



Office of the City Clerk

Jim Owczarski
City Clerk
jowcza@milwaukee.gov

Richard G. Pfaff
Deputy City Clerk
rpfaff@milwaukee.gov

Date: October 12, 2018

To: The Honorable, Members of the Common Council

From: Historic Preservation Staff

Re: Concerns of Ms. Susan LaBudde regarding enforcement

The members of the Zoning, Neighborhoods and Development Committee directed Historic Preservation to follow up on the concerns of Ms. Susan LaBudde regarding enforcement of preservation guidelines in the North Point North Historic District.

The following properties were investigated by Historic Preservation staff.

The documents gathered by Historic Preservation staff relating to each of the properties are available upon request.

2810 East Bradford –Rooftop Air Conditioning Condenser.-

This property was incorrectly identified by Ms. LaBudde as 2506 North Terrace Avenue. Historic Preservation staff determined the correct address from her photos as well as Google aerial views.

A Certificate of Appropriateness was issued by Preservation Officer Les Vollmert on June 20, 1989, for the rooftop air conditioning condenser. It is on the rear roof slope and not visible from Bradford Avenue.

2370 North Terrace—Rooftop Air Conditioning Condenser

In 2012 Historic Preservation staff Paul Jakubovich administratively approved two condensers, one on the rooftop and one in the back yard and entered this information into the Project Tracking System. Conditions of the approval were that the units not be visible from the street and not be placed in the side setback area. It is unclear whether or not a paper copy of the Certificate of Appropriateness was issued. The rooftop condenser is set back from the front of the roof and only slightly visible from certain angles.



2457 North Terrace—Front Skylight

The front skylight was installed sometime before 1976 as documented in permit records. This was before the creation of the historic district in 1983. In 2016 the owners applied for a Certificate of

Appropriateness to re-roof and were uncertain about the removal of the front skylight. A Certificate of Appropriateness was issued giving the owners the option to retain the front skylight due to the fact it pre-dated the historic district and was not a violation that occurred after the district was created.

In 2018 new owners have recently been granted a Certificate of Appropriateness for extensive repairs to the building. The Certificate of Appropriateness approved, among other things, removing the front skylight and building a dormer in its place. The skylight will be removed.

2604 North Terrace—Skylight and Garden Lighting

It was noted in March, 1999 that skylights had been installed without a Certificate of Appropriateness. Historic Preservation staff Carlen Hatala found that no building permit had been issued for the skylights and that they were likely installed in 1987 when a bedroom and bathroom were being added to the third story. Ownership had changed between 1987 and 1999.

Former Historic Preservation Officer Brian Pionke did not pursue enforcement due to recent action by the Historic Preservation Commission. At its meeting of September 15, 1997 the Commission discussed how far back it should require enforcement on violations. No minutes survive from that meeting. Brian Pionke decided that the violation occurred too far back for enforcement per the Commission's discussion.

The property at 2604 North Terrace Avenue has changed hands five times between 1993 and the present.

Ms. LaBudde also brought up the matter of excessive garden lighting at this property. The exterior lighting has been referred to DNS and the matter is pending.

2604 N. Lake—Skylights

There are skylights on the roof of the south bay. They were installed sometime after 1983 when the historic district was created and before 2007. No permits were taken out for this installation. No Certificate of Appropriateness was issued for this installation.

Historic Preservation staff became involved with this property when neighbors complained that work was being carried out that did not appear appropriate. Historic Preservation staff Paul Jakubovich had a conversation with the owner in 2007 about the need for a Certificate of Appropriateness when the owner chose to re-roof. He also told the owner the skylights needed to be removed during re-roofing since they had been installed after the historic district was created. Removal of the skylights was also entered into the Project Tracking System by Paul Jakubovich.

The owner was in the midst of correcting a number of preservation violations as well as building an extensive coach house on the premises and undertaking extensive landscape work, a process that lasted a number of years starting in 2006.

Despite the verbal discussion with Paul Jakubovich the owner re-roofed the house and kept the skylights and had not applied for a Certificate of Appropriateness or a permit.

The owner's attorney Bruce Block wrote a formal letter and took the position that his client (the owner) did not have to remove the skylights as he had not installed them. The current owners have had the property at least as far back as 1988.

We do not know if Paul Jakubovich followed up formally with DNS to register the violation. The skylights are still in place.

2800 Block of North Hackett Avenue—Solatube Installation

Ms. LaBudde mentioned at ZND that solatube installation occurred in 2800 block of North Hackett. No specific address was given. This block is not in a local historic district and is not under the review authority of the Historic Preservation Commission.

N. Lake Drive Condo—Solatube Installation

Ms. LaBudde mentioned that her contractor was in the process of installing a number of solatubes at a big condo on Lake Drive, she thought it was the 2600 block of North Lake Drive. Historic Preservation staff identified the project at 2533-2555-2557 North Lake Drive, a multi-unit condominium constructed in 1982. Installation of solatubes without a COA is being investigated by DNS.

2557 N. Terrace Avenue—Flagpole Installation

Photographic evidence shows that the flagpole was installed in the front lawn after 1980. No permit and no Certificate of Appropriateness were applied for. This apartment building has been under the same ownership since 1971.

DNS has been notified and is investigating.

Solatubes—Permitting Requirement

Per discussion with Bruce Johnson, plan examiner, the solatubes require a building permit. There are questions about going through an attic space through to the ceiling of the living space. Fire rating can be affected. There needs to be a fire rated separation between the ceiling and the attic. Exceptions to the requirement for permits are listed in Chapter 200-24 of the Milwaukee Code of Ordinances and solatubes are not included in the exceptions.