

HISTORIC DISTRICT COMMISSION
Minutes
June 17, 2008
DRAFT

City Commission Chambers
2nd Floor, City Hall
241 W. South Street
Kalamazoo, MI 49007

Members Present: Jay Bonsignore, Chair; Lisa Poole-Woldring, Vice Chair; Linda DeYoung; Nelson Nave; Bob Oudsema; James Tribu

Members Excused: Fred Decker

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

CALL TO ORDER

Mr. Bonsignore called the meeting to order at 5:00 p.m.

AGENDA (June 17, 2008)

There were no changes to the agenda.

Mr. Oudsema, supported by Ms. Poole-Woldring, moved approval of the June 17, 2008 HDC agenda as submitted. The motion was approved by unanimous voice vote.

PUBLIC COMMENT ON NON-AGENDA ITEMS

None

DISCLAIMER

Ms. Ferraro read the disclaimer into the record.

OLD BUSINESS

161 E. Michigan (Case #: IHA 08-0002)

No one was present to represent the property, and the HDC proceeded to the next agenda item.

NEW BUSINESS

302 W. Walnut (Case #: IHA 08-0188)

Chris Moore was present to represent the property. The application requests the addition of a rear, second floor deck. There is an existing door in that location.

Mr. Tribu inquired as to what materials would be used to trim the 6 x 6 wood support posts supporting the deck on the outside of the existing structure. Mr. Moore advised that, according to

the drawing, the posts appear to be just bare wood. He stated that he would do what was required.

Mr. Nave commented that the drawings appear to show the new piers supporting an elevated deck over the garage. Mr. Tribu advised that the new posts appear to be placed around the perimeter of the existing building to support the new deck. He wondered if the exposed 6" x 6" posts would be trimmed to look like columns. In response to Mr. Bonsignore's question, the applicant stated that the existing structure is 15' 6" x 16".

Mr. Nave inquired if someone looked at the existing structure and advised that it wouldn't hold the deck. The applicant stated that he'd been told that the interior framing was not sufficient for the proposed use. Accordingly, two plans were drawn. One plan included taking the top off the garage and redoing the structure. The other plan is the one being presented, which shows the new structure around the outside of the garage. Mr. Nave expressed concern that the exposed structure would not look historic and Mr. Tribu concurred. Mr. Nave inquired if the funds could be spent inside to reinforce the garage. It would probably take 2 x 4's to provide the appropriate reinforcement.

Mr. Oudsema stated that he was concerned about having a 240 square foot deck one story off the ground. The HDC routinely denies access to areas on the second floor. He stated that he couldn't think of any structures similar to the one proposed that have been approved by the HDC. He expressed concern that approving such a structure might set a precedent. There is potential for problems to occur if the deck is used for parties.

Mr. Oudsema, supported by Ms. DeYoung, moved to deny the application for the rear, second floor deck at 302 W. Walnut.

Mr. Nave suggested that the occupants of the house might be able to come up with a more viable plan, maybe something smaller and without the structure exposed on the outside. He suggested that the existing deck could be reproduced. Ms. Ferraro advised that there is currently a rail but no deck; the code states that if there is a door it has to lead somewhere.

Ms. Poole-Woldring inquired if the HDC approved a second floor deck on Westnedge near Forrest St.? Ms. Ferraro responded in the affirmative. She referred to 1309 Westnedge and advised that the deck at that location is approximately the same size as the one being discussed. However, that deck is free-standing (there's no building under it). The deck at 1220 S. Westnedge is only about 5 feet wide, which is smaller than the one proposed by the applicant. Discussion followed with regard to whether or not the applicant received approval in concept at the last HDC meeting. Ms. Ferraro advised that he didn't receive approval because the motion ended in a tie vote. The applicant was encouraged to return to the HDC with more details.

Mr. Bonsignore inquired of Mr. Nave and Mr. Oudsema as to what kind of deck might be acceptable. He suggested that an enclosed screened porch might be more acceptable for a historic home. Mr. Bonsignore stated that he has a house in the historic district with a free-standing, second floor deck with no structure under it, similar to the one being proposed. The deck was approved by the HDC at some point in the past. Ms. Ferraro advised that the door probably lead to an airing porch on the second floor, which was a relatively common feature at the time the house was built. The porch was probably removed when the addition was added.

Mr. Oudsema inquired as to what is on the first floor space under the area of the proposed deck. Mr. Moore advised that the first floor space is currently being used for bike storage and food storage. It is a garage with steps that lead into the house and down to the basemen. Mr. Oudsema suggested removing the existing structure and constructing a deck at ground level. Mr. Moore stated that the residents of the house would prefer to not lose the garage/storage space. However, they have considered removing the structure and rebuilding it.

Mr. Nave stated that he would be happy to discuss alternatives with Larry Bishop, the applicants' architect, before the next HDC meeting. Ms. Ferraro suggested having part storage and part open space. There might be other options that would be more historically appropriate. Accordingly, Mr. Moore withdrew his application.

Mr. Oudsema, supported by Ms. DeYoung, withdrew the motion.

161 E. Michigan Ave. (Case #: IHA 08-0224)

Steve VanDerSloot from Sign Art, was present on behalf of Eckert Wordell and Treystar. The application requests a sign on the west and north faces of the building for Eckert Wordell.

Mr. VanDerSloot advised that the applicant is proposing a non-illuminated sign for the west and north elevations of the Haymarket building.

Mr. Nave referred to suggestions that were made in an e-mail about a month ago regarding this project and where the sign should be placed. Ms. Ferraro advised that one of the suggestions was to install the sign higher than what was requested. The applicants were not agreeable with that because they want the sign by the space they occupy.

Mr. Nave advised that this building used to have a Sears sign painted near the top of the building, so that it could be seen from further away. Ms. Ferraro advised that when the Sears sign was in that location, there was a neon sign just below it. Accordingly, this space was not previously visible because it was blocked by the neon sign on the adjacent building. Mr. Nave suggested raising the sign to the upper left hand corner, underneath the Haymarket sign, so the signs could be grouped together. This would also allow the signs to be seen from further away, and there is a history of signage in that location. In response to Mr. Tribu's question, Mr. Nave confirmed that he thought the sign on the west elevation should be between the window and the top of the building. Mr. Bonsignore questioned where other companies would put their signs. Mr. Ferraro pointed out that having a sign in that location might prevent other tenants from extending their signs around that corner of the building.

Mr. Oudsema commented that other substantive tenants may want outside signage in the future. Mr. Nave mentioned that the applicant will be taking three of the seven floors in the Haymarket building. Mr. VanDerSloot advised that the architect and landlord have been deliberating the placement and height of the sign, and the possibility of other signage was discussed. Treystar advised that other than the Wine Loft, none of the other tenants would require such a large sign. The Wine Loft has a small sign in the front of the building.

Mr. Nave advised that the west elevation lines up with the sign by the cornice in the front. Historically, that could have been an area for signage. There is a "for lease" sign in the back also. If the signs on the west and north sides of the building are lined up in the same area in the back,

the signage could be raised one story. Also, there was discussion in the e-mail as to the style of lettering to be used on the sign. Mr. VanDerSloot advised that a logo will be used on the sign. He was uncertain as to the name of the style of lettering.

Mr. Oudsema commented that a future tenant might want their name on the side of the building. If the landlord can't accommodate that request, it puts them in a difficult situation. Most other office buildings in the downtown area have multiple naming rights on their buildings. Mr. Oudsema stated that he would be uncomfortable denying the property owner the right to do this. Mr. VanDerSloot stated that other tenants in the building take up as much as an entire floor and they don't have signage on the building. Mr. Oudsema suggested that those tenants might ask for signage in the future.

Mr. Oudsema, supported by Ms. Poole-Woldring, moved approval of the proposed sign on the west and north sides of 161 E. Michigan, as submitted. With a voice vote, the motion carried by a majority vote.

Ayes: DeYoung, Poole-Woldring, Bonsignore, Oudsema, Tribu

Nays: Nave

Ms. Poole-Woldring inquired if there was a company name on the awning in front of the building. Mr. Nave advised that the name of the ad agency used to be there, but the Eckert Wordell name is now in that location. Ms. Ferraro advised that discussion regarding the awning is ongoing and there may be changes to the awning in the future.

Ms. Ferraro referred to the sign on the north face between the third and fourth stories. There is a tree near that location and she expressed concern that it might block the sign if it continues to grow. Accordingly, she suggested raising the sign on the back façade one floor so that it will be visible over the tree.

Mr. Nave suggested that a study be done regarding signage in commercial, historic districts, and that standards be adopted accordingly. Currently, there is signage over the front door. Ms. Ferraro advised that there are general zoning and signage rules and DDRC standards. There are also images of what signs used to look like back into the 19th century. Mr. Nave suggested checking with other cities such as Ann Arbor and Grand Rapids to see what their sign standards are in historic districts. Ms. Ferraro advised that Ann Arbor no longer has a Historic Preservation Coordinator. She stated that she would look into what other cities are doing with regard to signage for commercial buildings in historic districts.

813 W. South St. (Case #: IHV 08-0003)

Richard Emig from South Street Properties/Spaman Jewelers and Brian Bishop were present to discuss the application. The application requests that the west side storm door be removed – the existing frame was not a door on the inside. This condition pre-dates the historic district (1972, HD founded in 1973).

Mr. Emig referred to the copy of the previous owners' letter, which was provided in the HDC packets. Mr. Emig provided recent pictures showing changes to the door on the side of the building. Brian Bishop and Ted Hatton removed the screen door. Not much has been done to this building since the 1970's. Rotten siding was removed from the side of the building and

insulation was added. The siding was replicated. Mr. Emig advised that he has pictures from the Assessor's office showing the door that was there when he purchased the building. He stated that he didn't put in the metal door on the east side of the building. The existing back door appears to be historic. He estimated that the project is about six weeks from being finished. Landscaping will be added around the sign, which has been moved back and lowered by one foot, as requested.

Mr. Nave inquired as to when the door was demolished and the siding was changed. Ms. Ferraro advised that she thought those changes were made in March. Mr. Bishop stated that the wooden door was already gone when he started working on the house. A passage way was there, but it was not possible to access the house at that point. Ms. Ferraro stated that the door frame and lintel were still there. She further stated that Mr. Emig told her there was a window and drywall on the interior and on the outside was the frame of the original door and the storm door. There was no longer a functioning door in that location, just a cosmetic door on the outside. Mr. Emig advised that the house had been configured that way since the 1970's, prior to the time the house was in the historic district.

Mr. Nave expressed concern that the door and trim, etc. were removed without an application. Mr. Oudsema commented that the process was flawed and that the applicant should have asked permission to make the changes. Ms. Ferraro mentioned that the commission generally prefers to have doors removed that have been added, rather than original doors. She was uncertain as to whether or not this door was original.

Mr. Emig advised that there had been a leak into Inspiring Hands, the business below. During the process of trying to resolve that issue, the contractor removed certain materials, which appeared to be non-historic.

Mr. Tribu inquired if the existing configuration of the foundation was original. Ms. Ferraro advised that the building had been used as a funeral home and alternations may have been made to the foundation in the past.

Mr. Tribu, supported by Mr. Oudsema, moved to allow retroactive approval of the removal of the storm door at 813 W. South Street. With a roll call vote, the motion failed with a tie vote.

Ayes: Jay, Bob, James

Nays: Nelson, Linda, Lisa

Mr. Nave suggested a motion to reinstall the original opening and trim to look like the window next door. Mr. Emig advised that there is a restroom in that location so it doesn't make sense to have an outside door entering into a restroom. Ms. Ferraro advised that the applicants should have had a permit for removal of the door. It is difficult to know at this point what was there. Mr. Tribu commented that he didn't see the sense in putting it back the way it was prior to the most recent changes. Ms. Poole-Woldring concurred, but added that the rules must be followed regardless of the bathroom being in that location.

Mr. Nave, supported by Ms. Poole-Woldring, moved that the construction be returned to the way it was, with a historically appropriate door and storm door to be installed. The trim is to match the window next to it, and the jamb should be similar to the adjacent window. With a roll call vote, the motion failed with a tie vote.

Ayes: Nave, DeYoung, Poole-Woldring

Nays: Bonsignore, Oudsema, Tribu

Mr. Nave suggested that the door should match the other doors and the glass could be painted black. The space on the inside could be insulated.

Mr. Bonsignore questioned the wording of the motion and requested clarification. Mr. Nave advised that the jamb, the trim and an appropriate historic door should be installed. Essentially, it would be a false door. The motion does not apply to the interior configuration.

Ms. Ferraro commented that if the HDC doesn't take action within 60 days, the application is considered approved. Mr. Nave mentioned that a new commissioner should be joining the HDC in July, and that could provide the tie-breaking vote. Ms. Ferraro advised that the 60-day time limit begins the day the application is submitted.

Ms. Poole-Woldring, supported by Mr. Oudsema, moved to postpone the decision on 813 W. South St. (Case #: IHV 08-0003) until the next HDC meeting. With a roll call vote, the motion carried unanimously.

716 W. Kalamazoo (Case #: IHA 08-0227)

Jean Harden was present to discuss the application. The application requests removal of the stucco and re-siding with cement fiber siding. The House was moved in 1905 and the siding was changed.

Ms. Ferraro advised that the stripes in the photos are from the original siding, where it pressed against the tar paper. The stripes don't line up with the wire mesh used to hold up the stucco. The stripes are about 4" apart.

Ms. Harden stated that the stucco is in a bad state of repair. It has been repaired in the past. Photos of the house from the 1960's and 1970's are available upon request. Ms. Ferraro advised that the applicants want to strip the three sides that are not south-facing. The porch would be part of phase II. Ms. Ferraro added that, around the time the house was moved in 1905, putting stucco on the exterior was a popular thing to do to modernize the exterior. It was also considered low-maintenance, since stucco should not be painted.

Mr. Nave mentioned that he'd done work for the applicants in the past, but that he wasn't working for them now. He provided the sketch of the porch, which is not under consideration at this point. Ms. Ferraro advised that this should not be a problem since Mr. Nave is not working for the applicants at this time.

Mr. Nave advised that the trim should be planned before the HDC gives permission to side the house. Ms. Ferraro commented that she had spoken with the applicants about the corner boards. There's no evidence where the stucco was removed that there may have been pilasters at the corners with capitals and bases. The details were probably simple and might have run up to the frieze board. She suggested cutting a notch in the edge of the corner boards to mimic the notch in the edge of the window frame. Mr. Bonsignore stated that he didn't see evidence in the shadow lines of anything fancy in the corners. There doesn't appear to be any flare at the top where it

meets the frieze. Accordingly, Ms. Ferraro recommended that the corner boards be as simple as possible, since there is no photographic evidence to the contrary.

Mr. Nave, supported by Ms. Poole-Woldring, moved to accept the application contingent upon the applicant returning to the HDC with a sketch of the trim to be installed on the house. With a roll call vote, the motion carried unanimously.

Ms. Ferraro advised that the siding is to be smooth, not textured, and should have a 4" reveal. This approval is for three sides of the house and siding of the entire house. It is anticipated that the 4th side will be completed at a later date. Ms. Ferraro commended the applicants for starting removal of the stucco at the back of the house.

430 Elm (Case #: IHA 08-0226)

Sharon Carlson and Tom Dietz were present to discuss the application. The application requests conceptual approval of a new porch and door along the full width of the rear, east side of the house.

Ms. Carlson advised that this is more of an interior project involving remodel of the kitchen on the back of the house. There have been at least two previous back porches. The photo provided shows the back porch in the early 1960's. Ms. Carlson advised that she is looking for approval in concept at this point, since the porch will likely be completed next summer. The applicants have applied for the historic tax credit. The proposed porch would follow the lines of the original front & side porches. The porches were altered in the 1980's to resemble the Queen Anne style. The new porches would be returned to the Italianate style. An example was provided of a porch on Park Street that looks similar to what existed at 430 Elm.

Mr. Bonsignore requested clarification regarding the location of the proposed porch. Mr. Dietz confirmed that the porch would be located by the east wall, which is about 12 feet wide. There is one window in that wall. The porch would not wrap around the corner. The side porch will remain; the porches will not connect. Ms. Carlson advised that the intent is to restore the front and side porches next summer.

Mr. Dietz stated that he needs to know at this stage of the kitchen remodel, where space should be left to allow for the door. They are suggesting that the door be installed in the wall where the window is now, but they need some guidance on the exact location. A decision has not been made as to whether or not the window will remain.

Mr. Nave advised that he would abstain from voting since he has been working with the applicants on this project. He has been working on the kitchen design but may be working on the porch also. Mr. Dietz advised that, in order for Mr. Nave to proceed with the interior design, the applicants need to know if they will be allowed to put a door on that wall and build the porch. If the door is not approved then they don't need to leave space for the door.

Mr. Oudsema inquired if the applicants are hoping to complete the interior and the kitchen to get the tax credits and defer the cost of redoing the porch. Ms. Carlson advised that she hadn't thought of that option but might consider it.

Mr. Oudsema inquired if the porches had been added to accommodate the rental units. Ms. Ferraro stated that she thought the porches were original. Ms. Carlson advised that she found a 1908 Sanborn map showing the porches in the same location. Many homes of that era had three entries. The records indicate that the porch was an addition.

Mr. Tribu questioned if the porch would be across the entire back of the house or if it would be a partial porch. Mr. Dietz confirmed that they intend to have the porch extend across the entire back of the house. The applicants are unsure at this point if the porch will be enclosed.

Mr. Oudsema inquired if the applicants would proceed with the proposed work on the kitchen if the application for the porch is denied. The applicants responded in the affirmative. Mr. Dietz advised that they received an award two years ago for the work they have done. They have already invested \$80,000 on the interior and they intend to proceed with the renovations with or without the porch.

Mr. Nave advised that the porch can't stretch clear across the back but the roof could come close to the edges. He referred to the other porch and commented that the roof overhangs the porch a little. There are 4" returns on the corner trims so the edge of the porch roof should start at the edge of the trim. The porch might be a foot or 6" shorter than the roof on each side.

Mr. Oudsema, supported by Ms. Decker, moved to allow conceptual approval for the porch and door at the rear, east side of 430 Elm Street. With a roll call vote, the motion carried with 5 ayes and one abstention.

723 W. Lovell (Case #: IHV 07-0015)

Sue Wolf was present to discuss the application. The application requests retroactive approval of new doors installed on the east side and south side (rear) of the building. The application also requests approval for installation of new screen/storm doors over the entry doors.

Ms. Wolf advised that there were no doors at the east and south entrances when she bought the property. The doors were kicked in several times and someone was living on the porch. Those doors were not original to the house.

Mr. Nave commented that the metal door is inappropriate. It is a copy of a late 1940's door.

Mr. Nave, supported by Ms. Poole-Woldring, moved to deny the application for the existing doors at 723 W. Lovell. With a roll call vote, the motion carried unanimously.

Mr. Oudsema inquired if the applicants purchased the house through a real estate broker. Ms. Wolf responded in the affirmative and stated that she was not informed that the house was in a historic district. The property was in foreclosure when she purchased it.

Mr. Nave, supported by Ms. DeYoung, moved to deny the vinyl screen door at 723 W. Lovell.

Ms. Wolfe advised that the screen door is also available in wood.

Mr. Nave and Ms. DeYoung amended the motion to allow the installation of a wood screen door in the style pictured in the application, or an aluminum screen door or a combination aluminum and wood screen door with a full light at 723 W. Lovell. With a roll call vote, the motion carried unanimously.

Mr. Nave inquired as to what would be done to fill the void when the doors are taken off. Ms. Ferraro suggested that when a non-original door is being replaced, she has worked with the applicants to approve the new installation administratively.

Ms. Poole-Woldring questioned if the door was 84" rather than 80". Ms. Ferraro advised that houses of that era sometimes had shorter back doors. Ms. Poole-Woldring expressed concern that the door might not fit.

In response to Mr. Tribu's inquiry. Ms. Wolfe stated that the screen doors would be installed just to cover the inside doors and not for ventilation. Mr. Bonsignore stated that if the motion is approved, the applicants would not be forced to install a storm door, but they would have that option.

Mr. Oudsema, supported by Mr. Tribu, moved to allow administrative approval by the Historic Preservation Coordinator for an appropriate door at 723 W. Lovell. With a voice vote, the motion carried unanimously.

611 W. South Street (Case #: IHA 08-0225)

Joe Hosner was present to discuss the application. The application requests the installation of a vinyl privacy fence in the back yard and a metal fence in the front yard.

Mr. Hosner stated that the 4' aluminum fence proposed for the front yard would look like wrought iron. He would also like to have a gate at the sidewalk and driveway entrance. Mr. Hosner would like to have an 8' tall privacy fence with latticel. The vinyl fence only comes in tan or white and he would like to get approval for one of those options. The garage in the back of the property has a roofline about 8' tall and he wants the fence to block the view of that structure. He wants to replace the fence on the street side. The fence in back is falling apart and he wants to remove it.

Mr. Oudsema inquired as to the applicant's choice of fencing materials and the warranty. Mr. Hosner stated that he chose a maintenance free fence with a lifetime warranty. He advised that the stockade fence is 6' tall. Mr. Oudsema commented that he had an 8' section of fence in his back yard, which he considered to be a critical element for making that area a quality space. He advised that he is a strong advocate of having an 8' fence in the back. Ms. Ferraro stated that a fence over 8' would require a building permit.

Mr. Nave moved approval of the 4' aluminum fence proposed for the front of 611 W. South Street, style as presented, with the exception of the gate.

Mr. Nave inquired as to the style of fence to be installed. The applicant stated that he could provide a picture. Mr. Nave suggested putting heavier posts on the ends of the fence to protect it. Mr. Hosner commented that he would like to deter people from walking through the yard. Mr. Nave suggested attaching the 8' fence to the back corner of the house rather than the bay window.

Mr. Hosner referred to picture #2 showing the neighbor's stockade fence. There is a 3' to 4' area in that location where the applicant would like to put a gate. The applicant's fence would extend straight across, parallel with South Street. The fence goes behind the bay rather than into the bay as pictured.

Mr. Nave, supported by Ms. Poole-Woldring, moved approval of the application for the 4' aluminum fence as submitted for 611 W. South St., with no gates. The west line is to be extended back to the neighbor's existing corner of their wooden picket fence and then back to the house to the south of the bay window. With a roll call vote, the motion carried unanimously.

Mr. Oudsema stated that the motion required the applicant to install a 4' aluminum fence and he questioned if that was the intent. Mr. Nave concurred. He stated that the 4' aluminum fence would travel south to the corner of the neighbor's fence. It won't return back to the house. Mr. Oudsema advised that the 8' fence would extend from the southwest corner of the house. He inquired if the applicant had any proposals for gates. Mr. Hosner stated that the gates would be simple and about 4' tall. He stated that he could provide an example at a later date.

Mr. Oudsema, supported by Ms. Poole-Woldring, moved approval of the 8' fence, with materials and design as submitted. The 8' fence is to meet the 4' fence and extend south and then back to the east to the garage. With a roll call vote, the motion was denied by a majority vote.

Ayes: Poole-Woldring, Oudsema

Nays: Nave, DeYoung, Bonsignore, Tribu

Some of the commissioners expressed concern about the installation of a shiny, vinyl fence in the historic district. Mr. Hosner advised that plant material will obscure most of the fence. The proposed fence is made from thick vinyl with steel reinforcement. Ms. Ferraro stated that she wasn't sure if the fence manufacturer makes a vinyl fence that isn't shiny or if the shiny finish wears off. She referred to a vinyl fence on Oakland Dr. that still has a shiny finish after three years. Ms. Ferraro mentioned that non-historic material is sometimes allowed.

Mr. Oudsema commented that he put up a stockade fence 12 years ago; it was cost effective. He advised that he supports the installation of the vinyl fence. Mr. Hosner stated that he doesn't want to have to remove the fence once the landscaping around it is established. Ms. Poole-Woldring stated that she agreed with Mr. Oudsema. She mentioned that it is easy for people to kick out a wooden plank and walk through the fence. Mr. Hosner mentioned that the proposed fence is steel-reinforced, but he was uncertain as to which parts are reinforced.

Mr. Oudsema recommended that the applicant install an 8' tall stockade fence, which should be fine for 15 to 20 years. He further commented that the stockade fence is compatible with the surrounding plant material, and he hasn't had to replace any portions of the fence.

Mr. Nave, supported by Mr. Oudsema, moved approval of an 8' wood fence with details to be approved by the Historic Preservation Coordinator. With a roll call vote, the motion carried unanimously.

161 E. Michigan Ave. (Case #: IHA 08-0002)

The applicant was not present to discuss the request. Ms. Ferraro advised that there are complex legal issues regarding MDOT, the City of Kalamazoo and the encroachment permit. If the steps are there, the new door could be used as an emergency exit. The steps will be constructed of Trex Deck with a wood frame underneath.

Mr. Nave suggested that the developer resolve the problems with the alley before the HDC considers the request for the steps. He referred to the air conditioner condensing and suggested that they should not be approved for installation on the ground. The air conditioning units at the Coney Island are bracketed over the back door because there is very little land to accommodate the unit.

Mr. Bonsignore inquired as to the definition of “temporary” in this instance. Ms. Ferraro advised that the owner is hoping to have the patio open by May of 2009. The building next door is up for sale and there are related issues to be resolved. Mr. Bonsignore inquired if the steps would be allowed with a time limit. A suggestion was made that the steps not be allowed until the encroachment issue is decided.

Mr. Oudsema commented that if the encroachment issue is not resolved in their favor, the applicants can’t proceed, but they have the right to know if they can proceed if the encroachment issues are resolved in their favor.

Mr. Tribu inquired if the “temporary” status would prevent the applicants from opening the restaurant. Ms. Ferraro advised that if there is a door in that location, there must be steps outside.

Mr. Nave commented that the hood and duct work were removed without consulting the HDC, and a silver louver was installed without permission.

Mr. Nave, supported by Mr. Oudsema, moved approval of the vents in a dark bronze color to match the metal on the existing windows. With a roll call vote, the motion carried unanimously.

Mr. Nave suggested that Ms. Ferraro write a letter to the applicants regarding the louver on the northeast corner of the alley. Discussion followed with regard to approval of the door and deck. Ms. Ferraro advised that the door and deck were approved in February and March. Mr. Nave stated that the door was to match the height of the front opening, which is 15 feet. Ms. Ferraro advised that she didn’t remember a discussion about the height, other than the dimensions on the drawing, but that she would refer to the file for that information. She recalled that it was the size of double doors. The door should be complementary but should not match, since it is important to not create a false sense of history.

Mr. Oudsema inquired as to why the temporary steps are needed. Ms. Ferraro advised that the building code requires steps so the door can be cut in at this point. Mr. Oudsema expressed concern that “temporary” might become permanent.

Mr. Nave, supported by Ms. DeYoung, moved to deny the steps until the issues with MDOT are resolved.

Concern was expressed regarding a time frame for the steps to remain in place.

Mr. Nave, supported by Ms. DeYoung, moved to amend the motion to state that the temporary steps may remain in place for three months. The applicants are to return to the HDC after three months with a resolution regarding the alley. With a roll call vote, the motion was denied by a majority vote.

Ayes: Nave, DeYoung

Nayes: Poole-Woldring, Bonsignore, Oudsema, Tribu

Mr. Oudsema commented that the encroachment issue doesn't belong in front of the HDC. Mr. Nave referred to the sign issue on South St. and the need for ZBA approval prior to HDC review. Ms. Ferraro advised that, in certain instances, the HDC can delay review pending approval by other boards such as the ZBA. However, this is an encroachment issue not a zoning issue. Historic District Commission approval is a prerequisite for the encroachment permit. The Michigan Department of Transportation has to approve the sidewalk café. Also, the new property owner next door has to be in agreement with the proposal. Three months may not be long enough for these issues to be resolved.

Mr. Oudsema, supported by Mr. Tribu, moved approval of the temporary steps as submitted with the developer to agree that the temporary steps will be removed within 12 months of the steps being placed into service. The temporary steps are to be replaced with the steps that were detailed in the original submittal. With a roll call vote, the motion was approved by a majority vote.

Ayes: DeYoung, Poole-Woldring, Bonsignore, Oudsema, Tribu

Nayes: Nave

Mr. Oudsema stated that the applicants would like to have a patio and, in order to access the patio they need a door. They want the door now as opposed to waiting months from now. In order to put the door in now, they have to have the temporary steps. It would be helpful to have the door in place now so the applicant doesn't have to interrupt their business later to put it in. If the HDC were to deny the door, it would deter the applicants from proceeding with their project when/if the issues with the alley are resolved.

Ms. Ferraro added that if the patio is not approved, the applicants might put a window where they are requesting the door. Mr. Nave stated that the opening for the door is already there.

Mr. Nave, supported by Ms. Poole-Woldring, moved to deny the request for the air conditioning ground units on the east side of the building. With a roll call vote, the motion carried unanimously.

Concern was expressed regarding the size of the compressor and the lack of details provided. Accordingly the decision regarding the compressor was postponed to allow the applicant time to submit more information.

MINUTES (April 15, 2008 and May 20, 2008)

April 15, 2008

Historic District Commission Minutes

June 17, 2008

Page 13 of 14

Ms. DeYoung referred to page 5, paragraph 5, line 1, difficult “timing” should be “time”. Page 5, “bottom planter box **and** details of the sign”.

Mr. Nave requested that the header for the April minutes be changed to reflect the correct month. He also referred to the motion in paragraph 2 of page 4, and questioned how the motion was stated in the minutes. After a brief discussion, Mr. Nave requested a review of the wording.

Mr. Bonsignore referred to page 2, paragraph 3, line 3, the sentence should state “six feet **closer** to the street.”

May 20, 2008

Mr. Bonsignore referred to the approval of absences and advised that he was not in attendance; Mr. Decker was present.

Mr. Nave inquired as to what would be done about the motion in question in the April minutes. Ms. Ferraro advised that she has the following wording for the motion: “.....the sign is in a different position than originally approved by the Historic District Commission.” Ms. Ferraro suggested that if that is not the correct wording, the Recording Secretary can provide the correct wording at next month’s meeting. Otherwise, the minutes will reflect the language suggested by Ms. Ferraro.

Mr. Oudsema, supported by Mr. Nave, moved approval of the April and May HDC minutes as amended. With a voice vote, the motion carried by a majority vote. Ms. Poole-Woldring abstained.

VIOLATIONS

Ms. Ferraro provided the following details for informational purposes.

519 Axtell

There was a fire at this address. The Building Inspector advises that there is significant damage but it is repairable. The building is boarded up and closed to casual entry at this time.

1013 S. Park

An application has not yet been submitted. The owner wants to work on the porch this summer.

709 W. Cedar

Ms. Ferraro met on site with the owners to discuss repairs to the greenhouse and porch, which were damaged by the tenants. Replacement would have to be approved by the HDC.

703 W. Cedar

The housing code requires the owner to add a grip rail. Some consideration has been given to turning the steps to come down the front. Ms. Ferraro inquired if precast steps would be acceptable.

Mr. Nave inquired if the steps could be repaired as is, and Ms. Ferraro indicated that they are probably beyond repair. The steps are less than 30” off the ground so a handrail is not required, just a grip rail. The owner could get administrative approval for wood steps, but he wants something different. She will suggest that he submit an application for HDC review.

815 W. Cedar

The sign can stay up to 30 days. Dr. Lutz’s sign was approved in 1997. New sign posts may have been added.

813 W. South St.

Mr. Nave mentioned that Mr. Emig advised that he moved the sign back and down 1’. The number on the bottom of the sign was never approved, so the requirements have not all been met. The 60-day deadline for completion of the work has elapsed. Ms. Ferraro advised that the 60-day deadline wouldn’t be up until the 19th or 20th. The 60 days began when the letter was issued. Mr. Nave suggested that Mr. Emig should be reminded to remove the number from the sign. If that requirement is not met, enforcement should proceed. Ms. Ferraro advised that the existing sign is the same as the other sign that was approved.

ADJOURNMENT

Mr. Oudsema, supported by Ms. Poole-Woldring, moved to adjourn the June 17, 2008 HDC meeting. With a voice vote, the motion carried unanimously.

The meeting adjourned at 8:00 p.m.

Prepared by: _____
(Recording Secretary)

Dated: _____

Reviewed by: _____
(Staff Liaison)

Dated: _____

Approved by: _____
(HDC Chair)

Dated: _____