



Department of Planning and Development

Staff Report to the Historic Districts Commission

May 4, 2017

1841 Crooks Road – Demolish House	
REQUEST	Certificate of Appropriateness or Notice to Proceed for demolition of existing house
APPLICANT	Frederick and Kathryn Dunn
FILE NO.	HDC # 99-011
PARCEL NO.	15-20-428-003
ZONING	R-1 – One family residential
HISTORIC DISTRICT	1841 Crooks Road
STAFF	Kristine Kidorf, Kidorf Preservation Consulting

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Request

This is an application to demolish the house at 1841 Crooks Road. The Commission had an informal discussion with the applicant at the April 2017 meeting to discuss the owner’s options. There was no formal application to act on at that time. The property contains a house and barn that contribute to this individually designated historic district that is located on the east side of Crooks Road. The house sits southwest of the barn on the property with the house being closest to Crooks Road. The site has a circular drive with many trees and bushes around the buildings and edges of the property. There are subdivisions around the property. The applicant is proposing to demolish the existing house and states they will build a similar house set further back from Crooks Road. No plans were provided for the proposed new house.

Historical Information

1841 Crooks Road which is an individual historic district was designated by the City of Rochester Hills in 1978. The house was built sometime in the 1860s and 1870s, and is an example of the upright and wing house type popular in Avon Township and Oakland County in the nineteenth century. The house was originally part of the 230 acre A.C. Parker farm which also contained other buildings to the south near the

stream. The 1908 Oakland County Atlas shows the house on 52 acres of property owned by E. Berry. The 1938 Rural Property Inventory shows the house belonging to E. J. Beattie, of Grosse Pointe Park. Per the inventory the house was remodeled in 1910, well within the period of significance for the district and during the time property was being used for agricultural purposes. Twenty-four acres of the property were "class A agricultural crop land." It is rare to find a surviving house and barn in Rochester Hills. From the 2002 *Rochester Hills Historic Districts* survey, "Relatively few farm buildings other than farmhouses survive to represent the agricultural landscape that once constituted nearly the whole of Avon Township. Therefore, most farm buildings that retain the greater part of their historic appearance are considered significant. Most common are barns: a total of twenty-five buildings historically used as barns are extant in the survey area. This is likely the total or very close to the total for Rochester Hills."

Review Considerations

The applicant is requesting approval to demolish the house at 1841 Crooks Road, an individually designated historic district with two contributing structures, the house and barn. The owner states they will build a new house further back from Crooks on the property. No plans have been provided for the new house.

No specifics of how the house would be demolished or how the site would be re-graded after the demolition have been provided.

Even if a new house is constructed that is similar to the existing house the district would not retain its historic integrity. The Secretary of the Interior's Standards for Rehabilitation emphasize retaining historic buildings and fabric, not demolishing and constructing a replacement.

The Commission needs to consider whether the requested demolition meets The Secretary of the Interior's Standard for Rehabilitation and thereby qualifies for a Certificate of Appropriateness. The Secretary of the Interior's Standards for Rehabilitation and Guidelines, in particular standard number 2, states, "The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided." The house is a contributing and distinctive feature of the district. Removal of the house would violate this standard and thereby the proposed demolition does not meet The Secretary of the Interior's Standards for Rehabilitation.

Alternately the Commission can determine if one of the conditions exist in order to issue a Notice to Proceed. Per the ordinance the conditions for Notice to Proceed are:

- (1) The resource constitutes a hazard to the safety of the public or to the resource's occupants;
- (2) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community, and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances;
- (3) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other event beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner; or
- (4) Retaining of the resource is not in the interest of the majority of the community.

Summary

1. The property is an individually designated historic district and is one of the few remaining upright and wing houses with a barn remaining in the city. Removal of either the house or barn from the property would destroy one of the few remaining intact house/barn combinations left in the city.
2. The applicant is requesting a Certificate of Appropriateness or Notice to Proceed to demolish the existing house citing the house's poor condition and deteriorated state. The applicant states that they would construct a new similar house further back from Crooks Road but no site plan or building plans were submitted with the demolition application.
3. Demolition of the house, a contributing structure and distinctive feature of the district does not meet The Secretary of the Interior's Standards for Rehabilitation and Guidelines, in particular standard number 2, which states, "The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided."
4. The applicant submitted an application to the Commission for a Notice to Proceed to demolish the house in 2009. The Commission denied the application and the Commission's decision was upheld in an appeal to the State Historic Preservation Review Board in 2010.
5. The City of Rochester Hills Building Department has stated that they believe the building is deteriorated beyond repair. No evidence has been provided that the structure is a danger to the public and the occupants. There have been no reports of trespassing or illegal entering to the property. The house has no human occupants so there is no danger to them. The applicant could provide any public safety reports if available as to whether the house is a danger to the public.
6. The engineering firm, Johnston Design finds that the following repairs are needed and that rehabilitation would cost at least \$400,000.

In summary;

- Much of the existing structure may not be useable and will require extensive repair, replacement and/or reinforcing to meet current building code requirements. There will also be required modifications needed to meet requirements for fire safety, egress and energy codes.
 - A complete new roof is required which will probably require new roof sheathing.
 - The existing roof framing members are not adequate for current building code requirements.
 - Headers are missing and will require replacement along with adequate supporting studs and blocking. It appears that deflection has occurred in many areas which if it has existed for some time, may require replacement as the framing members may have taken a permanent bow.
 - Floor framing needs repair, replacement or reinforcing including the main carrying beams that are not adequately supported at this time.
 - The timber sill needs at a minimum, repair of the damaged areas and may require replacement if the damage is extensive.
 - Stone foundation walls need stabilizing
 - As with all structures of this age and type that are in need of extensive repair and maintenance, it is very common to find even more issues once demolition and construction is started and other areas are exposed to view.
7. Johnston Design could provide photographs of any interior structural issues to illustrate the above points. They can also provide oral testimony at the meeting to further explain their findings and answer Commission questions.

8. The applicant provided estimates for a new roof: \$10,197 for asphalt shingles; \$30,217 – neither price included removal of the existing shingles, new sheathing, or carpentry work.
9. The applicant provided an estimate for new windows: \$23,009 – it is unclear what window material would be used.
10. The applicant did not provide current or accurate figures of the property's value after rehabilitation of the house. Will a rehabilitated house be worth more than \$400,000? The applicant also did not provide costs to demolish the house and construct a new house, with the new property values for the Commission to compare. As the applicant did not provide plans for what would replace the house, new construction costs are unknown.
11. The applicant appears to have created their own economic hardship; therefore, demolition under the economic hardship provision of notice to proceed does not apply. After approving two different rehabilitation schemes with additions in 2002 and 2005, the Commission ordered the owner to make repairs to the property in 2007. The owner has failed to keep the house weather tight since taking ownership in 2000. There are holes through the roof and walls on the east and west sides, and the tarps covering those holes have deteriorated. In 2008 the owner told the Commission that he gutted and leveled the interior of the house, including removing all of the HVAC equipment. These conditions have contributed to the deterioration of the house, and possibly have increased the cost to rehabilitate the property.
12. In January 2011 the applicant appears to have boarded up the windows and put temporary patches over the holes in the roof in response to the Commission's finding of demolition by neglect.
13. The owner is unwilling to sell the property to a new owner who might be willing to rehabilitate the house.
14. The other Notice to Proceed conditions have not been met. The demolition of a house to be replaced with a private residence is not a major improvement program of substantial benefit to the community, and the applicant did not provide written evidence of planning and zoning approvals, financing, or environmental clearances. Since the city designated the property as a historic district it is in the interest of the community to protect the property.
15. The applicant has not submitted the proposed plans to the City's Building Department for a formal review. Any work performed in connection with this project will be required to meet all zoning and building codes, rules and regulations.

Potential Motions

(Subject to adjustment based on Commission discussion)

MOTION, in the matter of File No. HDC 99-011, that the Historic Districts Commission **APPROVES/DENIES/POSTPONES** the request for a Certificate of Appropriateness for the demolition of the house at 1841 Crooks Road in the Stoney Creek Historic District, Parcel Identification Number 15-20-428-003, with the following Findings and Conditions:

- 1) The proposed house demolition **is/is not** in keeping with the Secretary of the Interior's Standards for Rehabilitation and Guidelines, in particular standard number 2 as follows:
 2. The historic character of a property will be retained and preserved. The removal of distinctive materials or alteration of features, spaces, and spatial relationships that characterize a property will be avoided.

ALTERNATE MOTION: If the Commission finds the conditions to issue a Notice to Proceed have been met and the project will correct these conditions the following might be used:

MOTION, in the matter of File No. HDC 99-011, that the Historic Districts Commission **APPROVES/DENIES/POSTPONES** the request for a Notice to Proceed for the demolition of the house at 1841 Crooks Road in the 1841 Crooks Road Historic District, Parcel Identification Number 15-20-428-003, with the following Findings and Conditions:

- 1) The proposed demolition does not meet the Secretary of the Interior's Standards for Rehabilitation but finds that the following condition prevails and the proposed demolition will correct the condition:
 - (a) The resource constitutes a hazard to the safety of the public or to the resource's occupants;
 - (b) The resource is a deterrent to a major improvement program that will be of substantial benefit to the community, and the applicant proposing the work has obtained all necessary planning and zoning approvals, financing, and environmental clearances;
 - (c) Retaining the resource will cause undue financial hardship to the owner when a governmental action, an act of God, or other event beyond the owner's control created the hardship, and all feasible alternatives to eliminate the financial hardship, which may include offering the resource for sale at its fair market value or moving the resource to a vacant site within the historic district, have been attempted and exhausted by the owner; or
 - (d) Retaining of the resource is not in the interest of the majority of the community.