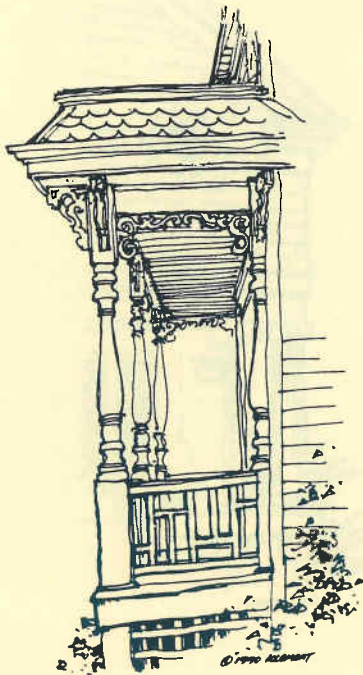


Old West Side

Historic District Study Committee
Final Report
October 23, 1990

**PROPOSED REVISION TO THE
OLD WEST SIDE HISTORIC DISTRICT ORDINANCE**
October 23, 1990



Background

Ann Arbor's Old West Side is a compact neighborhood of primarily 19th Century homes located south and west of downtown. It is bounded on the east by South Main Street and the Ann Arbor Railroad, on the north by West Huron Street and West Park, on the west by Crest, Liberty and Seventh Streets and on the south by West Madison, Fifth Street, Wurster Park and Koch Street.

Between 1848 and 1861, William S. Maynard, pioneer, Mayor, successful merchant and real estate developer subdivided and added to the village the area bounded roughly by Liberty, Seventh, Madison and Mosley and Ashley - what we think of today as the heart of the district. The lots are still fairly uniform in size - 66 feet wide by 132 feet deep - and the grid pattern of the blocks forms a pleasant counterpoint to the gently rising slope of the land to the southwest.

The area between Huron and Liberty is less uniform, both architecturally and topographically. Here one of the tributaries of Allen's Creek forms a valley separating the two main corridors. Though Seventh Street was platted by Samuel Jewett in 1871, it was not until the last decade of the 1800's before Washington Street was extended westward from First Street to meet Seventh. Later subdivisions with much smaller lots were added along Murray and Mulholland Streets in the teens.

Architecture

While there are a few large, "high style" buildings throughout the neighborhood, the majority of the buildings are modest, gable-fronted, clapboard-sided houses one-and-one-half to two stories tall, with wide front porches and generous side yards. Nearly every Nineteenth and early Twentieth Century architectural style can be found: small Classic Revival houses from the 1830's and '40's, Italianate "cubes", many examples of Queen Anne from the most fanciful to the very simple, Colonial Revival, Craftsman and Bungalow. The latter are most prevalent west of Seventh Street along Crest and Buena Vista. Modern intrusions, in the form of three story brick apartment blocks, are found primarily east of Third and north of Jefferson closer to downtown.

Bach School, with its older red brick Gothic Revival sections dating back to the mid-1920's, serves as the neighborhood's social focus. Nearby is a complex of brick industrial buildings which include the Michigan Furniture factory built in the 1860's, the Michigan Union Brewery built in 1903 and the Argus III building built around 1940, all now rehabilitated for modern office use. A few small neighborhood grocery stores provide local convenience for residents, the most popular of which is the Washtenaw Milk and Ice Cream in the southeastern corner of the district.

The neighborhood has always had a strong ethnic German heritage with German-speaking churches, schools and newspapers for its residents. The architecture of the neighborhood reflects the modest social aspirations of its citizens as well as their firm reliance on quality craftsmanship. Homeowners tended to be shopkeepers or workers in the various nearby industries such as the furniture factory, the brewery or the vinegar works located along the industrial belt of the Ann Arbor Railroad.

Development of the Historic District

In 1969, a commercial development was proposed that would have obliterated several blocks in the area where the railroad crosses South Main. For some time the neighborhood had been experiencing gradual decay as older residents died and more and more houses were converted or demolished for apartments. The threat of such a large development, however, was enough to galvanize a group of residents into forming a strong neighborhood association. Recognizing that the problem was much broader than the particular development threat, the Old West Side Association commissioned an "Environmental survey" with grant funds from the National Trust for Historic Preservation, local banks and the University of Michigan. The Landscape Architectural firm of Johnson, Johnson & Roy produced a handsome publication detailing the survey's recommendations:

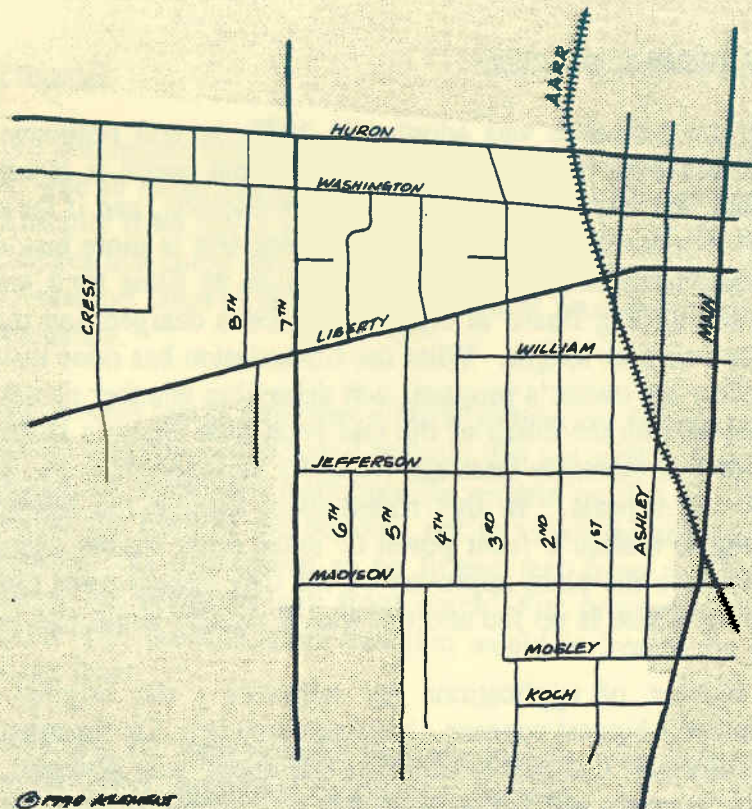
- that the neighborhood be listed on the National Register of Historic Places - that it also be designated as a local historic district in order to protect the remaining environmental character and encourage rehabilitation of all existing structures.



Local Designation

The district was listed on the National Register in 1972, the first neighborhood to be listed solely for its environmental character. The boundaries are larger than those shown below, including the southwest corner and extending south to Pauline Boulevard. While this provided considerable prestige and helped to build morale, it did not offer any protection.

In 1974 therefore, Council appointed a historic district study committee for the Old West Side. The committee was concerned that the usual requirement for Historic District Commission review of all building permits could inhibit the very kind of preservation activity by individual owners that the local designation was intended to encourage.



LOCAL HISTORIC DISTRICT BOUNDARIES

The ordinance proposed therefore set out specific regulations designed to maintain the environmental character of the historic setting:

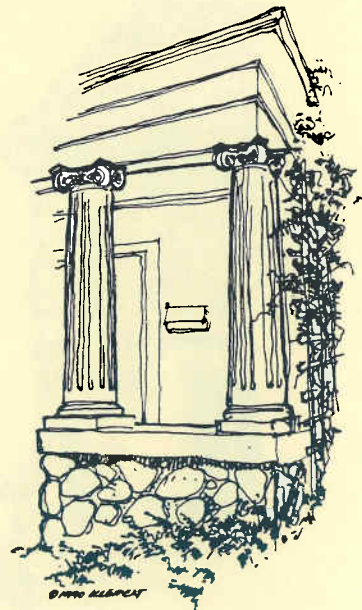
- additions at the front are restricted to maintain the rhythm of house and yard in the streetscape; garages must be set back and driveways kept narrow for the same reason,
- new siding over old clapboard must match the size of the old including all plain trim pieces and decorative details may not be covered or removed,
- front porches may not be changed or enclosed,
- new chain link fences are not allowed in the front yard,
- large trees are protected in front yards.

The Commission's only direct role under the original ordinance has been to approve or deny permits for demolition or moving. It was left to the Building Department staff, advised by the Commission, to determine whether or not a permit complies with the standards.

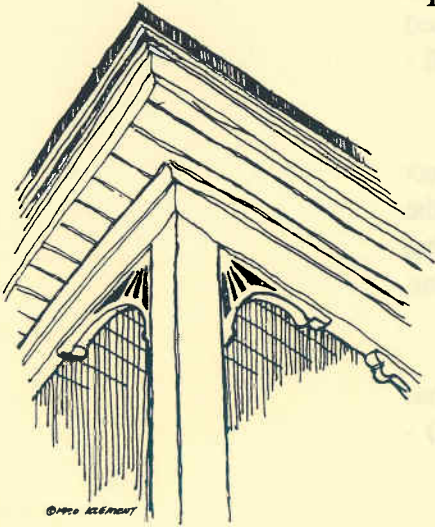
The Ordinance in Action

Since the ordinance was adopted in 1978, several problems have developed with its administration. If a front porch is clearly not original, but a modern and inappropriate addition, and if the owner wants to remove it and replace it with one that is more historically accurate, technically this may only be done by filing for a variance from the Zoning Board of Appeals. A fee is charged and the wait is four weeks or longer. What the Commission has done instead is to review the owner's proposal and determine whether or not it "is consistent with the intent of the Old West Side Historic District ordinance and therefore does not require a variance from the Zoning Board of Appeals." In this round-about fashion the homeowner wanting to restore a front porch or make other simple changes is able to have the plans approved by the City agency most qualified to do so. There is no fee and the wait is usually about two weeks.

The number of applications for additions - the original study committee's biggest concern - has been very low. On the other hand porch changes, changes to windows and doors, new skylights, solar panels, dormers and fire escapes are all continuing concerns over which the ordinance has almost no control. The Commission now has a history of regulating these types of changes in most other districts at least on front and side elevations.



In order to address these problems, the Historic District Commission and the board of the Old West Side Association jointly requested that Council appoint a new study committee to look at ways to improved the ordinance without changing its original intent. On February 23, 1989, Council appointed the following people:



From the Old West Side Association:

Jim Babcock	Laura Tyler
Steve Goethel	Mark Wishka
Carol Kamm	Yvonne Wulff
Barbara Murphy	Glenn Ziegler
Barbara Smith	

From the Historic District Commission:

Patricia Austin	Mary Jo Gord
David Copi	Richard Pasley
George Dodd	Norman Tyler
David Evans	

Proposal

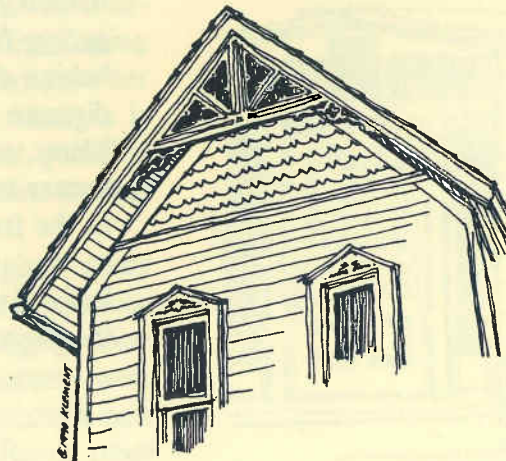
The committee followed the rationale that homeowners should still be able to make repairs and rehabilitate their houses with as little difficulty from the city bureaucracy as possible. At the same time, changes that could adversely affect the architectural character of the streetscape deserve more control than is provided by the present ordinance.

The process that is proposed is fairly simple: the Commission would review all proposed exterior changes that are visible from the street except for those that meet specific criteria or that are far enough behind the front of the building not to affect the streetscape. That distance was determined to be fifteen feet from the front of the house, not including any front porch. For properties that are on corner lots, the side street elevation would be treated the same way as the front.

Reflecting the most popular building activity areas in recent years, the proposed "permitted exceptions" include:

- new windows and doors of any kind behind the front fifteen feet, as well as ones that match those already on the house within the front fifteen feet, (A - Figure 1, page 7)

- new storm windows and doors (finished, not bare metal),
- new flat skylights, no more than eight inches high, located on side-sloping roof surfaces, similar to the roof material in color and covering not more than 10% of the roof surface on which they are located; bare metal finishes, bubble or domed skylights are permitted only on flat or rear-facing roofs, (B - Figure 1)
- additions that are not on a corner lot, do not project beyond the existing building and do not exceed 50% of the existing gross first floor area, (C - Figure 1 - note that addition shown is taller and thus requires Commission review)
- new dormers more than fifteen feet behind the front that meet the Commission's design guidelines for dormers, (D - Figure 1)
- porches and handicap access ramps on the rear (except for corner lots) as well as handrails for porch steps if they match the existing porch balustrade, (E - Figure 1)
- garages behind the rear wall of the building or the side building line on a corner lot, (F - Figure 1)
- fences that meet the city's fence regulations except for chain link fences which are prohibited within the front fifteen feet of the house as well as in all front open spaces and street side open spaces for corner lots, (G - Figure 1)
- new clapboard and trim the same size as the original, (Figure 2, page 8)
- removal of artificial siding,
- new fire escapes on the rear except on a corner lot.



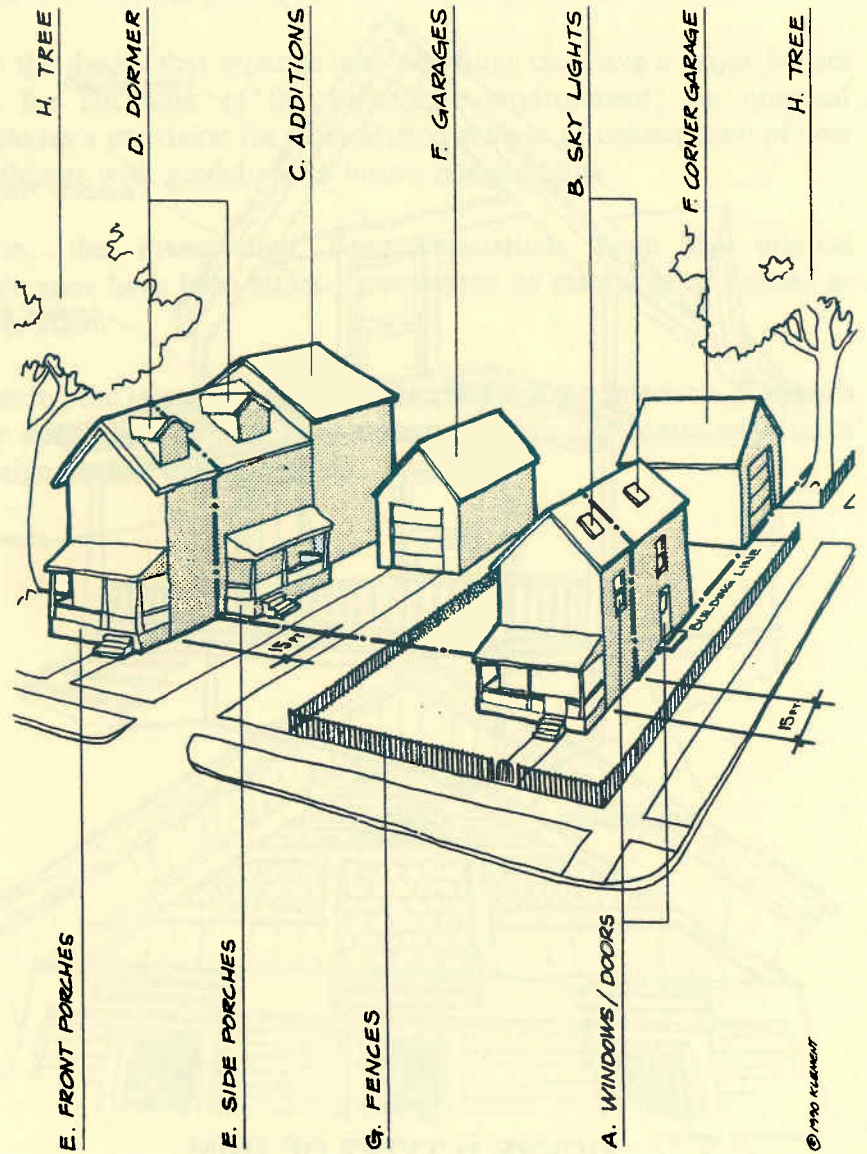


FIGURE 1: PERMITTED EXCEPTIONS

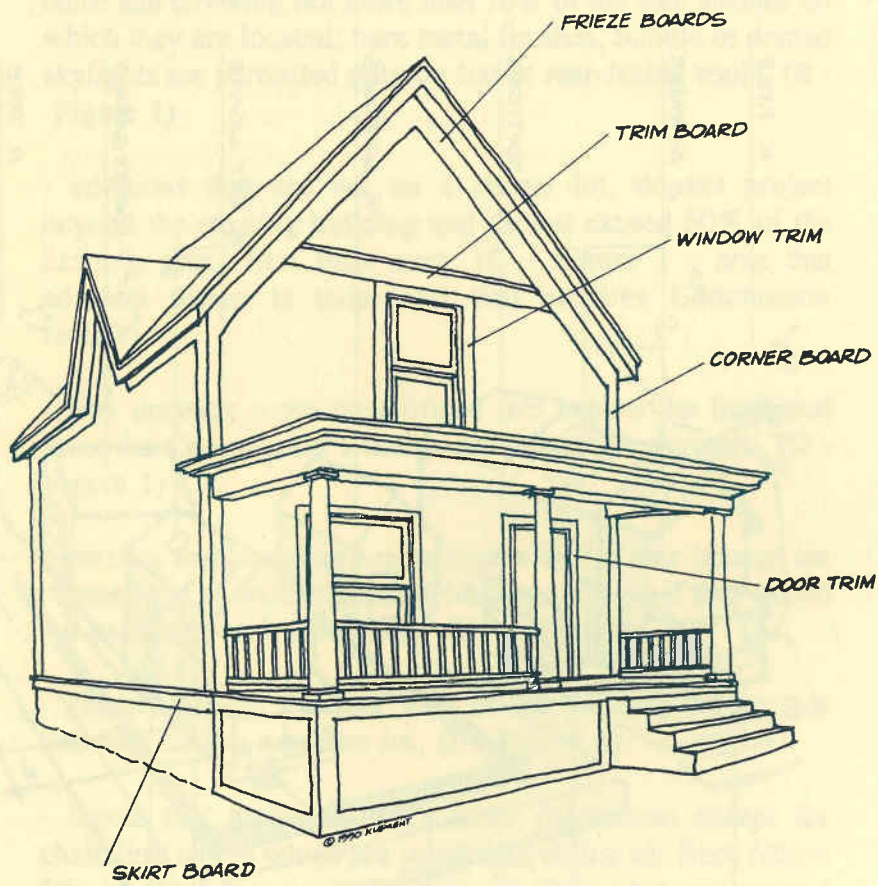


FIGURE 2: TYPES OF TRIM

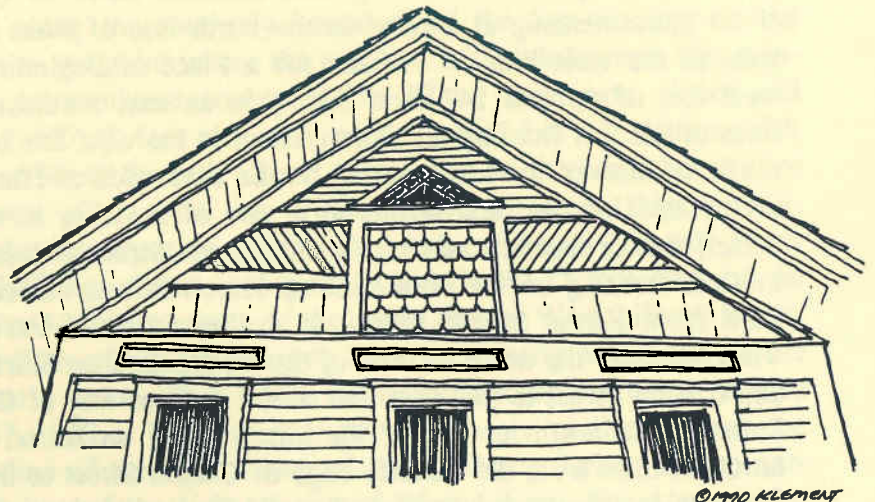
The previous regulation prohibiting the removal of large trees in the front open space has been retained intact. (H - Figure 1)

Any exterior changes visible from the street and not described above would require Historic District commission review and approval before a building permit could be issued.

On the theory that separate new buildings can have a major impact on the character of the immediate environment, the proposal includes a provision for Commission review of construction of new buildings with guidelines to insure compatibility.

Also, the Preservation Recommendations from the original ordinance have been either incorporated as standards or deleted as redundant.

Finally, the latest version of the Secretary of the Interior's Standards for Rehabilitation have been added to guide the Commission in its design review determinations.



As Amended 6/15/92

Title III. Old West Side Historic District

Adopted 4/6/78, amended 10/2/89 and 2/21/91

3:1. Purpose. The Old West Side Historic District is established for the reasons below. In order to further this purpose, the use of the Old West Side Association Design Advisory Service is encouraged.

- (a) Architecturally, the structures within the district are of eclectic revival styles, with related historic associations. They are positioned on their lots in a similar pattern so as collectively to express a particular environmental quality.
- (b) Conservation and preservation of particular characteristics will protect and enhance the historic environmental quality of the neighborhood.
- (c) The community as a whole will benefit from the increased stability and improved quality of the housing stock, the property values and the overall appearance of this neighborhood, as well as from the protection of a major cultural resource.

3:2. Property Included in District. The Old West Side Historic District shall include all of the land and buildings within the following-described area of the City of Ann Arbor:

Commencing at a point in the north line of West Huron Street which is 307.12 feet west of the west line of Arbana for a Place of Beginning; thence northerly parallel to the west line of Arbana 142 feet; thence in an east northeasterly direction along the north lot lines of the lots fronting on Huron Street to the west line of Arbana and across Arbana to the north lot lines of the lots fronting on the north side of Huron Street and along the north lines of the said lots and across the north end of the alley to the westerly line of North Seventh Street; thence easterly across North Seventh Street and easterly along the north lot lines of the lots fronting on the north side of Huron Street, but excluding the public access to West Park from Huron Street; thence to the west line of Park View Place; thence across Park View Place to the north lot line of the lot fronting on Huron Street between Park View Place and Chapin Street to the west line of the right-of-way of Chapin Street; thence across Chapin Street to the north lot line of the lots fronting on Huron Street and easterly along the said north lot lines from the easterly edge of Chapin Street to the easterly line of Lot 1 of Siple's Subdivision; thence south along the said lot line to the north line of the right-of-way of West Huron Street; thence southeasterly to the intersection of the south line of the right-of-way of West Huron Street with the west line of the right-of-way of the Ann Arbor Railroad; thence southerly along the west line of the right-of-way of the Ann Arbor Railroad to the centerline of South First Street; thence southerly in the centerline of South First Street to a point which is 327 feet south of the south line of West William Street; thence easterly along the south line of the Fingerle Lumber Company land to the westerly line of the Ann Arbor Railroad right-of-way; thence southerly along the westerly line of the right-of-way of the Ann Arbor Railroad to a point where the said westerly right-of-way line intersects the rear lot line of the lots fronting on the easterly side of South Ashley Street; thence south in the rear lot lines of

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Adopted 4/6/78, amended 10/2/89 and 2/21/91

the lots fronting on South Ashley Street to a point which is 66 feet north of the north line of West Madison Street; thence easterly 37.26 feet; thence southerly 66 feet to the north line of West Madison Street; thence southwesterly across West Madison Street to a point on the south line of West Madison Street which said point is 113 feet west of the west line of South Main Street; thence south 132 feet; thence west to the east line of the right-of-way of South Ashley Street; thence southwesterly in a straight line to a point which is 166.32 feet west of the west line of South Main Street and which is in the south line of the right-of-way of West Mosley Street; thence south 74 feet; thence east to the west line of South Main Street; thence southerly in the west line of South Main Street to a point which is 40 feet south of the south line of Koch Avenue measured along the said west line of South Main Street; thence westerly 120 feet parallel to the south line of Koch Avenue; thence northerly 40 feet parallel to the westerly line of South Main Street to the south line of Koch Avenue; thence westerly in the south line of Koch Avenue to the northeast corner of Lot 36 of Koch's Subdivision; thence south along the east line of Lot 36 of Koch's Subdivision to the south line of Koch's Subdivision; thence westerly along the south line of Koch's Subdivision and continuing westerly across South First Street and along the south line of G. P. Whaley's Subdivision and across Third Street and along the south line of Assessor's Plat No. 2 to the centerline of Fifth Street; thence northerly in the centerline of Fifth Street to a point which is 149 feet south of the south line of the right-of-way of West Madison Street; thence westerly from the centerline of Fifth Street continuing along the southerly boundary of the lots fronting on the south side of West Madison Street to the point where the east line of South Seventh Street intersects; thence northwesterly to the southeast corner of Lot 12 of Thompson, Spoor and Thompson's Addition; thence west 307.48 feet along the south line of Lot 12; thence north 165 feet parallel to the west line of South Seventh Street; thence east in the north line of Lot 11 to a point which is 132 feet west of the west line of South Seventh Street; thence northerly along the rear lot lines of the lots fronting on the west side of South Seventh Street across Lutz Avenue and across Jefferson Court to a point which is 90.75 feet west of the west line of South Seventh Street and 158 feet south of the south line of West Liberty Street; thence westerly along the rear lot lines of the lots fronting on West Liberty Street and across Eighth Street and continuing westerly across Eber White Boulevard and across Crest Avenue to the southwest corner of Lot 37 of Eber White First Addition; thence northerly along the west line of Lot 37 to the south line of the right-of-way of West Liberty Street; thence northwesterly to a point in the north line of the right-of-way of West Liberty Street and 138.5 feet west southwest from the west line of Crest Avenue; thence north 280 feet to the south line of Bemidji Drive; thence continuing north along the west lot lines of the lots fronting on the west side of Crest Avenue and across Bemidji Drive and across West Washington Street to a point in the south line of the right-of-way of West Huron Street, which is 48.18 feet west of the west line of Crest Avenue; thence northeasterly to the Place of Beginning.

3:3. Alteration of Property. No person shall alter, move or demolish any building or portion of a building in the Old West Side Historic District in a manner that affects its

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Adopted 4/6/78, amended 10/2/89 and 2/21/91

exterior appearance visible from a public street without first obtaining permission from the Historic District Commission and the Building Department except as permitted in Section 3:4 below. Nothing in this title shall be construed to prevent ordinary maintenance or repair of any building.

3:4. Permitted Alterations. The following alterations shall only require permission from the Building Department and not from the Historic District Commission:

- (a). new windows and doors of any kind behind the front fifteen feet of the building (excluding any front porch) and not on the side street elevation on a corner lot; new windows and doors that are within the front fifteen feet of the building (excluding any front porch) or on the side street elevation on a corner lot and that match the existing in size, type, location, material and muntin pattern; bare metal finishes are not permitted in any location; "low-E", reflective or tinted glazing shall require the permission of the Historic District Commission in any location.
- (b). new storm windows and storm doors; bare metal finishes are prohibited;
- (c). new skylights on side-sloping roof surfaces provided the skylights are flat, do not extend more than eight inches above the roof surface, are similar to the color of the roof material and cover not more than 10% of the roof surface on which they are located; bare metal finishes, bubble or domed skylights are permitted only on flat or rear-facing roofs;
- (d). new wood clapboard siding or artificial siding that replicates clapboard applied over existing rough sheathing, clapboard or artificial siding provided the exposed vertical dimension of the new "clapboard" is no more than five inches or within one inch of the original; new exterior plywood siding is not permitted; flat trim around windows and doors, on corner boards, skirt boards and fascia boards may be covered with flat material of the same dimension; no new material may cover nor require the removal of any original architectural detail such as ornamental shingles, carved brackets, window hoods and the like nor may such original architectural detail be removed except for repair or replacement with new material that is visually identical to the original;
- (e). removal of artificial siding to repair and restore original siding;
- (f). additions that are not on a corner lot, that are no higher than the existing building, that do not project beyond the existing side walls and that do not

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increase the existing first floor gross area (not including any open porches) by more than 50%;

- (g). new dormers that are more than fifteen feet behind the front of the building (not including any front porch) and that match any existing original dormers in proportion, size, roof pitch and detailing, provided that the highest point of any new dormer is lower than the ridge of the roof on which it is located;
- (h). porches and handicap access ramps that are not on either street elevation of a building on a corner lot and that do not project beyond the existing side walls of the building (excluding any open porches); new handrails that match the existing balustrade may be added to porch steps in any location; any enclosure, including screening, is prohibited as are any openwork metal columns; open wood front and side porches shall be preserved and maintained, any replaced or repaired portions of such porches that are visible or above grade, including, but not limited to, columns, railings, balusters, decks, steps, foundations and facia, shall match the original members in scale, material and design;
- (i). fire escapes that are not on either street elevation of a building on a corner lot and that do not project beyond the existing side walls of the building (excluding any open porches); new fire escapes are not permitted on the front of any building;
- (j). garages that are behind the rear wall of the building or behind the side street building line on a corner lot.
- (k). Fences of any kind except that chain link or metal security type fences may not be installed in the front open space, within fifteen feet behind the front of the house or within the side open space on the street side of corner lots.

3:5. New Construction. No person shall construct a new building in the Old West Side District without first obtaining permission from the Building Department. All buildings other than accessory structures shall also require the prior approval of the Historic District Commission. In its evaluation of new construction, the Commission shall use the following guidelines in addition to those in Section 3:7:

- a. the new building shall use materials which are similar in texture and scale and pattern to those prevalent in the Old West Side Historic District;
- b. front facades should be set back from the front lot line a distance similar to the average front setback of buildings within 300 feet;

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- c. side walls should be set back from the side lot lines a distance similar to the average side setbacks within 300 feet to maintain the rhythm of the streetscape;
- d. height should be similar to the average height of buildings within 300 feet and roof pitch should reflect that of neighboring buildings;
- e. the new building should harmonize with its neighbors; while it should look new, it can include some design elements such as gables, window proportion, and front porch which will relate it to its neighbors.

3:6. Trees. In addition to compliance with applicable tree regulations from Chapter 40, Title III of the City Code, the following regulations shall apply to all trees larger than 10 inches in D.B.H. (the diameter of the trunk 54 inches above grade) located within the front open space of any lot within the historic district or the front or side open space abutting a street for corner lots within the historic district. Before removing such a tree, the owner of the property on which the tree stands must obtain a permit from the City Administrator or his designee. Such permit shall be granted only if:

- (a) The Administrator determines that the tree is diseased or dangerous; or
- (b) The owner agrees, in writing, to replace the tree with another tree to be located within the same front open space. The size and species of an acceptable replacement tree shall be determined by the Administrator in accordance with the tree evaluation chart as established by the Michigan Forestry and Park Association.

3:7. Review Standards. Any alteration in the Old West Side Historic District that is not specifically exempted or prohibited in Section 3:3 shall comply with the provisions of Section 8:409. (1). In addition to the standards in Section 8:409.(4), the Commission shall consider the Secretary of the Interior's Standards and Guidelines for Rehabilitation as follows:

- (1) A property shall be used for its historic purpose or be placed in a new use that requires minimal change to the defining characteristics of the building and its site and environment.
- (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.

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- (3) Each property shall be recognized as a physical record of its time, place and use. Changes that create a false sense of historical development, such as adding conjectural features or architectural elements from other buildings, shall not be undertaken.
- (4) Most properties change over time; those changes that have acquired significance in their own right shall be retained and preserved.
- (5) Distinctive features, finishes and construction techniques or examples of craftsmanship that characterize a historic property shall be preserved.
- (6) Deteriorated historic features shall be repaired rather than replaced. Where the severity of deterioration requires the replacement of a distinctive feature, the new feature shall match the old in design, color, texture and other visual qualities and, where possible, materials. Replacement of missing features shall be substantiated by documentary, physical or pictorial evidence.
- (7) Chemical or physical treatments, such as sandblasting, that cause damage to historic materials shall not be used. The surface cleaning of structures, if appropriate, shall be undertaken using the gentlest means possible.
- (8) Significant archeological resources affected by a project shall be protected and preserved. If such resources must be disturbed, mitigation measures shall be undertaken.
- (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.