

STAFF REPORT: MAY 10, 2023 REGULAR MEETING
APPLICATION NUMBER: 23-8332
ADDRESS: 4132 BAGLEY
HISTORIC DISTRICT: HUBBARD FARMS
APPLICANT: MICHAEL REYES
PROPERTY OWNER: MICHAEL REYES
DATE OF PROVISIONALLY COMPLETE APPLICATION: MARCH 27, 2023
DATE OF STAFF SITE VISIT: APRIL 24, 2023

PREPARED BY: T. BOSCARINO

SCOPE: ERECT FENCE, INSTALL DECK AND OUTDOOR SEATING

EXISTING CONDITIONS

4132 Bagley is a vacant corner lot currently enclosed by a green fabric windscreen on 4” treated wood posts. Formerly known as 1702–1716 Scotten, the lot once contained a four-unit, two-story townhouse building, a two-story house, and a garage.



Temporary fabric fence, April 2023 photo by staff.



Aerial photograph from Detroit Parcel Viewer with subject property outlined.

PROPOSAL

The applicant proposes to enclose the property with a wood fence (replacing the temporary fence currently visible), adding a deck and seating within. The fence would be eight feet tall on the alley (north) side and six feet tall on the remaining sides. The enclosed area would be accessed by a gate from the alley.

Two optional configurations are proposed for the fence. Option One is a horizontal board fence. Option Two is vertical dog ear board fence. The proposed stain color is red mahogany,



Left: Option One. Right: Option Two. Images from application.



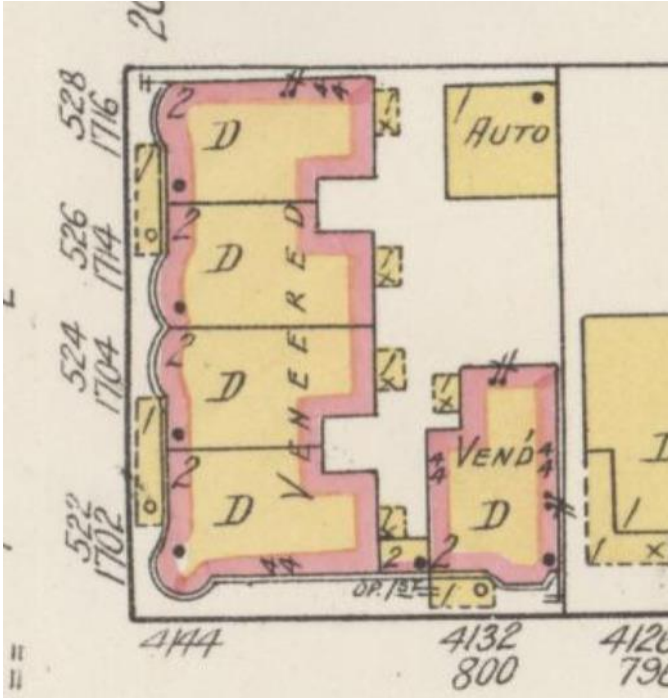
Proposed stain color as shown in application.

STAFF OBSERVATIONS AND RESEARCH

- The Hubbard Farms Historic District was established by Ordinance 01-93 in 1993. The Final Report provides a Period of Significance of 1870 through 1930.
- The Elements of Design (Sec. 21-2-57) provide the following observations regarding fences:
 - “*Walls of continuity.* The major wall of continuity is created by the front façades of the buildings, where there are uniform setbacks within subdivisions.”
 - “The majority of fences are of the chain link variety; four-foot chain-link fenced front yards are seen throughout the district but to a lesser degree at the south end of Hubbard and Vinewood. Rear yards are frequently enclosed by chain-link, wood plank, or stockade fencing.”
 - “Because of the minimal setback of some terrace buildings, apartment buildings, and houses on the east-west streets, some front yards are very shallow.”
 - Some vacant lots exist “on corners, where terrace buildings have been demolished.”
 - “Apartment buildings located on corner lots ... are located closer to the front lot line than individual homes, creating inconsistency to the streetscape.” On West Vernor, façades are located directly on the front lot line.”
 - “On the side streets, such as Bagley and Porter, setbacks are shallow but usually consistent.”
 - “Primary buildings on residential lots occupy 25 percent to 90 percent of their lots ... lots occupied by large apartment buildings, terrace buildings (rows), and duplexes on side streets are at the high

end of that range.”

- Fences are common in the Hubbard Farms historic district, though many of those do not meet the Secretary of the Interior’s Standards as they were installed prior to the enactment of the historic district ordinance or were installed without approval.
- Staff was not able to locate any prior building permits, including demolition permits, for the subject property.
- The dominant building on the subject property at the time the historic district was created was the Wolf, a 1906 terrace apartment building oriented towards Scotten.



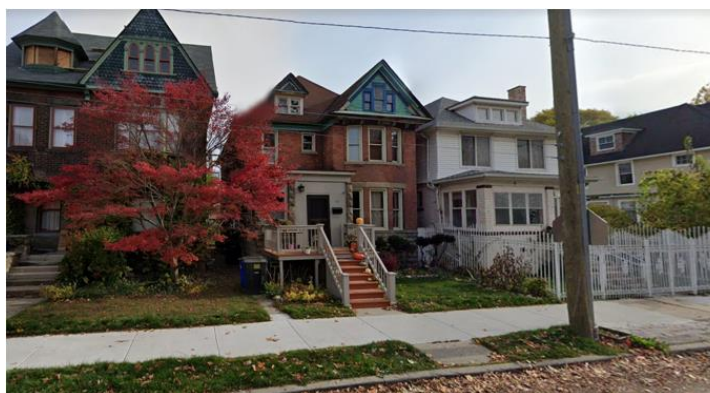
The subject property as shown on a 1951 Sanborn map.

- Historic District Commission records contain no information regarding the former house and garage oriented towards Bagley other than several undated photographs showing the Wolf and house.



Undated Historic District Commission photographs.

- The Wolf was demolished after a fire in 1995 and the house was demolished some time thereafter (it is not known when the garage was demolished).
- In 2001 the Historic District Commission issued a Certificate of Appropriateness for a house to be built on the property, oriented towards Bagley, but the house was never built and the property later came under City of Detroit ownership. In 2004 the City Planning Commission recommended the sale of the property for use as a parking lot, arguing that it was “the best use of the land,” though another proposal for infill housing was also submitted. The Historic District Commission, exercising its Sec. 21-2-7 role, noted that the proposed parking lot would have an “adverse effect” on the district due to the design of the parking lot. The Commission argued that a parking lot with screening walls and landscaping would be more appropriate than the unscreened parking lot that had been proposed. The Commission also noted that they have “heard from several parties in the neighborhood that the site would be better designed for infill housing.”
- The proposed parking lot was never built, leaving the vacant lot to later be purchased by the current owner and applicant.
- In staff’s opinion, the subject property is a noncontributing resource due to the loss of the historic buildings, and consequently, does not have character-defining features warranting preservation. Proposed development should be evaluated by the Historic District Commission for compatibility with the surrounding built environment.
- The *Fence and Hedge Guidelines* appear to be written to provide guidance on fences for residential and commercial buildings and for side lots. The document does not provide guidance on the placement of fences surrounding vacant lots. Despite its proximity to residential properties, the subject property is not adjacent to residential buildings and is not a side lot.
- Staff observes that all buildings surrounding Clark Park are oriented towards Clark Park and generally have shallow setbacks, creating the effect of a wall of continuity. The only notable exceptions, during the Period of Significance and at the time the historic district was enacted in 1993, were the large-scale institutional buildings of Western High School and Amelia Earhart Intermediate School. The wall of continuity, together with the large school buildings, surrounded and enclosed Clark Park and continues to be an important feature that defines the public space of the park. The former Wolf apartment building contributed to this sense of continuity.

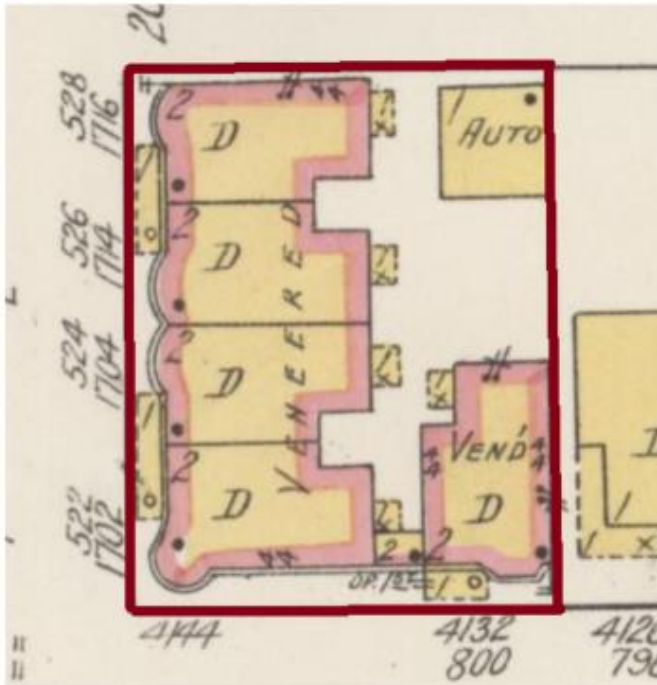


Example buildings on Scotten with shallow setbacks facing Clark Park. Left image: Google Street View. Right image: Staff.

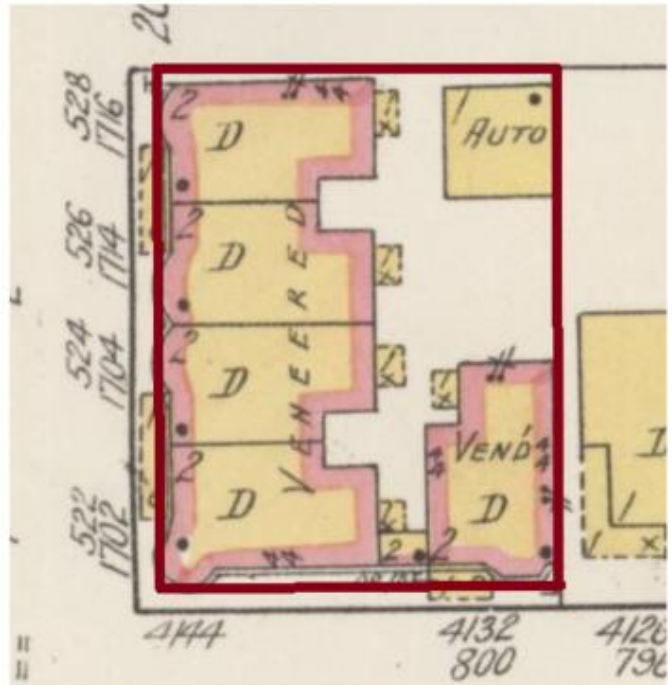
- Staff suggests that any development surrounding Clark Park is appropriate to the extent that it maintains or recreates the aforementioned wall of continuity and employs materials, colors, and design that are not

incompatible with the historic district (were a building to be proposed for the subject property, there would be additional appropriateness considerations).

Proposed setback



Appropriate setback (staff opinion)



Left: Proposed fence location shown on Sanborn map with dark lines (buildings no longer exist). Right: Staff opinion of appropriate fence location reestablishing and maintaining the historical wall of continuity lost by the demolition of 4132 Bagley and 1702–1716 Scotten.

- The proposed fence height and materials meet the *Fence and Hedge Guidelines*.
- The *Fence and Hedge Guidelines* also state that fences should be stained or painted. The proposed dark stain color will deemphasize the grain of the wood, increasing the visual compatibility of the fence with the painted buildings elsewhere in the district.
- The proposed deck and seating area appears to avoid introducing incompatible elements and appears to meet the Secretary of the Interior’s Standards for Rehabilitation, including Standard #9: “New additions, exterior alterations, or related new construction shall not destroy historic materials that characterize the property. The new work shall be differentiated from the old and shall be compatible with massing, size, scale, and architectural features to protect the historic integrity of the property and its environment.”

ISSUES

- The proposed fence does not adhere to the established wall of continuity for the district, as other buildings on Scotten and Bagley have a setback of at least a few feet.
- Although the proposed deck and seating area appears to be generally acceptable, the application does not include adequate detail for the Historic District Commission to make a final determination on its appropriateness.

RECOMMENDATION

Section 21-2-78: Determinations of Historic District Commission

It is staff's opinion that the proposed fence and seating area is generally compatible with the massing, size, scale, and architectural features of its environment, conforming to the district's Elements of Design and meeting the Secretary of the Interior's Standards for Rehabilitation. Staff therefore recommends that the Commission issue a Certificate of Appropriateness for this work, with the following conditions:

- The proposed fence along Scotten shall have a setback comparable to that of other shallow setbacks on Scotten (including the demolished Wolf building) within the Hubbard Farms Historic District, as determined by staff.
- The proposed fence along Scotten shall have a setback comparable to that of other shallow setbacks on Bagley (including the demolished house at 4132 Bagley) within the Hubbard Farms Historic District, as determined by staff.
- The proposed deck and seating area shall be subject to approval by staff for consistency with the Secretary of the Interior's Standards for Rehabilitation.