



However, a May 2, 2006, letter from the Assistant City Attorney to Jonathan Ringel, Historic District Commission staff, lists in detail extensive repairs are necessary to bring the building up to code. Those repairs were not included in Mr. Kircher's application.

In addition, litigation is pending on this property and the City Attorney's office has advised that the ongoing litigation be resolved before any repairs are made to this structure. The City Attorney has made Mr. Kircher and his lawyer aware of this pending litigation in the following letters:

March 4, 2006 – to George E. Ward, Mr. Kircher's attorney

April 11, 2006 - to George E. Ward, Mr. Kircher's attorney

These letters both contain a detailed list of exterior repairs and request that Mr. Ward have his client, Mr. Kircher, submit a work permit request for the Historic District Commission and apply for a building permit listing those items.

At the May 2, 2006 meeting of the HDC, Mr. Kircher was also made aware of the May 2, 2006, letter from the Assistant City Attorney, addressed to Jonathan Ringel, Historic District Commission staff, which contained a history of the problems at the subject property, included the list of exterior repairs, stated that Mr. Kircher's attorney had been advised that an order should be entered with the court outlining the repairs to be done and the timelines for completion, and advised the Historic District Commission that since Mr. Kircher's current application does not contain all of the exterior repairs required, and since there is ongoing litigation affecting this property, the Commission should table this matter pending court approval.

At the May 2, 2006 meeting of the HDC, Mr. Kircher stated that he was unaware of the need for any exterior repairs. In addition, Mr. Kircher asserted that he has no intention of addressing or repairing those items because there is no proven fire damage, including; the roof, windows, doorframe and trim, non-conforming railings, soffits, and siding.

The application was tabled on May 2, 2006, on the advice of the Assistant City Attorney, "pending court approval of ongoing litigation and an application which addresses the extensive exterior repairs, as recommended by the City Attorney."

Motion: Overland (Second: Prebys) moved to deny the application for 107 E. Cross pending resolution of ongoing litigation and receipt of an application addressing the extensive exterior repairs detailed by the City Attorney in a letter dated April 11, 2006 and May 2, 2006. Those exterior repairs include, at a minimum: new or repaired roofing, doors, windows, siding, porch decking and framing, trim, fascias, friezes, painting, and chimney.

In addition, the application is also denied on procedural grounds, i.e. the requirement that the Commission must act within 60 days after an application is filed with the Commission.

Approval: Unanimous. Action carried.

### **309 W. Cross, Action Item**

Applicant: Paul Spencer, owner (not present)

Application: Rear Porch Repairs

Discussion: The applicant is proposing to repair the guard rails on a poorly constructed deck at the rear entry of this house. The commission is concerned that the porch does not meet the requirements of the Ypsilanti HDC Porch

Fact Sheet or building code requirements. Also, inappropriate materials are proposed for the newly proposed work.

Motion: Overland (Second: Prebys) moved to again table the application for 309 W. Cross pending additional information and the appearance of a representative for the property who will be performing the work.

Approval: Unanimous. Action carried.

## **NEW BUSINESS**

### **415 N. Huron, Action Item**

Applicant: Steve Hudock, owner (not present)

Application: Replacement Garage Doors and Roofing, New Fence

Discussion: The applicant is proposing to install two separate dog eared fences with gates to be painted with a solid color stain to match the house trim. One fence will be installed between the tack house and the garage, and the other between the tack house and the rear north door of the house. These fences are noted on mortgage survey provided by Kem-Tec and dated May 4, 2006. Shingles on the garage roof have deteriorated and will be replaced with asphalt, 45 year shingles in red to match the metal roofing on the house. The deteriorated half round gutters, currently existing on the garage, will be replaced in kind. The current garage doors will be repaired or replaced if necessary to replicate the existing garage doors in shape, style, and color. An air conditioning unit, already installed, will be screened with vegetation. The aprons leading to the garage doors will be coated with a layer of asphalt. Commissioner Prebys expresses concerns over the height and placement on the property of the 5' fence and gate running from the house to the tack house.

Motion: Prebys (Second: Penet) moved to approve the application for 415 N. Huron to include the construction of two fences with gates; one will connect the house to the tack house and the other will connect the tack house to the garage. Garage roof shingles shall be replaced with four tab asphalt shingles, in red to match the painted tin roof of the house. The existing garage aprons shall be paved with asphalt. The garage doors shall be repaired or replaced when necessary to replicate the existing and painted to match the trim of the house. Deteriorated half round gutters on the garage shall be replaced in kind with new half round gutters. The air conditioner unit location shown on the mortgage survey by Kem-Tec and dated May 4, 2006 is also approved. The following Secretary of the Interior Standards were used in making this decision: #5 – Preserve distinctive features, #6 – Repair, don't replace. Replacements should match original, #10 – New work shall be removable.

Approval: Unanimous. Action carried. Commissioner Rupert abstained.

### **203 S. Huron, Action Item**

Applicant: Mary Jo Gibbons, Director (present)

Application: Putting Green/Landscaping

Discussion: Applicant is proposed to install a 30' x 24' putting green with four holes/flags in the front yard of the Gilbert Residence.

Motion: Overland (Second: Rigdon) move to approve the application for 203 S. Huron to include the installation of a 30' x 24' putting green with four holes/flags as detailed on the site plan dated May 15, 2006 and provided with the application. The following Secretary of the Interior Standards were used in making this decision: #10 – New work shall be removable.

Approval: Unanimous. Action carried.

### **504 N. Huron, Action Item**

Applicant: John Mc Millan, owner (not present)

Application: Fencing/Landscaping

Discussion: The applicant is proposing to install a new fence around the swimming pool in the rear yard. The fence will be a black Echelon Plus: Monarch style constructed of aluminum. In addition, new landscaping and gardens are planned for the property.

Motion: Prebys (Second: Overland) moved to approve the application for 504 N. Huron to include the installation of a new fence by Echelon Plus: Monarch style and painted black. The proposal/plan provided by Allied Fence & Security Systems, Inc. (dated May 4, 2006) and provided with the application are referenced.

The following Secretary of the Interior Standards were used in making this decision: #10 – New work shall be removable

Approval: Unanimous. Action carried.

### **304 Forest, Action Item**

Applicant: Christopher Myers, owner (present)

Application: House Repainting

Discussion: The applicant is proposing to repaint his house using Benjamin Moore paint colors; Body - Sherwood Green HC-118, Trim - Hepplewhite Ivory HC-36, Accent - Georgian Brick HC-50. The applicant will use the darker Georgian Brick for the sash, muntins, and storm door. The commission expresses concern over damaged railings and the current porch which has not been painted to the specifications of a prior HDC approval. The applicant states that the contractor hired to repaint the house will repair the existing damage to the wood and treat the porch decking with oil based primer.

Motion: Rigdon (Second: Prebys) moved to approve the application for 304 Forest to include the exterior repainting of the home in the following Benjamin Moore colors; Body - Sherwood Green HC-118, Trim - Hepplewhite Ivory

HC-36, Accent - Georgian Brick HC-50. An oil-based primer and satin finish latex shall be used. The porch floors and exterior doors of the home shall be painted Georgian Brick red.

The following Secretary of the Interior Standards were used in making this decision:  
#10 – New work shall be removable

Approval: Unanimous. Action carried.

#### **410 N. Huron, Action Item**

Applicant: Jennifer Ogilvie, owner (not present)

Application: Wood Handrail Installation

Discussion: The applicant must construct a handrail on the front porch steps to maintain her home owners insurance. The applicant is proposing to have a single handrail constructed in the center of the stairs which will replicate the existing railing on the front porch. This would be constructed using square handmade spindles and capped with a pyramid top. The commission is concerned about the proposed location for a railing up the center of the stairs. Commissioner Prebys expresses concern over such a fancy railing in the center of the steps. Commissioner Rigdon suggests a simple metal handrail as being more appropriate.

Motion: Overland (Second: Prebys) moved to approve the application for 410 N. Huron to include the installation of two wooden handrails on each side of the porch. The handrails shall replicate the guard rail of the porch. The cap shall be a pyramid style.

The following Secretary of the Interior Standards were used in making this decision:  
#9 – Contemporary designs shall be compatible and shall not destroy significant original material, #10 – New work shall be removable.

Approval: Unanimous. Action carried. Commissioner Rupert abstained.

### **STUDY ITEMS**

#### **Depot Town Caboose, Study Item**

Applicant: David Davis, (not present)

Application: Repair/Replace Cupola, Windows, Doors, & Repaint Structure

Discussion: The applicant was not present to discuss this item and the proposal lacked sufficient information. The commission is most concerned that the new work would match the existing. Commissioner Prebys notes that the current windows on the caboose are not original.

#### **121 N. Washington, Study Item**

Applicant: Randall Mascharka, owner (present)

Application: Exterior Façade Repairs

Discussion: The applicant is proposing to replace aluminum window framing on the storefront with more aesthetically pleasing wood framing. The broken window glass will be replaced. The applicant also proposes to paint black the green baked enamel tiles at the base of the storefront. The commission expresses concern that this wooden treatment would be out of character with the period in which the building was constructed, during which the aluminum framing would have been a common material. Overall, the commission expresses that the aluminum framing should be restored. The applicant will provide an application for the next meeting which addresses the restoration of the aluminum framing and the repainting of the baseboard baked enamel.

## **ADMINISTRATIVE APPROVALS**

None

## **OTHER BUSINESS**

### **PROPERTY MONITORING**

**11 Oak** – Work has been performed at this address without appropriate permits. At a minimum, the property owners have installed an inappropriate door with other unapproved exterior changes noted. Staff has drafted a letter and will contact the applicant to express these concerns.

**115 Maple** - Unapproved repairs have taken place at this address including; inappropriate metal handrails, unframed lattice, and unpainted wooded steps. Staff has sent a letter to the property owner and is awaiting a response.

**218 Ferris** – The inappropriate front steps constructed without HDC approval or a building permit at this property have not been corrected. A certified letter mailed to the property owners was returned unclaimed to city staff. Staff will consult with the Building Official regarding potential enforcement.

**307 N. Hamilton** – Rebuilding of a demolished front porch has begun at this site. Charles Boulard has informed the property owner that HDC approval is required. The applicant is currently attempting to obtain signed/sealed plans and is to complete an application before performing any additional work. Staff has sent a letter to this address.

**416 N. Huron** – Commissioner Overland contacted Tillers, a nonprofit organization, which conducts barn restorations. Tillers expressed concern that restoring a carriage barn in an urban setting would not align with their core mission. The commission would welcome a carriage barn raising during the Ypsilanti Heritage Festival. This would provide an opportunity to showcase both the history of Ypsilanti and the Tillers organization. Staff will contact the city attorney and building official for a meeting to determine appropriate uses of the escrow account.

**314 E. Forest** – Reconstruction of the garage is continuing; Staff has taken some recent photos which note a missing garage door per HDC approval. The Building Department has sent a letter to the property owner explaining that the building permit for this address has expired.

**402 S. Huron** – Deutsch Bank National has not submitted an application detailing plans to stabilize the structure and prevent further deterioration. Interest in purchasing the property has been expressed by outside investors.

**305 S. Huron** – The skirting for the porch has been installed and framed. The property owner is now waiting for warmer weather to paint the wood.

**Lack of Staff** – The HDC is continuing to look at ways to operate with reduced staff support from the city. The commission will seek assistance of an intern from the Historic Preservation program at Eastern Michigan University. Commissioner Joe Schultz will begin to revise the HDC application to reduce the work level on staff and to increase the amount of information required of the applicant. The commission also discussed providing examples of appropriate permits and the extent of information expected from a complete application.

The commission would like the applicants to provide the following information:

- ? The name and contact information of the general contractor
- ? Detailed photographs of the proposed work area

The commission suggests using the web site to advance the mission of the Historic District. Improvements would include: detailed fact sheets, information on historic preservation nomenclature, and a Frequently Asked Questions (FAQ's) page.

**AUDIENCE PARTICIPATION ON NON-AGENDA ITEMS - None**

**HOUSEKEEPING BUSINESS**

**Approval of the minutes from the June 6, 2006 meeting.**

Motion: Overland (Second: Prebys) moved to approve the minutes of the June 6, 2006 meeting as amended.

Approval: Unanimous. Action carried.

**ADJOURNMENT**

Motion: Penet (Second: Prebys) moved to adjourn the meeting.

Approval: Unanimous. Action carried.

**MEETING ADJOURNED AT 8:40 PM**

Signature \_\_\_\_\_ Date \_\_\_\_\_