



## Milwaukee Historic Preservation Commission Staff Report

LIVING WITH HISTORY

HPC meeting date: 10/14/2019  
Ald. Khalif J. Rainey District: 7  
Staff reviewer: Carlen Hatala  
PTS #114846 CC File # 190767

**Property** 3047 N. SHERMAN BL.

**Owner/Applicant** LAKEIA JONES TOD  
3047 N SHERMAN BLVD  
MILWAUKEE WI 53210  
Lakeia Jones  
3047 N. Sherman Blvd.  
Milwaukee, WI 53210  
Phone: (414) 759-6377

**Proposal** This matter came to the attention of the HPC through neighborhood complaints.

The applicant is seeking retroactive approval for a fence. The applicant obtained a COA and permit in 2012 for a 6' tall dog ear style wood fence extending from the southeast corner of the lot toward the southwest corner of the lot between the applicant's property and the adjacent lot to the south. The fence permit obtained by the applicant conditioned the COA further and a note explains that at the side yard the fence, per code, must be 4' tall with 2' at the top that must be 50% open. The COA expired after a year and the permit expired after six months and the applicant did not start the work within those time frames.

The applicant erected the fence at 3047 N Sherman this year (2019). The fence is 6' high dog ear style and built of pressure treated wood. The side yard fence and gate are 6' tall without the required 50% opening at the top 2 feet of the fence, making it non-compliant with code. The applicant now seeks retroactive approval for the fence or conditions/guidance in order to make this fence acceptable by Historic Preservation Standards.

### Staff comments

To summarize the main issues with the fence:

1. COAs are good for 1 year. The 2012 COA had expired as had the building permit requiring that a fence could be installed even with front wall of the property only if the top 2 feet were 50% open. No fence was built at that time.
2. The fence is too tall at the front per code and blocks the neighbor's window
3. The gate is rickety/sagging and not well constructed
4. Pressure treated lumber was used in place of the usual cedar and is knotty and shows imperfections. These show through the reddish stain already applied to the front portion of the fence.
5. Neighbors who observed the setting of the fence posts indicate they were not set deep enough into the ground. The code requires 30 inches.
6. The workmanship on the fence is not consistent with other fences built in historic districts.

**Recommendation** Deny as built

**Conditions**

If the fence meets code as to dimensions of wood posts and anchoring in the ground as determined by the Department of Neighborhood Service, the fence is to be cut down to 4 feet to the point where it parallels the back wall of the house, then can remain at 6 feet. Wood needs a darker paint/stain to hide the imperfections in the wood.

**Previous HPC action****Previous Council action**