



CITY OF DETROIT
HISTORIC DISTRICT COMMISSION

65 CADILLAC SQ., SUITE 1300
DETROIT, MICHIGAN 48226
PHONE 313-224-6536
FAX 313-224-1300

August 10, 2000

NOTICE OF DENIAL AND ORDER

Terrence Oden
1971 Chicago
Detroit, MI 48206

RE: Application Number 00-167; Submitted in Response to a Violation Notice that was Issued for the Unlawful installation of vinyl replacement windows at 1971 Chichago in the Boston Edison Historic District

Dear Mr. Oden:


At its regularly scheduled meeting on August 9, 2000 the Detroit Historic District Commission ("Commission") reviewed the above-referenced application for building permit. Pursuant to Section 25-2-24 of the 1984 Detroit City Code, the Commission hereby issues a notice of denial which is effective as of August 12, 2000. The Commission finds that the proposed work does not qualify for a certificate of appropriateness for the following reasons:

The replacement of original wood windows, particularly when the windows have muntins does not meet "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" standard number 6, "Deteriorated historic features shall be repaired 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."

Pursuant to MCL 399.205(12) and Section 25-2-10 of the 1984 Detroit City Code, the Commission hereby **orders a remedy to duplicate the original muntin pattern on the vinyl windows or the windows returned to wood to match the original.** The replacement and/or reconstruction of this significant architectural feature will bring your property at 1971 Chicago, into conformance with the historic character of the neighborhood, as defined by the remaining buildings in the Boston Edison Historic District.

When you are prepared to comply with the Commission's Order to reconstruct and/or replace the windows, you must file a new application for a building permit for the Commission's consideration prior to performing the work. Alternatively you may also file a new application with the Commission if additional information is obtained regarding the application or if the scope of work changes.

Please be advised that a permit applicant that is aggrieved by a decision of the Detroit Historic District Commission concerning a permit application, 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:

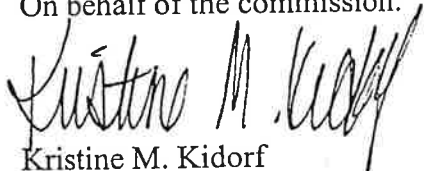


Brian D. Conway
State Historic Preservation Officer
Michigan Historical Center
717 W. Allegan Street
Lansing, Michigan 48918-1800

Once this administrative right of appeal has been exhausted, a permit applicant may file an appeal of the decision of the State Historic Preservation Review Board with the circuit court.

If you have any questions regarding the foregoing, please contact Angela Bodley, Counsel for the Commission at (313)237-3067.

On behalf of the commission:



Kristine M. Kidorf
Staff
Detroit Historic District Commission

copy: Shanker Warriar, B&SE
Angela Bodley, Law Department

Applicant/Owner: Terrence Oden
Boston Edison Historic District

PROPOSAL

This application was written in response to a violation letter dated April 20, 2000, the work has been completed. The applicant has replaced original wood windows with vinyl replacement windows. The original windows were four over four double hung painted yellow. The replacement windows are one over one white vinyl. The attic windows were not replaced.

Doing the field work for this application, I noticed a stockade fence has been installed starting at the rear face of the house. The stockade fence is not appropriate and a violation notice will be issued. The porch and driveway work has been staff approved.

TREATMENT LEVEL AND ELEMENTS OF DESIGN

Boston Edison Historic District is designated at the rehabilitation treatment level.

- (3) Proportion of openings within the facade. Windows openings are virtually always taller than wide; however, several windows are sometimes grouped into a combination that is wider than tall. Window openings are always subdivided. The most common window type is double-hung with sashes that are generally further subdivided by muntins or leaded glass.
- (7) Relationship of materials. Wood is almost universally used for window frames and other functional trim and is used in many examples for all trim.

RECOMMENDATION

The replacement of original windows with vinyl windows, particularly when the windows have muntins, does not meet the standards. I recommend the Commission deny the application and order the windows returned to wood windows to match the original. The work does not meet "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" standard number 6, "Deteriorated historic features shall be repaired 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."



1971 Chicago, dormer windows intact

WBO



1971 Chicago, c. 1998



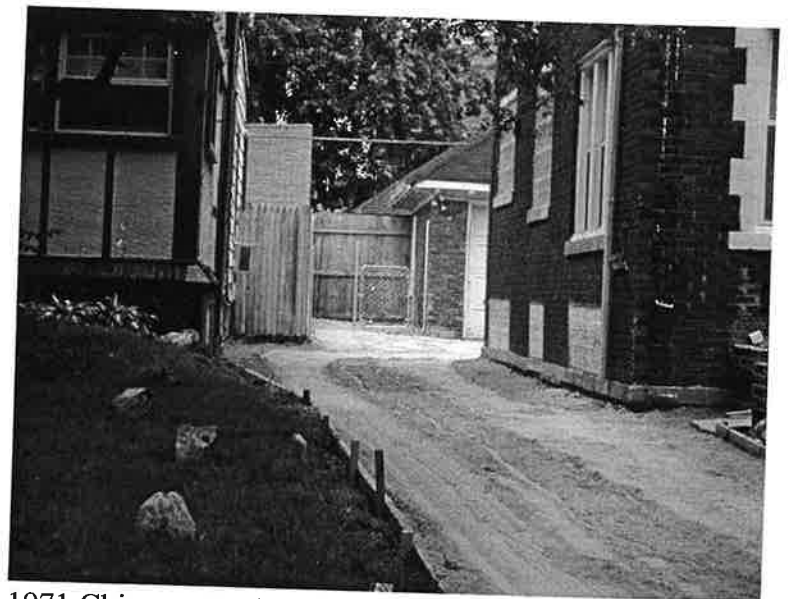
1971 Chicago (gate is temporary barrier for porch work)



1971 Chicago, detail of replacement windows



1971 Chicago, stockade fence at west property line



1971 Chicago, stockade fence on east property line