

March 14, 2008

NOTICE OF DENIAL AND ORDER

Jeff Foster
90 Edison
Detroit, MI 48202

RE: Application Number 08-19; Submitted in Response to a Violation Notice that was Issued for the Unlawful installation of a front yard fence at 90 Edison in the Boston Edison Historic District

Dear Mr. Foster:

At its regularly scheduled meeting on March 12, 2008 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 March 15, 2008. The Commission finds that the proposed work does not qualify for a certificate of appropriateness for the following reasons:

The installation of the fence does not meet "The Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings" standard number 9, "New additions, exterior alternations, or related new construction shall not destroy historic material that characterize the property. The new work shall be differentiated from the old and shall be compatible with the massing, scale, and architectural features to protect the historic integrity of the property and its environment."

Pursuant to MCL 399.205(12) and Section 25-2-10 of the 1984 Detroit City Code, the Commission hereby **orders the fence removed. The applicant has been given the option of moving the fence to the front face of the house.** The replacement and/or reconstruction of this significant architectural feature will bring your property at 90 Edison, 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 remove the front yard fence, 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

CITY OF DETROIT
HISTORIC DISTRICT COMMISSION

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

Michigan Historical Center
717 W. Allegan Street
P.O. Box 30740
Lansing, Michigan 48909-8240

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 John Nader, Counsel for the Commission at (313)237-3034.

On behalf of the commission:

Susan M. McBride
Staff
Detroit Historic District Commission

copy: Shanker Warriar, B&SE
John Nader, Law