

decision to a potential purchaser to determine if they are supportive of a designation. The property owner thought designation would limit the market for sale of the property, and asked it not be moved forward.

Chairperson Thompson suggested the Committee move forward with this report. Mr. Dziurman asked what the next step would be. Mr. Delacourt stated the Report would be transmitted to SHPO and a Public Hearing date scheduled.

Mr. Dziurman noted the State was already familiar with this property. Mr. Delacourt agreed as it was the subject of a Memorandum of Understanding in connection with the road improvements on Hamlin and the Livernois intersection.

This matter was Approved

Aye - 4 - Stamps, Dziurman, Thompson and Hannick

Absent - 3 - Webster, Schodowski and Woolf

RESOLVED that the Preliminary Report regarding the property known as 2040 S. Livernois, Parcel Identification Number 15-28-226-026, be forwarded to the State Historic Preservation Office.

2007-0313

Chairperson Thompson stated the Report would be sent to the State Historic Preservation Office. He noted that it might be advisable to schedule the Public Hearing for this property at the same time the Public Hearing is scheduled for the Stiles School property.

Mr. Delacourt asked if there were any suggested changes to the Preliminary Report prior to the report being sent to SHPO. No changes were suggested by the Committee. He pointed out the property was not currently designated, which meant there was no duty to maintain or other protections offered by Ordinance.

8. NEW BUSINESS

- 8A. 2009-0411 1585 S. Rochester Road (HDC File #03-003)
 - Referral from City Council
 - Request for Study re Delisting Request

Chairperson Thompson asked for a brief summary from Staff regarding this property.

Mr. Delacourt stated that the property owner made a request of City Council to delist the property. The property owner submitted a packet of information as to why they felt the property should be delisted. City Council made a motion to forward the information to the Study Committee; engaged the City's preservation consultant to conduct a review, and requested that a response be brought back to

Council within 180 days of September 28, 2009. The City's preservation consultant received a copy of the information and has begun her review. He expected a Preliminary Report to be completed shortly.

Mr. Delacourt stated the Study Committee had been provided a copy of the information submitted to City Council. He asked if the Committee had any input or information to pass along to the preservation consultant. He introduced Mr. Cornell Vennettilli, G&V Properties, the property owner, who was present.

Mr. Delacourt stated that the property was part of a Planned Unit Development (PUD) Agreement that was approved by the Historic Districts Commission (HDC) that included the relocation and adaptive reuse of the house on the site. He stated that City Council was aware that if the site was delisted, the PUD Agreement would have to be amended, noting the property owner was also aware the PUD Agreement would be open for renegotiation. The property owner had held some preliminary discussions with the Planning Commission regarding their ideas as to what direction they would like go with the PUD Agreement, especially if the property is delisted. Staff has not made any recommendation to either the Planning Commission or City Council regarding the PUD Agreement, pending receipt of the Preliminary Report. He explained once the Preliminary Report was received, the Study Committee made a recommendation and that information would be taken back to City Council.

Mr. Dziurman asked when the Preliminary Report would be available. Mr. Delacourt expected it to be completed soon, and indicated it would be forwarded to the Study Committee when it was received.

Mr. Dziurman asked about the deadline. Mr. Delacourt explained the Study Committee had a deadline to get to City Council with some type of information or a request for additional time.

Chairperson Thompson noted that this matter was forwarded to the Committee at the September 28, 2009 City Council meeting, and the Committee had 180 days from that date to respond.

Dr. Stamps clarified the matter had been referred to the Study Committee for delisting. He inquired about the applicant's rationale and reasons for delisting.

Mr. Delacourt stated it was the opinion of professionals hired by the applicant that it did not meet any of the criteria for designation. City Council has asked that to be reexamined by the Study Committee.

Chairperson Thompson summarized that informational material had been provided to the Study Committee and the Preliminary Report was being prepared by the preservation consultant.

Mr. Delacourt stated the applicant had provided professional opinions regarding the house. The Study Committee would evaluate that information and make a recommendation about whether that information was correct or not. In accordance with the Ordinance, a delisting request is made to City Council.

Chairperson Thompson stated the applicant had provided quite a bit of information for the Committee's review.

Mr. Hannick noted the submitted information indicated the porch was not original to the house, and there were other additions made to the house. He commented some of those items could be considered improvements, and he did not know how the Committee would respond.

Mr. Dziurman stated the Ordinance prevented a house from being left to rot. A claim could be made that it would cost a lot of money to repair, and questioned whose fault it was that it was in that state, which would have to be addressed.

Mr. Hannick stated part of the information indicated a demolition by neglect violation could be issued when it was determined the City was in danger of losing the Historic District resource. He noted the barns had been demolished. He thought the pictures depicted the unbelievable shape the house was currently in, which appeared to be a violation.

Mr. Delacourt stated that demolition by neglect violations had been issued on the house. Mr. Dziurman stated that was part of the duties of the Historic Districts Commission, and the Study Committee did not get involved in those matters.

Chairperson Thompson stated the Committee would have a more complete picture when they received the Preliminary Report. He stated no one was questioning any work that had been done. Rather the Committee had to review all the information before making a recommendation.

Mr. Delacourt stated there were two different items being discussed. The item before the Study Committee was whether it did not meet the criteria for designation, regardless of its current condition. That was the question City Council had asked the Study Committee to evaluate. He explained it was the applicant's position that even if the house was in immaculate condition, it still would not meet the criteria for designation. The second part of the argument was that even if it met the criteria, the condition was such that it should not be kept. He stated that was more of an argument for the Historic Districts Commission or City Council. Technically, the charge of the Study Committee was whether it met the criteria or not. The Study Committee has always based its recommendations on the integrity not the condition.

Mr. Delacourt asked if the Study Committee had any information they wanted to give to the preservation consultant before she completed her report.

Chairperson Thompson stated the Committee would follow the process and would await receipt of the Preliminary Report. Once all the information was received, the Committee would discuss their recommendation.

Dr. Stamps stated the property was examined; it was designated; and the property owner agreed when the PUD Agreement was approved. He questioned the use of the PUD, and why the argument against designation was not made at that time.

Mr. Delacourt stated there are advantages to designation; however, agreeing to the designation and agreeing it is historic are two different things. He stated if there was an advantage for the development of the property, the property owner did not have to agree with the designation. He was aware of a similar situation where a developer questioned the historic designation, but recognized the designation as a benefit to the proposed development.

Cornell Vennettilli, the property owner, added that there was never an in-depth investigation in the past as was done now. He explained that special experts had been called in to review the property.

Mr. Dziurman stated that the property owner may not have conducted an investigation, but the Study Committee at that time did. He explained there was a Committee at the time of designation.

Mr. Vennettilli stated the experts he recently brought in to investigate determined the house was not the historic structure it was previously thought to be.

Chairperson Thompson stated that the Committee would review all the information it received in making its recommendation. He called for any other comments or questions about the property. Upon hearing none, he stated the matter would be scheduled for the next meeting agenda.

This matter was Discussed

~~0B. 2009-0437 2371 S. Livernois Road
- Referral from City Council
Request to Delist~~