

4/19/22

NOTICE OF DENIAL

Kestutis A. Miskinis
391-393 W. Grand Blvd., 3821-3823 Shady Lane
Detroit, MI 48216

RE: Application Number 22-7737; 391-393 W. Grand Blvd., 3821-3823 Shady Lane; Hubbard Farms Historic District

Dear Applicant,

At the Regular Meeting that was held on April 13, 2022, the Detroit Historic District Commission (“DHDC”) reviewed the above-referenced application. Pursuant to Section 5(1) and 9(1) of the Michigan Local Historic District Act, as amended, being MCL 399.205 (1), MCL 399.209 (9) and Sections 21-2-78 and 21-2-80 of the 2019 Detroit City Code; the DHDC hereby issues a Denial for the following work, effective on April 19, 2022, as it will be inappropriate according to the Secretary of Interior’s Standards for Rehabilitation and the district’s Elements of Design:

The replacement of wood windows with vinyl windows and basement wood windows with glass block

The reasons for the denial are a failure to meet the following specific Standards or Elements:

- 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.***
- 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 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.***

The application may be resubmitted for the Historic District Commission's review when suggested changes have been made that address the cited reasons for denial, if applicable.

Please be advised that, in accordance with MCL 399. 211 and Section 21-2-81 of the 2019 Detroit City Code, an applicant aggrieved by a decision of the DHDC may file an appeal with the State Historic Preservation Review Board. Within sixty (60) days of your receipt of this notice, an appeal may be filed with:

Jon Stuckey, Michigan Department of Attorney General
2nd Floor, G. Mennen Williams Building
525 West Ottawa Street
P.O. Box 30754
Lansing, MI 48909

Phone: 517-335-0665
E-mail: stuckeyj@michigan.gov

If you have any questions regarding the foregoing, please contact staff at 313-224-1762 or hdc@detroitmi.gov.
For the Commission:



Daniel Rieden
Detroit Historic District Commission

DHDC 22-7737

APPROVAL DOCUMENT – POST AT WORK LOCATION

CITY OF DETROIT
HISTORIC DISTRICT COMMISSION

2 WOODWARD, SUITE 808
DETROIT, MICHIGAN 48226

4/19/22

CERTIFICATE OF APPROPRIATENESS

Kestutis A. Miskinis
391-393 W. Grand Blvd., 3821-3823 Shady Lane
Detroit, MI 48216

RE: Application Number 22-7737; 391-393 W. Grand Blvd., 3821-3823 Shady Lane; Hubbard Farms Historic District

Dear Applicant,

At the Regular Meeting that was held on April 13, 2022, the Detroit Historic District Commission (“DHDC”) reviewed the above-referenced application. Pursuant to Section 5(1) of the Michigan Local Historic District Act, as amended, being MCL 399.205 (1) and Sections 21-2-73/21-2-78 of the 2019 Detroit City Code; the DHDC hereby issues a Certificate of Appropriateness (“COA”) for the following work, effective on April 19, 2022, as it meets the Secretary of Interior’s Standards for Rehabilitation and the district’s Elements of Design:

- ***Mural application on alley brick wall (3821-3823 Shady Lane)***

Please retain this COA for your files and post it at the subject property until work is complete. It is important to note that approval by the DHDC does not waive the applicant's responsibility to comply with any other applicable ordinances or statutes. If you have any questions regarding the foregoing, please contact staff at 313-224-1762 or hdc@detroitmi.gov.

For the Commission:



Daniel Rieden
Detroit Historic District Commission

THIS IS A 3-PAGE FORM - ALL INFORMATION IS REQUIRED FOR PROJECT REVIEW

HISTORIC DISTRICT COMMISSION PROJECT REVIEW REQUEST

City of Detroit - Planning & Development Department
2 Woodward Avenue, Suite 808
Detroit, Michigan 48226

DATE: 2-10-22

PROPERTY INFORMATION

ADDRESS(ES): 391-393 W. GRAND BLVD. AKA: _____

PARCEL ID: 1400 8331 HISTORIC DISTRICT: _____

SCOPE OF WORK: (Check ALL that apply)

<input checked="" type="checkbox"/> Windows/ Doors	<input type="checkbox"/> Walls/ Siding	<input type="checkbox"/> Painting	<input type="checkbox"/> Roof/Gutters/ Chimney	<input type="checkbox"/> Porch/Deck/ Balcony	<input type="checkbox"/> Addition
<input type="checkbox"/> Demolition	<input type="checkbox"/> Signage	<input type="checkbox"/> New Building	<input type="checkbox"/> Major Alteration (3+ scope items)	<input type="checkbox"/> Site Improvements (landscape, trees, fences, patios, etc.)	

BRIEF PROJECT DESCRIPTION: _____

APPLICANT IDENTIFICATION

Property Owner/
Homeowner Contractor Tenant or
Business Occupant Architect/Engineer/
Consultant

NAME: THEOPHORE E. DAPKUS COMPANY NAME: TEP DAPKUS LICENSED BUILDER

ADDRESS: 31225 CAHSEE ROAD CITY: BUBERLY HILLS STATE: MI ZIP: 48025

PHONE: _____ MOBILE: 248 245-0552 EMAIL: TDAPKUS@ATT.NET

PROJECT REVIEW REQUEST CHECKLIST

Please attach the following documentation to your request:

PLEASE KEEP FILE SIZE OF ENTIRE SUBMISSION UNDER 30MB

Completed Building Permit Application
(highlighted portions only)

ePLANS Permit Number (only applicable if you've already
applied for permits through ePLANS)

Current Photographs: Including the front of the building & detailed photographs of the area(s) affected by
the proposed work. All photographs must be labeled or captioned, e.g. "west wall", "second floor window," etc.

Description of existing conditions (including materials and design)

Description of project (if replacing any existing material(s), include an explanation as to why
replacement--rather than repair--of existing and/or construction of new is required)

Detailed scope of work (formatted as bulleted list)

Brochure/cut sheets for proposed replacement material(s) and/or product(s), as applicable

NOTE:
Based on the scope of work, additional
documentation may be required.
See www.detroitmi.gov/hdc for scope-
specific requirements.

Upon receipt of this documentation, staff will review and inform you of the next steps toward obtaining your building
permit from the Buildings, Safety Engineering and Environmental Department (BSEtED) to perform the work.

SUBMIT COMPLETED REQUESTS TO: HDC@DETROITMI.GOV

P2 - BUILDING PERMIT APPLICATION

Date: _____

PROPERTY INFORMATION

Address: 391-393 W. Grand Blvd. Floor: _____ Suite#: _____ Stories: 2
AKA: _____ Lot(s): 23 Subdivision: B. Hubbard's
Parcel ID#(s): 14008331 Total Acres: _____ Lot Width: _____ Lot Depth: _____
Current Legal Use of Property: Residential Proposed Use: Residential
Are there any existing buildings or structures on this parcel? [X] Yes [] No

PROJECT INFORMATION

Permit Type: [] New [X] Alteration [] Addition [] Demolition [] Correct Violations
[] Foundation Only [] Change of Use [] Temporary Use [] Other: _____
[] Revision to Original Permit #: _____ (Original permit has been issued and is active)

Description of Work (Describe in detail proposed work and use of property, attach work list)
Window replacement

[] MBC use change [] No MBC use change

Included Improvements (Check all applicable; these trade areas require separate permit applications)

[] HVAC/Mechanical [] Electrical [] Plumbing [] Fire Sprinkler System [] Fire Alarm

Structure Type

[] New Building [X] Existing Structure [X] Tenant Space [] Garage/Accessory Building
[] Other: _____ Size of Structure to be Demolished (LxWxH) _____ cubic ft.

Construction involves changes to the floor plan? [] Yes [X] No
(e.g. interior demolition or construction to new walls)

Use Group: _____ Type of Construction (per current MI Bldg Code Table 601) _____

Estimated Cost of Construction \$ _____ By Contractor \$ _____ By Department

Structure Use

[X] Residential-Number of Units: 2 [] Office-Gross Floor Area _____ [] Industrial-Gross Floor Area _____
[] Commercial-Gross Floor Area: _____ [] Institutional-Gross Floor Area _____ [] Other-Gross Floor Area _____

Proposed No. of Employees: _____ List materials to be stored in the building: _____

PLOT PLAN SHALL BE submitted on separate sheets and shall show all easements and measurements
(must be correct and in detail). SHOW ALL streets abutting lot, indicate front of lot, show all buildings,
existing and proposed distances to lot lines. (Building Permit Application Continues on Next Page)

For Building Department Use Only

Intake By: _____ Date: _____ Fees Due: _____ DngBld? [] No

Permit Description: _____

Permit #:

Current Legal Land Use: _____ Proposed Use: _____

Permit#: _____ Date Permit Issued: _____ Permit Cost: \$ _____

Zoning District: _____ Zoning Grant(s): _____

Lots Combined? [] Yes [] No (attach zoning clearance)

Revised Cost (revised permit applications only) Old \$ _____ New \$ _____

Structural: _____ Date: _____ Notes: _____

Zoning: _____ Date: _____ Notes: _____

Other: _____ Date: _____ Notes: _____



IDENTIFICATION (All Fields Required)

Property Owner/Homeowner

Property Owner/Homeowner is Permit Applicant

Name: Napoleonas Miskinis Living Trust Company Name: MKD Properties
Address: P.O. BOX 250458 City: Franklin State: MI Zip: 48025
Phone: (248) 613-3624 Mobile: (248) 613-3624
Driver's License #: _____ Email: kmiskinis@aol.com

Contractor

Contractor is Permit Applicant

Representative Name: Theodore E. Dapkus Company Name: Ted Dapkus Licenced Builder
Address: 31225 Lahser Road City: Beverly Hills State: MI Zip: 48025
Phone: (248) 245-0552 Mobile: (248) 245-0552 Email: tdapkus@att.net
City of Detroit License #: 2101145609

TENANT OR BUSINESS OCCUPANT

Tenant is Permit Applicant

Name: _____ Phone: _____ Email: _____

ARCHITECT/ENGINEER/CONSULTANT

Architect/Engineer/Consultant is Permit Applicant

Name: _____ State Registration#: _____ Expiration Date: _____
Address: _____ City: _____ State: _____ Zip: _____
Phone: _____ Mobile: _____ Email: _____

HOMEOWNER AFFIDAVIT (Only required for residential permits obtained by homeowner)

I hereby certify that I am the legal owner and occupant of the subject property and the work described on this permit application shall be completed by me. I am familiar with the applicable codes and requirements of the City of Detroit and take full responsibility for all code compliance, fees and inspections related to the installation/work herein described. I shall neither hire nor sub-contract to any other person, firm or corporation any portion of the work covered by this building permit.

Print Name: _____ Signature: _____ Date: _____
(Homeowner)

Subscribed and sworn to before me this _____ day of _____ 20 ____ A.D. _____ County, Michigan

Signature: _____ My Commission Expires: _____
(Notary Public)

PERMIT APPLICANT SIGNATURE

I hereby certify that the information on this application is true and correct. I have reviewed all deed restrictions that may apply to this construction and am aware of my responsibility thereunder. I certify that the proposed work is authorized by the owner of the record and I have been authorized to make this application as the property owner(s) authorized agent. Further I agree to conform to all applicable laws and ordinances of jurisdiction. **I am aware that a permit will expire when no inspections are requested and conducted within 180 days of the date of issuance or the date of the previous inspection and that expired permits cannot be**

Print Name: Theodore E. Dapkus Signature: *Ted Dapkus* Date: 2-10-22
(Permit Applicant)

Driver's License #: D 122 792 189 754 Expiration: 9-30-2023

Subscribed and sworn to before me this 10th day of FEB 20 22 A.D. Oakland County, Michigan

Signature: *[Signature]* My Commission Expires: 3-31-2026
(Notary Public)

Section 23a of the state construction code act of 1972, 1972PA230, MCL 125.1523A, prohibits a person from conspiring to circumvent the licensing requirements of this state relating to persons who are to perform work on a residential building or a residential structure. Visitors of Section 23a are subject to civil fines.

This application can also be completed online. Visit detroitmi.gov/bseed/elaps for more information.



P2 - BUILDING PERMIT APPLICATION

Date: _____

PROPERTY INFORMATION

Address: 391-393 W. Grand Blvd. Floor: Suite#: Stories:
AKA: Lot(s): 23 Subdivision: B. Hubbards
Parcel ID#(s): 14008331 Total Acres: Lot Width: Lot Depth:
Current Legal Use of Property: Residential Proposed Use: Residential
Are there any existing buildings or structures on this parcel? [X] Yes [] No

PROJECT INFORMATION

Permit Type: [] New [X] Alteration [] Addition [] Demolition [] Correct Violations
[] Foundation Only [] Change of Use [] Temporary Use [] Other:
[] Revision to Original Permit #: (Original permit has been issued and is active)

Description of Work (Describe in detail proposed work and use of property, attach work list)

Upgrade all basement windows to glass block windows.

[] MBC use change [] No MBC use change

Included Improvements (Check all applicable; these trade areas require separate permit applications)

[] HVAC/Mechanical [] Electrical [] Plumbing [] Fire Sprinkler System [] Fire Alarm

Structure Type

[] New Building [X] Existing Structure [X] Tenant Space [] Garage/Accessory Building
[] Other: Size of Structure to be Demolished (LxWxH) cubic ft.

Construction involves changes to the floor plan? [] Yes [X] No
(e.g. interior demolition or construction to new walls)

Use Group: Type of Construction (per current MI Bldg Code Table 601)

Estimated Cost of Construction \$ 1,994.92 + 375.00=2,369.92 \$
By Contractor By Department

Structure Use

[X] Residential-Number of Units: 2 [] Office-Gross Floor Area [] Industrial-Gross Floor Area
[] Commercial-Gross Floor Area [] Institutional-Gross Floor Area [] Other-Gross Floor Area

Proposed No. of Employees: List materials to be stored in the building:

PLOT PLAN SHALL BE submitted on separate sheets and shall show all easements and measurements
(must be correct and in detail). SHOW ALL streets abutting lot, indicate front of lot, show all buildings,
existing and proposed distances to lot lines. (Building Permit Application Continues on Next Page)

For Building Department Use Only

Intake By: Date: Fees Due: DngBld? [] No

Permit Description:

Permit #:

Current Legal Land Use: Proposed Use:

Permit#: Date Permit Issued: Permit Cost: \$

Zoning District: Zoning Grant(s):

Lots Combined? [] Yes [] No (attach zoning clearance)

Revised Cost (revised permit applications only) Old \$ New \$

Structural: Date: Notes:

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Other: Date: Notes:



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Name: _____ Phone: _____ Email: _____

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Architect/Engineer/Consultant is Permit Applicant

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Print Name: _____ Signature: _____ Date: _____
(Homeowner)

Subscribed and sworn to before me this _____ day of _____ 20 ____ A.D. _____ County, Michigan
Signature: _____ My Commission Expires: _____
(Notary Public)

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Law Offices
Miskinis & Associates

P.O. BOX 250-458 (all mail)
Franklin, MI 48025

(248) 613-3624 (any hour/day)
(248) 851-1616 (fax)

kmiskinis@aol.com

Firm's office:

6632 Telegraph Rd. Suite 164
Bloomfield Hills, MI 48301

February 4, 2022

Brendan Cagney
City of Detroit Historic Commission
2 Woodward Avenue Suite 808
Detroit, MI 48226

Direct Dial: (313) 224-1762
E mail: hdc@detroitmi.gov

Re: Notices of work observed:
391 W. Grand Blvd.
Detroit, MI 48216

Dear Mr. Cagney:

This letter and full Project Review Application follows up my conversation with Daniel Rieden of your office. Our firm will be representing the owner. Ownership has been in my family for years and my mother Martyna Miskinis used the property as her medical office since 1954 until she passed away in 2013. The windows were replaced years ago. Contrary to the violation there could not have been any "recent work observed with regard to the windows. The property is now and has been a fully rental registered residential property.

As the photos reveal, the windows that were installed are good quality vinyl replacement windows manufactured by the Weather King Window Company that has since ceased operations. I believe the windows were installed to meet the letter and the spirit of the City of Detroit Lead Based Paint Requirements. Note from the photos that the top sash of the windows was manufactured to meet the exact mullion standards of the original windows and while we do not have before and after pictures the architectural and historical integrity of the original windows has been maintained.

As an aside I have been a lifelong supporter of Detroit, investing in the city for many years when others turned their back on Detroit. I remain committed to both the letter and spirit of the Historical Commissions work. Please let me know what else I may need to complete this process.

Sincerely,

Kestutis A. Miskinis
Attorney at Law

From: [Kestutis Miskinis](#)
To: [Dan Rieden](#)
Subject: [EXTERNAL]Re: HDC 4-13-22 MEETING UPDATE: 391 W Grand- Application in response to Violation #445
Date: Friday, March 25, 2022 11:48:52 AM

Hello again Dan.

We were in contact initially when this file was opened. Good to hear from you again.

As per your questions:

- 1) Theodore Dapkus is a licensed builder and works full time for me. I can remain the contact person.
- 2) Feel free to include 3821-2823 Shady Lane in your inquiry.
- 3) The same narrative applies to the windows that my late mother installed at 3821-23 Shady Lane.
- 4) The mural was painted on the wall about 25 -30 years ago by the tenant at 3823 Shady Lane at the time one Juan Rodriguez. About 10 or 15 years ago it was enhanced by a notorious neighborhood graffiti artist a one _____ Lucka. I can't recall his first name, but I know he passed away from a drug overdose I believe. His mother lived in my building at 375 W. Grand Blvd. Both murals were painted without my mother's or my permission. As the work had a great artistic quality, I allowed the work to remain. If it's a problem I can have the bricks repainted.
- 4) I will take pictures of the inside of the windows at 3821 -23 Shady Lane today and get them to you by the first of the week.
- 5) As to Weather King Windows and Door Company I have searched my records for brochures but have found none. I tried to reach their website, but it no longer appears when you google the company.
- 6) A new matter: I am in the process of preparing the application for basement glass block windows for 391-393 W. Grand Blvd. I have pictures inside and out and prices for the windows that Sabiston

Builders Supply provided me. My worker Ted Dapkus will be the installer for those windows if and once approved. They will match the basement windows installed at 3821-23 Shady Lane. Decora deco style period glass block with vents in each window. This work is necessary to bring 391-393 W. Grand Blvd into lead-based paint compliance as may be required by the City of Detroit. Perhaps we can add this application or permit to be heard at the same hearing.

Thanks
Kes

Kestutis Miskinis
Attorney at Law
Miskinis and Associates
Cell: 248.613.3624 Facsimile: 248.851.1616
Email: kmiskinis@aol.com
All Mail: PO Box 250458
Franklin, MI 48025
Office: 6632 Telegraph Road
Suite # 164
Bloomfield Hills, MI 48301

6 32x24 AV
(31x23 1/4)

Basement Windows

Fubar

\$ 1,994.92

