snyder pointed out that the applicants had indicated that the existing joists were deteriorated. Mr. Oudsema agreed with Mr. Snyder's concerns and advised setting a deadline for the work to be completed. Ms. Ferraro stated that since this is a remedy for a violation it would be appropriate to have a deadline. She suggested 90 days, which would mean the work would need to be done by the end of June 2006. Mr. Snyder suggested building a skid to help wheelchairs navigate the doorsill.

Mr. Nave inquired as to problems with the sign at this location. Ms. Ferraro stated that the sign is considered ephemeral and, therefore, it doesn't count against the tax credit.

Mr. Nave suggested specifying that an overhang, trim and a skirt board be added underneath the back porch. Ms. Ferraro stated that she would include a picture and

measurements. If the applicants don't proceed with the remedy, they may not be eligible for the 25% tax credit for the rest of the work they have done on the house.

Discussion followed with regard to the appropriateness of the back porch skirt. Ms. Ferraro advised that it was not inappropriate for a utilitarian back porch. It was suggested that the skirting be replaced with framed lattice.

Mr. Oudsema, supported by Mr. Decker, moved approval of the proposal for remedy of the violations at 628 S. Park. The most recently installed deck is to be removed and any deteriorated joists beneath are to be repaired or replaced. The decking is to be reinstalled as specified. The skirt board under the back porch is to be replaced with framed in lattice and corner posts. The repairs are to be made within 90 days of the date of this meeting. With a roll call vote, the motion carried unanimously.

Mr. Snyder provided details of violations on the following properties:

614 W. Lovell

The self-storing storms are non-conforming and they are now brilliant white.

816 W. Lovell

There are non-conforming storm doors on the front and side. The owners were ordered to remove the shutters years ago. There is an inappropriate side railing with treated lumber and plywood sheets. The rail is too tall and spindly. Ms. Ferraro stated that she would look into it.

820 W. Lovell

There is a non-conforming storm door at this address. The owners took out the front door and transom, which they eventually reinstalled. Someone took down the storm door and then put it back up again.

Ms. Ferraro advised that she send the owners one violation letter and she's been trading phone calls with them.

414 Davis

There's a non-conforming front storm door at this address.

Ms. Ferraro stated that many of the violations at this address have been fixed. Last fall, she advised the handyman who was working on the property that the violations would need to be remedied in the spring.

Mr. Snyder commented that the house next door (418 Davis) now has the same non-conforming storm door on the back. Ms. Ferraro stated that she spoke with the landlord and the door was there when she bought the house. Mr. Snyder advised that it has gone up within the past year.

916 Lee Barton Court

There is a cross buck, non-conforming storm door on the back porch. There is no framing around the windows. The back porch has an unusual design and Mr. Snyder inquired if the porch design should be reviewed by the HDC.

Ms. Ferraro advised that the owners were working on improvements until November, but had to stop because of the weather. Ms. Ferraro advised that she wouldn't send a violation letter during the winter months. They were informed that the door was not appropriate. Mr. Snyder requested more vigorous follow-up regarding violations. Ms. Ferraro mentioned that people will frequently come up with their own solutions if they're advised that something is inappropriate. Approximately 75% of violations are resolved after the 1st violation letter goes out. She always appreciates calls from commissioners and the public if they notice work in the process or completed that does not appear to meet the Standards. The number of violations have decreased significantly.

Mr. Nave referred to 1217 Merrill and commented that the garage is leaning against the retaining wall next door. He suggested that a good carpenter should be able to fix it. Ms. Ferraro stated that she would add a notation to her letter to Ms. McKinney stating that restoration of the garage would make it eligible for the tax credit. Mr. Nave also mentioned a bay window/back porch at 746 Forest that is in bad condition. He requested that Ms. Ferraro advise the landlord of this problem.

Mr. Snyder mentioned the house next to the Upjohn Institute on South Street. He stated that there is a hole in the front porch roof. Ms. Ferraro advised that they are waiting for someone to repair the slate. Mr. Snyder also requested that Ms. Ferraro inquire as to why there has been a blue tarp over the front porch roof at South Street for the past six months.

Ms. Ferraro stated that she found original, unchanged wooden steps in the Vine Neighborhood. She also found a book from 1911 on how to build steps; the steps at the Vine address are the same as those shown in the book. The old steps have 5/4" tread, which now has to be special ordered. However, 6/4" isn't substantially different and it's readily available. Ms. Ferraro advised that she intends to write a set of standards to allow the use of 2 x lumber for the tread, provided the appropriate details are used (an overhang, bullnosed, and bed mould under the edge). Mr. Nave suggested having an option of using 5/4".

Mr. Nave suggested having standards for fixing/replacing basement windows. Discussion follow with regard to the use of glass blocks in basement windows. Ms. Ferraro mentioned that the City of Detroit allows the use of glass blocks in basement windows as long as they are on the same plain as the original windows so that a storms/screens will fit over them. Mr. Snyder mentioned that glass blocks are not available in sizes that will fit the existing window openings, and he questioned how the gap would be filled in. Mr. Nave commented that in commercial windows a track of womanized wood could be installed and then covered with something from the outside. He also mentioned that it is not recommended that glass block be installed against masonry because of movement during expansion and contraction. Ms. Ferraro advised that the neighbors informed her of the glass block installation at 730 W. Kalamazoo. She stated that she had spent 45 minutes with Mr. Swift in November, prior to the glass block being installed in February, and he knew he was in the historic district. The tops of the window frames have been chiseled out. Ms. Ferraro stated that she sent about 45 letters to replacement window contractors advising them of rules in the historic district.

MINUTES (February 21, 2006)

There were no changes to the minutes.

Mr. Oudsema, supported by Mr. Nave, moved approval of the February 21, 2006 Historic District Commission Minutes as presented. With a voice vote, the motion carried unanimously.

Ms. DeYoung inquired about Langeland's. Ms. Ferraro advised that she's been trying to contact Melvin DeLoof, the contractor. They want to take down five houses they own near the corner of South Burdick and West Dutton. They want to construct something similar to their building on Stadium Dr. The plans are in the drawing stage at this point and will eventually require zoning and site plan review. The buildings are in the historic district but not the downtown design review district. They could take down their existing facility but not the houses on Dutton or the one that faces Rose. The properties on Rose up to Walnut are in the historic district. Ms. Ferraro advised that all the HDC can rule on is whether the buildings can come down.

ADJOURNMENT

Mr. Oudsema, supported by Mr. Decker, moved to adjourn the March 21, 2006 Historic District Commission meeting. With a voice vote, the motion carried unanimously.

The meeting adjourned at 7:00 p.m.

Submitted by: _____
(Recording Secretary)

Dated: _____

Reviewed by: _____
(Historic Preservation Coordinator)

Dated: _____

Approved by: _____
(HDC Chairperson)

Dated: _____