

STAFF REPORT: 11/16/2022 REGULAR MEETING

PREPARED BY: D. RIEDEN

APPLICATION NUMBER: #22-8096

VIOLATION NUMBER: 663

ADDRESS: 3421 SEMINOLE

HISTORIC DISTRICT: INDIAN VILLAGE

APPLICANT/PROPERTY OWNER: KENNETH GRUSZCZYNSKI & O'KNECO MCTIER

DATE OF PROVISIONALLY COMPLETE APPLICATION: 10/17/2022

DATES OF STAFF SITE VISITS: 10/21/2022, 9/23/2022

SCOPE: INSTALL RETAINING WALL AT SIDEWALK, ENLARGE DRIVEWAY/FRONT YARD PAVING, OTHER EXTERIOR ALTERATIONS (WORK COMPLETED WITHOUT APPROVAL)

EXISTING CONDITIONS

Built in 1921, the property at 3421 Seminole is a 2 ½ story, tudor single-family residence facing northeast. The cross-gabled, asphalt-shingled roof is steeply pitched with clapboard-sided, side-gables facing south. The house is clad in brown brick on the front and stucco, timbering, and clapboard siding on the upper floors at the side elevations. Stone sills underline the second floor double-hung windows. Wood paneling that has since been removed without approval were featured under the first floor windows. The flared eave over hangs the asymmetrically placed front, double door entrance, which is raised above a brick sided front porch. The steps to the porch are hidden and meet the driveway along the south border of the property. A brick walkway once had its own parallel path to the driveway from this location to the front sidewalk. However, work was done without approval that removed this brick walkway and enlarged both the driveway and curbcut to the street. This site work is part of the application. Other work that was done was the removal of the raised planter bed in front of the porch, installation of soil that raises the grade of the front yard and installation of a perimeter retaining wall around the outer edge the yard. Further revisions that were done without approval and not part of this application is the removal of the front elevation wood paneling, and installation of awnings, sconce lighting and window boxes.



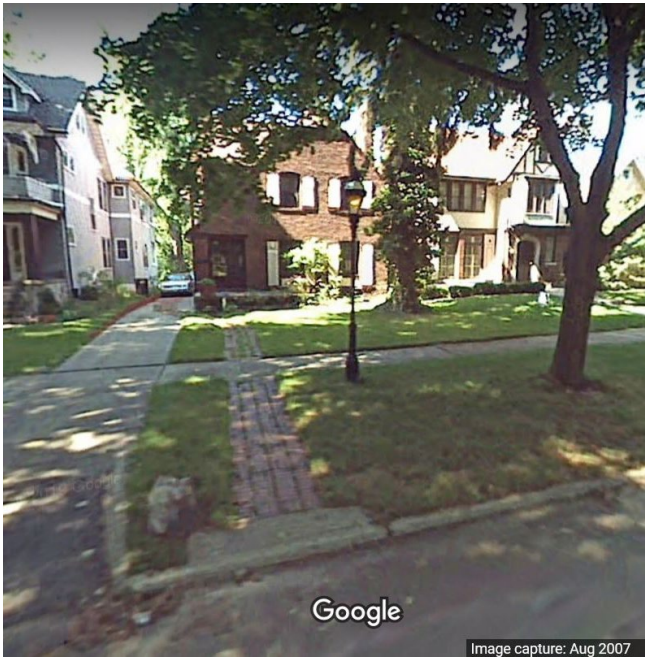
Site Photo 1, by Staff October 21, 2022: (Northeast) front elevation.



Site Photo2, designation photo 1980: (Northeast) front elevation.

This property has the following HDC violations on the Detroit Property Information System (DPI) and no Certificates of Approval (COAs):

- September 2022, Violation: Between September 2013-August 2018, staff observed wood panels were removed from front face of the house. After 2018, windowsills painted black, window boxes installed. After 2019 and to current date, awnings were installed over the windows and three sconces added to the front face of the house. In 2022, the front raised flower bed and brick pathway was removed, the driveway and front curd was widened toward the front face of the house, the front yard was filled with soil and a perimeter wall with underlighting was installed without approval.



Site Photo 3, by Google Street August 2007: (North) front showing the wood panels, and shutters that were placed after historic designation. Also note the front drive and walkway to the street curb.



Aerial of Parcel # 17008162.

PROPOSAL

This application is a response to the violation citation that was invited to include the work done without approval on the front yard and front elevation of the house. The applicant has not responded to include work for the front face of the house at the date of this report and has instead submitted only the work regarding the reconfiguration of the front yard as follows: the applicant proposes to remove the front raised flowerbed and the front brick walkway, widen the front driveway and curb-cut, repour the driveway with concrete, remove the front lawn and raise the elevation of the front lawn by approximately 2', install a perimeter 2' black brick retaining wall with a black metal coping and light band, and resod the lawn on top of the new fill. New irrigation shall be installed in the new lawn. All this work was completed without approval.

STAFF OBSERVATIONS AND RESEARCH

- The Indian Village Historic District was established in 1970.
- As noted above, staff initially received this application on in early September 2022 for work that was already in progress. Staff initially visited the site on September 23rd and observed that demolition of the site had already begun. *(See Site photo 4)*. Because this work was included in the application process, staff reminded the applicant that the work must be reviewed prior to execution. However, staff found that the work was complete upon receipt of the full application.
- Staff observed several other violations that are not included in this application and consist of the following work done without approval:



Site Photo 4, by Staff September 23, 2022: (Northeast) front elevation, showing front driveway installed, curb cut, and raised elevated front yard.

- Removal of front elevation wood paneling from below 1st floor windows.
- Paint stone windowsills black.
- Installation of four (4) window awnings
- Installation of three (3) sconce light fixtures
- Installation of two (2) window boxes under first floor windows.
- Upon receipt of the application material, staff requested the following information that has not yet been received upon the date of this report:
 - An invitation to address the other outstanding violations on this property and the product information that supports these alterations.
 - A plan of the front yard changes that includes dimensions and materials used.
 - Product sheets for the materials used in this proposal, including the metal coping and lighting that shows the materiality and dimensions of these products.
 - Confirmation on whether or not the original brick path and flower bed material was stored or discarded.
- It is staff's opinion that the separation of a pedestrian pathway from the vehicular driveway is a historic character defining features of the property and the distinction between these two features are held by the setback of the house that creates a historic side yard that continues from the face of the house to the front of the property. This side yard may be occupied by a single width driveway, but the combination of driveway with the pathway essentially creates a front yard parking lot that disrupts and destroys the *Rhythm Of Spacing Of Buildings and Streets*, as portrayed in the Elements of Design for historic Indian Village:
 - *“The spacing of the buildings is generally determined by the setback from the side lot lines; these tend to be consistent, even though lot width may vary. Because of the existence of several subdivisions and their related subdivision and deed restrictions, the placement of buildings on lots varies from area to area in the district. In the case of very wide properties, two (2) conditions exist. A very wide site may have a house placed centrally upon it, with extensive side yard space; this occurs only with extremely large houses by district standards. A more typical placement of houses of average size for the district is at the side of the wide site, placed normally in relation to one of the adjoining houses. The rest of the property is a side yard on the other side of the house, and the entrance is often oriented toward that side yard.”* ([Section 25-2-81 \(5\)](#))

- Staff visited the site on September 23, 2022 and October 21, 2022 and observed the conditions of the front yard and the context of the front yards of the adjoining neighbors which share similar slope variances and front yard setbacks. Although the applicant has provided sample properties in Indian Village with raised front yards with retaining walls, staff observed no historic precedents of a raised elevated front yard with retaining walls on either side of this property, nor on any property on this street from Goethe Street to Mack Avenue. (See site photo 5) While the Elements of Design for Indian Village acknowledges *existing* rectangular raised earthwork terraces, the Elements of Design also states that the *Walls of Continuity* shall be maintained:



Site Photo 5, by Staff October 21, 2022: (Northeast) front elevation facing north along Seminole street showing no other retaining walls in the front yards between the house and the public sidewalk.

“The major wall of continuity is created by the buildings, with their uniform setbacks within the blocks. New buildings should contribute to this wall of continuity. Where gaslights are sufficiently numerous, and where trees in rows have survived in sufficient numbers, minor walls of continuity are created. Fences across side lots contribute to the major wall of continuity where placed at the front yard setback line.” ([Section 25-2-81 \(12-13\)](#))

It is staff’s opinion that the fabrication of this new structure, ie., the elevated terrace and surrounding retaining walls interrupt the Walls of Continuity by introducing a new, historically inappropriate structure that destroys the rhythm of the open lawn landscape that is historically established at this location of the neighborhood.

- While staff did not receive the requested information regarding the materiality of the retaining wall, its metal coping and the lighting strip underneath, staff observed that the work appears to be unfinished and of a quality that may lack durability. (See site photo 6.)



Site Photo 6, by Staff October 21, 2022: (Northeast) front elevation, showing installed retaining wall and exposed lighting under metal coping.

ISSUES

- All proposed work is complete without HDC approval.
- It is staff’s opinion that the removal of the original front brick walkway with its distinctive path separated from the driveway contained within the limits of the projected side yard has created a front yard parking lot which destroys the original *scale, design, and materiality* both the pedestrian and vehicular pathways and introduces a new special use that is incompatible and inappropriate for this historic property, and therefore does not meet the Secretary of the Interior's Standards for Rehabilitation.
- It is staff’s opinion that the front yard installation of the raised earthen terrace and installed retaining wall with metal coping and underlighting does not meet the Elements of Design as described earlier in this report and therefore is not appropriate.
- Staff received no response to questions regarding the materials installed and therefore questions the quality and durability of the materials.

RECOMMENDATION

Section 21-2-78, Determination of Historic District Commission

Recommendation: Install Retaining Wall At Sidewalk, Enlarge Driveway/Front Yard Paving, Other Exterior Alterations (Work Complete Without Approval)

Staff finds that the replacement of the original pathway and driveway with a single wider concrete driveway and curbcut and the alteration of the front yard with the installation of the raised earth terrace and installation of the retaining wall destroys the historic character of this property and removes distinctive, character-defining features.

Staff therefore recommends that the Commission issue a Denial for the above work items, as it does not meet the Secretary of the Interior's Standards for Rehabilitation, specifically Standards:

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 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.

9. New additions, exterior alterations or related new construction will not destroy historic materials, features and spatial relationships that characterize the property. The new work will be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.