

**City of Rochester Hills
Department of Planning**

STAFF REPORT TO THE HISTORIC DISTRICTS COMMISSION
September 4, 2009

| 1841 Crooks Road | |
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| APPLICANT | Fred T. Dunn 1104 Maple Leaf Drive Rochester Hills, MI 48309 |
| LOCATION | 1841 Crooks Road |
| SIDWELL | 15-20-428-003 |
| FILE NO. | HDC 99-011 |
| ZONING | R-1 (One Family Residential) |
| STAFF | Derek L. Delacourt, Planner |
| REQUEST | Notice to Proceed Demolition (single family house) |
| HISTORIC DISTRICT | Non-contiguous (Reference #53) |

HISTORICAL INFORMATION:

The subject site is a non-contiguous Historic District, reference #53. The house is an Early American Farmhouse of wood frame construction. The Avon Township Historic District Study Committee identified the structure for designation in 1978.

During the performance of her Intensive Level Survey, Dr. Jane Busch identified this historic resource as being significant in both the areas of architecture and agriculture. She described the home as being a good, intact example of the upright and wing house type popular in Avon Township and Oakland County in the 19th century. A copy of the survey sheet prepared by Dr. Busch is attached.

SUMMARY:

The subject site is located north of M-59, on the east side of Crooks Road. The lot is developed with an existing 2,000 square foot single family home and a 1,200 square foot barn. The applicant is requesting a Notice to Proceed for demolition of the Single Family Home. The review process for a Notice to Proceed is identified in Section 118-164 (d) below.

Sec. 118-164. Review by commission.

- (a) *Standards.* In reviewing plans submitted pursuant to this division, the historic districts commission shall follow the U.S. Secretary of the Interior's Standards for Rehabilitation and Guidelines for Rehabilitating Historic Buildings, as set forth in 36 CFR 67. Design review standards and guidelines that address special design characteristics of historic districts administered by the commission may be followed if they are equivalent in guidance to the Secretary of the Interior's Standards and Guidelines and are established or approved by the bureau of history of the department of state. The commission shall also consider all of the following:
- (1) The historic or architectural value and significance of the resource and its relationship to the historic value of the surrounding area;
 - (2) The relationship of any architectural features of the resource to the rest of the resource and to the surrounding area;
 - (3) The general compatibility of the design, arrangement, texture, and materials proposed to be used; and
 - (4) Other factors, such as aesthetic value, that the commission deems relevant to its determination under the review standards and guidelines in this subsection.
- (b) *Basis for denial.* Denial of any application shall be based only on the considerations set forth in subsection (a) of this section.
- (c) *Interior arrangement review limitation.* The historic districts commission shall review and act upon only exterior features of a resource and shall not review and act upon interior arrangements unless interior work will cause visible change to the exterior of the resource.
- (d) *Grounds for issuing notice to proceed.* In addition to approval of an application pursuant to the standards contained in subsection (a) of this section, work within a historic district shall be permitted by the historic districts commission through the issuance of a notice to proceed if any of the following conditions prevail and if the proposed work can be demonstrated by a finding of the commission to be necessary to substantially improve or correct any of the following conditions:
- (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.

The applicant has submitted information in support of the request, that information is included in your packet for review. As the HDC is aware, the applicant has received previous approvals for renovations and additions to the existing home. Mr. Dunn received building permits last fall to begin working on the home. Mr. Dunn is claiming that it is only after beginning the work that he became aware of the additional structural issues. After removing all of the interior drywall, plaster, and other coverings he identified the structural issues that are the cause of the request.

Mr. Dunn did request that Staff from the building department investigate the home in response to the Demolition by Neglect order issued by the HDC, the order gave Mr. Dunn until the end of July to correct all outstanding items. Staff did investigate the house and will be available the night of the meeting to answer any question the HDC may have. At a subsequent meeting Mr. Dunn indicated his desire to request demolition, it his opinion that the structural damage uncovered was not caused by him and that the amount and cost of the repairs is unreasonable and an undue burden.

Staff will provide potential motions the night of the meeting

Attachments: Application
09-02-09 Booth Patterson Letter
08-24-09 Usztan LLC Letter
Photographs – 1841 Crooks
Survey Sheets