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August 9, 2010

Mr. John Lemmo, Chair
Historical Resources Board (HRB) Members
202 C Street, Fifth Floor
San Diego, CA 92120

Re: 6004 Muirlands Drive, La Jolla, Substantial Modifications & Changes--Lack Of Original Integrity

Dear Chairman Lemmo:

As you know, the 6604 Muirlands Drive property ("Property") is composed of a developed site, single-family residence, and guest house/garage. The purpose of this letter is to document recently identified *substantial* modifications and alterations which have adversely impacted the Property since its construction in 1946.

In short, collective changes to the Property have affected the majority of integrity components necessary to support a historic designation, including original design, setting, materials, workmanship, feeling, and association. The fact that these elements have been compromised means that the Property lacks original integrity. Put simply, the Property does not convey or maintain any alleged historical significance since original physical characteristics, including materials and "character defining features" which existed in 1946 have been removed, replaced, altered, or changed over time.

Site—Property Subdivided

Recently discovered aerial photographs of the Property taken in October, 1966 and October, 1970 depict the overall site (Lot 1, Block 16, Muirlands subdivision) as "U"-shaped with the residence positioned squarely in the center of the lot and the guest house/garage located to the southeast. The Property is clearly depicted as open in nature with mature landscaping/plant material along the western side of the property. In 1965, the Property was itself divided (lot split) such that a portion of the western property boundary was deeded to another party, who later built a new home on that property.

The effect of the lot split was to produce a virtually non-existent, non-usable rear (backyard) area for the Property. The wide rear yard expanse (“a deep setback” identified in the HRB Staff Report, Number HRB-10-031, July 16, 2010), an important element to the Modern Ranch ideal of social entertainment, which originally characterized the Property, has therefore been completely removed and the entire character of the lot has been altered. The westerly home constructed on the newly created lot is literally less than 10 feet from the rear of the residence and any sense of an estate lot or setting forever ruined. *(See presented photos for further background, Item #1, Photos A-D).*

Site—Driveway Altered

The aerial photographs from 1966 and 1970 depict the Site has having driveway-access from Muirlands Drive along the eastern side of the Property. The photographs clearly show that access to the Property from Muirlands Drive occurred only by virtue of a *single, linear driveway*. Sometime after 1970, the driveway was modified to create an extension or “roundabout” which emptied further southeast into Muirlands Drive. Once this was accomplished, the driveway had been transformed. According to the HRB Staff Report, what now resulted was a “motor court (circular drive leading to the garage).” The effect of this modification was to create a non-original, false feature. According to the HRB Staff Report, such a feature is “indicative of Custom Ranch homes.” *(See presented photos for further background, Item #2, Photos A-F).*

Site—Landscaping Altered/Removed

The aerial photographs from 1966 and 1970 clearly depict the Site as open with an accessible footpath along the western side of the Property terminating on Muirlands Drive. It also depicts the Property as having mature landscaping/plant material along the western side of the property. Historic photographs of the Property included in the previously submitted Historical Resource Technical Report (HRTR), dated May, 2010, show the Site as having at least three (3) mature Palm Trees along the eastern property boundary near the driveway. Today, the open nature of the site, as well as the mature landscaping/plant material along the western property boundary, and palm trees along the eastern property boundary are gone, thereby affecting the “large landscaped property” and “generous landscaped front yard” as identified as features indicative of the Custom Ranch style in the Modernism Context Statement and HRB Staff Report. *(See presented photos for further background).*

Residence—Patio Enclosure

Recent extensive forensic examination and analysis has revealed that the southeastern corner of the residence has been converted from an open air patio (similar to the northwestern still remaining patio) into an enclosed room. This work may have taken place as part of the previously identified building permit described as a “canopy cover” in 1956. When originally constructed, the space at this section of the home was open underneath the roof overhang. This area appears to have been built to compliment, or at least mirror, the open patio area at the northwest corner of the home.

However, at an unknown date, the southeastern corner patio area was enclosed by the addition of a new stem wall, glass windows, and doors. This has been documented with extensive forensic investigation which shows that the slab for this area was not poured with the home slab; the walls in the patio space are the exact same vertical T&G siding on the rest of the house (now covered with paneling); the presence of a barbeque which would never have been built inside the home; the red concrete scored patio surface is the same surface from the other outdoor patio; and the presence of asphalt sealer under what would have been the door threshold to this outdoor patio.

The effect of this patio enclosure was to modify and alter an open patio area which was originally used for recreational gatherings, again an important element to the Modern Ranch ideal of social entertainment. Further, and perhaps more importantly, this patio area identified in the HRB Staff Report as located on the “south end” to complete the “[s]prawling floor plan” (a character defining feature of the Custom Ranch style) of the home was modified, thereby changing the configuration of the original floor plan, altering the relationship with the northern porch area, and resulting in a substantial change to the appearance and massing of the front façade. *(See presented photos for further background, Item #3, Photos A-H).*

Residence—Master Bathroom Window

According to a previous property owner, Mr. Collins Haines (see attached sworn Declaration of facts), in or about 1978, a “smaller” bathroom window along the east elevation (master bathroom area) was changed to a “larger” window as part of a substantial bathroom remodel. The current metal window along this elevation is, therefore, not original. Recent extensive forensic examination and analysis supports this fact and demonstrates further that the window size, framing, and exterior materials along this elevation are also not original, and were altered at least two times in the past (given the multiple generations of framing inside the wall and the replacement of the entire exterior siding in this area as well as the pouring of a new foundation in this area). The investigation into the interior framing of the Master Bathroom indicates that the current window is narrower by at least 2’-0” from the originally installed window and probably at least 9” taller as well. Again, this further significantly alters the front façade appearance and leaves a substantial section further lacking integrity.¹ *(See presented photos for further background, Item #4, Photos A-J).*

Residence—Skylight Installation

According to Mr. Haines’ signed Declaration, in or about 1978, a skylight was installed over the master bedroom bath “requiring modifications to the roof.” It is not known precisely how the roof itself was modified, but again, a large 48” by 48” white plastic domed skylight was installed

¹ Note that a clearer *San Diego Union*, October 5, 1947 photograph of the window area or this elevation, aside from what has already been submitted in previous documentation, was not found in at the University of California, San Diego (UCSD), Geisel Library. Further, aside from the Haines family, no other previous owners could be found for contact. Finally, the Haines family did not have any historic photographs of the property in their possession.

over the Master Bath footprint in plain view on the front facade further eroding the integrity of the façade. *(See presented photo for further background, Item #5, Photo A).*

Residence—Re-Roofing

According to Mr. Haines' signed Declaration, during the 1980s, "the roofing on the house and the guesthouse were completely redone." The "wood shingle roofing" as identified by the HRB Staff Report as a character defining feature of the Custom Ranch style is, therefore, not original and does not maintain its original material or integrity.

Guest House/Garage—Roofing Material

As discussed above, according to Mr. Haines' signed Declaration, during the 1980s, the roofing on the guesthouse was "redone." He goes on to state that the "garage roofing material was originally wooden shingles not quite the same as the shake shingles that replaced them." The "wood shingle roofing" as identified by the HRB Staff Report as a character defining feature of the Custom Ranch style is, therefore, not original, particularly as it relates to shingle style and appearance.

Guest House/Garage—Window Shutters

Further, inspection of the two wood shutters on the garage appears to have been added as an afterthought and may not be original to the design. From a design perspective, the "shutters" themselves are only located on one side of the windows and even the width of the shutter represents only approximately 30% of width of the window itself. In any event, the presence of a mere two wood shutters, completely out of scale and proportion, cannot be regarded as any meaningful character defining feature of the Custom Ranch style, as cited in the HRB Staff Report. *(See presented photo for further background, Item #6, Photo A).*

Guesthouse/Garage—Exterior Wall Cladding Material (Brick)

Recent extensive forensic examination and analysis has revealed the garage wall cladding is not brick at all. The brick on the entire garage facing the courtyard living spaces is, in fact, brick tile veneer. This was apparently added at some point in time and is not original based on the look, installation method and style of the ¼" thick tiles. *(See presented photos for further background, Item #7, Photos A-B).*

Residence — Rear of Exterior - Brick Cladding

According to Mr. Haines, in or about 1980, "the brick wall surrounding the kitchen and part of the dining room was replaced with new brick due to substantial cracking throughout the area. This was an extensive renovation, requiring that the kitchen area be propped up with temporary braces while the old brick was removed and new brick installed. It took some time...." The area of brick to which Mr. Haines refers is located along the west elevation.

Recent extensive forensic examination and analysis has revealed Haines' statements to be true. From examination, the brick along two entire sections of the west façade have been totally replaced and are not original. Additionally, the replaced brick from the 1980s has now also extensively failed and has either cracked or significantly shifted and moved to a point where it is not structurally sound. (See presented photos for further background, Item #8, Photos A-B).

Residence — Front of Exterior - Brick Cladding

Additionally, and more importantly, in-depth inspection and forensic investigation further indicates that the brick exterior located along the main, front façade of the residence (east elevation), at the bay window and entry fireplace, are also not original. The brick is placed in a fashion with the vertical wood siding behind the brick cladding, indicating it was added after the fact. At a minimum, it reflects an incredibly poor method of construction and a method of attachment void of any craftsmanship. The addition of non-historic brick at these areas of the Property clearly does not represent a character defining feature as cited by the HRB Staff Report as “[e]xtensive use of...brick throughout the house.” (See presented photos for further background, Item #9, Photos A-D).

Swimming Pool Area

According to Mr. Haines' signed Declaration, in or about 1975, “a swimming pool was installed in the backyard. The entire patio was replaced.” The area referenced by this statement is located along the south side of the residence. Further, according to Mr. Haines, “[i]n the early 2000's, the pool was dismantled [i.e. in-filled]. Given that this was the main outdoor living area for the home, this entire area has undergone significant and complete renovations at least twice in its existence. (See presented photo for further background, Item #10, Photo A).

Retaining Walls

Mr. Haines' signed Declaration also has indicated that around 1978 “a reinforced retaining wall was installed on the west side of the pool.” Recent extensive forensic examination and analysis has substantiated this claim and found that the entire westerly patio wall adjacent to the main outdoor living area is not original and was added in 1978 with new brick cladding that does not match the original brick of the home.

As with the above discussions, the addition of non-historic brick at these areas of the Property clearly does not represent a character defining feature as cited by the HRB Staff Report as “[e]xtensive use of...brick throughout the house.” (See presented photos for further background, Item #11, Photos A-D).

Fence Walls

As stated above, during the 1970s, a swimming pool was added to the property along the south elevation. In early 2000, this pool was removed. In conjunction with the addition of the swimming pool, Mr. Haines' Declaration has indicated that around 1978, when the pool was

removed, “the brick wall on the East side of the pool was removed to allow removal of the debris. This wall was then rebuilt for a sizable portion of its north/south run.”

Recent extensive forensic examination and analysis has confirmed this and in fact, the front façade brick walls which are visible to the street, as well as the fence to the main outdoor entertaining area, have been rebuilt several times. No less 6 (six) types of brick are visible in this area.

As with the above discussions, the addition of non-historic brick at these areas of the Property clearly does not represent a character defining feature as cited by the HRB Staff Report as “[e]xtensive use of...brick throughout the house.” (*See presented photos for further background, Item #12, Photos A-B*).

Exterior Patio Modifications

Forensic investigations have revealed that the patio to the east of the enclosed open patio is also new. The slab appears to have been poured after the patio was enclosed and was done to correct a serious site drainage issue. The slab is finished with a pool deck coating (cool-deck) and is poured literally right to the top of the stem wall of the patio enclosure wood framing, and slopes to the south to direct all the water around the house. The slab was literally poured against the wood framing and sill of the new patio enclosure walls, and reflects a further erosion of any original integrity for both the outdoor living areas and front elevation. (*See presented photos for further background, Item #13, Photos A-D*).

Residence--Interior Modifications

In addition to the extensive exterior changes to the Property, Mr. Haines has indicated that the residence has undergone a number of interior modifications. These include, but are not necessarily limited to, removal of family room/living room wall; removal of all kitchen cabinets and counters; removal of all kitchen plumbing; new kitchen flooring installed; new stovetop and oven installed; new master bathroom installed with new countertops, plumbing, mirrors, bathtub/Jacuzzi; and bathroom door replaced.

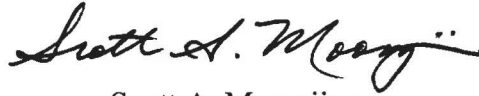
Changes To The Property Have Resulted In A Lack Of Original Integrity

According to the HRB *Guidelines for the Application of Historical Resources Board Designation Criteria*, a resource must retain integrity to be eligible for designation under any and all HRB Criteria. “Integrity” is defined by the Guidelines as “the authenticity of a historical resource’s physical identity clearly indicated by the retention of characteristics that existed during the resource’s period of significance.” Further, integrity relates “to the presence or absence of historic materials and character defining features” of a resource.

In considering the above discussion regarding the substantial modifications and alterations that the Property has sustained over the years, it is clear that the Property does not retain authentic physical characteristics which existed at the time the Property was developed in 1946. Further, it

is also clear that the Property does not possess a number of original materials and/or “character defining features” of the Custom Ranch style to support designation. Without the requisite level of integrity, the Property is not eligible for historic designation under any HRB Criteria, including but not limited to, HRB Criterion C (Architecture) and/or HRB Criterion D (Work of a Master). On the basis of the foregoing, I would request that the HRB not designate the Property when it is considered by the Board on August 26, 2010.

Respectfully Submitted,

A handwritten signature in black ink, reading "Scott A. Moomjian". The signature is written in a cursive style with a prominent flourish at the end.

Scott A. Moomjian
Attorney at Law

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DECLARATION OF COLLINS HAINES

I, Collins H. Haines, declare as follows:

1. I am a resident of Escambia County, State of Florida, and over the age of eighteen (18) years, and have personal knowledge of the matters stated I this declaration. If called as a witness, I could and would competently testify to the matters stated in this Declaration.
2. I jointly owned the real property located at 6604 Muirlands Drive, La Jolla, California (the "Property") with Rosalie Haines from 1973 until July 2009. I lived at the Property from about 1973 until 1987, and then from 1989-1990.
3. On or about July 16, 2009, Rosalie Haines, through her legal guardian Timothy Haines (who is our son) and I sold the Property to Jim and Colleen Coffman as Trustees of the Coffman Family Trust dated 9/22/08.
4. While I owned the Property, I made or caused to be made certain changes to the home.

Such changes included the following:

- a. In or about 1974, we had the wall between the family room and the living room replaced. Previously, the wall contained built in bookshelves and spaces that would allow one to look through to the living room. It was replaced with solid wood paneling.
- b. In or about 1974, all kitchen cabinets and counters were torn out and replaced. All kitchen plumbing was replaced. Butcher block was installed in one counter and new flooring was installed. A new stovetop and oven were also installed.
- c. In or about 1975, a swimming pool was installed in the backyard. The entire patio was replaced. New steps and porch were installed leading to the guesthouse.

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- d. In or about 1978, the entire bath joining the master bedroom was torn out and replaced. New countertops, plumbing and mirrors were installed as well as a new bathtub/Jacuzzi. The smaller windows were changed out for larger windows and a second door of the former child's bathroom was removed and closed in.
- e. In or about 1978, a skylight was installed over the master bedroom bath requiring modifications to the roof.
- f. In or about 1978, a reinforced retaining wall was installed on the west side of the pool.
- g. In or about 1980, the brick wall surrounding the kitchen and part of the dining room was replaced with new brick due to substantial cracking throughout the area. This was an extensive renovation, requiring that the kitchen area be propped up with temporary braces while the old brick was removed and new brick installed. It took some time and made the kitchen unusable for a period.
- h. In the early 2000's, the pool was dismantled. In this process, the brick wall on the East side of the pool was removed to allow removal of the debris. This wall was then rebuilt for a sizeable portion of its north/south run.
- i. In the 1980's, the roofing on the house and the guesthouse were completely redone. The garage roofing material was originally wooden shingles not quite the same as the shake shingles that replaced them.

I declare under penalty of perjury under the laws of the State of California that the foregoing is true and correct. Executed at Pensacola, Florida on July 20, 2010.

By: CH Haines
Collins H. Haines

ITEM #1



Photo A - 1970 aerial photo showing 6604 Muirlands home centered in a large estate lot pre-lot split.



Photo B - Current aerial photo showing the lot post-lot split and the new home to the west 10' from the home.



Photo C - Current aerial photo showing the westerly home and it's proximity to 6604 Muirlands Residence.



Photo D - Photo from 6604 Residence Kitchen showing proximity of post-lot split adjoining home.



Photo A - Current photo of circular driveway at 6604 Muirlands Drive Residence.

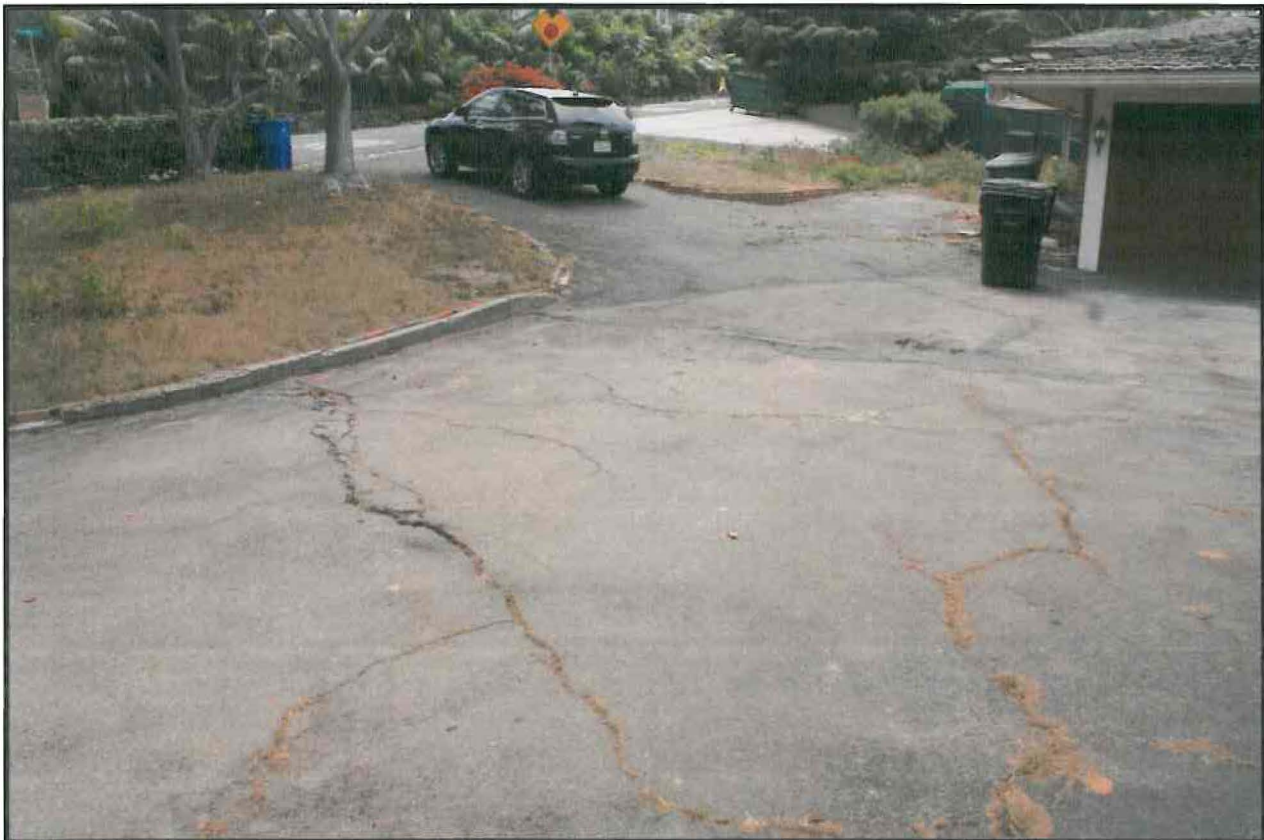


Photo B - Current photo showing new circular drive addition and break in original brick/block border.

ITEM #2



Photo C - Photo depicting termination of original border next to added new border



Photo D - Photo showing original driveway border buried under added circular driveway addition.



Photo E - Photo showing dashed original location of non-circular driveway location

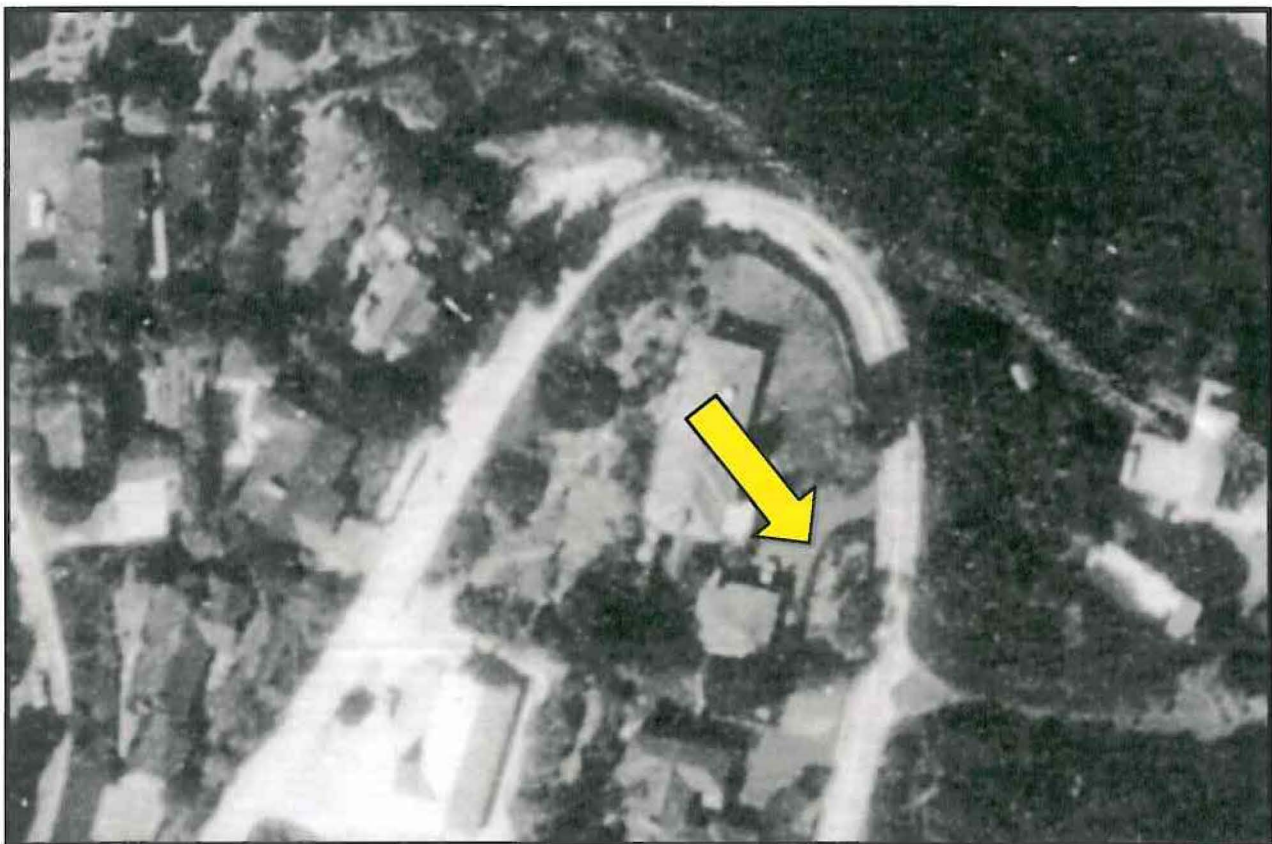


Photo F - 1966 Aerial Photo showing original (non-circular) driveway configuration



Photo A - Photo showing enclosed patio area at front southern corner of the home.



Photo B - Photo of interior or former open patio deck enclosed in 1956

ITEM #3



Photo C - Photo showing original scored and colored concrete patio now enclosed - note slope of floor.



Photo D ~ Photo showing original patio edge in red concrete with wood doors place on top.

ITEM #3



Photo E - Reference photo showing exactly the same scored red concrete at northwestern open patio.



Photo F - Photo showing exterior barbeque located at now enclosed patio without full exhaust covering even.

ITEM #3



Photo G - Photo of threshold between Living Room and patio showing asphalt sealer to former exterior door.



Photo H - Photo showing exterior vertical T & G siding behind paneling in former patio room .



Photo A - Photo showing location of front facade window replaced with aluminum window.



Photo B - Close up showing aluminum replacement window.



Photo C - Photo showing area of new foundation under replaced window (see color of concrete).



Photo D - Photo showing clear evidence of new foundation and vertical joint in T&G siding.



Photo E - Photo showing 45 degree mitre joint mid span on vertical T&G for replaced area of siding under window



Photo F - Photo clearly showing splice joint in siding under replace window above new foundation



Photo G - Photo clearly showing at least 3 generations of framing lumber at replaced window



Photo H - Photo clearly showing complete re-framing at replaced window

ITEM #4



Photo I - Photo clearly showing re-framing of side and bottom at replaced window and new skip sheathing



Photo J - Photo clearly showing re-framing of side and bottom at replaced window and new skip sheathing



Photo A - Photo showing 4 foot square plastic dome skylight installed at front facade over bathroom.



Photo A - Photo showing the only 2 shutters on the home which are not true shutters but tacky ornament.



Photo A - Photo showing applied non-original "brick" veneer to garage



Photo B - Photo showing applied non-original "brick" veneer to garage.



Photo A - Photo showing replaced brick at Kitchen area at rear facade.



Photo B - Photo showing replaced brick at rear facade.



Photo A - Photo showing brick area adjacent to fireplace



Photo B - Photo of brick at entry area showing wood siding behind the brick .



Photo C - Brick cladding at bay window on front facade



Photo D - Photo showing wood siding installed behind brick cladding

ITEM #10



Photo A - Photo showing location of pool that was added and later removed on main entertaining space.



Photo A - Photo of new site walls and retaining walls added .

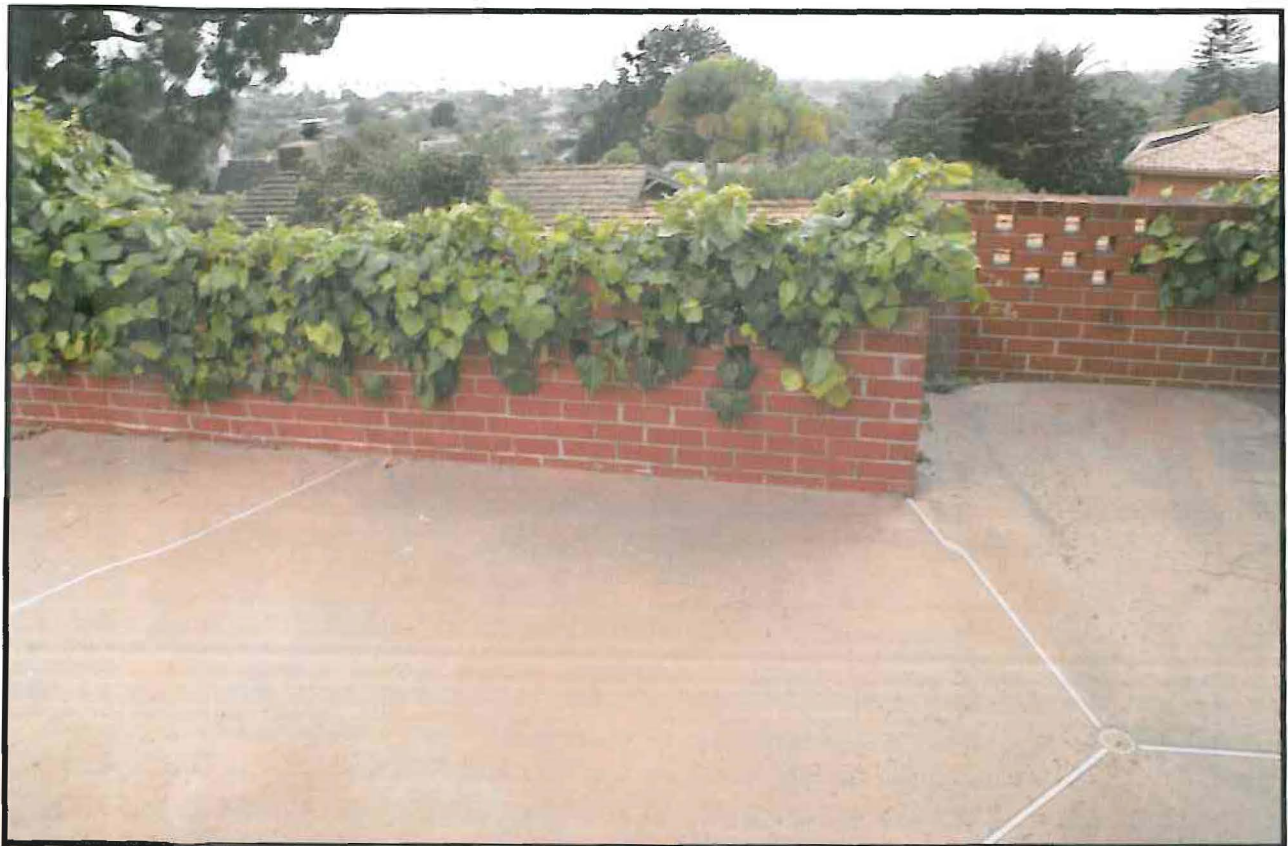


Photo B - Photo of added site retaining walls in new brick

ITEM #11

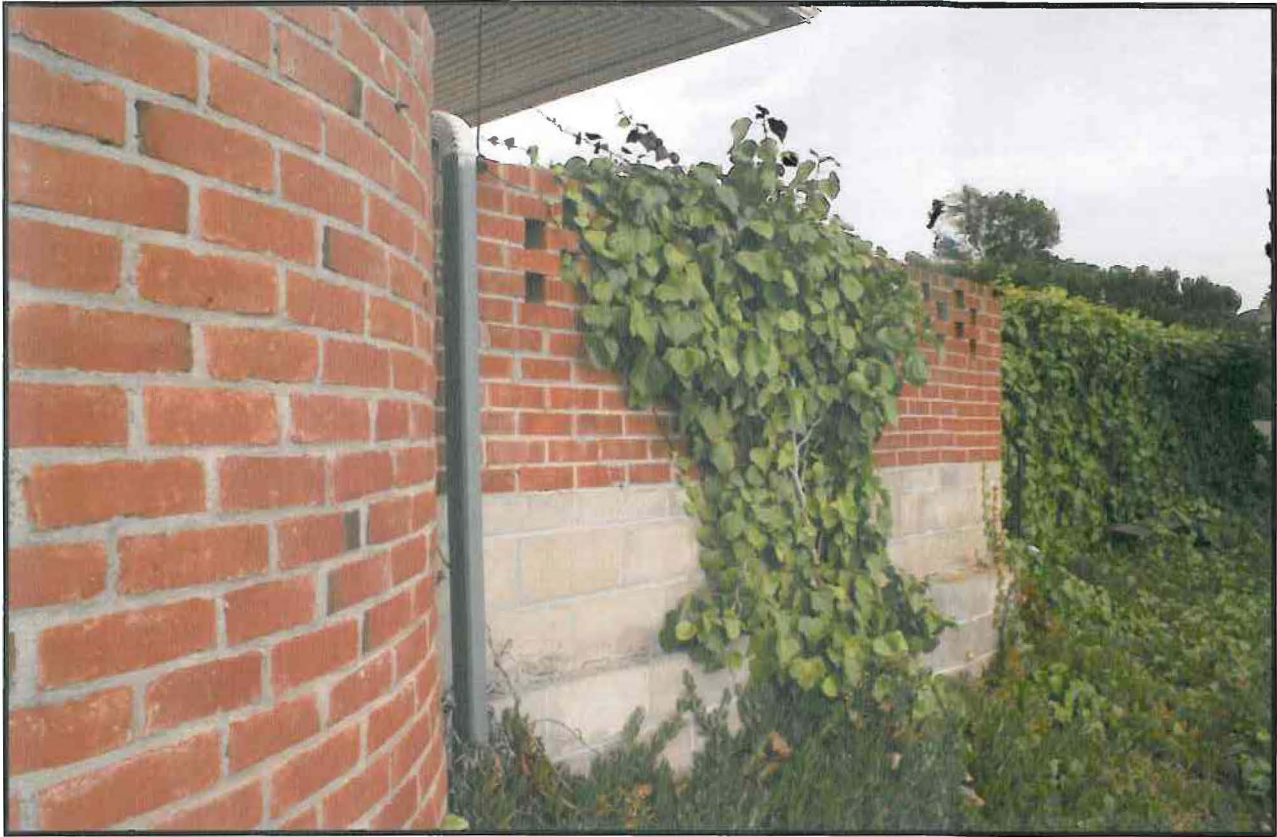


Photo C - Photo showing new block site retaining walls and mis-matched brick



Photo D - Photo showing mis-matched brick at new site retaining walls to house.

ITEM #12



Photo A - Photo showing added and remodeled brick site wall visible to front elevation



Photo B - Photo from main entertaining space showing no less than 6 brick styles.

ITEM #13



Photo A - Photo showing new concrete patio and finish installed to keep water from flooding home.



Photo B - Photo showing new concrete patio and finish installed to keep water from flooding home.

ITEM #13



Photo C - Photo showing new concrete patio poured to top of added wood window sill.

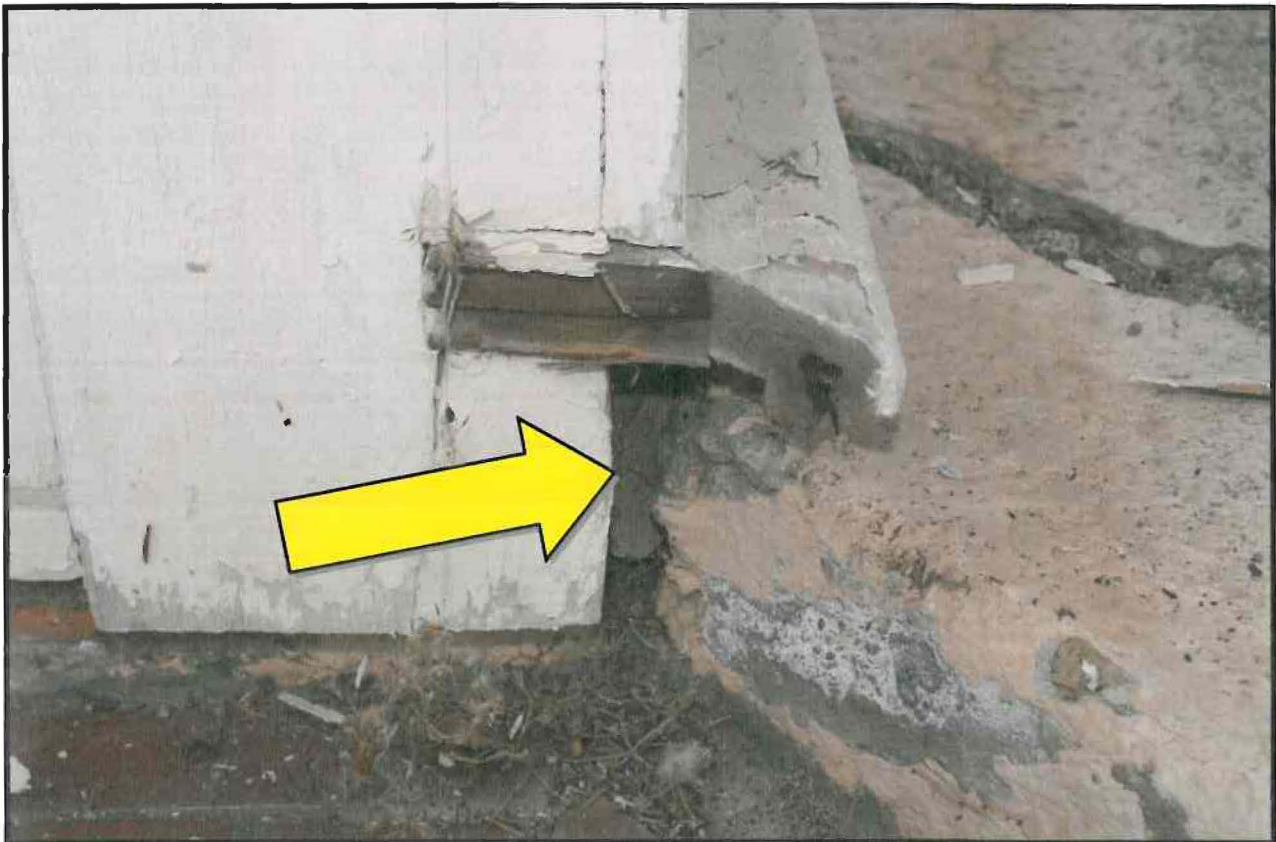


Photo D - Photo showing new concrete patio slab poured and encasing wood sill for added window