

**FILE NO. 210779**

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**Consideration of the Appeal of the Denial by the HPC for  
chimney reconstruction and dormer re-cladding at 2640 N.  
Lake Drive for Russell and Dorothy Case**

Older Certificate of Appropriateness  
Records (c. 2006-2009)

Industrial Heritage

Lake Park Ravine Bridge

Milwaukee War Memorials and  
Monuments



Zeidler Municipal Building  
841 N. Broadway, Room B-1  
Milwaukee, WI 53202

414-286-5722

414-286-5712

[hpc@milwaukee.gov](mailto:hpc@milwaukee.gov)

## Preservation Information

- **Historic Tax Credits** - If your property is National Register-listed or State Register-listed, you may be eligible for Historic Tax Credits. Please consult the State Historic Preservation Office website at [www.wisconsinhistory.org/taxcredits](http://www.wisconsinhistory.org/taxcredits).

**Please note:** If you intend to apply for historic preservation tax credits for a project that also requires the approval of the Historic Preservation Commission, you must apply to both the city and the state simultaneously. **The state will not approve tax credits for work completed prior to their approval under any circumstances.** City and State reviews follow similar guidelines, but there are substantial differences in documentation requirements, so the two reviews are not considered equivalent. An approval from the city's Historic preservation Commission **does not** constitute an approval for historic tax credits.

Likewise, an approval for historic tax credits **does not** constitute an approval for a certificate of appropriateness from the Milwaukee HPC. **You must not begin work until you have received both approvals in writing and any required building permits.** Inform all parties (Milwaukee HPC, Wisconsin Historical Society, contractors, etc.) that you are making both submittals.

## Cream of the Cream City Historic Preservation Awards

Thank you to all who attended the  
Cream of the Cream City Awards  
ceremony held on May 30, 2019  
at Best Place at the Pabst.

For photos of the event, [click below:](#)



## Front Page of the HPC website

The owners  
have lived in  
the historic  
district since  
May 21, 1996  
(26 Years).  
North Point  
North became a  
Local Historic  
District on  
March 8, 1983.



## REQUIREMENTS

**Because your historic property** is located in a city historic district, all exterior repairs or changes to your property require a certificate of appropriateness. Your historic property is of great importance and value to the city, and this requirement helps ensure that your property maintains its unique character. The certificate application process is simple, and in most cases, certificates of appropriateness can be administratively issued for work related to:

- repointing and other masonry work
- driveway & sidewalk paving
- landscaping
- fencing
- signage
- window replacement (including security windows)
- door replacement (including security doors)
- railing replacement
- mechanical system upgrades
- roofing or siding replacement

Some cases, however, do require review by the Historic Preservation Commission, which meets monthly. Please check with the **Historic Preservation Office, 414-286-5712 or 414-286-5722**, before starting any work.



Zedler Municipal Building  
841 Broadway, Room B.1  
Milwaukee, WI 53202

### **New owners in your neighborhood?**

If you have new neighbors, please share this information with them or contact us so that we can welcome them to the district.

### **If you have any questions about**

- Historic preservation
- Design Guidelines
- Material selection

Call the Historic Preservation Office at  
**414-286-5712 or 414-286-5722**

**RESERVE ONE OF THE MOST IMPORTANT ASSETS IN YOUR NEIGHBORHOOD**

## CITY REQUIREMENTS FOR YOUR HISTORIC PROPERTY



## PRESERVING

### **Preserving the integrity of your historic property**

As you undertake the regular maintenance of your property, here are some of the simple items that should be preserved to maintain the history and architectural integrity of your property.

- Windows
- Doors
- Porches
- Railings
- Chimneys
- Brick finishes
- Wood siding
- Landscaping features
- Garages & accessory structures
- Awnings

## FINANCIAL ASSISTANCE

As a property owner in a historic district, you may be eligible for valuable financial assistance to help you maintain your property.

**State Rehabilitation Income Tax Credit** program (20-25% of project costs) for State or National Register Properties through the Wisconsin Historical Society at [wisconsinhistory.org/taxcredits](http://wisconsinhistory.org/taxcredits)

**Rehabilitation grants** and loans for income-qualified owners are available through the Neighborhood Improvement Development Corporation (NIDC). For more information, contact the NIDC Information Hotline, **414-286-5608 or 414-286-5610**.

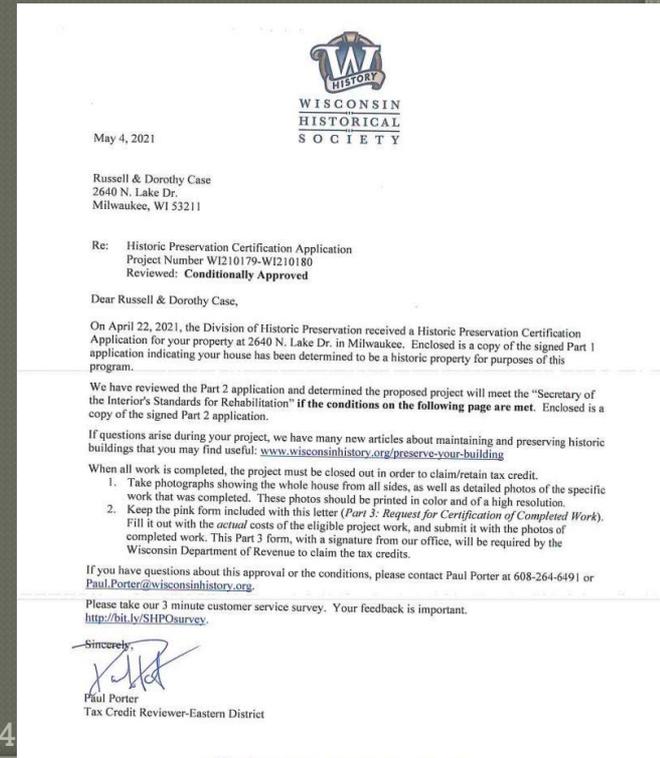


Brochures Mailed out to Property Owners in Historic Districts on / about January 7, 2021.

The brochure outlined the requirements for obtaining a Certificate of Appropriateness.

# The applicants applied for State Historic Tax Credits but not a Certificate of Appropriateness.

Letter from State Historic Preservation Office outlines how work was to be done



The following images show chimneys that were not reconstructed properly. The owners did not apply for a Certificate of Appropriateness for the work done. We do not know when the work took place. If applicants do the work without COAs we rely on neighbors to call this to our attention.

In the case of 2640 North Lake Drive the work was brought to our attention while in progress.

## 2628 N Lake Drive



2628 N. Lake Drive  
Work done between 2011  
and 2014  
No COA applied for



## 2634 N. Lake Drive



COAs applied for but none for chimney work



## 2646 North Lake Drive



No COA applied for chimney work

## 2652 North Lake Drive



No COA for chimney work

2658 N. Lake Drive



COAs for other projects but none for chimney work



## 2664 N. Lake Drive



COA for roofing and counterflashing 2014, did not bring up re-pointing



# 2669 N. Terrace



No COAs for repointing, chimney



3/14/2022

# 2659 N. Terrace



No COAs for chimney

# 2649 N. Terrace



No COAs for chimney

## 2645 N. Terrace



No COAs for chimney work



## 2635 N. Terrace Avenue



No COAs for chimneys work. Unclear if any work was done recently.

## Skylights

2604 N. Lake –No COA for skylights, asserted they were installed by previous owner

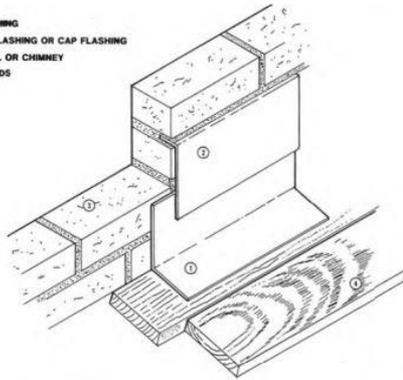
2633 N. Lake—No visible skylight, no COA for skylight, might pre-date historic district (1983)

2647 N. Wahl—On rear slope, no COA, might pre-date historic district (1983)

1662 N. Hackett—not in local historic district

2640 North Lake Drive

- ① BASE FLASHING
- ② COUNTER FLASHING OR CAP FLASHING
- ③ BRICK WALL OR CHIMNEY
- ④ ROOF BOARDS



Typical two-piece flashing.

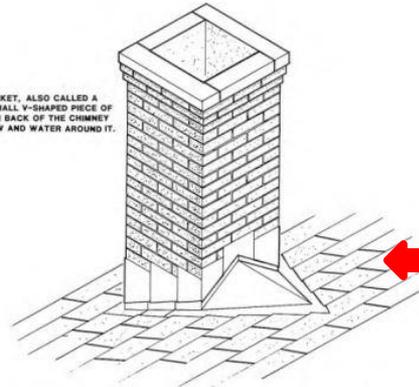
Because replacement costs can far exceed the initial installed costs, it makes good sense to select as permanent a flashing material as you can afford for an original or a replacement installation. Patching defective flashings with sealants or cements, commonly referred to by many rehabbers as “black goop,” is never more than a temporary solution.

Metal flashings around a chimney or between the roof surface and an intersecting wall, such as the sides of a dormer, are typically constructed in two pieces, the base flashing and the counter flashing, to allow for the dependent movement of both the roof and

wall without breaking the flashing’s protective seal.

When a chimney exits the roof below the ridge, special flashing called a chimney cricket or saddle must be used at the back of the chimney. The chimney cricket is a small inverted V-shaped piece of roof, like a miniature gable roof covered with metal, that is placed between the back of the chimney and the main roof to divert water around the chimney. Many older houses in the city have developed serious leaks around their chimneys because the chimney crickets were removed or the original builders omitted them.

A CHIMNEY CRICKET, ALSO CALLED A SADDLE, IS A SMALL V-SHAPED PIECE OF ROOF PLACED IN BACK OF THE CHIMNEY TO DIVERT SNOW AND WATER AROUND IT.



A chimney cricket.

For most shingle roofs, a good metal for valley flashings is 26-gauge galvanized steel, which was the standard material for many years, rather than the aluminum or rolled roofing that many contractors use today. The cost difference is negligible in the long run, and galvanized steel is stronger, more appropriate historically, and should last considerably longer than rolled roofing. Chimneys and sidewalls are often flashed today with a rubberlike membrane material that is nailed and cemented into place. Little is known about the longevity of this material, and it tends to look inappropriate when viewed from the ground, but it does install quickly, thus saving labor costs. Two-piece metal flashings, although

# Living With History

A guide to the preservation standards for historically designated houses in Milwaukee



Living With History on our website



## ASSIGNED PROJECT CONDITIONS

### Contractor Copy

PROPERTY NAME: Ralph T. Friedman House  
PROJECT NUMBER: WI210179-WI210180  
2640 N. Lake Dr.  
Milwaukee

In order for your project to be approved for income tax credits the following conditions must be met. A second copy of these conditions are being provided for your contractor's use. It is the homeowner's responsibility that all conditions are met. Failure to meet these conditions results in project denial.

- 1) Existing paint must be removed from the house in a manner that does not cause damage, either physical or cosmetic, to the wood. Standard methods of removing existing exterior paint, such as scraping and sanding, are approved. Removal of paint using chemical cleaners or medium pressure water is also approved if you first test the paint removal method to ensure that no damage will ensue to the house's materials. Pressure should not exceed 1000 psi when pressure washing. Sandblasting, shaving, or other abrasive blasting techniques, either wet or dry, is prohibited.
- 2) Asphalt shingles are recognized as an acceptable substitute to wood shingles however the proposed shingle should not create a new aesthetic. Standard 3 tab shingles or architectural shingles with a slight shadow line are acceptable. Architectural shingles with un-even bottom edges or heavy, fake shadow lines are not acceptable. Dark grey, black, dark brown and reddish brown (earth tones) are the most appropriate colors. Red, green and blue shingles are not appropriate unless there is documentation that this was the historic color.
- 3) If the roofing work involves installation of vents, the following types of vents are approved: 1) shingle-over roll ridge vents (low profile) that run the ENTIRE length of the ridge, covering 100% of any ridge they are installed on, or 2) "mushroom" or "slant-back" vents installed on the rear portions of the roof, not visible from public rights-of-way. If you elect to install other types of vents or vents in different locations, you must submit manufacturer's information for review and
- 4) When installing new flashing or counterflashing at a brick surface (e.g. chimney, wall), the flashing must be stepped or cut into the mortar joints. The bricks may not be cut to install flashing at an angle.
- 5) The built-in guttering system integrated into the cornice must be retained and rebuilt to match the original design. All rotten wood that has to be replaced should be milled to replicate the original dimension, design and detail of the fascia and trim. The wood should be primed on all sides before installation to prevent rot in the event that the guttering system suffers a breach in the future. An ice and water shield should be placed in the trough underneath the metal gutter tray to assist in preventing another leak into the cornice should the metal seams fail in the gutter. Downspouts should have properly sized collector heads placed through the cornice and attached properly to prevent leaks. At the bottom

816 State Street Madison, Wisconsin 53706

[wisconsinhistory.org](http://wisconsinhistory.org)

This is letter sent to homeowner and contractor before work begins



WISCONSIN  
HISTORICAL  
SOCIETY

February 25, 2022

Russell & Dorothy Case  
2640 N. Lake Dr.  
Milwaukee, WI 53211

Re: Historic Preservation Certification Application  
Request for Certification of Completed Work  
Project Number WI210179-WI210180

Dear Russell & Dorothy Case,

I placed your project Part 3 review on hold September 3, 2021 after reviewing the completion photographs. We noted that you did not comply with one of the special conditions placed on the project. We had approved the proposed project with the condition that the flashing on the chimney had to be step flashing and not a diagonal strip run up the side of the chimney. The photos you sent showed a diagonal strip going up the side of the chimney. The masonry work on the chimney was also poorly executed. I was also informed by the City of Milwaukee in September that you replaced the siding on a rear dormer of the house with textured "smart siding" that we did not review or approve.

I was informed by the City of Milwaukee again on February 24, 2022 that you had no intention of correcting any of the above referenced issues, and were fighting their denial of certification for the project. The execution of unauthorized work means you will not be able to claim tax credits for any of the work on either project.

If you have any questions about this review please contact Paul Porter at 608-264-6491 or [Paul.Porter@wisconsinhistory.org](mailto:Paul.Porter@wisconsinhistory.org).

Sincerely,

Paul Porter  
Tax Credit Reviewer-Eastern District

Homeowners were denied tax credits because they failed to follow directions and also never pre-applied for work on dormer and used Smartside



Chimney Before



Chimney After

**Before  
Photos**



**After**

Had the applicants applied for a COA before the work was done or followed the instructions of the State Historic Preservation Office, the recommended cladding would have been either wood shingles, cedar clapboards or other decay resistant wood. Smartside has not been approved.



**Faux wood grained  
manufactured siding not  
approved.**



### ASSIGNED PROJECT CONDITIONS

#### Contractor Copy

PROPERTY NAME: Ralph T. Friedman House  
PROJECT NUMBER: W1210179-W1210180  
2640 N. Lake Dr.  
Milwaukee

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816 State Street Madison, Wisconsin 53706

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May 4, 2021

Russell & Dorothy Case  
2640 N. Lake Dr.  
Milwaukee, WI 53211

Re: Historic Preservation Certification Application  
Project Number W1210179-W1210180  
Reviewed: Conditionally Approved

Dear Russell & Dorothy Case,

On April 22, 2021, the Division of Historic Preservation received a Historic Preservation Certification Application for your property at 2640 N. Lake Dr. in Milwaukee. Enclosed is a copy of the signed Part 1 application indicating your house has been determined to be a historic property for purposes of this program.

We have reviewed the Part 2 application and determined the proposed project will meet the "Secretary of the Interior's Standards for Rehabilitation" if the conditions on the following page are met. Enclosed is a copy of the signed Part 2 application.

If questions arise during your project, we have many new articles about maintaining and preserving historic buildings that you may find useful: [www.wisconsinhistory.org/pressroom/building](http://www.wisconsinhistory.org/pressroom/building)

When all work is completed, the project must be closed out in order to claim/instant tax credit.

1. Take photographs showing the whole house from all sides, as well as detailed photos of the specific work that was completed. These photos should be printed in color and of a high resolution.
2. Keep the pink form included with this letter (Part 3: Request for Certification of Completed Work). Fill it out with the actual costs of the eligible project work, and submit it with the photos of completed work. This Part 3 form, with a signature from our office, will be required by the Wisconsin Department of Revenue to claim the tax credits.

If you have questions about this approval or the conditions, please contact Paul Porter at 608-264-6491 or [Paul.Porter@wisconsinhistory.org](mailto:Paul.Porter@wisconsinhistory.org).

Please take our 3 minute customer service survey. Your feedback is important.  
<http://bit.ly/3HPS0uwyv>

Sincerely,  
  
Paul Porter  
Tax Credit Reviewer-Eastern District



February 25, 2022

Russell & Dorothy Case  
2640 N. Lake Dr.  
Milwaukee, WI 53211

Re: Historic Preservation Certification Application  
Request for Certification of Completed Work  
Project Number W1210179-W1210180

Dear Russell & Dorothy Case,

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Sincerely,  
  
Paul Porter  
Tax Credit Reviewer-Eastern District

This is letter sent to homeowner and contractor before work begins

Homeowners were denied tax credits because they failed to follow directions. They were denied an after-the-fact COA due to poor workmanship, and unapproved siding.

## So in conclusion,

- The flashing at the chimney did not follow either HPC or Wisconsin Historic Preservation Office guidelines.
- Both entities found the re-pointing of the chimney to be substandard work.
- Both entities found the re-cladding of the dormer non-approvable.



Office of the City Clerk

Jim Owczarski  
City Clerk  
jowczar@milwaukee.gov

Dana J. Zelazny  
Deputy City Clerk  
d.zelazny@milwaukee.gov

January 11, 2022

**CERTIFIED MAIL**

Russell and Dorothy Case  
2640 N. Lake Dr.  
Milwaukee, WI 53211

Chris Weaver  
Rescue My Roof, Inc.  
4561 N. 124<sup>th</sup> St.  
Butler, WI 53007

**RE: Resolution relating to a Certificate of Appropriateness for chimney reconstruction, and dormer re-cladding at 2640 N. Lake Drive, in North Point North Historic District, for Russell and Dorothy Case.**

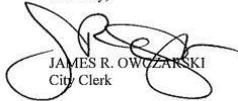
Dear Mr. and Mrs. Case and Mr. Weaver:

Your application listed above was heard at the Historic Preservation Commission meeting of January 10, 2022. At this meeting, the Commission denied your application for the chimney tuck pointing and use of Smartside on the dormer.

You can appeal the Commission's decision to the Common Council by filing a written request with the City Clerk by February 3rd. I have also included a copy of any appeal requirements you might be required to comply with and the required documents. The appropriate Common Council committee will hear your appeal at its next meeting.

If you have any questions relating to the appeal process, please contact Linda Elmer at 414-286-2231.

Sincerely,



JAMES R. OWCZARSKI  
City Clerk



HPC Reviewed the after-the-fact application for the COA on January 10, 2022 and denied the project.