



# Milwaukee Historic Preservation Commission Staff Report

LIVING WITH HISTORY

**HPC meeting date: 7/10/2023**  
**Staff reviewer: Tim Askin**

**Ald. Bauman**  
**CCF #230130**

**Property** 2813-2815 W. State St. Concordia

**Owner/Applicant** Lawrence D. & Pamela Thomas, 2813 W. State Street

## **Proposal**

Retain chain link fence in rear yard that was installed by prior owners.

## **Staff comments**

This portion of Concordia was designated in 1988. A survey from 1989 does not show this fence, but does show fences on adjoining properties. The subject fence can be seen in the earliest google streetview that occurred in 2007 and in a 2005 aerial photo. Staff is unaware of any explicit written policy about chain link fences by HPC until 1997.

The certificate of repose can be considered. The criteria are as follows:

- a. Formal title transfer in at least one arm's length transaction prior to notice of violation. **Unclear.** Owners have been requested to provide their title and date of purchase. City records are unclear and official county records are not free to the city.
- b. More than three years have elapsed since the work was performed. **Yes.**
- c. Presents no safety hazards. **Yes.** DNS only cited for lack of permit and lack of COA.
- d. Costs more than \$1,000 to remediate. **Likely, but unclear.** Removing the fence is probably less than \$1,000, but replacing it with an acceptable fence would be.
- e. No citation issued to prior owners. **Yes.**
- f. N/A

There are two issues here:

1. The HPC must determine whether replacing the fence is to be considered part of the \$1,000 to remediate the issue. Staff declines to offer an opinion on such a policy decision. The commission must directly on the matter.
2. The owners must provide evidence of their purchase date and terms of purchase. This detail can be left with staff to determine, but the deed must be provided.

The information required to grant a Certificate of Repose is incomplete and requires a policy a determination. If the HPC determines that replacement cost is an allowable portion of the \$1,000 cost, staff recommends a HOLD, pending staff review of the deed. If the deed is satisfactory, HPC can grant the certificate of repose in July without requiring the owners to return.

**July: Owners have submitted a warranty deed that was recorded after the first appearance of the fence in aerial photos. Staff recommends granting the Certificate of Repose.**

**Recommendation** Recommend HPC approve repose.

**Conditions**

**Previous HPC action**

**Previous Council action**