

HISTORIC DISTRICT BOARD OF REVIEW

Minutes

September 27, 2021

The Madison City Historic District Board of Review held a regular meeting on Monday, September 27, 2021 at 5:30 p.m. at 101 W. Main Street. Josh Wilber presided over the meeting with the following members present: Jerry Wade, Thomas Stark, Mike Pittman, Jerome Vernon, Ken McWilliams, and Owen McCall. Also present was 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.

8/23/2021 Minutes:

J. Wilber asked if everyone had a chance to read the minutes for the meeting for August 23, 2021 and had any corrections or additions.

K. McWilliams moved to approve the minutes – seconded by T. Stark.

Roll Call:

J. Vernon Approved

O. McCall Approved

T. Stark Approved

J. Wilber Approved

M. Pittman Approved

J. Wade Approved

K. McWilliams Approved

Minutes stand approved.

Applications:

- 1. Jeff & Kim Kennard** – C. of A. to: build a 2 car garage at the top of the driveway facing west.

Location: **523 E. Third St.** Zoned: Historic District Residential (HDR)

B. Peach showed photos provided by the applicant and explained the changes proposed by the applicant. Jeff & Kim Kennard were present.

K. Kennard stated where the driveway would be built would be excavated to allow for it to be level with the driveway. J. Wilber asked if the pitch of the roof would match that of the home. K. Kennard stated it would be similar but would not have the flat portions or clay tiles as the home.

O. McCall asked if the excavation would cut into the toe of the hill. J. Kennard stated it was to remove the dead trees and level the ground to allow for the garage. O. McCall clarified the garage would not be on the alley but at the end of the driveway and both K. and J. Kennard agreed.

Page 2
 Historic District Board of Review
 August 23, 2021

J. Vernon asked what type of siding and garage doors would be used. J. Kennard stated LP siding and K. Kennard stated the garage door would be a carriage style metal door. J. Kennard stated the standard doors would match the garage doors. O. McCall noted the differences between the rough and smooth LP siding types and requested the applicants use the smooth. J. Kennard stated they would use the smooth.

J. Wilber asked for public comments and noted there were none.

Certificate of Appropriateness Findings of Fact Worksheet

Building Element	Residential Guideline Page #	Commercial Guideline Page #	Discussion
New Construction – Infill Buildings	69-71		<p><i>O. McCall</i> – The New Construction Infill Buildings in Residential guidelines details the proper construction of compatible new buildings in terms of height, materials, setback, scale, proportions, roof form, and placement. This project is compatible with each of the guidelines.</p> <p><i>J. Vernon</i> – I agree for the same reasons.</p> <p><i>J. Wilber</i> – I agree for same reasons.</p> <p><i>J. Wade</i> – I agree for same reasons.</p> <p><i>T. Stark</i> – I agree for same reasons.</p> <p><i>M. Pittman</i> – I agree for same reasons.</p> <p><i>K. McWilliams</i> – I agree for same reasons.</p>

J. Wilber asked for a motion. T. Stark made the following motion, “Based on the preceding findings of facts, I move the Madison Historic District Board of Review grant a COA to Jeff and Kim Kennard for the construction of a new 30’x30’ two-car garage with metal overhead doors, metal standard door, LP siding, and asphalt shingle roof located at 523 E. Third St.”

Seconded by M. Pittman

Roll Call:

- J. Wilber Approved
- O. McCall Approved
- T. Stark Approved
- J. Vernon Approved
- M. Pittman Approved
- J. Wade Approved
- K. McWilliams Approved

The motion to approve the Certificate of Appropriateness did not pass. A denied Certificate will be issued for the entire project.

- 2. **Marcus Gray** – C. of A. to: remove front of house (22’x46’) and build a new structure attached to the existing rear of the home using Hardie board, wood/aluminum clad windows, asphalt shingle roof, and wood framing.
 Location: **124 East St.** Zoned: Historic District Residential (HDR)

B. Peach showed photos provided by the applicant and explained the changes proposed by the applicant. Marcus Gray was present.

Page 3
Historic District Board of Review
September 27, 2021

J. Wilber applauded M. Gray for taking on some of Madison’s most deteriorated homes, including this project, and making them viable and beautiful for many more decades. J. Wilber noted the two homes abutted each other and asked M. Gray what his plans were to correct the issue. M. Gray stated by taking off the front half of the home and using the existing camelback addition as the basis for the new construction, he could separate the homes by about 50”. T. Stark asked if there would be new guttering and perhaps something like a French drain to correct the water issues between the homes. M. Gray stated there would be all new gutters, foundations, water and sewer mains, etc.

J. Vernon asked about the front porch. M. Gray stated he’s moving the entry to the front of the home and would not have a porch on the new portion of the home due to limited lot size and the need to separate the two houses. T. Stark asked B. Peach if the porch was historic, and B. Peach responded it was. J. Wilber asked if there would be any sort of covering over the front door and M. Gray stated he would have something small like an awning to cover the door, but it would not be a porch.

T. Stark asked what material and configuration the windows would have. M. Gray stated the windows would be either aluminum clad or wood and they would be double hung 1/1.

J. Wilber asked for public comments. Randy Lakeman, neighbor at 126 East St., spoke in favor of M. Gray’s proposed project. Lakeman stated by separating the homes, both homes would be preserved for the future because it would remove one of the largest threats to both homes – damage due to improper drainage. J. Wilber asked if R. Lakeman supports the demolition and R. Lakeman stated he did because of the water damage and wicking; separation of the two homes would solve the issue.

Certificate of Appropriateness Findings of Fact Worksheet

Building Element	Residential Guideline Page #	Commercial Guideline Page #	Discussion
New Construction – Additions	68		<p><i>T. Stark</i> – Although the guidelines states we should avoid the loss of historic materials, we know the damage caused by the moisture intrusion is affecting both homes, so demolition is appropriate to save Mr. Lakeman’s home. This building does contribute to the historic district, but with all the problems, demolition is unavoidable. Extensive rot and termite damage has made it impossible to stabilize. The demolition meets all the guidelines and is appropriate. For the new construction, you are trying to reconstruct what is there with some modifications, so it is appropriate. The design, materials, and heights of your proposed new construction meets all the guidelines and solves problems for both your property and Mr. Lakeman’s.</p> <p><i>J. Vernon</i> – I agree for the same reasons.</p> <p><i>M. Pittman</i> – I agree for the same reasons.</p> <p><i>J. Wade</i> – I agree for the same reasons.</p> <p><i>O. McCall</i> – I disagree. The demolition violates almost every one of the guidelines, but we’re in a tough situation because the way it sits, it’s causing damage to the neighboring house to the north. Even though this project is against the guidelines, it is compelling enough, we must make an exception to the guidelines. The problem, however, is this is clearly a demolition by neglect, which the guidelines do not allow. I object to the fact the new owners should not be held liable for the previous owner’s neglect because it puts us in the position that we’d have to ignore the demolition by neglect standard. But, again, in this instance, I don’t see anyway around demolition. We’re</p>
Demolition	80		

Page 4
 Historic District Board of Review
 August 23, 2021

		violating the guidelines by allowing the demolition, but we must in this situation, so I agree with T. Stark. <i>J. Wilber</i> – I agree for the same reasons. I do agree with what O. McCall stated, but I appreciate the fact you’re keeping some of the historic fabric. <i>K. McWilliams</i> – I agree for the same reasons.
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J. Wilber asked for a motion. J. Wade made the following motion, “based on the preceding findings of fact for the property at 124 East St., I move the Madison Historic District Board of Review grant a COA for the removal of the 22’x46’ portion of the home and building a new structure attached to the rear of the home using materials that conform to the guidelines.”

Seconded by K. McWilliams.

Roll Call:

- J. Vernon Approved
- O. McCall Approved
- J. Wade Approved
- T. Stark Approved
- J. Wilber Approved
- M. Pittman Approved
- K. McWilliams Approved

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

J. Wilber asked M. Gray if he would take pictures prior to demolition of both the inside and outside to forward to B. Peach and to donate to the historical society. M. Gray stated he would.

- 3. Melissa & Todd Miller – C. of A. to: demo current structure and rebuild to the exact footprint; add on to existing floor plan at the rear of home or as a camelback.
 Location: **718 W. Third St.** Zoned: Historic District Residential (HDR)

B. Peach showed photos provided by the applicant and explained the changes proposed by the applicant. Todd Miller was present.

The concern is safety. Each of the contractors we spoke to recommend demolition due to the widespread termite damage and rot.

J. Vernon stated the lot the home sits on has a slight downward grade from the front to the back. The drawing of the camelback addition does not show any downward slope, so will there be infill to level the new home? T. Miller stated the grade is only 2-3’, so a regular foundation can accommodate the slope and that his contractor Duane Houser could explain.

T. Stark asked how far the camelback addition would extend to the rear lot. D. Houser stated he wasn’t sure because it depended upon the clearance allowance the utility company determined was appropriate from the power pole located in the rear lot and variance from the BZA. The main problem with the original structure is the termite damage – they ate through the rafters and down the walls. D. Houser stated he had to install extra braces for stability because when he tried to lean a ladder against a ceiling joist, the whole joist moved.

Page 5
Historic District Board of Review
September 27, 2021

T. Stark asked if there was an inspection report from the Building Inspector. D. Houser stated S. Gross did inspect the home and stated there was major structural issues. B. Peach stated S. Gross verbally stated the home would qualify for an unsafe structure designation.

J. Wilber asked about the setbacks. D. Houser stated there was 3' on one side, 8' -10' on the other side, but that they were waiting for the survey to be completed. The building is 15' wide by about 45'. J. Wilber stated they may need to get setbacks approved prior to any HDBR approvals. O. McCall stated new construction would require an approved variance. B. Peach stated applicants may come to HDBR first prior to going to BZA in order to streamline meetings for the applicants and make the process easier for them. M. Pittman and J. Wilber explained if the applicants repaired the existing home, the setbacks were grandfathered in.

T. Stark stated after a site visit with B. Peach, his opinion was much of the historic fabric could be saved. J. Wilber asked why T. Stark thought it could be saved. T. Stark stated although he could not go all the way in, what he saw was a lot of good wood. T. Miller stated he would allow the Board to go in the house. J. Wilber stated he wanted a Building Inspector's report and Board visit because demolition should be a last resort. J. Wilber asked T. Miller to choose a design and present only that design at the October meeting. If the Building Inspector does not declare the structure unsafe, we will schedule a tour with two Board members at a time, so we will have more information.

J. Wilber asked for public comments. Mark Viterna, owner of 716 W. Third St., stated he was against the demolition. I welcome the Miller's investment and don't want to stop their project. M. Viterna stated he also was concerned about the setbacks and urged T. Miller to think about a PACE grant. M. Viterna stated he knows it often makes more sense to demolish a structure, but if you look at our pictures, our house was in similar condition, and we were able to save it. M. Viterna passed a copy of his property survey that shows some property lines; he stated he was concerned about the setbacks because he was just approved to build a garage at a zero-lot line.

Matt Tindle, also a neighbor, stated he was concerned about the possibility of removing some trees in the rear yard and the building in close proximity to the power pole. J. Wilber stated the Board would rather see any historic structure saved if possible and that in October, after the Building Inspector has a chance to weigh in and the Miller's go before BZA, the HDBR will have more information to move forward with a decision on the design.

J. Wilber asked for a motion. M. Pittman made the following motion, "I move the Madison Historic District Board of Review, with the agreement of Todd Miller, extend the application for 718 W. Third St. to the October 25, 2021 meeting, giving the Building Inspector a chance to investigate the structure."

Seconded by J. Vernon.

Roll Call:

J. Vernon	Approved
O. McCall	Approved
T. Stark	Approved
M. Pittman	Approved
J. Wilber	Approved
K. McWilliams	Approved
J. Wade	Approved

The motion to approve the extension passed. The project application will be reviewed at the October 25, 2021 HDBR meeting.

Page 6
Historic District Board of Review
September 27, 2021

Old/New Business:

J. Wilber stated the HDDBR discussed reinstating the certified letter requirement at the last several meetings and could take a vote at this meeting. M. Pittman stated from his experience using certified mail, it does not ensure more notification to the public because the City does a great job posting the application notices online, in the newspaper, and posting in City Hall. T. Stark asked if this requirement would affect any HDDBR budget. B. Peach stated the applicants were responsible for paying for the certified mail at \$10/per letter. J. Wilber stated he believes citizens are well informed because of the amount of public input the HDDBR and City staff receive regarding applications. K. McWilliams asked B. Peach is she ever received a complaint about someone not knowing about an application. B. Peach stated she'd received only one and that she explained to the citizen the application notices were published in the newspaper, posted online on the City website, posted on the City notice bulletin board, and given to media outlets such as Channel 15 and WIKI radio station.

M. Pittman asked B. Peach how many signs the applicants receive. B. Peach stated one sign. M. Pittman stated the applicants used to receive one sign per public thoroughfare and asked how much the signs were. B. Peach stated they were \$2/each. M. Pittman stated applicants should receive one per view of the public thoroughfare. B. Peach stated if the Board reviewed the August minutes, it is noted O. McCall stated the same thing as M. Pittman. J. Wilber stated he agreed with the posting of multiple signs.

J. Wilber asked for public comment and noted there was none. He stated the HDDBR would like to direct the City office to give out one sign per public view in any thoroughfare.

M. Pittman asked about the posting of COAs for the duration of a project and stated building permits must be displayed. A building permit cannot be obtained without a COA, so posting a COA would not be necessary. T. Stark asked if in the COA letter, B. Peach requested applicants post the COAs. B. Peach stated the COAs were just for personal records. J. Wilber asked for public comment and noted there was none.

J. Wilber asked B. Peach to discuss Preservation Awards. B. Peach read the categories she, J. Wilber, and T. Stark had decided upon. M. Pittman asked if they were going to be annual awards and J. Wilber stated it would be. B. Peach noted due to Covid, there were no awards given in 2020, so this year only, the HDDBR would consider both 2020 and 2021 applications for awards. J. Vernon stated he thought the preservation awards to recognized achievements would go a long way to improve the public view of the HDDBR and bring awareness. J. Wilber asked for all nominations to be received by B. Peach by mid-October. B. Peach stated once she receives all nominations, she will set up a Survey Monkey to allow Board members to vote on awards. J. Wilber asked B. Peach to ask the Mayor to be at the November meeting to help hand out awards.

B. Peach noted the COA reminder cards K. McWilliams asked for the HDDBR to discuss. J. Vernon asked if these would be distributed to all citizens in the historic district and K. McWilliams stated it would or that it would be distributed at all real estate closings. T. Stark asked how new residents would be tracked and K. McWilliams stated by having residents sign these cards at closings, it would cover all new residents who buy property in the historic district. J. Wilber stated many people are confused by what the process is in the historic district and he likes the thought of having something at closings to provide a friendly reminder to the HDDBR processes. B. Peach stated if the HDDBR chose to mail out reminders to all residents or even printing something to provide at all closings, the Planning Office budget for 2022 had already been approved by City Council, so it would not be able to be added to a budget until 2023. B. Peach stated non-profits would be the perfect partner to distribute these and would be more eligible for a grant to do something like this and that Cornerstone already had a fabulous property owners' guide. J. Wilber asked B. Peach to contact all the closing companies in Madison to ask if they would be receptive to the idea.

M. Pittman asked if the group who is updating the historic district survey could do something to educate the public about these requirements. B. Peach stated she would ask about that possibility.

Page 7
Historic District Board of Review
September 27, 2021

J. Wilber asked B. Peach about the materials review committee. B. Peach stated she gave each HDBR member a list of approved materials and that she is requesting samples of new products. J. Wilber stated after the August meeting, he and another Board member thought a materials or architectural review committee to meet quarterly to discuss new materials would greatly help the HDBR to recommend new products because of how fast new products are being developed. It also shows the public the HDBR is keeping up with the times and not stuck in the past. Several other Board members stated their support. O. McCall asked if the NPS provides guidance and B. Peach stated they do have a bulletin but that it was not product specific. B. Peach stated several other staff members from other cities and states expressed interest in watching what this committee is doing. J. Wilber stated he loved the idea of streamlining the meeting because it would put Madison in a favorable spotlight.

J. Wilber made a motion to create a materials review committee with two HDBR members, some community members, and some contractors to meet in November. K. McWilliams and T. Stark volunteered to be on the committee.

Motion passed with a unanimous voice vote.

Staff Report:

September 2021 Fast-Track Applications

Applicant	Address	COA
LTBM Properties LLC	828 W. Second St.	Replace wood siding w/ Hardie board (approx. 350 sq. ft.), replace windows with aluminum clad, replace exterior doors with ones of appropriate design (**front door not done to COA – working with applicant to correct this)
Central Holdings LLC	307 Jefferson St.	Replace windows with aluminum clad
Susan L. Smith	830 East St.	Replace asphalt shingle roof with metal roof
Kim Kennard	523 E. Third St.	Install aluminum fence (60” H x 229’ L) including 2 gates of same material on East side of home & rear yard
Keith Denton	410-10 ½ West St.	Replace second floor windows with aluminum clad windows to match first floor

September 2020 COA Review

Applicant	Address	COA	Completed to COA
Michelle & Rich Fletcher	314 Poplar St. (200+ Hentz Ln.)	Vinyl fence & portable shed	Yes
Jennifer Wester	716 E. Main St.	Demo accessory building	
Robert & Kyeleen Center	938 W. Second St.	Add 10’x17’x7” front porch w/ 3 support columns	Yes
William Tandy	1017 Park Ave.	Build a 20’x24’ 1½ story single family home	In Progress (w/ modified approved design)

Page 8
 Historic District Board of Review
 August 23, 2021

Dale & Pam Nichols	308 Vernon St.	Build a single-family home	In Progress
Friends of the Ohio Theatre	105 E. Main St.	Brick in exhaust vents on North wall of building & install mail slot in ticket booth wall	Yes
PenniLane Properties LLC (Lynn & Michele Pennington)	227 W. Main St.	Demolish southern addition	Yes

K. McWilliams made a motion to adjourn the meeting – seconded by T. Stark.

Meeting adjourned at 7:25 p.m.

BY ORDER OF THE MADISON CITY HISTORIC DISTRICT BOARD OF REVIEW



Josh Wilber, Chair

Brooke Peach
 Historic Preservationist