



# Rochester Hills

## Minutes

### Historic Districts Commission

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Rochester Hills, MI  
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Home Page:  
[www.rochesterhills.org](http://www.rochesterhills.org)

*Chairperson Jason Thompson, Vice Chairperson Julie Granthen*  
*Members: Darlene Janulis, Kelly Lyons, Susan McKinnon, Steve Reina,*  
*Dr. Richard Stamps, Tom Stephens, Charles Tischer*

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Thursday, December 14, 2017

7:00 PM

1000 Rochester Hills Drive

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#### CALL TO ORDER

*Chairperson Thompson called the Regular Meeting to order at 7:00 p.m. in the Auditorium.*

#### ROLL CALL

**Present** 6 - Julie Granthen, Darlene Janulis, Steve Reina, Tom Stephens, Jason Thompson and Charles Tischer

**Absent** 3 - Kelly Lyons, Susan McKinnon and Richard Stamps

*Also Present: Sara Roediger, Director of Planning*  
*Paul Davis, City Engineer*  
*Scott Cope, Director of Building*  
*Kristine Kidorf, Kidorf Preservation Consulting*  
*John Staran, City Attorney*  
*Sandi DiSipio, Recording Secretary*

#### APPROVAL OF MINUTES

[2017-0585](#) September 14, 2017 Regular Meeting Minutes

**A motion was made by Janulis, seconded by Stephens, that this matter be Approved as Presented. The motion carried by the following vote:**

**Aye** 5 - Granthen, Janulis, Stephens, Thompson and Tischer

**Abstain** 1 - Reina

**Absent** 3 - Lyons, McKinnon and Stamps

#### COMMUNICATIONS

*No communications were brought forward.*

#### PUBLIC COMMENT for Items Not on the Agenda

*No public comment was heard on non-agenda items.*

## NEW BUSINESS

2017-0581

**FILE NO. HDC#17-047**

Request: Certificate of Appropriateness - Addition

Location: 1939 Washington

Parcel: 15-01-227-033

Owner: Kathy White

*(Reference: Staff Report dated December 4, 2017, prepared by Kristine Kidorf, Kidorf Preservation Consulting, and associated documents were placed on file in the Planning and Economic Development Department and by reference becomes part of the record thereof.)*

*Chairperson Thompson read the request for the record and asked the applicants or representatives to come forward. He indicated Ms. Kidorf is present to answer questions regarding the staff report.*

*Ms. Kathy White, 1939 Washington, the applicant and homeowner, introduced herself. She was accompanied by Mr. David Mulman, JCM Construction, Inc., the builder.*

*Ms. Janulis commented she appreciates all the work the applicant did in order to make the request very clear. The proposed addition is compatible with the district and does not destroy any of the historic materials or features. Mr. Reina wished the applicant the best of luck on the project. No other Commissioners had any comments or questions.*

***MOTION*** by Janulis, seconded by Tischer, in the matter of File No. HDC 17-047, that the Historic Districts Commission **APPROVES** the request for a Certificate of Appropriateness for the garage modifications at 1939 Washington Road in the Winkler Mill Pond Historic District, Parcel Identification Number 15-01 227-033, with the following findings and conditions.

1. *The proposed project which is comprised of modifications to the existing attached garage is in the Winkler Mill Pond Historic District and is compatible in massing, size, scale and materials with this part of the district;*

2. *The proposed garage modifications including cladding the walls in brick, replacing the doors, adding a shed roof canopy supported by brackets, and modifying the garage roof and construction of the shed roof dormer facing the driveway with new windows and shutters as proposed is in keeping with the Secretary of the Interior's Standards for Rehabilitation and Guidelines, in particular standard number 9 as follows:*

9) *New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

**A motion was made by Janulis, seconded by Tischer, that this matter be Approved. The motion carried by the following vote:**

**Aye** 6 - Granthen, Janulis, Reina, Stephens, Thompson and Tischer

**Absent** 3 - Lyons, McKinnon and Stamps

2006-0105

**FILE NO. HDC#99-011**

Request: Notice to Proceed for demolition of existing house

Location: 1841 Crooks Rd.

Parcel: 15-20-428-003

Owner: Frederick & Kathryn Dunn

*(Reference: Staff Report dated December 5, 2017, prepared by Kristine Kidorf, Kidorf Preservation Consulting, and associated documents were placed on file in the Planning and Economic Development Department and by reference becomes part of the record thereof.)*

*Chairperson Thompson read the request for the record and asked the applicants to come forward. He commented the Commission has had the chance to read the packet, and Ms. Kidorf is present to answer any questions.*

*Mr. Fred and Ms. Kathryn Dunn, homeowners of 1841 Crooks, came forward and introduced themselves.*

*The Chair opened the floor to the Board for comments or questions.*

*Mr. Reina asked if staff has had discussions with the applicants as there are two requests before the Commission - one is relating to the pathway and the other is for demolition of the home.*

*Chairperson Thompson said the Board can talk about both requests because they are linked together, but two separate motions will have to be made regarding the requests.*

*Ms. Roediger indicated the staff has met with the property owners. Also present tonight is John Staran, City Attorney, Scott Cope from the Building Department and Paul Davis, City Engineer. She explained there are different two requests for the Commission - the first is to demolish the house, and the second is to create a pathway along the property frontage. Ms. Roediger pointed out one of the conditions for the demolition of the house is the addition of the pathway. City staff had a chance to tour the building and see the true state of its condition. A letter describing the structural integrity of the building was included in the packet. Staff did meet with the Dunn's to talk about different alternatives and staff's thought moving forward from a health, safety, welfare standpoint from the City's perspective, they are coming to the HDC for demolition based on the structural report. Staff is also looking at the greater good of the community, and this is one of the areas in the City that has a gap in its pathway system, so staff is coming before the board to ask for both at the same time.*

*Ms. Roediger further clarified staff members who met with the applicant as herself and Mr. Cope from Building.*

*Mr. Reina then asked if staff has had discussions with the applicants relative to their willingness to do the pathway as part of the composite request being made.*

*Ms. Roediger indicated yes, they met a couple months ago and talked about the idea, and the applicants were open to it. Since then, the staff report has been completed and she spoke with Ms. Dunn twice this week who is amenable to a pathway in front of their property.*

*Mr. Reina asked the applicants if they heard what City staff said, and if that's what the discussion was. Ms. Dunn said yes, as long as it's the six foot asphalt just like the other paths, and the engineer works with them so it looks good, the path would be OK.*

*Ms. Janulis asked staff what the City can do to ensure that the barn will not fall to the same conditions as the house.*

*Ms. Roediger can't think of anything from a historic or a legal standpoint that staff could do as a condition. She does not have an answer to the question.*

*Mr. Staran indicated he may have a different interpretation of the question. He asked Ms. Janulis if she was asking if something could be done from a legal standpoint? He indicated the City already has that in place - the fact that it's designated as a historic district. He asked if she is asking if there is something the City can do better on a monitoring and enforcement level.*

*Ms. Janulis replied yes.*

*Mr. Cope who heads up the enforcement division/Building Department, came forward and introduced himself. The City can require the owners to maintain the building, e.g. repairing or painting any siding or roofing necessary. The reason the house got to where it is, is there was a plan for building to happen, but there was a lot of back and forth as far as this plan. He has already spoken with the Dunn's and they have full intention of maintaining the barn in the condition that it should be in.*

*Ms. Janulis said that given that, she would be in support of the administration's recommendation and hopes the owners understand their responsibility in maintaining the barn. The property is historic, so anything the applicants plan to build there comes back to the HDC for approval. It depresses her to have to let the house go, and feels it would be prudent to maintain the barn and to put the pathway in. She appreciates the owners allowing the pathway to be continued for people that walk. It is with mixed emotions that Ms. Janulis supports staff's recommendation.*

**Mr. Glenn Moore, 2195 Bretton Dr., Rochester Hills**, came forward, introduced himself, and explained he lives adjacent to the subject property. 1841 Crooks is of historic significance because it is the founder of Avon Township and part of Rochester. Once that building is gone, most of the history for this area is gone along with it. If the house is going to be demolished, hopefully the owners can keep the same elevation. What they do on the inside is irrelevant, it's the outside that counts. So, if the owners can keep the same

elevation and possibly use the original materials on the outside would be appreciated. There is nothing stopping the applicants from demolishing the building and moving the setback similar to the home on Avon Road just down the street - they just picked up the whole building and set it back 50-100 feet. The main concern is that once demolished, the zoning could be changed from the existing R-1 one-family residential. There nothing stopping the owners from requesting a change in zoning to R-2 or R-3 in the future. Once that happens, the neighbors in the subdivision are really in trouble. If the house is to be demolished with no replacement structure, he suggests that a deed restriction be placed on the property for 20 years to assure it remains R-1 zoning. At least this will save the resale values in the subdivision. He asked if anyone has completed an environmental impact study on the subject lot because right now this area is a deer sanctuary. Barn owls and other birds also use this area. Once the pathway is installed does it modify the property line? If not, is it subject to no trespassing? Thank you.

Mr. Reina asked Mr. Staran if a deed restriction is something the City can do.

Mr. Staran explained that a deed restriction would have no bearing on the zoning. The zoning is something that's completely within the City's control, and doesn't change unless the Planning Commission and City Council decide to change it. This area is zoned R-1, it's planned R-1, and he is not aware of any intention to modify this zoning. None has been proposed, none has been applied for, so it's not in the forecast. If someone comes forward to ask for a rezoning, they would have a right to ask, but barring a persuasive case that somehow the nature of that area has changed whereby the planning and zoning for this property for R-1 is no longer valid or advisable, he would not see it changing. He wouldn't see the Planning Commission or City Council making any changes as they don't make these changes arbitrarily, but only after very thoughtful consideration of the zoning for that area and the surrounding area.

Mr. Reina asked to what extent the deer sanctuary figures in.

Mr. Staran indicated he doesn't know if it figures in any more or less than any other property in the City. That isn't germane to anything that the Historic District Commission would have to decide on.

Mr. Reina stated another way - no decision that the HDC makes tonight could negatively affect anything having to do with the deer sanctuary.

Mr. Staran said no, all you are considering tonight is whether or not to approve a Notice to Proceed, which would allow the demolition of the house. He feels Mr. Moore's concerns relate more to the aftermath, i.e., that if in the future that if the Dunn's or successor owner should come before the City requesting to develop or alter the subject property, that may be a legitimate concern at the time. Tonight, the Board is just looking at the Notice to Proceed for demolition.

Mr. Reina then asked staff to explain what happened when they made an investigation of the property, and what made them feel the case for demolition is the right answer.

*Mr. Cope noted the Commission has a copy of the report that Mr. Winters prepared detailing the results of the site walk-through. The property owners allowed Messrs. Cope and Winters to go inside. They found the house to be in a structurally unstable condition with headers that were missing, rotted foundation boards, headers and floor systems, the foundation itself that was missing, cracked, and crumbling and in very bad shape, and from a building official's standpoint, he is concerned about the integrity of the building. If we were to have a heavy snow, Mr. Cope thinks the roof could collapse because there is very little supporting it.*

*Mr. Reina asked if nothing is done, could the house just demolish itself.*

*Mr. Cope responded it definitely could, and that's where it's headed.*

*Mr. Reina asked if it is advisable to have a property like that in any municipality.*

*Mr. Cope replied no, and that's why he's here to state the case from a building official's standpoint, he is concerned about the safety of every building in the community. The subject one, in Mr. Cope's opinion, is not a safe building.*

*Mr. Reina asked if the building could cause serious personal injury.*

*Mr. Cope responded yes. It is structurally unsafe, and if someone was in or near the building, it could collapse.*

*With regard to moving such a building, Mr. Reina inquired if that was a possibility.*

*Mr. Cope explained when he walked through the building, many of the pieces of the building are rotted and missing, so moving the building is just not an option. Once you started moving it, it would not stay together.*

*Using original materials from the existing building to essentially make a new building was previously suggested, and Mr. Reina asked Mr. Cope's response to that.*

*Mr. Cope indicated there are some portions of materials in the building that are still usable, and if someone wanted to tear it apart piece by piece and use some of the pieces somewhere else, yes, it's possible. There are still viable pieces of the building, but the structure itself is not. The use of the original materials would be at the discretion of the homeowner.*

*Mr. Stevens asked if staff also looked at the barn.*

*Mr. Cope indicated they did walk around the barn and have talked to the Dunn's about painting and repairing some siding that could be done that could bring it up to a better shape.*

*Ms. Janulis asked if the word "should" in #2 of the Potential Motion can be changed to "will". Mr. Staran has no problem with using the word will.*

*Ms. Granthen asked Ms. Kidorf if she remembers any other locations where the house or building deteriorated in an historic district, and then was demolished, or would this set a precedent in Rochester Hills.*

*Ms. Kidorf is not aware of this happening in Rochester Hills, but is aware of it happening in other communities.*

*Mr. Tischer feels it's extremely sad and unfortunate that we're finally to this point after years, and hopes this can be a lesson going forward that whoever the homeowners may be and whoever sits on this Commission can work together because this asset's going to be gone, regardless of whose fault it was. He is concerned about the precedent this does set, but the house is going to collapse because of the condition. It's sad and it's a loss of history.*

**MOTION** by Reina, seconded by Janulis, in the matter of File No. HDC 99-011, that the Historic Districts Commission **APPROVES** 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 conditions prevail and the proposed demolition will correct the situation:*

*(a) The resource constitutes a hazard to the safety of the public or to the resource's occupants; AND*

*(b) Retaining of the resource is not in the interest of the majority of the community.*

2) *The Notice to Proceed is issued on the condition that the owners of the property grant an easement to the City of Rochester Hills for the pathway on the property along Crooks Road. The easement will be granted before the demolition permit is issued.*

**A motion was made by Reina, seconded by Janulis, that this matter be Approved. The motion carried by the following vote:**

**Aye** 5 - Janulis, Reina, Stephens, Thompson and Tischer

**Nay** 1 - Granthen

**Absent** 3 - Lyons, McKinnon and Stamps

[2017-0582](#)

**FILE NO. HDC #17-049**

Request: Construct 8' wide asphalt pathway across property

Location: 1841 Crooks Rd.

Parcel: 15-20-428-003

Applicant: City of Rochester Hills

*(Reference: Staff Report dated December 5, 2017, prepared by Kristine Kidorf, Kidorf Preservation Consulting, and associated documents were placed on file*

*in the Planning and Economic Development Department and by reference becomes part of the record thereof.)*

*Chairperson read the request for the record, and invited the applicant (staff) to come forward and explain the request.*

*Mr. Paul Davis, City Engineer, stated that as alluded to previously, this request and the previous request are closely related. He doubted he would even be present tonight if the Board did not give approval on the demolition. But since the Commission approved the demolition, and the easement and the pathway were discussed with the last request, what has been requested of the Commission tonight is to consider approval for construction of a pathway across the subject property. Staff looks for opportunities to eliminate gaps in the pathway system. This would be a eight-foot wide public pathway, and the City is looking for a 10-foot wide easement to accommodate the pathway. This is different from a road easement, which also could have been a consideration, but probably more demanding and necessary that what the homeowner's probably would consider. So, a pathway easement would be sufficient for the needs of the request. It hasn't been determined yet exactly where the pathway will be. He was listening closely to the language about when the demo permit could be issued because it means he needs to do some work soon if the request is granted. There is a drawing in the packet that indicates in red conceptually where the pathway would go. Staff went out to the site and took pictures of where the existing pathway ends on either side of the subject property and drew straight lines in between them. It doesn't need to be described that way. If there are healthy, quality trees that need to be saved the City can work with the property owner to preserve them, although staff would rather have a straight pathway as it's easier to plow and maintain. The Forestry Department would help with determining the condition of the trees and work with the property owner and DPS to determine what a final alignment would be. Once the final alignment is determined, then staff could describe a legal description for the easement, and eventually the path would be staked out based on the easement and constructed. The request tonight is for the Commission to grant approval in order to allow the pathway gap be constructed and completed. The City has not yet set the 2018 pathway rehabilitation program, but this type of project is something that would get added into the yearly program and not be a stand-alone project. He's not certain if the pathway will be included in the 2018 schedule, but having the easement in place would permit the City to construct the path at any time in the future.*

*Mr. Tischer asked if there is a pathway on the west side of Crooks. Mr. Davis confirmed this. Mr. Tischer is struggling with the tree removal, not knowing the age, size and species. He would like to see what the plan for the trees is and if the pathway will meander. Mr. Davis explained the person from Engineering that went out and took the photos for the plan view, indicated a lot of the area is brush, although there is a larger coniferous tree close to the home. That is one staff would probably look to avoid. Staff wants to connect into the existing locations and doesn't think there are any trees at those points.*

**MOTION** by Janulis, seconded by Reina, in the matter of File No. HDC 17-049, that the Historic Districts Commission **APPROVES** the request for a Certificate



*of Appropriateness for the construction of an 8' wide asphalt pathway running 240' near the west edge of 1841 Crooks Road, an individual historic district, Parcel Identification Number 15-20-428-003, with the following findings and conditions:*

*1) The proposed pathway is in the individually designated 1841 Crooks Road Historic District and is compatible in massing, size, scale and materials with the district;*

*2) The proposed tree removal and pathway construction as proposed is in keeping with the Secretary of the Interior's Standards for Rehabilitation and Guidelines, in particular standard numbers 9 and 10 as follows:*

*9) New additions, exterior alterations, or related new construction will not destroy historic materials, features, and spatial relationships that characterize the property. The new work shall be differentiated from the old and will be compatible with the historic materials, features, size, scale and proportion, and massing to protect the integrity of the property and its environment.*

*10) New additions and adjacent or related new construction will be undertaken in such a manner that, if removed in the future, the essential form and integrity of the historic property and its environment would be unimpaired.*

**A motion was made by Janulis, seconded by Reina, that this matter be Approved. The motion carried by the following vote:**

**Aye** 6 - Granthen, Janulis, Reina, Stephens, Thompson and Tischer

**Absent** 3 - Lyons, McKinnon and Stamps

## **ANY OTHER BUSINESS**

### **2018 Meeting Schedule**

**MOTION** by Stevens, seconded by Thompson, **Moved**, that the Board approves the 2018 Meeting Schedule as presented, with meetings being the second Thursday of each month at 7:00 p.m.

All: All Nays: None

Absent: Lyons, McKinnon, Stamps

**MOTION CARRIED.**

*Ms. Janulis indicated a month ago the Commission received an email from the Michigan Historical Society and they are putting on a Founding America Tour. If anyone is interested, please see Ms. Janulis.*

*Mr. Reina commended staff for the work done on tonight's requests.*

## **NEXT MEETING DATE**

*The next Regular Meeting is scheduled for January 11, 2018.*

## **ADJOURNMENT**

*Hearing no further business, and upon Motion by Reina, seconded by Janulis, the Chairperson adjourned the Regular Meeting at 7:47 p.m.*

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*Jason Thompson, Chairperson  
Historic Districts Commission  
City of Rochester Hills*

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*Sandi DiSipio, Recording Secretary*