

HISTORIC DISTRICT BOARD OF REVIEW

## Minutes

October 24, 2022

The Madison City Historic District Board of Review held a regular meeting on Monday, October 24, 2022 at 5:30 p.m. at 101 W. Main Street. Josh Wilber presided over the meeting with the following members present: Thomas Stark, Sandy Palmer, Carol Ann Rogers, and Mike Pittman. Also present was Nicole Schell – Director of Planning, Devon Sharpe – HDBR Attorney, and Brooke Peach – Historic Preservationist.

J. Wilber gave an overview of what to expect for those who have never been to a Historic District Board of Review meeting. Once the application is announced the applicant or representative will come up to the microphone to answer any questions. B. Peach will present the particulars on the project. The board will then go through a list of items to see if they meet the guidelines. J. Wilber added that at the end of each application the board will vote.

9/24/2022 Minutes:

J. Wilber asked if everyone had a chance to read the minutes for the meeting for September 24, 2022 and had any corrections or additions.

T. Stark moved to approve the minutes. Seconded by O. McCall.

**Roll Call:**

M. Pittman            Approved  
 J. Wilber              Approved  
 T. Stark                Approved  
 C. Rogers             Approved  
 O. McCall             Approved

**Minutes stand approved.****Applications:**

1. Jaroq – C. of A. to replace wood siding on front of home with LP smart siding; replace wood siding along sides of home with 3” vinyl siding; replace front window with 4/4 aluminum clad window of same size.

Location: **223 W. First St.**

Zoned: **Historic District Residential (HDR)**

Application noted as incomplete and rescheduled for the November meeting.

2. Tami Hagemier – C. of A. to install shipping containers on the northeast and west corners of the property with a greater than 10’ setback from property lines.

Location: **701 W. First St.**

Zoned: **M-2 (Heavy Manufacturing)**

B. Peach showed photos provided by the applicant and explained the changes proposed by the applicant. Tami Hagemier was present.

T. Hagemier stated they originally wanted a building on the site but that due to zoning regulations, their application was denied by the Board of Zoning Appeals. She stated the next best option for moving inventory from the Hanover location to the Madison location was the shipping containers that had been installed at 701 W. First St. She also stated she was planning on installing more landscaping to help screen the view. M. Pittman asked if there was a landscaping plan in place. T. Hagemier stated nothing formal was in place but that she would like flowering trees and to work with the City’s arborist and others with Purdue University. T. Stark asked if the trees would be planted along the periphery of the property. T. Hagemier stated

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she would like to zero scape the gravel areas and plant trees alongside the periphery.

J. Wilber asked if by the phrase moving inventory meant moving the actual shipping containers in and out of the property. T. Hagemier stated the containers would be moved occasionally but that what she meant was pallets of inventory would be brought in by truck and stored in the shipping containers. She also added she thought the containers would be preferable to semi-truck trailers sitting on the lot and that she would like to add murals or something to the containers to make them more attractive. M. Pittman asked how many trucks would be coming in and out and T. Hagemier replied 4-5 perhaps but there was not a fixed number. J. Wilber asked if the applicant was using semi-trucks for transport and T. Hagemier stated the trucks bring the containers in but forklifts move the containers around.

S. Rogers asked if it was T. Hagemier's intent to add the shipping containers when they excavated the site. T. Hagemier stated two of the containers were already on the site when they did the excavations. T. Hagemier also stated the hole was always there but not readily visible due to the heavy treescape and that they originally wanted a building.

M. Pittman asked T. Hagemier noted the November 2021 COA to build a retaining wall and the change in plans to install riprap. T. Hagemier stated because of the 2-2 vote for the COA, she understood the HDDBR would rather not have the retaining wall, but recognized she had to do something to stabilize the area, so she had the riprap installed similarly to other installations around town. M. Pittman asked T. Hagemier if she was aware the property was in the flood zone and T. Hagemier replied she was but that she did not think that was a concern of the HDDBR. She stated she met with L. Ralston, the Building Inspector and Flood Plain Manager, and was told she did not need Department of Natural Resources permitting. M. Pittman stated local ordinances required special permitting to build or develop any property within the flood area and that this property was located in the fringe. He further stated the structures were approximately 4-5' under the base flood elevation and that the height of the containers would impact the visibility and compatibility of the structures under HDDBR guidelines. M. Pittman noted correspondence from the DNR that stated a local permit was required and noted the danger the containers could pose if the containers were pushed around by flood waters. T. Hagemier noted they had raised the elevation of the lot and M. Pittman asked for an elevation certificate because the elevation affects visibility of the structures. T. Hagemier stated she had an email from L. Ralston stating she was fine to proceed.

J. Wilber asked for public comment and recognized Ken McWilliams. T. Hagemier asked for the right to reply to any comments given and noted her attorney, Tony Castor, was also present.

K. McWilliams stated he was a member of the HDDBR when T. Hagemier's 2021 application for the retaining wall was heard. K. McWilliams stated he would recommend a change in procedures for the HDDBR that when an applicant ignores a motion [for a COA] they cannot bring another before the HDDBR until the first is addressed. He also stated the confusion regarding M. Pittman's raised issue about the flood permits needs to be addressed prior to any HDDBR vote and urged the HDDBR to either table or reject the application.

J. Wilber recognized Charlie Ricketts. C. Ricketts stated he also was curious why a person did not have to complete an approved COA. C. Ricketts read part of 151.01 of the Historic District ordinance and stated T. Hagemier's property is located among many notable structures including the Visitor's Center, Lanier Mansion, and History Center but that mostly it is located in a residential area. C. Ricketts also read a part of HD ordinance 151.05 concerning zoning regulations and the Zoning ordinance 623.83 regarding land use and setbacks. C. Ricketts stated he did not believe the HDDBR could issue a COA if the Zoning ordinance is clearly more restrictive and does not allow for any structures on the property. C. Ricketts urged the HDDBR to deny the application because it was not appropriate to the historic district as defined by HDDBR ordinance 151.34. C. Ricketts also cited 151.48 of the Building Code regarding the enforcement power of the Building Inspector to issue and mandate a stop work order. He recounted violations and a stop work orders sent to the applicant earlier in 2022.

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J. Wilber recognized Dean Miller. D. Miller stated his disappointment with the fact the applicant did not share plans for the property prior to the work being done. He further stated he did not believe a manufacturing operation was suitable for the downtown historic district. D. Miller also noted that T. Hagemier had encroached upon the alley.

J. Wilber recognized Helen Birch. H. Birch expressed her displeasure with the excavation and removal of the trees and landscaping at the applicant's property. She also stated with the applicant's facility being located close by in Hanover, she did not think there was a need for inventory storage when the two buildings were so closely located. H. Birch also stated she did not think the HDDBR should consider the application because work was done despite stop work orders, disregard for a prior COA, and without approval. She also expressed frustration for those who do follow the historic district guidelines and urged the HDDBR to deny the application.

J. Wilber recognized Sue Langdon. S. Langdon stated she owned the Dermabar and that she has had numerous customers who have complained about the aesthetics of the applicant's property.

J. Wilber recognized T. Hagemier. She noted she decided not to build the retaining wall and had received a letter from the City Attorney Joe Jenner regarding the proposed wall, but that instead she had landscaped the property. T. Hagemier insisted she did not violate any HDDBR orders and that she was not required to come back to the HDDBR for a COA for landscaping. She also acknowledged the HDDBR's and community's concerns with visibility but stated anything such as fencing or landscaping to screen the view would take time. T. Hagemier asked the HDDBR to table the application in order to give her time to show the email from L. Ralston. She also stated she did try to work with the immediate neighbors and has documentation of that.

J. Wilber asked for any comments from the HDDBR prior to asking for a motion. M. Pittman stated he wanted the applicant to demonstrate a good faith effort to refrain from adding any more containers or even removing the containers. T. Hagemier stated she cannot remove but would agree not to add any more containers to the lot. T. Hagemier asked who T. Castor should contact regarding the documents and D. Sharpe stated T. Castor should contact him.

J. Wilber asked for a motion. O. McCall made the following motion, "I move the Madison Historic District Board of Review table the application of Tami Hagemier until the November meeting."

Seconded by T. Stark.

**Roll Call:**

T. Stark	Approved
M. Pittman	Approved
J. Wilber	Approved
O. McCall	Approved
C. Rogers	Deny

***The motion to table the application was approved. The application will be placed on the November agenda.***

3. Ryan Rogers – C. of A. to construct a roof section to cover existing porch and add concrete pad and replace wood window with  $\frac{3}{4}$  lite door.

Location: **403 W. Second St.**

Zoned: **Historic District Residential (HDR)**

B. Peach showed photos provided by the applicant and explained the changes proposed by the applicant. B. Peached noted the applicant had modified the application to extend the roof an addition 6'. Ryan Rogers and Debra Squires were present.

R. Rogers added that D. Squires wanted the roof that will be replacing an existing awning to cover the entire existing patio area. J. Wilber asked the size of the existing awning and D. Squires replied 10'x12'. T. Stark asked if the applicant was essentially connecting two existing home ells and asked why the roof was being extended if the patio would not be extended. D. Squires stated she wanted to extend the roofline to the stone steps to help prevent icing of the steps in winter. J. Wilber asked if the roof would have wooden posts. R. Rogers stated it would have custom fabricated metal posts.

J. Wilber asked if the roof material would be shingle and R. Rogers stated D. Squires was considering asphalt shingle or metal. T. Stark stated the roof appeared to be a low slope and R. Rogers stated it would be a 3/12 pitch. D. Squires stated she has not settled on a roofing material. J. Wilber noted the application listed a shingle roof, so unless D. Squires wanted standing seam, any changes in material would merit a new application. D. Squires stated she would do either one.

T. Stark noted the HDBR guidelines typically do not recommend alteration of a window into a door and asked if she would consider leaving the window as is. D. Squires stated if she were able to make that window into a door, the entire patio space would become usable. R. Rogers added it would allow better access and a better flow. J. Wilber asked if the roof were removed if damage would be permanent to the home. R. Rogers stated it would not.

J. Wilber asked for public comment and noted none.

**Certificate of Appropriateness Findings of Fact Worksheet**

<b>Building Element</b>	<b>Residential Guideline Page #</b>	<b>Commercial Guideline Page #</b>	<b>Discussion</b>
Doors & Entrances	39-42		<i>T. Stark</i> – The additions guidelines state additions should be located on the rear of the building and cause as little damage as possible, and it should be as minimally visible as possible. However, you're on a corner and have limited space, so although it will be visible, it is smaller and secondary to the primary structure, so it is in conformance. The conversion of the window into a door does not really meet our guidelines, but the project overall is in conformance.
Windows	60-63		<i>M. Pittman</i> – I agree for the same reasons. <i>C. Rogers</i> – I agree. <i>J. Wilber</i> – I agree for the same reasons. This Board has approved windows to be turned into doors in the past, but it's not something we typically like to do because it really does change the characteristics of the home. And if it does change it from being a historical part of the home, then it is a big deal to us because then you may have lost a historic home in Madison because of drastic changes. However, I don't think that is the case here because it'll be located on the rear and not readily visible.
New Construction - Additions	68		<i>O. McCall</i> – I agree for the same reasons.

J. Wilber asked for a motion. T. Stark made the following motion, "Based on the preceding findings of fact, I move the Madison Historic District Board of Review grant a COA to Ryan Rogers at 403 W. Second St. for the new construction of a porch roof and concrete pad as well as the modification of a lower level window on the East elevation to a doorway on the rear of the home."

Seconded by O. McCall.

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**Roll Call:**

T. Stark                      Approved  
M. Pittman                  Approved  
J. Wilber                    Approved  
O. McCall                  Approved  
C. Rogers                  Approved

***The motion to approve the Certificate of Appropriateness was approved. A Certificate will be issued for the entire project.***

**Old/New Business:**

N. Schell stated the new HDBR design guidelines had been approved by the City Council and that she and the consultant were working through minor changes that were made and submitting the final document to the DNR for approval. She further stated the document should go to the printer soon and that approximately 200 copies would be printed. The updated guidelines should be ready for use by January.

N. Schell also stated the survey update and minor ordinance change was to have its third reading at City Council at the next meeting.

**Staff Report:**

October 2022 Fast-Track Applications

Applicant	Address	COA
<b>River Valley Resources / Margo Olson</b>	100 E. Second St.	Install 60"x96" aluminum sign flat on the front of building
<b>Jae Wood</b>	108 E. Main St.	Install 31'x35' flat metal sign on front of building above main entrance; install 26.5" vinyl sign on front window
<b>Ron Bladen</b>	110 W. Main St.	Replace existing deteriorated wood windows with aluminum clad wood windows (2 <sup>nd</sup> story)
<b>Chad &amp; Sarah Renfro</b>	118 Ferry St.	Replace existing straight wood staircase with new wood staircase with landing

October 2021 COA Review



Applicant	Address	COA	Completion Status
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<b>Dale Wells</b>	1037 W. Main St.	Build an attic addition to house 1 room, ½ bath, 4 wood doors (1 front, 3 rear), using wood, asphalt shingles, wood/aluminum clad windows, 8 exterior lights, Hardie board siding.	In-progress
<b>Gary Litter</b>	412 East St.	Demolish non-historic shed at alley and build 34’x40’ garage with cement floor, tin siding, 10’ overhead door, exterior security lighting, 4 vinyl 2’x3’ windows on each 40’ side; building height 10’.	Yes
<b>Kristi Nichols/ Patrick Lynch</b>	820 Fillmore St.	Extend existing room by 3’ on north/east corner of home using same materials as existing; tear off existing deck & replace with larger deck 22’x25’ with gable roof using same materials as current deck.	In-progress
<b>Chris &amp; Gina Lynn</b>	241-16 W. Second St.	Demolish two rear chimneys	Yes
<b>Melissa &amp; Todd Miller</b>	718 W. Third St.	Demo current structure & rebuild to the exact footprint; add on to existing floor plan either at the rear of home or as a camelback.	In-progress

C. Rogers made a motion to adjourn the meeting – seconded by T. Stark.  
 Meeting adjourned at 7:56 p.m.

**BY ORDER OF THE MADISON CITY HISTORIC DISTRICT BOARD OF REVIEW**

  
 Josh Wilber, Chair  
  
 Brooke Peach  
 Historic Preservationist