

CITY OF MUSKEGON
HISTORIC DISTRICT COMMISSION
MINUTES

March 2, 2021

Chairperson S. Radtke called the meeting to order at 4:04 p.m. and roll was taken.

MEMBERS PRESENT: S. Radtke, Muskegon, Michigan; T. Emory, Muskegon, Michigan; A. Riegler, Muskegon, Michigan; D. Gregersen, Muskegon, Michigan

MEMBERS ABSENT: K. George; K. Panozzo

STAFF PRESENT: J. Pesch; L. Mikesell; K. Spittler, SAFEbuilt - Muskegon

OTHERS PRESENT: C. Ware, 471 W. Western Ave.; T. Puffer, 600 W. Clay Ave.; N. Schippers, 600 W. Clay Ave.; D. Kamps, 1129 Peck St.

APPROVAL OF MINUTES

A motion to approve the regular meeting minutes of February 2, 2021 was made by D. Gregersen, supported by T. Emory and approved with S. Radtke, T. Emory, A. Riegler, and D. Gregersen voting aye.

NEW BUSINESS

Case 2021-04 – 471 W. Western Avenue (Door). Applicant: Lakeshore Museum Center. District: Clay-Western. Current Function: Commercial. J. Pesch presented the staff report. The applicant is seeking approval to replace the existing, wood door with a new door of a similar appearance. The existing door has been removed due to significant rotting wood, and to evaluate its condition.

C. Ware explained that the existing door was rotted out and unable to be repaired, so a similar metal door was proposed for replacement; he noted that the proposed new door would resemble the one installed on the neighboring building (477 W. Western) which would be side-by-side with the door being replaced. A. Riegler asked if the window on the proposed new door would be the same size as the existing door. J. Pesch noted that the window on the neighboring door looked shorter than the one being replaced. C. Ware stated that the replacement door would match exactly the dimensions of the existing wood door, not necessarily the one replaced on the neighboring building. D. Gregersen asked if it was known whether the replacement door matched the neighboring door. C. Ware stated that he did not know the dimensions of the door on the neighboring building.

A. Riegler stated that she was concerned that the two doors would not match but would be next to one another, and that the neighboring door may have replaced a door of a different size. J. Pesch noted that the staff report showed a photo of the neighboring door prior to its replacement (the door was green at the time). The board agreed that the glass on the neighboring door looked smaller than what it replaced and therefore would not match the Museum's proposed

replacement door. S. Radtke stated that because the doors were right next to each other and because they matched originally, he thought that the new doors should continue to match one another, and noted that the issue was with the neighbor's replacement door rather than the one being proposed by the Museum. C. Ware noted that the replacement door had not been ordered and one matching the neighbor's door could be ordered instead. A. Riegler noted that the Standards called for a replacement door that would match the dimensions of the door being replaced. D. Gregersen stated that he thought the new door should match the neighboring door, and the board agreed.

D. Gregersen asked if it was known whether the neighboring door that was replaced was approved by the HDC. J. Pesch noted that the new sign on that building was the only item on that property's HDC application and that the door appeared to have been replaced sometime between November 2018, when work was getting underway for the restaurant, and the present.

S. Radtke noted that the other door on the neighboring building, which was set back, matched the other three doors on the front of the building; this made the neighboring replacement door the only one on the front elevation of both building's that did not match. He proposed that the HDC allow the Museum to install the door they originally proposed which would match the dimensions and glazing size of the door it would replace, and that Staff look into whether the neighbors received the correct approvals to replace their door.

J. Pesch noted that doors were one of the most common items to be replaced without proper HDC review and approval because they were not addressed in the building code. He noted that windows used to be the same way, but that they now had to meet the energy code and required a building permit to be replaced. He said that he didn't think that a building permit was needed for replacing a door, and that may have been how the neighboring door was replaced with one containing a different size window. T. Emory noted that she thought a building permit was required for replacing a door. S. Radtke asked if the work on the neighboring building could be brought before the HDC if it was completed without HDC approval and without a building permit. J. Pesch stated that he believed it could, but that he would look further into the issue before taking any enforcement action.

S. Radtke proposed that the HDC issue a conditional approval for the Museum's replacement door pending what can be done to ensure that the neighboring door matches. A. Riegler noted that doing so would hold up the Museum in completing their project. D. Gregersen stated that it is more important that the new door match the glass size of the door it is replacing even if it does not match the neighboring door.

A motion that the HDC approve the request to replace the existing wood door with a new steel door matching the dimensions of the original in height, width and glazing size as long as the work meets all zoning requirements and the necessary permits are obtained, was made by A. Riegler, supported by T. Emory and unanimously approved, with S. Radtke, T. Emory, A. Riegler, and D. Gregersen voting aye.

It was requested that Staff follow up on the status of the work that was completed at the neighboring building and report any findings to the HDC at the next meeting.

Case 2021-05 – 600 W. Clay Avenue (Rehabilitation). Applicant: Terry Puffer/Nick Schippers – NSTP, LLC. District: Boilerworks. Current Function: Commercial/Vacant. J. Pesch presented the staff report. The applicant is seeking approval to 1) lower the rear entry door to ground level to allow head room to access the garden level, 2) remove and replace all existing 1960s-vintage aluminum windows with new black vinyl windows replicating the original window style as closely as possible (all windows will fit the original rough openings, pending pricing; if the replacement windows cannot fit the original openings, they will match the existing windows' dimensions; all windows will contain clear glass), 3) replace all existing doors (also likely from the 1960s) with either new doors to match the windows or refurbished salvaged doors, and 4) add three egress windows for the new garden level bedrooms that will align with the locations of the existing windows into the garden level along the walkway on the north elevation and on the west (8th Street) elevation. Additional drawings will be provided prior to the meeting.

S. Radtke asked that it be clarified which is the north elevation of the building. J. Pesch explained that the north elevation was the one facing the small walkway running between this building and the Art Works apartment building.

S. Radtke asked if work on the 8th Street (west) elevation would only involve replacing the windows to match the original windows. T. Puffer confirmed that was correct and that the building's aluminum windows dated from the 1960s or 70s and did not match the original window style. He explained that they were proposing to replace them with black vinyl windows in an attempt to match the look of the original windows and fill the full window openings. D. Gregersen asked if replacement with full-size windows to fill the openings was a sure thing, since the request noted an alternative where the existing window sizes would be retained if windows were not available in the preferred dimensions. T. Puffer stated that all the windows would be custom windows, but the window company only allowed certain customization; if the windows could not fit the full opening, trim would be added to the window to fill in where wood currently existed. Even with the trim, the replacement windows would be much closer in size to the original window opening and would only need a few inches of trim rather than the 1'-6" of wood currently filling the openings. The board agreed that installing full height windows would be preferable.

The board moved on to discuss the rear (east) elevation and the request to lower the rear entry door to ground level. T. Puffer said that the door needed to be lowered to grade to provide the clearance needed to access the garden level unit. S. Radtke asked if the stone lintel above the door would also be lowered, or if a transom window would be added once the door is lowered. T. Puffer stated that a glass transom window would be added above the door. S. Radtke asked if this would match the original configuration of the rear entry door. J. Pesch noted that there were no historic photos showing the rear of the building, but based on the split layout of the upper and garden levels, it was likely that the door had always been similar to how it currently appeared. T. Puffer noted that lowering the door to grade would cause the door to be slightly taller than it was now, but that it would attempt to reference the front entry door's original appearance (as depicted in the staff report historic photos). S. Radtke asked if the windows would also attempt to match the original windows with a divided light on top and single light on the bottom. T. Puffer confirmed that this was the plan.

A motion that the HDC approve the request to lower rear entrance to ground level; remove and replace all existing aluminum windows with new black vinyl windows replicating the original window style as closely as possible, fitting the original rough openings, and containing clear glass; replace all existing doors with new doors to match the windows in color; and add three egress windows for the new garden level bedrooms that will align with the locations of the existing windows into the garden level along the walkway on the north elevation and on the west elevation as long as the work meets all zoning requirements and the necessary permits are obtained, was made by A. Riegler, supported by T. Emory and unanimously approved, with S. Radtke, T. Emory, A. Riegler, and D. Gregersen voting aye.

Case 2021-06 – 372 W. Muskegon Avenue (Garage Conversion to ADU). Applicant: Jonathan and Morgan Witmer. District: Houston. Current Function: Garage/Storage. J. Pesch presented the staff report. The applicant is seeking approval to add a new fiberglass entry door and construct a 12'x8' composite deck as part of a larger project to convert loft space in an existing, detached garage into a studio apartment – also known as an Accessory Dwelling Unit (ADU), or Carriage House Apartment.

S. Radtke asked if the garage was new construction or was moved to this location along with the house. J. Witmer stated that the house was moved in 2007 and the garage was new construction and was finished around 2010 by the house's previous owner. A. Riegler asked if the deck would be sited closer to the street than the existing garage entry door and how high the deck would be built. J. Witmer said that the deck would be built toward the street and that it would be about 30" above grade, but that the drawing did not depict the downward sloping elevation moving from the existing garage entry door toward the street. He noted that he planned to build the deck no more than 30" above grade to avoid having to construct a railing around it.

S. Radtke asked whether the new entry door to the proposed upper-level apartment would match the existing garage entry door. J. Witmer stated that the two doors and associated trim would match exactly and that he already had a replica left by the house's previous owner. S. Radtke asked what would be done with the area under the deck where it was raised above grade. J. Witmer said that he was looking for direction from the HDC. The board discussed the stone foundation used on the main house on the lot, and determined that there was no skirting already used on the house that could be referenced on the new deck. It was decided that a detail similar to what is shown in the HDC's local standards would be appropriate for the new deck, and the vertical board drawing was the preferable option.

A motion that the HDC approve the request to add a new fiberglass entry door to match the existing door and construct a 12'x8' composite deck with skirting to match the vertical board drawing in the City of Muskegon Local Historic District Standards to the existing detached garage as long as the work meets all zoning requirements and the necessary permits are obtained, was made by T. Emory, supported by D. Gregersen and unanimously approved, with S. Radtke, T. Emory, A. Riegler, and D. Gregersen voting aye.

Case 2021-07 (Walk-on) – 1129 Peck Street (Accessible Ramp). Applicant: Step Up (Dick Kamps). District: McLaughlin. Current Function: Residential. J. Pesch presented the walk-on

case. The applicant is seeking approval to install a new accessible ramp on the north side of the house. J. Pesch shared plan and elevation drawings for the proposed ramp, and photos of the north side of the house looking east toward Peck Street from the alley and west toward the alley from Peck Street.

D. Kamps noted that the ramp would lead from the alley, up toward Peck Street, to an existing side porch and stated that the ramp would be hardly visible from the street. S. Radtke asked if the existing door was of an ADA-compliant size. D. Kamps stated that the door was ADA-compliant at 36"-wide. S. Radtke asked what type of skirting was proposed for below the ramp. After further review of the drawings and photos, the board agreed that the side of the ramp that would typically require skirting was barely visible from the street. A. Riegler stated that if the ramp was on a primary elevation, the board would be more concerned with the ramp matching the house or having certain details. She noted that she was less concerned about these points due to the fact that the ramp would not alter the house, could easily be removed, and was largely hidden from view. D. Gregersen added that adding more details to the ramp would only draw more attention to it. S. Radtke pointed out that the drawing showed a plain handrail on the ramp with it open underneath.

A motion that the HDC approve the request to construct a new accessible ramp along the north side of the existing house at 1129 Peck Street as shown in the drawings reviewed at the March 2, 2021 HDC meeting (Attachment A, below) as long as the work meets all zoning requirements and the necessary permits are obtained, was made by A. Riegler, supported by T. Emory and unanimously approved, with S. Radtke, T. Emory, A. Riegler, and D. Gregersen voting aye.

OLD BUSINESS

Work Completed Without HDC Approval – Staff Liaison to the HDC J. Pesch, Director of Development Services L. Mikesell, Director of Public Safety J. Lewis (department overseeing SAFEbuilt), and K. Spittler from SAFEbuilt, the building inspections department, met to discuss the ongoing problems with work being issued building permits prior to HDC review and/or approval. J. Pesch explained that the meeting generated a few new means of catching this work before it was approved or shortly thereafter. New strategies planned involved training more people to potentially catch building permits submitted that require HDC review, namely the building inspectors. In addition to SAFEbuilt's front desk staff, the inspectors would be trained to recognize historic district properties via a number of means including property "flags" in the building permit system, historic district address lists, and historic district property maps. In addition to that, Staff and SAFEbuilt plan to institute an email alert system that notifies Staff when a building permit is applied for at any property in a historic district. A Stop Work Order will also be applied to every address in a historic district to require whoever processes a building permit application to stop and evaluate the reason behind the Stop Work Order.

ELECTION OF CHAIR AND VICE CHAIR

At the February meeting, the HDC tabled a motion to retain S. Radtke as Chairperson and A. Riegler as Vice Chairperson for the upcoming year due to A. Riegler's absence at the meeting and resulting inability to accept or reject the nomination.

S. Radtke had already accepted the nomination for Chairperson at the last meeting, and A. Riegler, now in attendance, accepted the nomination for Vice Chairperson. A vote was taken and unanimously approved, with S. Radtke, T. Emory, A. Riegler, and D. Gregersen voting aye.

OTHER BUSINESS

2020 Staff Approval Review – J. Pesch provided an overview of the work that was approved by Staff over the past year (Attachment B). The board discussed replacement of original windows on structures within the HDC.

S. Radtke said that he would prefer that wood windows replacing original wood windows that are original to the structure should come before HDC. J. Pesch noted that the two cases approved by staff in 2020 either did not involve replacement of original windows or ended up coming before the board for review.

A. Riegler noted that Staff would have to use some discretion when it comes to making these decisions and that if there was any question that work would meet the Standards that it should be brought before the board. S. Radtke explained that, for example, if a house with 140-year-old original wood windows was requesting to remove and replace them with new wood windows constructed of wood that was inferior to the original, he would prefer that such a case be brought to the HDC for formal review. He said that unless replacement of original windows was an exact replacement, he would be more comfortable with having the work reviewed by the HDC.

J. Pesch explained a pending application which requested replacing original wood windows with new wood windows that were either vinyl- or aluminum-wrapped. He stated that similar requests were received for varying quantities of windows on different structures in the historic districts, and asked if there was a threshold for the extent of the proposed work or quantity of windows being replaced that the board would wish to have brought to them rather than approved by Staff.

A. Riegler stated that those decisions would depend on the historic significance of the structure in question. S. Radtke responded that such a decision would put a considerable amount of pressure on Staff to have to determine the historic or architectural significance of a structure. It was decided that the HDC would ask to review any proposed work of this nature that involved replacement of more than two windows or involved any windows on a primary elevation visible from the street or involved more than two windows on a secondary elevation.

The board also asked for an update on an outstanding violation for work completed without HDC approval at 1561 Peck Street and Staff provided an update on the ongoing issues with contacting the Court system to set up a hearing.

Public Comment Period – Time was allotted for public comment with contact information provided. No comments were received.

There being no further business, the meeting was adjourned at 5:19 p.m.

JP